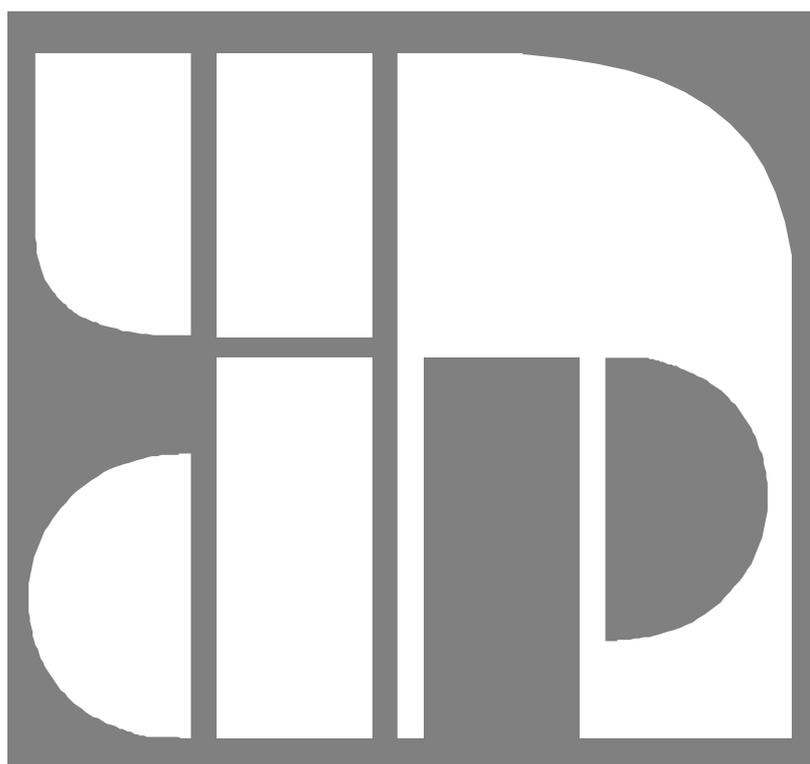


*The Vale of Glamorgan  
Unitary Development Plan  
Deposit Draft (1998)*

# ***STATEMENT OF DECISIONS***





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***The Vale of Glamorgan  
Unitary Development Plan  
Deposit Draft (1998)***

***STATEMENT  
OF DECISIONS***

***February 2003***

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*Policy*            *00GEN - General Policy Matters*

*Representor Numbers*    *3.1, 4.1, 49.1, 56.1, 251.1, 244.36, 359.1, 293.15, 244.35, 230.18, 238.35, 359.18*

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**Inspector's Recommendation No.**    REC 01.01

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy*            *Supplementary Planning Guidance*

*Representor Numbers*    *265.3, 237.1, 249.2, 265.4, 360.26, 360.39, 263.5*

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**Inspector's Recommendation No.**    REC 01.02

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of Para. 1.2.4

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete paragraph 1.2.4 that reads:

1.2.4 The following Supplementary Planning Guidance is currently available:

Barry Garden Suburb  
Penarth Conservation Area  
Golf Related Developments  
Minerals Local Area Policies  
Trees and Development  
The Conservation of Rural Buildings  
Conservation Areas in the Rural Vale  
Amenity Standards  
Barry Development Guidelines

In addition, the Council intends to issue further Supplementary Planning Guidance in respect of:

Shopfront and Advertisement Design  
Sustainable Development  
Disabled Access

Supplementary Planning Guidance which should be read in conjunction with this UDP.

**Reason**

The proposed modification is made in order to reflect the non-statutory nature of Supplementary Planning Guidance and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 01.03**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of a new Appendix to make clear the non-statutory nature of SPG and the extent to which it has undergone, or is likely to be, the subject of, public consultation.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert new Appendix to read:

APPENDIX 8 – SUPPLEMENTARY PLANNING GUIDANCE

Supplementary Planning Guidance (SPG) is non-statutory guidance, which supports the Policies, and Proposals contained in this Plan. Guidance contained in paragraphs 2.12 to 2.16 of Unitary Development Plans Wales (2001) is clear in that SPG is a material consideration in the determination of planning applications. The weight to be attached to the guidance contained in the SPG is dependent upon the extent to which the guidance has undergone public consultation.

SPG on the following topics has been prepared by the Council and were placed on deposit during April - May 1998 to allow for full public consultation. Consideration has been given to the comments made in respect of each document, and where appropriate amendments have been made:

Barry Garden Suburb;  
Penarth Conservation Area;  
Golf Related Development;  
Minerals Local Area Policies;  
Trees and Development;  
The Conversion of Rural Buildings;  
Conservation Areas in the Rural Vale;  
Amenity Standards;  
Barry Development Guidelines.

In addition to the aforementioned topics the Council intends to prepare further SPG in respect of the following topics:

Access for Disabled People;  
Shopfront and Advertisement Design;  
Sustainable Development;  
Special Landscape Areas;  
Design Guidance;  
Nature Conservation.

The Council will ensure that the draft versions of the above SPG are subject to public consultation, and that

due consideration will be given to any comments before the guidance becomes Council Policy.

**Reason**

The proposed modification is made for the reasons set out by the Inspector and in order to ensure clear and consistent policy guidance within the Plan.

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*Policy Non Statutory Documents*

*Representor Numbers 237.2, 360.25*

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**Inspector's Recommendation No. REC 01.04**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of Para 1.3.5.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete paragraph 1.3.5 that reads:

1.3.5 There are also a series of non-statutory documents which are relevant to the Vale of Glamorgan. These include the former South Glamorgan County Council's Transport Strategy, the Regional Public Transport Strategy, the Council's Transport Policies and Programme and the Economic Development Strategy and the Joint Land Availability Study for residential development which is produced by the Land Authority for Wales in co-operation with a number of bodies.

**Reason**

The inclusion of the list of documents set out in paragraph 1.3.5 of the Plan does little to clarify their relevance or status. Their deletion is therefore accepted and reference to them will be made as suggested and reasoned by the Inspector at appropriate locations throughout the supporting text.

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*Policy Environmental Appraisal*

*Representor Numbers 275.1, 1.2*

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**Inspector's Recommendation No. REC 01.05**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy            The Guiding Unitary Development Plan Principles*

*Representor Numbers    275.2, 360.40*

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**Inspector's Recommendation No. REC 01.06****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCA003.

**Council's Recommendation**

Inspector's recommendation not accepted

**Recommended Modification**

The Council considers that the definition of the Precautionary Principle contained within "A better quality of life" a strategy for sustainable development for the UK, 1999 is the most current. Accordingly the definition is modified as follows:

"Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost effective measures to prevent environmental degradation."

**Reason**

The Council's proposed modification derives from a definition of the Precautionary Principle contained within "A better quality of life" 1999. This amendment accords with a change agreed by the Officer / Member decision group on 16/8/99 and presented to the Inquiry

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*Policy*            *The Strategy and Strategic Policy 3*

*Representor Numbers*    192.1, 249.1, 249.3, 249.20, 263.6, 360.41, 173.29,  
173.30, 240.1, 263.1, 19.2, 126.11, 173.2,  
192.2, 192.3, 192.4, 192.5, 203.1, 207.1, 209.1,  
210.1, 213.1, 227.1, 230.1, 232.16, 242.1, 246.1,  
246.8, 249.5, 249.10, 251.2, 251.6, 264.1, 286.1,  
331.2, 335.2, 340.1, 342.2, 356.10, 359.4, 246.16,  
244.2, 126.10, 19.4

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**Inspector’s Recommendation No.** REC 01.07

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the inclusion within the Strategy Section of the Introduction to the plan, of further explanation of the strategic context within which the plan is set beyond that proposed in PCA004.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify Section 1.8 of the Plan as follows:

1.8        THE STRATEGY

The Vale of Glamorgan came into being as a unitary authority on 1<sup>st</sup> April 1996. The council is one of the 22 new Welsh authorities created as a result of the Local Government (Wales) Act 1994. The authority is located in the southern most part of Wales and together with the other 10 newly formed unitary authorities forms the South East Wales Region.

National Assembly guidance contained in Unitary Development Plans Wales outlines the manner in which the National Assembly wishes to see unitary authorities operate at a regional/sub-regional level. Paragraph 1.3 of the document states:

*“Consultation and collaboration is needed between authorities, and with other organisations as appropriate, to consider issues of a strategic nature which affect more than one authority. This work can best be taken forward by appropriate groups of authorities and all authorities in Wales should become part of such a group(s). This process and the strategic planning conclusions which the groups produce will form part of the context for, and an input to UDPs, especially Part I strategies and policies.”*

Accordingly, the South East Wales Unitary Development Plans Liaison Group (SEWUDPLG) was established. The group has published two volumes of Strategic Planning Guidance addressing a range of important issues in the sub region. However, this guidance does not attempt to make any assessment of future housing demand or how this should be distributed. In this regard weight must be given to national planning guidance, which at the time of the plan’s conception, was contained in Planning Guidance (Wales): Planning Policy (Welsh Office, 1996).

Planning Guidance (Wales) identifies the coastal area of the Eastern Vale as one of only three 'Major Growth Areas' in Wales, highlighting the importance of the Vale of Glamorgan in enhancing economic and social well being in South Wales. The 1<sup>st</sup> revision to this planning guidance in 1999 continues the assumption that economic development will focus on the heavily populated coastal strips of South and North Wales (paragraphs 10.1.3 and 10.1.4 refer). The Vale is thus inextricably linked to the economic pressures surrounding the M4 corridor and the regeneration of the Valleys/Cardiff Bay and the strategy is intended to take account of the realistic pressures for development being exerted on the Vale from beyond.

The regional role of the Vale is further reinforced by its inclusion as part of a wider travel to work area that sees many residents travelling to Bridgend and Cardiff for employment. It is an aim of the Plan however to stem the daily out migration of commuters in order to reduce travel distances. Employment allocations are made accordingly in order to allow existing industries to develop locally and attract further inward investment. It is unrealistic however to assume that all out commuters from the Vale will switch to new jobs within the plan area and as the employment allocations are taken up a degree of inward migration and additional commuting into the Vale is anticipated.

Housing is a part of the infrastructure of economic growth and as such the employment aims of the Plan will inevitably apply additional pressure to the already strong demand to live in the area. In setting a context for a housing target, the strategy seeks to recognise the wider strategic role of the Vale in providing employment and housing opportunities in the region, whilst reconciling the pressure this places on the existing environment and the need to conserve the special character of the area.

Subsequent paragraphs renumbered.

#### **Reason**

The proposed modification is made for the reasons set out by the Inspector and in order to ensure that the Plan contains a clear and comprehensive explanation of the sub regional planning context.

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### **Inspector's Recommendation No. REC 01.08**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the amendment of Policy 3:

- (a) to indicate that "land will be made available for an additional 6079 dwellings between 1998 - 2001
- (b) to delete the words "not exceeding 2 hectares from 3(v).

#### **Council's Recommendation**

Accept Inspector's recommendation (in part). See Reason.

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy 3 to read:

#### **POLICY 3**

LAND WILL BE MADE AVAILABLE FOR AN ADDITIONAL 6079 DWELLINGS BETWEEN 1998 - 2011. THIS PROVISION WILL BE MET BY:

- (i) THE PROVISION OF INFRASTRUCTURE AND SERVICES FOR THE DEVELOPMENT OF SITES WITH PLANNING PERMISSION FOR HOUSING;
- (ii) THE REDEVELOPMENT OF SUITABLE SITES IN THE URBAN AREAS OF BARRY, PENARTH AND RHOOSE;
- (iii) THE REPLACEMENT OF UNFIT AND SUBSTANDARD HOUSING;

- (iv) THE DEVELOPMENT OF A RANGE OF SITES IN THE SOUTH EASTERN PART OF THE VALE OF GLAMORGAN WITHIN AND ADJOINING BARRY, PENARTH AND RHOOSE, TO BE IDENTIFIED IN PART II;
- (v) THE DEVELOPMENT OF MINOR SITES IDENTIFIED IN PART II;
- (vi) THE MAINTENANCE, REHABILITATION AND IMPROVEMENT OF EXISTING HOUSING STOCK, THE CONVERSION OF SUITABLE EXISTING DWELLINGS AND THE CHANGE OF USE OF SUITABLE STRUCTURES TO PROVIDE ADDITIONAL MODERN HOUSEHOLD UNITS; AND
- (vii) AFFORDABLE HOUSING FAVOURED AT APPROPRIATE LOCATIONS AND IN ADDITION, THE PROVISION OF AFFORDABLE HOUSING ON APPROPRIATE SMALL SITES OUTSIDE OF THE GENERAL HOUSING ALLOCATION.

### **Reason**

The Council has reviewed the Inspector's deliberations with regard to this matter and, in light of REC 1.8 has decided to accept the housing demand figure of 6079 and to delete the reference to 2 hectares in Policy 3 criterion (v). However, the Council only proposes to allocate the sites outlined below for residential development during the Plan period. It is considered that the allocation of these sites satisfy guidance contained in Planning Policy Wales (2002) and will assist in satisfying the housing requirements throughout the Plan period. In respect of REC 4.44, REC 4.45 and REC 6.7 the Council has updated the housing demand figure to 1st April 2001 by taking into account dwelling completions over the period 1998 to 2001. The net result is that over the period 2001 to 2011 the Council needs to make land available for 4716 new dwelling units. Taking into account commitments as agreed by the Joint Housing Land Availability Study 2001 (2946 Units) and an allowance for small sites (760) there is a need for an additional 1010 dwellings rather than the 1104 dwellings recommended by the Inspector.

Proposed Modification No E04, having regard to guidance contained within Planning Policy Wales 2002, outlines how this requirement will be met.

The Council has discretion in selecting sites to meet this housing need. This is recognised by the Inspector in his cover letter to his report when he considered the housing requirement where at paragraph 9 he stated:

“It is however for the Council to determine whether there are other more suitable sites that were not before me for consideration”.

Having given the matter due consideration the Council believes that the Inspector did not adequately consider the following issues:

- the number of residential completions from 1998 to 2001;
- the potential housing capacity of sites with the benefit of planning permission
- the requirements of Section 9 of Planning Policy Wales 2002 (sequential approach to housing development), including the policy that Councils should seek only to identify sufficient land to meet their housing requirement (paragraph 9.2.7 refers).

As a consequence of the Council's re-assessment of housing supply data as tabled at Modification EO4 the Council requires to allocate additional land for 1010 Units.

To meet this requirement the Council has undertaken a 'search sequence' as required by Planning Policy Wales (2002). The search sequence starts with the re-use of previously developed land and buildings within settlements, then settlement extensions and then new development around settlements with good public transport links. In undertaking the search sequence particular consideration has been given to:

- The contribution to the housing supply of sites with planning permission for housing. Council resources do not permit the revocation of current planning permissions for housing development.
- The allocation of previously developed sites or empty or under-used buildings that are suitable for housing within settlements.
- The allocation of housing sites that are highly accessible by transport means to jobs, shops and services other than by the private car.
- The capacity of existing or proposed infrastructure to absorb further development and the cost, if necessary of adding further infrastructure.
- The ability to build communities to support new physical and social infrastructure and the need to provide sufficient demand to sustain appropriate local services and facilities.
- The physical and environmental constraints on the development of land.
- The need to assist urban regeneration.

As a result of the Council undertaking the search sequence, the following sites are proposed to be allocated to meet this need:

### **Barry Waterfront**

This is a Brownfield site located within the strategy area, which benefits from excellent public transport and walking / cycling opportunities. The site is ideally placed in relation to retailing and community facilities at Barry Town, with Cardiff within easy reach by public transport.

It was envisaged that the extant planning permission for the site would yield 1000 units over the Plan period. However, having examined the current build densities at this location, it has been found that the site is now expected to yield an additional 400 units (ie 1400 in total), some of which (100) may be beyond the Plan period.

### **South Quay (within Barry Waterfront)**

This is a Brownfield site located adjacent to the existing development currently under construction at Barry Waterfront and having the same benefits as Barry Waterfront. The Inspector recommended that this 5.2 ha site be allocated for a mixed-use development to include residential use. Although the Inspector felt that this site would only contribute 100 units to the supply it is the Council's view that due to increased building densities this site will contribute at least 200 units, some of which (100) may be beyond the Plan period.

### **Llandough Fields**

This site was previously occupied by railway sidings and was originally allocated in the Deposit Plan for employment purposes. The Inspector in his report has recommended that it be included for development under Policy HOUS 1 for 65 units. The site is well related to public transport facilities and is also close to shopping facilities. It is also well placed in terms of leisure facilities associated within the water-based activities and Penarth Leisure Centre (Cogan). In addition the site would be consistent with the regeneration strategies of the Plan.

### **Redwood Close**

The site benefits from an extant planning permission for 12 residential units. The Council does not have resources to revoke this permission.

### **Palmersvale Business Centre**

The site was previously allocated for employment purposes in the Deposit Plan. The Inspector recommended that the undeveloped part of the site fronting Arthur Street would be appropriate for 20 residential units. The site is located within the strategy area and has good walking, cycling and public transport links to Barry and Cardiff.

### **The Limes**

This site was allocated in the Deposit Plan. It lies close to the centre of Cowbridge and offers opportunities to enhance the conservation area as well as being well located for community facilities in Cowbridge. The site will yield approximately 6 units.

### **River Walk**

This site was allocated in the Deposit Plan and has had a planning permission for residential development. The site is situated close to the centre of Cowbridge and is consequently well located for community facilities in Cowbridge. The site will yield approximately 6 units.

### **White Farm**

This site is located within the settlement boundary of Barry and within the strategy area of the Plan. The Council allocated this site for a mixed use of residential and open space in the Deposit Plan. Part of the site has benefited from a Certificate of Appropriate Alternative Development. The Inspector suggested that this site would be suitable for 130 dwellings together with 7.4 acres of informal open space.

### **Cogan Pill Road, Llandough**

This site was allocated for housing development in the Deposit Plan. It is located within the Plan's strategy area and within the settlement boundary of Penarth with Llandough. The site is well located to community facilities (including the hospital) and public transport. The site will yield 18 units and has had a previous outline planning permission.

### **Land to North of Railway, Rhoose**

A greenfield site located within the Council's strategy area to the south east of Rhoose and to the north of the current Rhoose Point development. The site benefits from potentially good public transport in view of the imminent re-opening of the Vale of Glamorgan rail line to passenger services. A station and interchange facilities at Rhoose will be provided and there will be clear opportunities for links to the interchange facilities as well as to proposed retail and leisure facilities at Rhoose Point. The site will clearly assist in sustaining the proposed public transport initiatives and village facilities as well as providing a range and choice of housing types during the Plan period. The site is well located for employment allocations at Cardiff International Airport. This site can accommodate approximately 400 units during this Plan period, with a further 200 units during the next Plan period.

### **Land at Pencoedtre**

This site was allocated by the Council for special employment purposes in the Deposit Plan. The Inspector has recommended that 7 ha of the 14 ha. site be allocated for approximately 135 units of residential accommodation.

The Council proposes to allocate the site for a mixture of housing, employment and woodland uses, the proportions of which will be confirmed by further research through the preparation of a woodland / conservation management plan.

The site lies within the Plan's strategy area and offers the opportunity to add to the range and choice of house types that the Plan will provide. In particular, the site offers the opportunity for a sustainable mixed use of employment / housing / recreational / woodland development. Being located within the strategy area the site has good public transport opportunities as well as the potential to contribute to the wider regeneration of Barry.

**Available Housing Supply**

<b>Site</b>	<b>Units</b>
Waterfront	300*
South Quay	100*
Llandough Fields	65
Redwood Close	12
Palmersvale Business Park	20
River Walk	6
The Limes	6
White Farm	130
Cogan Pill Road	18
North of Railway, Rhoose	400
<b>Housing Supply</b>	<b>1057</b>
<b>Housing Need</b>	<b>1010</b>

- not accounting for development during the next Plan period

As a consequence of the above and having undertaken the sequential test there is no need for any additional development, over and above that shown above.

Alongside the assessment of the above sites, the Council has also assessed and considered the recommendation of the Inspector to allocate land at Darren Farm, Cowbridge.

It is considered that through the application of the 'search sequence' as required by Planning Policy Wales (2002), the sites listed above should be developed prior to the release of a greenfield site located outside of the strategy area of the Plan.

In this context Llantwit Major has seen a significant amount of development over the Plan period and there still are further growth opportunities in Llantwit Major. Nearby Ystradowen has also seen the development of a significant residential allocation. In addition, the revised settlement boundary for Cowbridge allows for greater opportunities for more appropriate brownfield residential development which has the opportunity of enhancing the conservation area. Policies HOUS 2 and ENV 7 have also been made more flexible thereby allowing the opportunity for residential development in some of the hinterland villages of Cowbridge.

Looking in more detail at the above, the following is also applicable :

In terms of the sequential approach to residential development it is considered by virtue of the following that the other sites are more appropriate for residential development during the Plan period :

- Cowbridge is an extremely important historic and vibrant town which is able to sustain appropriate local services and facilities without the need for the development of housing on this greenfield site.
- The revised settlement boundary for Cowbridge and some of the hinterland villages allow for a range and choice of opportunities for more appropriately located brownfield residential development which particularly in Cowbridge have the potential to enhance the conservation area.

- There are sites available in the centre of Cowbridge which allow for easy access by walking and cycling to the Cowbridge centre. The Darren Farm proposal which is located on the north western extremity of the town, is likely by virtue of its location to be more car orientated.
- The town's important landscape setting is recognised by the Council's proposal to designate the site as a Special Landscape area within the Thaw Valley and also the site's role in providing a backdrop setting for Cowbridge and its conservation area. It is the Council's view that any residential development of Darren Farm would have an unacceptable effect on the setting of Cowbridge.
- Cowbridge is also only served by limited public transport (bus) and does not have a train service unlike settlements of Barry, Llantwit Major and Rhoose. Barry is already well served by a range of transport modes and Llantwit Major and Rhoose will be served in the near future by a train service to the commercial centres of Barry, Cardiff and Bridgend. It is the Council's opinion that development within these areas should occur prior to the release of greenfield sites which are not as well located or which have landscape and / or conservation issues.

Given the above and the lack of need for this additional housing site and the fact that the Council considers the development of the site inappropriate for reasons outlined above, the proposed access road which would serve as a link between the A48 and B4270 is not necessary.

It is considered that the link road as recommended by the Inspector would provide the benefit of removing some through traffic from Cowbridge Town Centre. However it would not remove all extraneous car traffic from Llysworney. Such a scheme would not therefore provide a complete solution to traffic problems in Llysworney and would only provide limited relief to Cowbridge. The B4270 from Cowbridge to Llandow would also require additional improvements which are not part of the alternative scheme as recommended by the Inspector. In the light of this it is therefore considered that the Llysworney bypass is the preferred solution and the Council proposes not to amend Policy TRAN (ii) thereby retaining its commitment to the construction of the Llysworney By-pass during the Plan period.

The Council notes the Inspector's conclusion in respect of the availability of funding for the road, however, having approached the Welsh Assembly Government feels that there is an opportunity for bidding for finance for the road during the Plan period.

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## **Inspector's Recommendation No. REC 01.09**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion within the reasoned justification for Policy 3 of an explanation of the derivation of the housing requirement.

### **Council's Recommendation**

Accept Inspector's recommendation (in part). See reason.

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise section 2.2 to read:

#### *2.2 POLICY 3: HOUSING*

##### *The UDP Dwelling Projections*

2.2.1 The plan's strategy recognises the important strategic role of the Vale of Glamorgan in enhancing the economic and social well being of a wider region. The housing target reflects the need for additional houses arising from demographic change over the plan period, whilst acknowledging the continuing strong demand to live in the area and the aims to achieve economic growth. Nevertheless, a housing target has

been set that is considered to reconcile the pressure for housing growth with the environmental aims of the plan.

2.2.2 Pressure for housing growth is exerted by natural changes in the population (net gains in births over deaths; propensity to live longer), inward migration (moving for new jobs), and from movements amongst existing households (home movers; new household formations). There are no absolute methods for predicting the actual housing requirement over the fifteen-year life of the Plan, as housing demand is greatly influenced by changing economic forces and market conditions. A best estimate of the likely demand is derived from a consideration of past population and housing growth together with the emerging development strategy for the area. A Housing Topic Paper provides the technical justification to this issue and is available separately free of charge. This considers the long-standing trend for inward migration into the Vale and models different future population and housing scenarios using the well-respected Chelmer model.

2.2.3 Population projections provide a useful model to test different future scenarios and can be used to assess future housing requirements. Projections have been prepared from a base year population derived from the 1991 Census and the 1996 Registrar General Mid Year Estimates. To these are applied birthrates, deathrates and migration rate assumptions to forecast the level of population expected by 2011. The estimated future population is then factored by forecast average household size, dwelling sharing rates and vacancy rates which together with assumptions for house building and demolitions allow for the total dwelling requirement to be derived.

2.2.4 A model using the short-term trend between 1991-1994 for net population losses from out-migration from the Vale was rejected because of the effects that the recession of the early nineties would have had on such movements, and the incompatibility this has with the presently strong economic climate. Instead, a longer-term trend for net population gains between 1981-1996 from in-migration was used as the critical factor in modelling a possible future population and housing scenario. This covers a broader time span of economic activity and reflects the resulting strong pressure to live in the area on housing growth. Increasing the levels of in-migration further was considered to place undue pressure on the environment of the Vale and to be incompatible with the overriding aims of the Plan.

2.2.5 In real terms, to continue the trend for inward migration over the past two decades is to reduce the proportion that *actual* in-migrants comprise of the total population i.e. if an allowance is made for the same number of in-migrants to the Vale every year, that number becomes a smaller proportion of the gradually expanding population. Such an approach is consistent with one of the plan's key strategic aims for the Vale to become more self-sustaining.

2.2.6 The population and housing projection identifies an additional need for 8,612 dwellings over the twenty-year period 1991-2011, approximately 6,500 between 1996-2011. This is re-presented in Policy 3 (and Figure 2.1 below) as requiring 6,079 new dwellings over the thirteen-year period 1998-2011 after subtracting the first seven years of new dwelling completions and the need for a 10% contingency allowance to provide for flexibility in the range and choice of sites provided.

Figure 2.1. Calculation of Housing Target

New dwelling requirement 1991-2011 (20 years)	<u>8,612</u>
- completions 1991-1998 (7 years)*	3,086
Residual dwelling requirement 1998-2011 (13 years)	5,526
+ 10% contingency allowance	553
Final Housing Target 1998-2011	<u>6,079</u>

Source: Joint Residential Land Availability Study 1<sup>st</sup> April 1998 (WDA, 1999)

2.2.7 Many of the residential allocations made under Policy HOUS 1 already have the benefit of planning consent and additional allocations are therefore required to ensure a sufficient supply of housing land throughout the plan period. New sites are accordingly allocated under Policy HOUS 1 and these are distributed throughout the Vale to provide for a range and choice of development opportunities. All of the major development sites are well related to and adjoin the existing urban areas of Barry, Penarth and Rhose. As such a wide range of existing or developing employment, shopping, leisure and education facilities are within easy reach and with limited public investment they can be served by the public and private transport network. The sites will be planned in a comprehensive fashion to ensure high quality environment and a full range of appropriate local facilities.

2.2.8 The Council does not intend to allocate any further new major housing areas in the Rural Vale up to the year 2011. New development in the countryside that is unrelated to existing urban areas will only be permitted where it can be justified in the interests of agriculture, forestry, appropriate recreational activities, mineral extraction or the conversion of existing rural buildings where appropriate. However, criterion (v) of Policy 3 does provide for minor sites identified in Policy HOUS 1 in other locations in the Vale of Glamorgan and criterion (vii) ensures that all sections of the population will have suitable and affordable housing provided for them.

*Table 1. Meeting the Residual Housing Requirement with new sites (of 10 or more units) allocated under Policy HOUS 1*

Ref	Site	<i>Additional Units Available 2001-2011</i>	<i>Units Available after 2011</i>
HOUS 1 (1)	Barry Waterfront <sup>1</sup>	400	200
HOUS 1 (2)	Harbour Road, Barry	<i>Site complete at 2001</i>	
HOUS 1 (3)	Pencoedtre, Barry <sup>2</sup>	<i>Subject to Development Brief</i>	
HOUS 1 (4)	Land to R/O Daniel Street, Barry	<i>Site included in 2001 JLAS Study</i>	
HOUS 1 (5)	Cwm Barri, Barry	<i>Site included in 2001 JLAS Study</i>	
HOUS 1 (6)	Winston Square, Barry	<i>Site included in 2001 JLAS Study</i>	
HOUS 1 (7)	Penarth Haven	<i>Site included in 2001 JLAS Study</i>	
HOUS 1 (8)	Cogan Hall Farm, Penarth	<i>Site included in 2001 JLAS Study</i>	
HOUS 1 (9)	Cogan Pill Road, Llandough	18	
HOUS 1 (10)	Redwood Close, Boverton	12	
HOUS 1 (11)	The Coal Yard, Llantwit Major	<i>Site included in 2001 JLAS Study</i>	
HOUS 1 (12)	Cowbridge Road and the Saw Mill, Ystradowen	<i>Site complete at 2001</i>	
HOUS 1 (13)	Rhose Point	<i>Site included in 2001 JLAS Study</i>	
HOUS 1 (14)	Mayflower Site, Rhose	<i>Site complete at 2001</i>	
HOUS 1 (15)	Marine Drive, Ogmore-by-Sea	<i>Site included in 2001 JLAS Study</i>	
HOUS 1 (16)	Adj. St Michael's Church, Colwinston	<i>Site included in 2001 JLAS Study</i>	
HOUS 1 (17)	The Limes, Cowbridge	6	
HOUS 1 (18)	River Walk, Cowbridge	6	
HOUS 1 (20)	Llandough Fields	65	
HOUS 1 (21)	Palmersvale Business Centre, Barry	20	

HOUS 1 (22)	Land North of Railway, Rhoose	400	200
		<u>1,057</u>	400

## **Reason**

The proposed modifications are made for the reasons set out by the Inspector and in order to provide a justification for a housing requirement for the Vale of Glamorgan, taking into account the sub-regional context, strategic aims of the Plan and demographic change. However, the Council only proposes to allocate the sites outlined below for residential development during the Plan period. It is considered that the allocation of these sites satisfy guidance contained in Planning Policy Wales (2002) and will assist in satisfying the housing requirements throughout the Plan period. In respect of REC 4.44, REC 4.45 and REC 6.7 the Council has updated the housing demand figure to 1st April 2001 by taking into account dwelling completions over the period 1998 to 2001. The net result is that over the period 2001 to 2011 the Council needs to make land available for 4716 new dwelling units. Taking into account commitments as agreed by the Joint Housing Land Availability Study 2001 (2946 Units) and an allowance for small sites (760) there is a need for an additional 1010 dwellings rather than the 1104 dwellings recommended by the Inspector.

Proposed Modification No E04, having regard to guidance contained within Planning Policy Wales 2002, outlines how this requirement will be met.

The Council has discretion in selecting sites to meet this housing need. This is recognised by the Inspector in his cover letter to his report when he considered the housing requirement where at paragraph 9 he stated:

“It is however for the Council to determine whether there are other more suitable sites that were not before me for consideration”.

Having given the matter due consideration the Council believes that the Inspector did not adequately consider the following issues:

- the number of residential completions from 1998 to 2001;
- the potential housing capacity of sites with the benefit of planning permission
- the requirements of Section 9 of Planning Policy Wales 2002 (sequential approach to housing development), including the policy that Councils should seek only to identify sufficient land to meet their housing requirement (paragraph 9.2.7 refers).

As a consequence of the Council's re-assessment of housing supply data as tabled at Modification E04 the Council requires to allocate additional land for 1010 Units.

To meet this requirement the Council has undertaken a 'search sequence' as required by Planning Policy Wales (2002). The search sequence starts with the re-use of previously developed land and buildings within settlements, then settlement extensions and then new development around settlements with good public transport links. In undertaking the search sequence particular consideration has been given to:

- The contribution to the housing supply of sites with planning permission for housing. Council resources do not permit the revocation of current planning permissions for housing development.
- The allocation of previously developed sites or empty or under-used buildings that are suitable for housing within settlements.
- The allocation of housing sites that are highly accessible by transport means to jobs, shops and services other than by the private car.
- The capacity of existing or proposed infrastructure to absorb further development and the cost, if necessary of adding further infrastructure.
- The ability to build communities to support new physical and social infrastructure and the need to provide sufficient demand to sustain appropriate local services and facilities.
- The physical and environmental constraints on the development of land.
- The need to assist urban regeneration.

As a result of the Council undertaking the search sequence, the following sites are proposed to be allocated to meet this need:

### **Barry Waterfront**

This is a Brownfield site located within the strategy area, which benefits from excellent public transport and walking / cycling opportunities. The site is ideally placed in relation to retailing and community facilities at Barry Town, with Cardiff within easy reach by public transport.

It was envisaged that the extant planning permission for the site would yield 1000 units over the Plan period. However, having examined the current build densities at this location, it has been found that the site is now expected to yield an additional 400 units (ie 1400 in total), some of which (100) may be beyond the Plan period.

### **South Quay (within Barry Waterfront)**

This is a Brownfield site located adjacent to the existing development currently under construction at Barry Waterfront and having the same benefits as Barry Waterfront. The Inspector recommended that this 5.2 ha site be allocated for a mixed-use development to include residential use. Although the Inspector felt that this site would only contribute 100 units to the supply it is the Council's view that due to increased building densities this site will contribute at least 200 units, some of which (100) may be beyond the Plan period.

### **Llandough Fields**

This site was previously occupied by railway sidings and was originally allocated in the Deposit Plan for employment purposes. The Inspector in his report has recommended that it be included for development under Policy HOUS 1 for 65 units. The site is well related to public transport facilities and is also close to shopping facilities. It is also well placed in terms of leisure facilities associated within the water-based activities and Penarth Leisure Centre (Cogan). In addition the site would be consistent with the regeneration strategies of the Plan.

### **Redwood Close**

The site benefits from an extant planning permission for 12 residential units. The Council does not have resources to revoke this permission.

### **Palmersvale Business Centre**

The site was previously allocated for employment purposes in the Deposit Plan. The Inspector recommended that the undeveloped part of the site fronting Arthur Street would be appropriate for 20 residential units. The site is located within the strategy area and has good walking, cycling and public transport links to Barry and Cardiff.

### **The Limes**

This site was allocated in the Deposit Plan. It lies close to the centre of Cowbridge and offers opportunities to enhance the conservation area as well as being well located for community facilities in Cowbridge. The site will yield approximately 6 units.

### **River Walk**

This site was allocated in the Deposit Plan and has had a planning permission for residential development. The site is situated close to the centre of Cowbridge and is consequently well located for community facilities in Cowbridge. The site will yield approximately 6 units.

### **White Farm**

This site is located within the settlement boundary of Barry and within the strategy area of the Plan. The Council allocated this site for a mixed use of residential and open space in the Deposit Plan. Part

of the site has benefited from a Certificate of Appropriate Alternative Development. The Inspector suggested that this site would be suitable for 130 dwellings together with 7.4 acres of informal open space.

### **Cogan Pill Road, Llandough**

This site was allocated for housing development in the Deposit Plan. It is located within the Plan's strategy area and within the settlement boundary of Penarth with Llandough. The site is well located to community facilities (including the hospital) and public transport. The site will yield 18 units and has had a previous outline planning permission.

### **Land to North of Railway, Rhoose**

A greenfield site located within the Council's strategy area to the south east of Rhoose and to the north of the current Rhoose Point development. The site benefits from potentially good public transport in view of the imminent re-opening of the Vale of Glamorgan rail line to passenger services. A station and interchange facilities at Rhoose will be provided and there will be clear opportunities for links to the interchange facilities as well as to proposed retail and leisure facilities at Rhoose Point. The site will clearly assist in sustaining the proposed public transport initiatives and village facilities as well as providing a range and choice of housing types during the Plan period. The site is well located for employment allocations at Cardiff International Airport. This site can accommodate approximately 400 units during this Plan period, with a further 200 units during the next Plan period.

### **Land at Pencoedtre**

This site was allocated by the Council for special employment purposes in the Deposit Plan. The Inspector has recommended that 7 ha of the 14 ha. site be allocated for approximately 135 units of residential accommodation.

The Council proposes to allocate the site for a mixture of housing, employment and woodland uses, the proportions of which will be confirmed by further research through the preparation of a woodland / conservation management plan.

The site lies within the Plan's strategy area and offers the opportunity to add to the range and choice of house types that the Plan will provide. In particular, the site offers the opportunity for a sustainable mixed use of employment / housing / recreational / woodland development. Being located within the strategy area the site has good public transport opportunities as well as the potential to contribute to the wider regeneration of Barry.

### **Available Housing Supply**

<b>Site</b>	<b>Units</b>
Waterfront	300*
South Quay	100*
Llandough Fields	65
Redwood Close	12
Palmersvale Business Park	20
River Walk	6
The Limes	6
White Farm	130
Cogan Pill Road	18
North of Railway, Rhoose	400
<b>Housing Supply</b>	<b>1057</b>
<b>Housing Need</b>	<b>1010</b>

- not accounting for development during the next Plan period

As a consequence of the above and having undertaken the sequential test there is no need for any additional development, over and above that shown above.

Alongside the assessment of the above sites, the Council has also assessed and considered the recommendation of the Inspector to allocate land at Darren Farm, Cowbridge.

It is considered that through the application of the 'search sequence' as required by Planning Policy Wales (2002), the sites listed above should be developed prior to the release of a greenfield site located outside of the strategy area of the Plan.

In this context Llantwit Major has seen a significant amount of development over the Plan period and there still are further growth opportunities in Llantwit Major. Nearby Ystradowen has also seen the development of a significant residential allocation. In addition, the revised settlement boundary for Cowbridge allows for greater opportunities for more appropriate brownfield residential development which has the opportunity of enhancing the conservation area. Policies HOUS 2 and ENV 7 have also been made more flexible thereby allowing the opportunity for residential development in some of the hinterland villages of Cowbridge.

Looking in more detail at the above, the following is also applicable :

In terms of the sequential approach to residential development it is considered by virtue of the following that the other sites are more appropriate for residential development during the Plan period :

- Cowbridge is an extremely important historic and vibrant town which is able to sustain appropriate local services and facilities without the need for the development of housing on this greenfield site.
- The revised settlement boundary for Cowbridge and some of the hinterland villages allow for a range and choice of opportunities for more appropriately located brownfield residential development which particularly in Cowbridge have the potential to enhance the conservation area.
- There are sites available in the centre of Cowbridge which allow for easy access by walking and cycling to the Cowbridge centre. The Darren Farm proposal which is located on the north western extremity of the town, is likely by virtue of its location to be more car orientated.
- The town's important landscape setting is recognised by the Council's proposal to designate the site as a Special Landscape area within the Thaw Valley and also the site's role in providing a backdrop setting for Cowbridge and its conservation area. It is the Council's view that any residential development of Darren Farm would have an unacceptable effect on the setting of Cowbridge.
- Cowbridge is also only served by limited public transport (bus) and does not have a train service unlike settlements of Barry, Llantwit Major and Rhoose. Barry is already well served by a range of transport modes and Llantwit Major and Rhoose will be served in the near future by a train service to the commercial centres of Barry, Cardiff and Bridgend. It is the Council's opinion that development within these areas should occur prior to the release of greenfield sites which are not as well located or which have landscape and / or conservation issues.

Given the above and the lack of need for this additional housing site and the fact that the Council considers the development of the site inappropriate for reasons outlined above, the proposed access road which would serve as a link between the A48 and B4270 is not necessary.

It is considered that the link road as recommended by the Inspector would provide the benefit of removing some through traffic from Cowbridge Town Centre. However it would not remove all extraneous car traffic from Llysworney. Such a scheme would not therefore provide a complete solution to traffic problems in Llysworney and would only provide limited relief to Cowbridge. The B4270 from Cowbridge to Llandow would also require additional improvements which are not part of the alternative scheme as recommended by the Inspector. In the light of this it is therefore considered that the Llysworney bypass is the preferred solution and the Council proposes not to amend Policy TRAN (ii) thereby retaining its commitment to the construction of the Llysworney By-pass during the Plan period.

The Council notes the Inspector's conclusion in respect of the availability of funding for the road, however, having approached the Welsh Assembly Government feels that there is an opportunity for bidding for finance for the road during the Plan period.

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### **Inspector's Recommendation No. REC 01.10**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion within the housing objectives at Para 4.3.1 of a new objective: "to encourage higher densities wherever such development is practical and in scale and keeping with its surroundings."

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 4.3 to read:

#### *4.3 OBJECTIVES*

4.3.1 In order to provide a context for policies relating to housing, the following objectives are put forward:

- *To allocate sufficient land for housing in accordance with the Plan's Strategy in order to accommodate the anticipated housing needs of the Vale.*
- *To favour residential developments that are well related to public transport, shopping and leisure facilities and employment opportunities.*
- *To provide for a range of housing choice including a sufficient proportion of one and two bedroom dwellings for smaller households.*
- *To secure a range of housing to be provided by the private sector, public sector, and registered social landlords in order to cater for the needs of all residents of the Vale including those not easily able to compete in the existing predominantly private market.*
- *To prevent urban sprawl and sporadic housing development in the countryside and to maintain the individual character of individual settlements and the Rural Vale of Glamorgan.*
- *To facilitate the improvement and enhancement of those housing areas lacking in amenities and suffering from a poor physical environment.*
- *To encourage higher densities wherever such development is practical and in scale and keeping with its surroundings.*

#### **Reason**

The proposed modification is made in order to encourage higher densities where practicable, thereby reducing the need for greenfield sites and for the reasons set out by the Inspector.

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*Policy            Policy1 - Environment*

*Representor Numbers    173.1, 237.3, 359.3*

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### **Inspector's Recommendation No. REC 02.01**

#### **Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

#### **Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy*            *Policy 2 - Environment*

*Representor Numbers*    *242.2, 237.4, 376.10, 359.2, 359.48, 359.26,  
359.27, 359.53, 360.9, 226.10A&B*

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**Inspector's Recommendation No.** REC 02.01A

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCB002.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise POLICY 2 to read:

POLICY 2

PROPOSALS WHICH ENCOURAGE SUSTAINABLE PRACTICES WILL BE FAVOURED INCLUDING:

- (i) PROPOSALS WHICH CONTRIBUTE TO ENERGY CONSERVATION OR EFFICIENCY, WASTE REDUCTION OR RECYCLING; POLLUTION CONTROL; BIODIVERSITY AND THE CONSERVATION OF NATURAL RESOURCES;
- (ii) PROPOSALS WHICH ARE LOCATED TO MINIMISE THE NEED TO TRAVEL, ESPECIALLY BY CAR AND HELP TO REDUCE VEHICLE MOVEMENTS OR WHICH ENCOURAGE CYCLING, WALKING AND THE USE OF PUBLIC TRANSPORT;
- (iii) THE RECLAMATION OF DERELICT OR DEGRADED LAND FOR APPROPRIATE BENEFICIAL USE; AND
- (iv) PROPOSALS WHICH IMPROVE THE QUALITY OF THE ENVIRONMENT THROUGH THE UTILISATION OF HIGH STANDARDS OF DESIGN.

**Reason**

The proposed modification is made in order to provide greater certainty about the requirements and application of the policy and for the reasons set out by the Inspector.

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**Inspector's Recommendation No.** REC 02.02

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the addition to Section 2.1 of an explanation of how the Council intends to approach the appraisal and monitoring of sustainability matters.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert a new paragraph after

paragraph 2.1.6 to read:

2.1.7 The Council are committed to producing Supplementary Planning Guidance on Sustainable Development, to help guide developers and encourage sustainable practices throughout the Vale. Similarly, a Topic Paper on Sustainability Indicators is also to be produced, setting out a framework by which developments, and the effectiveness of the Plan as a whole, and their contribution towards a sustainable future can be judged.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and to seek to assist in achieving sustainable development within the Vale of Glamorgan and for the reasons set out by the Inspector.

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*Policy Policies 1 and 2 - Environment Justification*

*Representor Numbers 238.1, 249.4, 237.8*

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**Inspector's Recommendation No. REC 02.03**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the addition of PCC001.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation, and revise paragraph 2.1.4 to read:

2.1.4 The built environment of the Vale of Glamorgan exhibits a great variety of townscape and architectural character, from the Victorian housing of Penarth and industrial heritage of Barry, to the older agricultural market towns of Cowbridge, Llantwit Major and the surrounding rural settlements. The historical significance of many of the buildings and settlements in the Vale is illustrated by the designation of 38 Conservation Areas, over 400 Listed Buildings and over 90 Ancient Monuments. In addition, the Vale has two Landscapes of Outstanding Historic Interest and 18 Parks and Gardens listed within the Register of Landscapes, Parks and Gardens of Historic Interest in Wales.

**Reason**

The proposed modification ensures the factual accuracy of the Plan.

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*Policy Policies 4, 5 and 6 - Economic Development and Tourism*

*Representor Numbers 267.1, 237.5, 237.9, 173.3, 232.15, 359.5, 359.6, 356.29, 178.1, 359.7*

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**Inspector's Recommendation No. REC 02.04**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCC003 and PCB005.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 2.3.3 to read:

2.3.3 The Council recognises the importance of promoting the well being of South East Wales, and sees the future prosperity of the Vale as a vital component in the prosperity of the region as a whole. The Council will therefore continue to participate in partnerships with other local authorities and organisations involved in economic development to enhance opportunities for job creation and the provision of infrastructure and training. In response to this need the Council will protect sites which are of strategic importance to both the Vale of Glamorgan and South East Wales through their proximity to existing or proposed strategic transport networks and their attractiveness to inward investors.

And revise POLICY 5 deleting “ESPECIALLY BARRY WATERFRONT” from criterion (i) to read:

**POLICY 5**

A RANGE AND CHOICE OF SITES FOR BUSINESS AND INDUSTRIAL PURPOSES IS IDENTIFIED IN PART II AND WILL BE PROTECTED FROM ALTERNATIVE USES. THESE SITES WILL:

- (i) BE WELL LOCATED IN RELATION TO URBAN REGENERATION PROJECTS;
- (ii) BE WELL LOCATED IN RELATION TO AREAS OF HIGH UNEMPLOYMENT, SOCIAL STRESS AND DEPRIVATION;
- (iii) BE WELL LOCATED IN ORDER TO REDUCE THE NEED FOR PRIVATE TRANSPORT AND INCREASE THE USE OF PUBLIC TRANSPORT;
- (iv) BE WELL LOCATED IN ORDER TO CONSERVE THE CHARACTER OF THE VALE OF GLAMORGAN ENVIRONMENT;
- (v) CONTRIBUTE TO THE LAND BANK FOR PROJECTS OF REGIONAL IMPORTANCE ESPECIALLY LARGER INWARD INVESTMENT PROJECTS; AND
- (vi) RECOGNISE THE OPPORTUNITIES IN THE VALE OF GLAMORGAN TO CREATE HIGH QUALITY DEVELOPMENTS IN ORDER TO ATTRACT HIGH QUALITY EMPLOYMENT OPPORTUNITIES.

**Reason**

The proposed modifications are made for the reasons set out by the Inspector and to ensure that the location of the Vale of Glamorgan is placed within a strategic context and to ensure that a flexible approach is taken to development in the Waterfront, Barry.

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*Policy*      *Policy 7 - Improvements to Transportation Network*

*Representor Numbers*    *226.1, 232.14*

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**Inspector's Recommendation No.** REC 02.05

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy Policies 9 and 10 - Retailing*

*Representor Numbers 356.30, 276.1, 267.2, 356.31, 359.9*

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**Inspector's Recommendation No. REC 02.06****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCB011.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete "HIGHLY" from criterion (iii) of Policy 10 to read:

POLICY 10

EXISTING TOWN AND DISTRICT CENTRES, INCLUDING THE WATERFRONT, BARRY, WILL BE THE FOCUS OF NEW SHOPPING DEVELOPMENTS. OUT OF CENTRE SHOPPING DEVELOPMENT WILL BE PERMITTED IF:

- (i) THERE ARE NO SUITABLE TOWN, DISTRICT OR EDGE OF CENTRE SITES;
- (ii) THE PROPOSED DEVELOPMENT DOES NOT HAVE AN UNACCEPTABLE IMPACT ON EXISTING SHOPPING CENTRES OR PROPOSED RETAIL AREAS IDENTIFIED IN PART II; AND
- (iii) THE PROPOSED DEVELOPMENT IS ACCESSIBLE BY MEANS OF TRAVEL OTHER THAN THE PRIVATE CAR.

**Reason**

The proposed modification is made in order to provide greater certainty about the requirements and application of the policy and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 02.07****Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion in Policy 10 of "including the Waterfront, Barry," after "existing town and district centres".

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise POLICY 10 to read as per REC 2.06 above.

**Reason**

The proposed modification is made to ensure consistency with the Council's acknowledgement within the Plan that the Waterfront is complementary to Barry Town Centre and for the reasons set out by the Inspector.

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*Policy Policy 11 - Sport and Recreational Facilities*

*Representor Numbers 237.6, 359.10*

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**Inspector's Recommendation No. REC 02.08**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCB012

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy 11 criteria (i) to read:

POLICY 11

TO REMEDY EXISTING DEFICIENCIES IN SPORT AND RECREATIONAL FACILITIES THE COUNCIL WILL:

- (i) FAVOUR THE PROVISION OF A RANGE OF SUCH FACILITIES TO MEET EXISTING AND ANTICIPATED NEED THROUGHOUT THE VALE OF GLAMORGAN BY SECURING IN ACCESSIBLE AND APPROPRIATE LOCATIONS NEW AND IMPROVED SPORT AND RECREATIONAL OPPORTUNITIES;
- (ii) PROTECT EXISTING AREAS OF OPEN SPACE AND PLAYING FIELDS FROM INAPPROPRIATE DEVELOPMENT; AND
- (iii) FAVOUR THE IMPROVEMENT OF OPPORTUNITIES FOR ACCESS TO AND ENJOYMENT OF THE COUNTRYSIDE WHERE THEY DO NOT UNACCEPTABLY AFFECT IMPORTANT AREAS OF NATURE CONSERVATION AND LANDSCAPE AND THE INTERESTS OF RESIDENTS AND / OR THOSE WHO DERIVE THEIR LIVELIHOOD FROM THE LAND.

**Reason**

The proposed modification accords with national planning guidance and provides greater certainty about the requirements and application of the policy and also accords with the reasons set out by the Inspector.

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*Policy Policy 14 - Community and Utility Services*

*Representor Numbers 241.1, 359.13, 50.1*

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**Inspector's Recommendation No. REC 02.09**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCC004.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend Paragraph 2.9.2 to read:

2.9.2 The Council will attempt to ensure close liaison and early consultation with the major utility companies in order than service provision throughout the Vale is of the highest standard. The Council is aware, however, that the provision of some services can have an adverse effect upon the environment of the Vale of Glamorgan. The Council will seek to balance the requirements of community and utility services and environmental objectives to ensure that the environmental effects of such developments are minimised e.g. by requiring the laying of underground cables in areas designated for their landscape and / or townscape importance.

**Reason**

The proposed modification is made in order to ensure clarity in the application of the policy and for the reasons set out by the Inspector.

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## *Policy Environment Chapter - Omissions and General Considerations*

*Representor Numbers 238.2, 238.3, 237.10, 237.75, 237.38, 244.11, 1.1, 37.1, 40.1, 176.1, 226.10A, 237.23, 238.4*

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### **Inspector's Recommendation No. REC 03.01**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCD001.

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend paragraph 3.1.4 to read:

3.1.4 Equally important is the man made environment. More than ever there is a need to look after and enhance the existing built environment, which exhibits a great variety of townscape and architectural character: from the Victorian housing of Penarth and industrial heritage of Barry, to the older agricultural market towns of Cowbridge, Llantwit Major and the surrounding rural settlements. The historical significance of many of the buildings and settlements in the Vale is illustrated by the designation of 38 Conservation Areas, over 400 Listed Buildings and over 90 Ancient Monuments. Two areas within the Vale are included within the Register of Landscapes of Outstanding Historic Interest in Wales, and 18 sites are included within the Register of Parks and Gardens of Historic Interest in Wales. A list of Landscapes Parks and Gardens of Historic Interest is contained in Appendix 2. As well as the statutory protection afforded Listed Buildings and Ancient Monuments, the Plan will establish a policy framework intended to protect the local environment, particularly residential areas from inappropriate development which would threaten their existing character and amenities.

Updated in the light of current information.

#### **Reason**

The proposed modification is made in order to ensure the factual accuracy of the Plan.

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### **Inspector's Recommendation No. REC 03.02**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD029 subject to the replacement of the word "relocation" by the word "mitigation".

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert new Policy after Policy ENV 14 to read as follows:

POLICY ENV 14 – PROTECTED SPECIES

PERMISSION WILL ONLY BE GIVEN FOR DEVELOPMENT WHICH WOULD DESTROY PROTECTED SPECIES OR THEIR HABITATS IF IT CAN BE CLEARLY DEMONSTRATED THAT:

(i) THE EFFECTS WILL BE MINIMISED BY CAREFUL DESIGN AND WORK SCHEDULING;  
OR

(ii) EFFECTIVE MITIGATION MEASURES ARE PROVIDED BY THE DEVELOPER.

IF DEVELOPMENT IS PERMITTED, APPROPRIATE CONDITIONS OR AGREED PLANNING OBLIGATIONS MAY BE USED TO ENSURE THAT THE IMPACT ON SPECIES OR HABITATS IS MINIMISED.

**Reason**

The proposed modification is made in order to ensure certainty about the manner in which developments effecting protected species will be considered and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 03.03**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCD031 and PCD032.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete paragraph 3.4.38 and replace to read:

3.4.38 All proposals affecting international or nationally important sites will be subject to rigorous examination both individually and in combination with other proposals or projects. Proposals which have beneficial effects for nature conservation will be favoured. If in exceptional circumstances development is permitted, appropriate conditions or agreed planning obligations will be used to secure appropriate compensation or mitigation measures.

And merge Paragraphs 3.4.41 and 3.4.42 to read:

3.4.41 ENV 14 protects sites of more local significance. There are two Local Nature Reserves in the Vale of Glamorgan, and seven nature reserves which are managed by the Glamorgan Wildlife Trust. A list of all designated sites is given in Appendix 2. In addition to these defined sites, Policy ENV 14 also seeks to protect other sites of interest to nature conservation which may come to light.

**Reason**

The proposed modifications are made in order to ensure clarity in the application of the policy and for the reasons set out by the Inspector.

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*Policy Environment Objectives*

*Representor Numbers 237.11, 238.5*

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**Inspector's Recommendation No. REC 03.04**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy ENV1 - Development in the Countryside (including HOUS2, HOUS3, HOUS8 and HOUS9)*

*Representor Numbers* 50.2, 222.1, 237.12, 241.2, 270.8, 215.4, 244.3, 244.4, 11.1, 17.1, 19.1, 54.1, 86.1, 111.3, 112.2, 112.5, 113.3, 113.4, 126.9, 128.1, 160.2, 205.3, 205.6, 207.5, 208.1, 210.2, 214.1, 214.16, 224.1, 225.1, 227.2, 227.7, 232.12, 248.2, 249.6, 249.7, 286.3, 286.4, 307.2, 311.1, 356.24, 355.2, 275.14, 115.3, 168.2, 171.1, 193.1, 206.1, 206.2, 209.3, 210.7, 213.2, 213.3, 246.15, 257.2, 339.1, 345.1, 349.1, 237.39, 246.7, 115.2, 207.7, 210.8, 227.6, 228.5, 249.11, 251.4, 355.1, 356.22, 356.23

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**Inspector's Recommendation No. REC 03.05****Details of Inspector's Recommendation**

I recommend that the plan be modified by the rewording of Policy ENV1 to read:

Within the delineated countryside permission will only be granted for: i) development which is essential for agriculture, horticulture or forestry or other development including mineral extraction, waste management, utilities or infrastructure for which a rural location is essential; ii) appropriate recreational use; iii) the re-use or adaptation of existing buildings, particularly to assist the diversification of the rural economy; iv) development which is approved under other policies of the plan.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy ENV 1 to read:

**POLICY ENV 1 – DEVELOPMENT IN THE COUNTRYSIDE****WITHIN THE DELINEATED COUNTRYSIDE PERMISSION WILL ONLY BE GRANTED FOR:**

- (i) DEVELOPMENT WHICH IS ESSENTIAL FOR AGRICULTURE, HORTICULTURE, FORESTRY OR OTHER DEVELOPMENT INCLUDING MINERAL EXTRACTION, WASTE MANAGEMENT, UTILITIES OR INFRASTRUCTURE FOR WHICH A RURAL LOCATION IS ESSENTIAL;
- (ii) APPROPRIATE RECREATIONAL USE;
- (iii) THE RE-USE OR ADAPTATION OF EXISTING BUILDINGS PARTICULARLY TO ASSIST THE DIVERSIFICATION OF THE RURAL ECONOMY;

- (iv) DEVELOPMENT WHICH IS APPROVED UNDER OTHER POLICIES OF THE PLAN.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation

**Reason**

In light of the Inspector's reasoning in the matter the Council considers that the proposed modification will ensure clear and consistent policy guidance within the Plan that is in accordance with national planning policy on development in the countryside.

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**Inspector's Recommendation No. REC 03.06**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the addition of PCN009, PCD002, PCD003, PCD004 subject to the insertion of "or redevelopment" after "re-use", and PCD005 subject to the amendments set out in FPCD001 and FPCD002.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and accept PCN009 an amended residential settlement boundary at St.Nicholas. The Plan is further modified by the deletion of paragraph 3.4.1 and a new paragraph inserted to read:

3.4.1 Due to the diverse nature of the Vale of Glamorgan areas of countryside range from remote open landscapes to the more enclosed urban fringe settings of towns and villages. The Vale of Glamorgan is an area under constant pressure for development unrelated to traditional activities. Such development can unacceptably affect agriculture and diminish the quality of the rural landscape. This policy seeks to protect the countryside from inappropriate development. For the purposes of this policy countryside is defined as that area of land lying outside settlement boundaries of the main towns and villages, identified in Policy HOUS 2, which has not been developed for employment use or allocated in the Plan for development purposes. Employment Use is defined as those uses which fall within classes B1 Business, B2 General Industrial and B8 Storage and Distribution of the Town and Country Planning (Use Classes) Order 1987 (as amended).

The insertion of a new paragraph after paragraph 3.4.2 to read:

Policy ENV 1 recognises that there may be a number of appropriate uses which may be permitted in the countryside, subject to no unacceptable effects. Example may include infrastructure schemes proposed by the Statutory Undertakers, affordable housing (Policy HOUS 14) intended to meet rural housing needs, the development of waste management facilities (Policy WAST 1), the reuse or redevelopment of redundant hospitals (Policy COMM 2) and the provision of community facilities e.g. village halls, churches, burial land, the development of telecommunication systems (Policy COMM 4) and renewable energy schemes (Policy COMM 5).

Delete existing Paragraph 3.4.4 and replace with a new paragraph to read:

3.4.4 The Plan recognises the important role small scale farm diversification can play in promoting a healthy rural economy in the Vale. Small scale diversification can encourage further economic diversity by helping to stimulate new and varied forms of wealth creation and employment. Examples of small scale diversification include teleworking, holiday accommodation, farm shops and craft workshops. In addition to farm diversification there are opportunities for small scale rural enterprise in existing rural settlements, sites identified for employment use in rural areas and through the use of existing rural buildings.

With the exception of PCD002 and FPCD001 which are in conflict with REC 3.5

**Reason**

In the light of the Inspectors reasoning on this matter, the proposed modifications are made in order to ensure the factual accuracy of the Plan and to provide clarity in the definition and appreciation of the policy. Insertion of “or redevelopment” after “re-use” is consistent with the requirements of policy COMM 2.

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**Inspector’s Recommendation No. REC 03.07**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the rewording of Policy HOUS2 to read:  
"Housing infill, small scale development and redevelopment which meets the criteria listed in Policy HOUS 9 will be permitted within the settlement boundaries of the following:

Urban settlements of:

Barry, Cowbridge with Llanblethian, and Llantwit Major;

Rural settlements of:

Aberthin ..... Wick (list amended to include Rhoose, St Athan, and Ystradowen but excluding Wenvoe. Also favourable consideration will be given, other than within areas identified as Green Wedges, to small scale development which constitutes the "rounding-off" of the edge of settlement boundaries where it can be shown to be consistent with the provisions of Policy HOUS9 and particularly criterion (i).

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation, also including Penarth, Dinas Powys, Llandough (Penarth), Llandow, Llanmaes, Sully, Wenvoe, Peterston-super-Ely and St Nicholas within the new Policy to read:

**POLICY HOUS 2 – ADDITIONAL RESIDENTIAL DEVELOPMENT**

**HOUSING INFILL, SMALL-SCALE DEVELOPMENT AND REDEVELOPMENT WHICH MEETS THE CRITERIA LISTED IN POLICY HOUS 9 WILL BE PERMITTED WITHIN THE SETTLEMENT BOUNDARIES OF THE FOLLOWING:**

**URBAN SETTLEMENTS OF:**

**BARRY  
COWBRIDGE WITH LLANBLETHIAN  
DINAS POWYS  
LLANDOUGH (PENARTH)  
LLANTWIT MAJOR  
PENARTH,  
SULLY**

**RURAL SETTLEMENTS OF:**

<b>ABERTHIN</b>	<b>LLANCARFAN</b>	<b>ST NICHOLAS</b>
<b>BONVILSTON</b>	<b>LLANDOW</b>	<b>SIGINGSTONE</b>
<b>BROUGHTON</b>	<b>LLANMAES</b>	<b>SOUTHERNDOWN</b>
<b>COLWINSTON</b>	<b>LLYSWORNEY</b>	<b>TREOES</b>
<b>CORNTOWN</b>	<b>OGMORE BY SEA</b>	<b>TREHYNGYLL</b>
<b>EAST ABERTHAW</b>	<b>PENLLYN</b>	<b>WENVOE</b>
<b>EGLWYS BREWIS</b>	<b>PETERSTON SUPER ELY</b>	<b>WICK</b>
<b>EWENNY</b>	<b>RHOOSE</b>	<b>YSTRADOWEN</b>
<b>GRAIG PENLLYN</b>	<b>ST ATHAN</b>	
<b>LLANBETHERY</b>	<b>ST BRIDES MAJOR</b>	

FAVOURABLE CONSIDERATION WILL BE GIVEN, OTHER THAN WITHIN AREAS IDENTIFIED AS GREEN WEDGES, TO SMALL-SCALE DEVELOPMENT WHICH CONSTITUTES THE "ROUNDING-OFF" OF THE EDGE OF SETTLEMENT BOUNDARIES WHERE IT CAN BE SHOWN TO BE CONSISTENT WITH THE PROVISIONS OF POLICY HOUS 9 AND PARTICULARLY CRITERION (i)

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan, in the light of the Council's decision not to accept REC 3.20 and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 03.08**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the amendment of the reasoned justification to Policy HOUS2, to make clear that "small-scale rounding-off" should constitute no more than five dwellings.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 4.4.45 to read:

4.4.45 The Council considers only those villages listed under Policy HOUS 2 to have sufficient physical form and capacity to assimilate further infill development without it having a detrimental impact on their existing character and environment. An infill plot is defined as a site enclosed or surrounded by existing development in the sense of the filling of a small gap within and otherwise built up frontage. All site boundaries should be existing man made or natural physical features. Arbitrary lines drawn for the convenience of plot size do not qualify as such. The fact that an infill site exists, however, does not mean this will automatically receive planning permission. Small scale rounding off, which for the purpose of this Plan is defined as development which constitutes no more than five dwellings, will be permitted where the site lies within or immediately adjacent to the settlement boundary. Each proposal, is accepted as infilling, will be assessed against the policy criteria and will need to be considered in the context of the relationship to areas of attractive landscape, high quality townscape and areas of historical, archaeological or ecological importance. (See also HOUS 14 on Exception Sites for Affordable Housing in the Rural Vale).

**Reason**

In light of the Inspector's reasoning and the Council's acceptance of REC 3.7 the modification is proposed in order to ensure clear and consistent policy guidance within the Plan.

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**Inspector's Recommendation No. REC 03.09**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of Policy HOUS8 and the inclusion of the relevant reasoned justification to Policy HOUS8 within the reasoned justification of the revised Policy HOUS2.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete Policy HOUS 8, and paragraph 4.4.59. Delete all other references to Policy HOUS 8. Insert amended paragraph 4.4.60 after paragraph 4.4.44 to read as below.

In Policy HOUS 1 above, sufficient land is allocated for new residential development to meet the Vale's requirements to the year 2011. In order to prevent the spread of new development outside the confines of these existing communities, settlement boundaries have been drawn around the existing urban areas and around the rural villages of the Vale. The aim of this policy is to protect the rural areas around and between the existing settlements, to prevent urban sprawl and to avoid the fusion of adjoining settlements. Other countryside protection policies are contained within the Environment Chapter. Policies ENV 1 and ENV 3 are particularly relevant. In respect of appropriate housing development in the rural villages outlined in Policy HOUS 2, reference should be made to Policy HOUS 14 on Exception Sites for Affordable Housing in the Rural Vale.

Renumber subsequent paragraphs accordingly.

**Reason**

In the light of the Inspector's reasoning and the Council's acceptance of REC 3.7, the modification is proposed in order to ensure clear and consistent policy guidance within the Plan.

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**Inspector's Recommendation No. REC 03.10**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the revision of residential settlement boundaries to include the residential curtilages of the residential buildings within them.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the residential settlement boundaries shown on the proposals map in accordance the Inspector's recommendation.

**Reason**

In accordance with the Inspector's reasoning and recommendation, the Council has undertaken an assessment of all the settlements identified in the Inspector's modified Policy HOUS2 (REC 3.7 refers) and proposes to amend the defined residential settlement boundaries to include the curtilages of residential buildings within them

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**Inspector's Recommendation No. REC 03.11**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the amendment of Policy HOUS9 to read:

RESIDENTIAL DEVELOPMENT CRITERIA – POLICY HOUS 2 SETTLEMENTS

Subject to the provisions of Policy HOUS 2, development will be permitted which is within or closely related to the defined settlement boundaries provided that it meets all the following criteria: (i) ..... (vi).

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy HOUS 9 to read:

HOUS 9 – RESIDENTIAL DEVELOPMENT CRITERIA – POLICY HOUS 2 SETTLEMENTS

SUBJECT TO THE PROVISIONS OF POLICY HOUS 2, DEVELOPMENT WILL BE PERMITTED WHICH IS WITHIN OR CLOSELY RELATED TO THE DEFINED SETTLEMENT BOUNDARIES PROVIDED THAT IT MEETS ALL THE FOLLOWING CRITERIA:

- (i) THE SCALE, FORM AND CHARACTER OF THE PROPOSED DEVELOPMENT IS SYMPATHETIC TO THE ENVIRONS OF THE SITE;
- (ii) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS BY VIRTUE OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION;
- (iii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A), ON AREAS OF ATTRACTIVE LANDSCAPE OR HIGH QUALITY TOWNSCAPE OR ON AREAS OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE;
- (iv) WHEN APPROPRIATE AND FEASIBLE THE PROVISIONS OF POLICY REC 3 ARE MET;
- (v) THE PROVISION OF CAR PARKING AND AMENITY SPACE IS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;
- (vi) ADEQUATE COMMUNITY AND UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY ECONOMICALLY PROVIDED.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 03.12**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the amendment of Policy HOUS3 to read:

Subject to the provisions of Policy HOUS2 (the recommended single New Policy HOUS2) the erection of new dwellings in the countryside will be restricted to those that can be justified in the interests of agriculture and forestry.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy HOUS 3 to read:

POLICY HOUS 3 – DWELLINGS IN THE COUNTRYSIDE

SUBJECT TO THE PROVISIONS OF POLICY HOUS 2 THE ERECTION OF NEW DWELLINGS IN THE COUNTRYSIDE WILL BE RESTRICTED TO THOSE THAT CAN BE JUSTIFIED IN THE INTERESTS OF AGRICULTURAL AND FORESTRY.

**Reason**

In light of the Inspector's reasoning and the Council's previous acceptance of REC 3.5 the proposed modification is made in order to ensure clear and consistent policy guidance within the Plan

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**Inspector's Recommendation No. REC 03.13**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the consequential amendment of the reasoned justification to Policy HOUS3.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraphs 4.4.46, 4.4.47, 4.4.48 to remove reference to Policy HOUS 8 to read:

4.4.46 If the countryside is to remain undeveloped and its attractive appearance protected, new residential development outside those rural settlements referred to in Policy HOUS 2 must be strictly controlled. (See also Policy ENV1).

4.4.47 New housing outside villages and towns often creates unacceptable intrusions into the rural landscape. New dwellings in the countryside can also place an unacceptable burden on local services.

4.4.48 Those rural villages not identified in Policy HOUS 2 are considered not to have sufficient physical form or capacity to assimilate new residential development without having a detrimental impact on their existing character and environment. Additional residential development in certain villages will not be permitted in order to protect their character and appearance. Consequently these have been excluded from Policy HOUS 2. Furthermore, the many groups of scattered and loose knit buildings in the Rural Vale cannot be regarded as settlements under the terms of Policy HOUS 2. These are little more than pockets of dwellings and farmsteads lying in isolation in the countryside. Additional dwellings would be inappropriate in these locations unless justified in the interests of agriculture or forestry.

**Reason**

For the reasons set out by the Inspector and in the light of the Council's acceptance of REC 3.7 the modification is proposed in order to ensure clear and consistent policy guidance within the Plan

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**Inspector's Recommendation No. REC 03.14****Details of Inspector's Recommendation**

I recommend that the plan be modified by the consequential amendment of the reasoned justification and PCD008, deleting "nature" and inserting "range" in the latter.

**Council's Recommendation**

The Inspector's recommendation in respect of the consequential amendment is not accepted. The Inspector's recommendation in respect of PCD008 is accepted.

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 3.4.8 to read:

3.4.8 Policy ENV 3 seeks to ensure that areas of important and vulnerable open land, located between Dinas Powys and Penarth, to the south and west of Llandough, to the north and east of Wenvoe, to the north west of Sully, south of Bridgend and between Barry, Rhoose and St Athan, are protected from all forms of development except those specified in Policy ENV 1. The limited range of the operations permissible under Policy ENV 1 will ensure that whilst some essential development may take place in the countryside, the predominantly open and undeveloped character of the Green Wedge remains unchanged. The Green Wedge identified to the east of Wenvoe will abut the line of the proposed Airport Access Road, which at the time of writing is to be confirmed and may only be shown as an indicative line.

**Reason**

For the reasons set out under REC 3.20 the Council has decided not to designate a Green Belt and therefore no consequential amendment is required. The amendment proposed by PCD008 including the Inspector's amendment, is however relevant and is made to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

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*Policy ENV2 - Agricultural Land*

*Representor Numbers 173.4, 237.13, 270.9, 244.5, 222.2, 227.3, 356.6, 173.17, 275.13*

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**Inspector's Recommendation No. REC 03.15**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion of "irreversible" before "development" and the addition of "save where exceptional overriding need can be demonstrated" in the first sentence of Policy ENV2.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend Policy ENV 2 to read as follows:

**POLICY ENV 2 – AGRICULTURAL LAND**

THE BEST AND MOST VERSATILE AGRICULTURAL LAND (GRADES 1, 2 AND 3A) WILL BE PROTECTED FROM IRREVERSIBLE DEVELOPMENT, SAVE WHERE EXCEPTIONAL OVERRIDING NEED CAN BE DEMONSTRATED. NON AGRICULTURAL LAND OR LAND OF A LOWER QUALITY SHOULD BE USED WHEN DEVELOPMENT IS PROPOSED, UNLESS SUCH LAND HAS A STATUTORY LANDSCAPE, NATURE CONSERVATION, HISTORIC OR ARCHAEOLOGICAL DESIGNATION WHICH OUTWEIGHS AGRICULTURAL CONSIDERATIONS.

**Reason**

For the reasons set out by the Inspector, the proposed modification is made to ensure clear and consistent policy guidance within the Plan, to accord with national planning policy and to ensure that proper regard is given to statutory landscapes, nature conservation and historic or archaeological designations when considering development that affects agricultural land.

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**Inspector's Recommendation No. REC 03.16**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCD006

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend Policy ENV 2 to as per REC 3.15 above.

**Reason**

For the reasons set out by the Inspector, the proposed modification is made to ensure clear and consistent policy guidance within the Plan, to accord with national planning policy and to ensure that proper regard is given to statutory landscapes, nature conservation and historic or archaeological designations when considering development that affects agricultural land.

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*Policy ENV3 - Green Wedges (including Green Belt and Special Landscape Areas)*

*Representor Numbers 158.4, 237.14, 237.15, 240.3, 270.4, 228.4, 276.2, 8.3, 9.2, 19.5, 29.2, 33.1, 51.1, 94.1, 112.3, 173.5, 173.30, 204.1, 207.6, 208.9, 210.3, 228.9, 230.2, 230.4, 232.11, 238.6, 249.8, 263.2, 273.1, 274.1, 343.2, 347.1, 351.1, 356.4, 359.14, 360.18, 33.4, 52.2, 228.6, 230.3, 246.2, 173.31, 376.11, 274.4*

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**Inspector's Recommendation No. REC 03.17**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of a new section including the policy and reasoned justification for Special Landscape Areas

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan as follows by the inclusion of a new policy and reasoned justification:

POLICY ENV XXX – SPECIAL LANDSCAPE AREAS

NEW DEVELOPMENT WITHIN OR CLOSELY RELATED TO THE FOLLOWING SPECIAL LANDSCAPE AREAS WILL BE PERMITTED WHERE IT CAN BE DEMONSTRATED THAT IT WOULD NOT ADVERSELY EFFECT THE LANDSCAPE CHARACTER, LANDSCAPE FEATURES OR VISUAL AMENITIES OF THE SPECIAL LANDSCAPE AREA:

- (i) ELY VALLEY AND RIDGE SLOPES
- (ii) LOWER THAW VALLEY
- (iii) UPPER THAW VALLEY
- (iv) NANT LLANCARFAN
- (v) CWRT YR ALA BASIN
- (vi) DUFFRYN BASIN AND RIDGE SLOPES
- (vii) CASTLE UPON ALUN

The design of development approved within the countryside can have a great effect upon the quality of the rural landscape. Development in the above areas will be strictly controlled in order to protect their special landscape character. Following the development of the *LANDMAP* methodology for landscape assessment by the Welsh Landscape Partnership Group and the Countryside Council for Wales, the Vale of Glamorgan Council has undertaken a comprehensive landscape study entitled "Landscapes Working for the Vale of Glamorgan". This study forms the basis for the designation of the seven Special Landscapes Areas. Full details of how these areas have been defined can be found in the SPG on Special Landscape Areas.

Any development proposed within or on land closely related to a defined Special Landscape Area will need to have regard to the characteristics and features of the surrounding landscape. Applicants will need to demonstrate that their proposal has been designed to minimise the impact of the development upon the landscape. The Council will consider such issues as use of landform, orientation of buildings, use and enhancement of existing hard and soft landscape features such as trees, hedgerows, woodlands or walls, and use of materials when assessing the impact of a development. A separate SPG providing guidance on design both inside and outside of Special Landscape Areas has also been issued by the Council.

**Reason**

The proposed modification is made as the Council now has the benefit of a comprehensive Landscape Study utilising the LANDMAP methodology of landscape assessment enabling Special Landscape Areas to be defined and designated and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 03.18****Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of Policies ENV3 (i), (ii) and (iii)

**Council's Recommendation**

Inspector's recommendation not accepted

**Recommended Modification**

No modification required in light of Council's decision not to accept REC 3.20.

**Reason**

In light of the Council's decision not to accept REC 3.20, it is considered that the amendment proposed by this recommendation is no longer necessary.

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**Inspector's Recommendation No. REC 03.19****Details of Inspector's Recommendation**

I recommend that the plan be modified by the amendment of Policy ENV3 to exclude the words: "to protect vulnerable open land and to protect the setting of built up areas".

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend Policy ENV 3 to read as follows:

**POLICY ENV 3 – GREEN WEDGES**

GREEN WEDGES HAVE BEEN IDENTIFIED IN ORDER TO PREVENT URBAN COALESCENCE BETWEEN AND WITHIN SETTLEMENTS AT THE FOLLOWING LOCATIONS:

- (i) DINAS POWYS AND PENARTH AND TO THE SOUTH AND WEST OF LLANDOUGH;
- (ii) NORTH WEST OF SULLY;
- (iii) NORTH AND EAST OF WENVOE;
- (iv) SOUTH OF BRIDGEND;
- (v) BARRY, RHOOSE AND ST ATHAN.

WITHIN THESE AREAS DEVELOPMENT WHICH PREJUDICES THE OPEN NATURE OF THE LAND WILL NOT BE PERMITTED.

**Reason**

In the light of the Inspector's reasoning, the proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and within the region and to reflect national planning policy.

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## **Inspector's Recommendation No. REC 03.20**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of a Green Belt designation to be based on the suggestion in the superseded Vale of Glamorgan Local Plan Deposit Draft, amended to exclude the areas within the urban settlement boundaries of Penarth, Llandough (Penarth), Dinas Powys, Sully, Wenvoe and the area of Culverhouse Cross and subject to any amendments of these boundaries recommended in response to other objections made to the plan.

### **Council's Recommendation**

Inspector's recommendation not accepted

### **Recommended Modification**

No modification required

### **Reason**

The Council has considered in detail the recommendation to designate a Green Belt in the Vale of Glamorgan. Having given the matter due consideration the Council believes that, in reaching his recommendation, the Inspector did not give sufficient consideration to the potential impact of the designation on the growth dynamics of the region and did not afford necessary weight to the Draft Strategic Planning Guidance for South East Wales or the requirements of Planning Policy Wales 2002.

The designation of a Green Belt in isolation from other local authorities in the region, and in the absence of an assessment of the longer term needs for development land in the region is, in the opinion of the Council, contrary to the guidance contained within paragraphs 2.6.6, 2.6.7 and 2.6.8 of Planning Policy Wales 2002, and is contrary to the Strategic Planning Guidance for South East Wales 2000.

The Council considers that the guidance contained in Planning Policy Wales 2002 clearly requires local authorities to act in consultation with adjoining local authorities in considering the long term need for development land prior to the designation of a Green Belt. The Green Belt designation recommended by the Inspector clearly fails to consider the need for long-term development land in the region or the Vale of Glamorgan.

The issue of Green Belt designation and the process of assessing longer term need for development land in the South East Wales region are addressed in the adopted Strategic Planning Guidance for South East Wales. The Guidance, produced jointly by 11 local authorities in South East Wales, provides a clear policy context for the approach to be taken to Green Belt designation in the Region.

In assessing the Strategic Guidance, the Inspector notes that, at the time of writing his report, the final version of the guidance had not been issued but comments that "at the time of the inquiry, however, this study had not been revisited in the light of consultation and has no statutory status" (paragraph 3.5.4 of his report refers). Whilst the Council accepts that the emerging guidance may have had no statutory status at the time of the Inquiry it was nevertheless an important material consideration and provided a clear explanation of the regional approach to be taken to Green Belt designation and since been issued in final adopted form.

The Council considers that the acceptance of the Inspector's recommendation to designate a Green Belt would be contrary to Planning Policy Wales 2002 and Strategic Planning Guidance for South East Wales. The Designation of a Green Belt in the Vale of Glamorgan could have a serious detrimental effect upon both the growth dynamics of the region and regional sustainability.

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## **Inspector's Recommendation No. REC 03.21**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion within the plan of a further set of policies which refer to "Development within the Green Belt" based on the provisions of Section 7.2 of PGW.

**Council's Recommendation**

Inspector's recommendation not accepted

**Recommended Modification**

No modification required

**Reason**

In light of the Council's decision not to accept REC 3.20, it is considered that the amendment proposed by this recommendation is no longer necessary.

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**Inspector's Recommendation No. REC 03.22****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion within the housing section of the plan of a policy for the control of : "Housing Development within the defined urban settlements and villages within the Green Belt" to read:

"Within the Green Belt settlements of Penarth, Dinas Powys, Llandough (Penarth), Sully and Wenvoe, residential development will not be permitted which involves the extension of the urban area outside the identified settlement boundaries. In the Green Belt villages of Peterston-super-Ely and St Nicholas residential development will be restricted to infilling only within the identified settlement boundaries".

**Council's Recommendation**

Inspector's recommendation not accepted

**Recommended Modification**

No modification required

**Reason**

In light of the Council's decision not to accept REC 3.20, it is considered that the amendment proposed by this recommendation is no longer necessary.

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**Inspector's Recommendation No. REC 03.23****Details of Inspector's Recommendation**

I recommend that the plan be modified by the consequential amendment of the reasoned justification and PCD008

**Council's Recommendation**

The Inspector's recommendation in respect of the consequential amendment is not accepted. The Inspector's recommendation in respect of PCD008 is accepted.

**Recommended Modification**

See REC 3.14 above.

**Reason**

See REC 3.14 above.

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**Inspector's Recommendation No. REC 03.24****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of Green Wedge designations in the areas between Barry, Rhoose and St Athan.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation to identify new Green Wedges on the Proposals Map between Barry, Rhoose and St Athan. Revise Policy ENV 3 by adding new criterion (v) to read as per REC 3.19 above.

Revise paragraph 3.4.8 to read:

3.4.8 Policy ENV 3 seeks to ensure that areas of important and vulnerable open land, located between Dinas Powys and Penarth, to the south and west of Llandough, to the north and east of Wenvoe, to the north west of Sully, south of Bridgend and between Barry, Rhoose and St Athan, are protected from all forms of development except those specified in Policy ENV 1. The limited nature of the operations permissible under Policy ENV 1 will ensure that whilst some essential development may take place in the countryside, the predominantly open and undeveloped character of the Green Wedge remains unchanged. The Green Wedge identified to the east of Wenvoe will abut the line of the proposed Airport Access Road, which at the time of writing is to be confirmed and may only be shown as an indicative line.

**Reason**

In light of the Inspector's recommendations the Council has undertaken a further assessment of the Barry, Rhoose and St Athan areas and concluded that in order to protect the open nature of the land and avoid coalescence the designation of the Green Wedge is required. This approach accords with guidance contained within Planning Policy Wales 2002.

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*Policy ENV4 and ENV5 - Coastal Policies (including The Glamorgan Heritage Coast and The East Vale Coast)*

*Representor Numbers 237.16, 237.17, 192.6, 209.2, 271.1, 315.1, 359.15, 360.5, 235.1, 237.18, 173.18, 218.4, 244.6, 33.2, 126.4, 170.1, 232.10, 242.3, 359.16, 360.6, 360.22, 33.14, 360.22, 33.14, 360.45, 376.16, 376.15,*

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**Inspector's Recommendation No. REC 03.25****Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD010, PCD011, PCD012, PCD013, PCD014 and PCD015

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 3.4.12 to read:

3.4.12 Strong pressure for new development, especially residential development, exists throughout the rural areas of the Vale of Glamorgan. However, the undeveloped, unspoilt nature of the coastline is fundamental to the character of the Glamorgan Heritage Coast. If the sense of isolation and natural scenery is to be retained it is considered important to strictly control new development. Similarly. Development outside but close to, or prominent from within the Heritage Coast boundary can have an impact on the landscape quality of the coast and should therefore be carefully considered.

Policy ENV 5 is revised to read:

## POLICY ENV 5 – EAST VALE COAST

OUTSIDE THE GLAMORGAN HERITAGE COAST DEVELOPMENT WITHIN THE UNDEVELOPED COASTAL ZONE WILL BE PERMITTED IF:

- (i) A COASTAL LOCATION IS NECESSARY FOR THE DEVELOPMENT AND
- (ii) THE PROPOSAL WOULD NOT CAUSE UNACCEPTABLE ENVIRONMENTAL EFFECTS BY WAY OF:
  - VISUAL OR NOISE INTRUSION;
  - IMPACT ON AREAS OF LANDSCAPE IMPORTANCE;
  - AIR, LAND OR WATER POLLUTION;
  - EXACERBATION OF FLOODING OR EROSION RISK;
  - HAZARDOUS OPERATIONS; OR
  - IMPACT ON ECOLOGY OR FEATURES OF GEOLOGICAL OR GEOMORPHOLOGICAL IMPORTANCE

IN AREAS OF EXISTING OR ALLOCATED DEVELOPMENT WITHIN THE COASTAL ZONE, ANY NEW PROPOSAL SHOULD BE DESIGNED WITH RESPECT TO ITS LOCAL CONTEXT AND SENSITIVE TO ITS COASTAL SETTING.

Amend paragraph 3.4.16 to read:

3.4.16 Planning Policy Wales 2002 states that development plans should normally only propose coastal locations for development which needs to be on the coast. The undeveloped coast, in particular will rarely be the most appropriate location for development. The developed coast, by contrast, may provide opportunities for restructuring and regenerating existing urban areas. Where new development requires a coastal location the developed coast will normally provide the best option, provided that due regard is paid to the risks of erosion, flooding or land instability. The Council will seek to ensure that development within the coastal zone is channelled towards those areas of the coast which are developed. Here, proposals for new development should be of a type and character compatible with its location and sensitive to its coastal setting, particularly where its visual or environmental impact would be significant.

And revise paragraph 3.4.17 to read:

3.4.17 A comprehensive study was carried out to define the Coastal Zone for the eastern Vale from Aberthaw to the Taff Barrage combining character and “feel” of the area with topographical, ecological and visual information. An initial area within approximately 1km from High Water Mark was studied, with landform, landuse, development and nature conservation features of the area identified with the aim of determining a Coastal Zone boundary. Where reasonable this has been chosen to follow definable boundaries which are apparent on the ground. For the purposes of this Policy, the Undeveloped Coastal Zone is defined as areas within the Coastal Zone boundary lying outside the settlement boundaries of the main towns and villages, identified in Policy HOUS 2, which has not been developed for employment use or allocated in the Plan for development purposes. Employment Use is defined as those uses which fall within classes B1 Business, B2 General Industrial and B8 Storage and Distribution of the Town and Country Planning (Use Classes) Order 1987 (as amended).

And revise paragraph 3.4.18 to read:

3.4.18 Much of the eastern part of the Vale of Glamorgan coastline is developed. The settlements of Barry, Penarth and Sully and the electricity generating installation at Aberthaw feature prominently along the coastline. The Council recognises that the operational requirements of some developments clearly necessitates a coastal location. Though outside the defined settlement boundary for Barry, the

port estate is clearly a developed area and its continued use and development as a commercial / industrial estate and for the expansion of operational port facilities by Associated British Ports, is endorsed. The continued use of the Aberthaw Power Station site for electricity generation is recognised, particularly in view of the existing connection to the National Grid system and access to water for cooling purposes. The presence of these developments along the East Vale Coast give increased importance to those areas of undeveloped coastline. The Council will, through Policy ENV 5, safeguard the East Vale Coast from inappropriate development.

And revise paragraph 3.4.19 to read:

3.4.19 The Plan will seek to ensure that development which requires a coastal location is located in areas that are presently developed, in order to ensure that the natural character and landscape of the undeveloped coastline is protected. Within the undeveloped coastline, development proposals for which a coastal location is not necessary will be strongly resisted. In particular, the Severn Estuary Special Area of Conservation – which includes the coast between Penarth and Lavernock Point – will be protected in accordance with Policy ENV 12.

PCD013 has been further amended to take into consideration REC 3.26 and PCD014 has been further amended by the Officer / member Group.

**Reason**

The proposed modifications are made in order to ensure certainty about the location, definition and application of polices relating to the East Vale Coast and the Glamorgan Heritage Coast and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 03.26**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the amendment of Para 3.4.17 to make clear how the boundary of the Coastal Zone was finally determined.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's Recommendation and amend paragraph 3.4.17 to read as detailed in REC 3.25 above.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 03.27**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the amendment of the Proposals Map to make a clear distinction between developed and undeveloped coast.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the defined Undeveloped Coastal Zone on the Proposals Map.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and accord with national planning guidance and for the reasons set out by the Inspector.

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**Policy ENV6 - Water Resources**

*Representor Numbers* 237.19, 247.45, 247.43, 52.1, 247.57

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**Inspector's Recommendation No.** REC 03.28**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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**Policy ENV7 - Small Scale Rural Conversions**

*Representor Numbers* 174.1, 237.20, 244.7, 50.3, 86.2, 168.3, 210.4,  
228.10, 240.4, 242.5, 291.6, 356.20, 359.17,  
210.10, 242.6, 356.32, 242.7, 360.47, 210.11

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**Inspector's Recommendation No.** REC 03.29**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD018, subject to the omission of the whole of criterion (i)

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend Policy ENV 7 to read:

POLICY ENV 7 – SMALL SCALE RURAL CONVERSIONS

PROPOSALS WHICH INVOLVE SMALL SCALE CONVERSIONS OF RURAL BUILDINGS TO NEW USES WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) WHERE THE BUILDING IS OF ARCHITECTURAL OR HISTORIC VALUE, THE PROPOSED CONVERSION RETAINS THOSE ARCHITECTURAL OR HISTORIC FEATURES PRESENT IN THE BUILDING;
- (ii) IN THE CASE OF A CONVERSION TO BUSINESS USE THE BUILDING IN TERMS OF FORM, BULK AND GENERAL DESIGN IS IN KEEPING WITH ITS SURROUNDINGS;

- (iii) THE BUILDING IS STRUCTURALLY SOUND AND THE CONVERSION CAN BE ACHIEVED WITHOUT SUBSTANTIAL RECONSTRUCTION OF THE EXTERNAL WALLS, OR EXTENSION TO THE BUILDING. HOWEVER, EACH PROPOSAL WILL BE ASSESSED AS A MATTER OF FACT AND DEGREE, DEPENDING ON THE PARTICULAR CIRCUMSTANCES OF THE CASE;
- (iv) CONVERSION WORK CAN BE UNDERTAKEN WITHOUT UNACCEPTABLY ALTERING THE APPEARANCE AND RURAL CHARACTER OF THE BUILDING;
- (v) WHERE RESIDENTIAL USE IS CONSIDERED ACCEPTABLE, AMENITY SPACE CAN BE PROVIDED WITHIN THE CURTILAGE OF THE SITE WITHOUT UNDUE INCURSION INTO THE RURAL LANDSCAPE;
- (vi) VEHICULAR ACCESS IS AVAILABLE OR CAN BE PROVIDED FROM THE PUBLIC HIGHWAY WITHOUT ANY UNACCEPTABLE EFFECT UPON THE APPEARANCE OF THE COUNTRYSIDE;
- (vii) SATISFACTORY PARKING PROVISION CAN BE MADE WITHIN THE CURTILAGE OF THE SITE;
- (viii) IN THE CASE OF CONVERSION FOR SMALL SCALE COMMERCIAL, INDUSTRIAL, RECREATIONAL OR TOURISM USE THE PROPOSAL SHOULD NOT CREATE UNACCEPTABLE TRAFFIC OR OTHER ENVIRONMENTAL PROBLEMS;
- (ix) IN THE CASE OF CONVERSIONS FOR SMALL SCALE COMMERCIAL OR INDUSTRIAL USES, ANY RETAIL SALE OF PRODUCTS SHOULD BE ANCILLARY TO THE MAIN USE;
- (x) THE PROPOSAL IS NOT INCOMPATIBLE WITH ACTIVITIES CARRIED OUT ON ADJOINING LAND. APPLICANTS MAY BE REQUESTED TO ENTER INTO A LEGAL AGREEMENT TO CONTROL THE ACTIVITIES OF OTHER LAND IN THEIR OWNERSHIP;
- (xi) UTILITY AND INFRASTRUCTURE SERVICES CAN BE PROVIDED WITHOUT UNACCEPTABLE VISUAL INTRUSION AND WITHOUT DETRIMENT TO THE ENVIRONMENT;
- (xii) THE PROPOSED NEW USE WOULD PRESERVE OR ENHANCE THE SETTING OR CHARACTER OF ANY CONSERVATION AREA;
- (xiii) THE PROPOSAL WOULD PRESERVE OR ENHANCE THE ARCHITECTURAL OR HISTORIC QUALITY OF A LISTED BUILDING OR ITS SETTING.

The above policy includes the Inspector's recommendation REC 3.30.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan that is consistent with national planning guidance and for the reasons set out by the Inspector.

**Inspector's Recommendation No. REC 03.30**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion at the beginning of criterion (iii) of "In the case of a conversion to business use ..."

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend policy ENV 7 to as per REC 3.29 above.

**Reason**

The proposed modification is made in order to clarify the application of the criteria, to conform with national planning policy and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 03.31****Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD019, subject to the omission of the first sentence.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete paragraph 3.4.25 and insert new paragraph to read:

Paragraph 7.6.10 of Planning Policy Wales 2002 states that:

“Residential conversion of buildings which have ceased to be used for industrial or commercial purposes, including agriculture, may have a minimal economic impact, and may be detrimental to the fabric and character of historic buildings. Especially in areas where the creation of local employment is a priority, local planning authorities may include policies within the UDP which do not allow residential re-use unless:

- The applicant has made every reasonable attempt to secure business re-use and the application is supported by a statement of the efforts which have been made; or
- Residential conversion is a subordinate part of the scheme for business re-use; or
- The resulting housing will contribute to an identified need for affordable housing for local need ”

New housing in the countryside is subject to strict control both nationally and locally. Policy HOUS 3 only allows residential development in the countryside in the interests of agriculture or forestry. Government Guidance suggests that it may be appropriate to apply similar principles to the conversion of existing rural buildings to dwellings as for new housing.

There are a number of hamlets and isolated pockets of dwellings in the Vale where new dwellings would not be allowed. However, it is accepted that the conversion of existing rural buildings in these hamlets may be acceptable. Isolated conversions in particular are unsustainable. They can place an unacceptable burden on local services, are often at a distance from local public transport services thereby increasing the need to travel by car to work, school or for shopping and they can cause an unacceptable visual intrusion into the rural landscape. Residential conversions can also have a detrimental effect on the fabric and character of historic farm buildings.

Whilst new uses can frequently be the key to the preservation of historic buildings, it is important to ensure that the new development is sympathetic to the rural character. For example the creation of a residential curtilage around a newly converted building can have a harmful effect on the character of the countryside, especially in areas of high quality landscape.

**Reason**

For the reason set out by the Inspector, it is considered that the modification, inclusive of the Inspector's amendment, provides a clear local and national planning policy context for the assessment of applications.

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*Policy ENV8 - Development Involving Horses*

*Representor Numbers 238.9, 357.1*

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**Inspector's Recommendation No.** REC 03.32

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy ENV9 - Conservation of the Countryside*

*Representor Numbers 237.21, 244.8, 155.3, 227.4, 232.13, 238.10,  
237.22*

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**Inspector's Recommendation No.** REC 03.33

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of FPCD003

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and paragraph 3.4.29 is revised to read:

3.4.29 Planning Policy Wales 2002 paragraph 5.1 states that "The countryside is a dynamic and multi-purpose resource. In line with sustainability principles, it must be conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological and agricultural value and for its landscape and natural resources, balancing the need to conserve these attributes against the economic, social and recreational needs of local communities and visitors." The Vale of Glamorgan is an area of particularly rich and diverse countryside much of which is afforded protection by this Plan and statutory designations. Proposals for development in the countryside will be assessed in accordance with the requirements of Policy ENV 1 of the Plan. It is the purpose of Policy ENV 9 to enable the countryside of the Vale of Glamorgan to be conserved and managed in both formal and informal ways to minimise the potentially harmful effects of developments and to reconcile conflicts between users – especially around the urban fringe areas. The landscape assessment "Landscapes Working for the Vale of Glamorgan", undertaken by the Council in partnership with the WDA and CCW will help to progress this intention. The Study contains a wealth of data and information relating to the rural landscape of the Vale, and provides management and design guidance, and has also been used as the basis for Supplementary Planning Guidance for the UDP.

**Reason**

For the reasons set out by the Inspector, the proposed modification is made in order to provide clear and consistent policy guidance within the Plan and is in accordance with national planning guidance.

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*Policy ENV10 - Protection of Landscape Features*

*Representor Numbers 237.24, 247.46, 237.25, 173.19, 247.58*

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**Inspector's Recommendation No.** REC 03.34

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD023, PCD024, and PCD025

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy ENV 10 is revised to read:

POLICY ENV 10 – PROTECTION OF LANDSCAPE FEATURES

DEVELOPMENT WILL BE PERMITTED IF IT DOES NOT UNACCEPTABLY AFFECT FEATURES OF IMPORTANCE TO LANDSCAPE OR NATURE CONSERVATION INCLUDING: TREES, WOODLAND, HEDGEROWS, RIVER CORRIDORS, PONDS, STONE WALLS AND SPECIES RICH GRASSLANDS.

Paragraph 3.4.32 is revised to read:

3.4.32 The character of the Vale of Glamorgan is heavily reliant upon the retention of features within it. Most notably trees, woodlands, hedgerows, river corridors, ponds, stone walls, species rich grasslands, traditional orchards, parkland trees and wetlands all contribute to its unique character, as well as providing resources for recreation and wildlife habitats, corridors or networks. The fragile nature of these features means that once lost they are rarely replaced, and the loss of just one or two individual features can have a considerable effect on the appearance and wildlife value of a locality. In support of this policy the Environment Agency has adopted a policy of resisting the culverting of watercourses unless to facilitate access crossings only. Culverting of a water course will be subject to a land drainage consent issued by the Agency.

**Reason**

The proposed modification is made in order to provide certainty about the application of the policy and to provide a layer of protection to species rich grassland and for the reasons set out by the Inspector.

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*Policy ENV11 - Woodland Management*

*Representor Numbers 237.26, 270.7, 262.1*

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**Inspector's Recommendation No.** REC 03.35

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy ENV12 - International Areas of Nature Conservation Importance*

*Representor Numbers 247.47, 238.11, 237.27, 237.66, 244.9, 52.3,  
246.3, 270.10, 359.19, 173.20*

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**Inspector's Recommendation No. REC 03.36**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by adding the National Grid references to the locations identified in Appendix 2

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation (see REC 3.37 / PCM002 below)

**Reason**

The proposed modification will provide certainty and clarification of the locations of the sites identified in Appendix 2.

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**Inspector's Recommendation No. REC 03.37**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD026 and PCM002

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy ENV 12 to read:

POLICY ENV 12 – INTERNATIONAL AREAS OF NATURE CONSERVATION IMPORTANCE

INTERNATIONAL SITES WHICH ARE DESIGNATED OR POTENTIAL RAMSAR SITES, SPECIAL PROTECTION AREAS OR SPECIAL AREAS OF CONSERVATION WILL BE PROTECTED. DEVELOPMENT OR LAND USE CHANGES LIKELY TO HAVE AN ADVERSE EFFECT ON SUCH SITES WILL NOT BE PERMITTED UNLESS THERE IS NO ALTERNATIVE AND IF THERE ARE IMPERATIVE REASONS OF OVERRIDING PUBLIC INTEREST. WHERE SUCH SITES HOST A PRIORITY HABITAT OR SPECIES (AS LISTED IN THE E.C. HABITATS DIRECTIVE) DEVELOPMENTS WILL NOT BE PERMITTED UNLESS REQUIRED FOR REASONS OF HUMAN HEALTH OR SAFETY. IF IN EXCEPTIONAL CIRCUMSTANCES DEVELOPMENT IS PERMITTED, APPROPRIATE CONDITIONS OR AGREED PLANNING OBLIGATIONS WILL BE USED TO SECURE ADEQUATE COMPENSATION OR MITIGATION MEASURES.

And revise Appendix 2 to read:

Appendix 2

1.	INTERNATIONAL DESIGNATIONS	Grid Reference
	• Severn Estuary (part), pSAC, SPA, Ramsar Site	ST 189 681
	• Dunraven Bay, cSAC	SS 866 755 / SS 897 717

## 2. SITES OF SPECIAL SCIENTIFIC INTEREST

- Barry Islands ST 110 662 / ST 110 661
- Clemenstone Meadows, Wick SS 920 739
- Cliff Wood / Golden Stairs, Porthkerry ST 091 670
- Cnap Twt, St Brides SS 911 753
- Coed y Bwl, St Brides SS 909 752
- Cog Moors ST 158 694
- Cosmeston Lakes, Lower Penarth ST 173 693
- Cwm Cydfin, Leckwith ST 165 739
- East Aberthaw Coast ST 042 658
- Ely Valley (part) ST 061 789 / ST 097 767
- Eweny and Pant Quarries SS 895 760 / SS 902 768
- Hayes Point – Bendricks Rock, Barry ST 138 671
- Monknash Coast SS 903 705 / SS 934 676
- Nant Whitton Woods, Llancarfan ST 062 715
- Nash Lighthouse Meadows SS 920 680
- Old Castle Down, St Brides SS 805 758
- Penarth Coast ST 189 681
- Pysgodlyn Mawr, Welsh St Donats ST 168 669
- Severn Estuary (part) ST 189 681
- Southerndown Coast SS 866 755 / SS 897 717
- Sully Island ST 167 676
- Taff – Ely Estuary ST 185 735

## 3. LOCAL NATURE RESERVES

- Cliff Wood, Porthkerry ST 091 670
- Cwm Talwg, Barry ST 103 684

## 4. GLAMORGAN WILDLIFE TRUST MANAGED SITES

- Coed y Bwl, Castle upon Alun SS 909 751
- Aberthaw Saltmarsh ST 043 659
- Coed Garnllwyd, Llancarfan ST 058 713
- Cwm Colhuw, Llantwit Major SS 606 674
- Lavernock Point ST 182 680
- Gwern Rhyd, St Georges ST 097 768
- Coed Llwyn Rhyddid, Hensol ST 040 779

## 5. PARKS AND GARDENS OF SPECIAL HISTORIC INTEREST IN WALES

- Cold Knap Park, Barry ST 101 663
- Romilly Park, Barry ST 102 669
- Coedarhydyglyn, St Nicholas ST 104 751
- Cwrt-yr-Ala, Michaelston-le-Pit ST 143 732
- Dunraven Park, Southerndown SS 888 728
- Dyffryn, St Nicholas ST 095 723
- Eweny Priory SS 912 778
- Fonmon Castle ST 047 680
- Hensol Castle ST 047 789
- Plas Llanmihangel SS 981 719
- Llantrithyd Place ST 043 727
- Old Beaupre Castle, St Hilary ST 009 720
- Alexandra Park, Penarth ST 187 715
- Italian Gardens, Penarth ST 188 712
- Windsor Gardens, Penarth ST 187 712

- Pwll-y-wrach, Colwinston SS 953 754
- St Donat's Castle SS 934 680
- Wenvoe Castle ST 121 713

6. LANDSCAPES OF OUTSTANDING HISTORIC INTEREST IN WALES

- Llancarfan ST 050 070
- Merthyr Mawr (part) SS 870 760

**Reason**

For the reasons set out by the Inspector, the proposed modifications are made in order to provide certainty in respect of the compensatory/mitigation measures required should development effect International Areas of Nature Conservation Importance and provides additional factual information.

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*Policy ENV13 - National Sites of Nature Conservation Importance*

*Representor Numbers 247.48, 173.6, 230.5, 237.28, 52.4, 246.4, 270.11, 359.20, 173.21*

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**Inspector's Recommendation No. REC 03.38**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by adding the National Grid references to the locations identified in Appendix 2

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation (see REC 3.37 / PCM002 above)

**Reason**

The proposed modification will provide certainty and clarification of the locations of the sites identified in Appendix 2.

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**Inspector's Recommendation No. REC 03.39**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD027 and PCD033

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy ENV 13 to read:

**POLICY ENV 13 – NATIONAL SITES OF NATURE CONSERVATION IMPORTANCE**

DEVELOPMENT LIKELY TO HAVE AN ADVERSE EFFECT, WHETHER DIRECTLY OR INDIRECTLY ON THE CONSERVATION VALUE OF A NATIONAL NATURE RESERVE OR A SITE OF SPECIAL SCIENTIFIC INTEREST WILL NOT BE PERMITTED UNLESS IT CAN BE DEMONSTRATED THAT THE BENEFITS ARISING FROM THE DEVELOPMENT CLEARLY OUTWEIGH THE SPECIAL INTEREST OF THE SITE. IF DEVELOPMENT IS PERMITTED, APPROPRIATE CONDITIONS OR AGREED PLANNING OBLIGATIONS WILL BE USED TO SECURE ADEQUATE COMPENSATION OR MITIGATION MEASURES.

And insert new paragraph 3.4.42 to read:

3.4.42 The presence of a species protected by legislation, such as the Wildlife and Countryside Act 1981 or The Protection of Badgers Act 1992, is a material consideration in the determination of planning applications. When evaluating any development proposal which, if carried out, would be likely to result in harm to a protected species or its habitat, the Council will be guided by advice from CCW. Applicants will also be advised of the need to conform with any statutory species protection affecting the site concerned.

**Reason**

The proposed modifications are made in order to provide certainty in respect of the compensatory/mitigation measures required should development effect national sites, to clarify where the Council will seek advice when evaluating applications that are likely to cause harm to protected species and for the reasons set out by the Inspector.

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*Policy ENVI4 - Local Sites of Nature Conservation Significance*

*Representor Numbers 237.29, 247.49, 173.7, 230.6, 244.10, 52.5,  
246.5, 270.12, 359.21, 173.22, 173.23, 237.30,  
237.31*

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**Inspector's Recommendation No. REC 03.40**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by adding National Grid references to the locations identified in Appendix 2

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation (see REC 3.37 / PCM002 above)

**Reason**

The proposed modification will provide certainty and clarification of the locations of the sites identified in Appendix 2

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**Inspector's Recommendation No. REC 03.41**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD028

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy ENV 14 to read:

POLICY ENV 14 – LOCAL SITES OF NATURE CONSERVATION SIGNIFICANCE

DEVELOPMENT AND LAND USE CHANGE LIKELY TO HAVE AN UNACCEPTABLE EFFECT ON A LOCAL NATURE RESERVE, A REGIONALLY IMPORTANT GEOLOGICAL / GEOMORPHOLOGICAL SITE, OR A SITE SHOWN TO BE OF IMPORTANCE FOR NATURE

CONSERVATION WILL NOT BE PERMITTED UNLESS THE REASONS FOR THE PROPOSAL CLEARLY OUTWEIGH THE LOCAL IMPORTANCE OF THE SITE. IF DEVELOPMENT IS PERMITTED, APPROPRIATE CONDITIONS OR AGREED PLANNING OBLIGATIONS MAY BE USED TO ENSURE THE IMPACT ON NATURE CONSERVATION IS MINIMISED.

**Reason**

The proposed modification is made for the reasons set out by the Inspector and in order to provide certainty about the manner in which development affecting local sites of nature conservation significance will be assessed and is in accordance with national policy guidance .

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*Policy Additional Policy ENVXX - Protected Species*

*Representor Numbers 237.75*

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**Inspector's Recommendation No. REC 03.42**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD029, but deleting "Developments ... demonstrated that:" and inserting "permission will only be given for developments which would destroy protected species or their habitats if it can be clearly demonstrated that:" and deleting "relocation" and inserting "mitigation".

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation add new policy after ENV 14 to read as per REC 3.02 above with all subsequent policies renumbered.

**Reason**

The proposed modification, inclusive of the Inspector's re drafting, is made in order to ensure certainty about the manner in which development proposals affecting protected species will be assessed and for the reasons set out by the Inspector.

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*Policy Paragraphs 3.4.53 to 3.4.57*

*Representor Numbers 52.6, 13.1*

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**Inspector's Recommendation No. REC 03.43**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD034 and PCD035

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend paragraph 3.4.56 to read:

3.4.56 The development of Cowbridge directly relates to the burgess plot pattern of the medieval settlement. The settlement is therefore linear in character dominated by the High Street with the focal point being the Town Hall. The medieval Town Walls are still evident in places and encircle the core of the town. The walls enfold the important group of buildings facing Church Street: the Church, Cowbridge Old Grammar School and the South Gate; and ancient monument. This differentiates

Cowbridge from Llantwit Major as the scale and form of High Street gives a distinctly urban character to Cowbridge despite it being only a third of the population of Llantwit Major. The Cowbridge Walled Town Study commissioned by the Council in 1995 identifies the town centre's special qualities and sets out proposals for their enhancement. The findings of the study will inform the preparation of Cowbridge and Llanblethian Conservation Area Appraisal.

**Reason**

For the reasons set out by the Inspector, the proposed modifications ensure the factual accuracy of the Plan and provide certainty about the preparation of future appraisals.

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*Policy ENV15 - Protection of Built and Historic Environment*

*Representor Numbers 39.3, 174.2, 237.32, 263.3, 270.13, 237.33, 244.12, 238.12, 52.7*

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**Inspector's Recommendation No. REC 03.44**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCD037, PCD038 and PCD039

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert new paragraph after Paragraph 3.4.64 to read:

A further four areas will be investigated to establish how far the criteria set out above merit their designation as Conservation Areas. These are:

St Andrews Major

St Donats

Penllyn

High Street, Barry

Amend paragraph 3.4.65 to read:

3.4.65 Planning Policy Wales 2002 paragraph 6.1.1 defines the historic environment as encompassing archaeology and ancient monuments, listed buildings, conservation areas and historic parks, gardens and landscapes all of which should be protected and enhanced. The Vale of Glamorgan has a wealth of significant architectural and townscape features, well demonstrated by the many designations previously described. CCW and Cadw, in partnership with the International Council on Monuments and Sites (ICOMOS), have produced the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales. Two areas within the Vale of Glamorgan have been identified as Landscapes of Outstanding Historic Interest, whilst 18 sites are included within the Register of Historic Parks and Gardens in Wales. No statutory controls have followed from the inclusion of sites within the Register, but guidance is contained within Welsh Office Circulars 61/96 – Planning and the Historic Environment: Historic Buildings and Conservation Areas and 1/98 – Planning and the Historic Environment: Directions by the Secretary of State for Wales.

**Reason**

The proposed modifications are made for the reasons set out by the Inspector, to provide clarification of those areas that will be assessed against the accepted criteria for conservation area status, provide factual update and legislative clarification.



**Reason**

The proposed modifications inclusive of the Inspectors amendments are made in order to provide both certainty and clarity about the manner in which the issues of archaeological field evaluations and remains are determined and for the reasons set out by the Inspector.

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*Policy ENV18 - Development in Conservation Areas and  
ENV19 - Demolition in Conservation Areas*

*Representor Numbers 173.10, 270.16, 24.1, 246.6, 52.8, 270.17, 359.24*

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**Inspector's Recommendation No. REC 03.46****Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD043 and PCD044

**Council's Recommendation**

Accept Inspector's recommendation and amend Policy ENV 18 to read:

**POLICY ENV 18 – DEVELOPMENT IN CONSERVATION AREAS**

PROPOSALS FOR NEW DEVELOPMENT OR ALTERATIONS TO BUILDINGS OR FEATURES WITHIN CONSERVATION AREAS WILL BE PERMITTED WHERE THEY PRESERVE OR ENHANCE THE CHARACTER OF THE CONSERVATION AREA. SUCH PROPOSALS WILL NEED TO REFLECT:

- (i) THE SCALE, DESIGN, LAYOUT, CHARACTER, MATERIALS AND SETTING OF THOSE BUILDINGS WHICH ESTABLISH THE CHARACTER OF THE AREA;
- (ii) THE PATTERNS OF USE WHICH ESTABLISH THE CHARACTER OF THE AREA;
- (iii) IMPORTANT OPEN SPACE WITHIN AND ADJOINING CONSERVATION AREAS;
- (iv) IMPORTANT TREES AND HEDGEROWS: AND
- (v) PONDS AND STREAMS.

And amend Policy ENV 19 to read:

**POLICY ENV 19 – DEMOLITION IN CONSERVATION AREAS**

THE DEMOLITION OF BUILDINGS IN CONSERVATION AREAS WILL BE STRICTLY CONTROLLED, INCLUDING BOUNDARY WALLS, FENCES, RAILINGS AND GATES WHERE THEY MAKE AN IMPORTANT VISUAL CONTRIBUTION TO THE QUALITY OF THE STREET SCENE. IN PARTICULAR:

- (i) LISTED BUILDING CONSENT FOR THE DEMOLITION OF A LISTED BUILDING OR BUILDING / STRUCTURE WITHIN ITS CURTILAGE WILL ONLY BE GIVEN IN EXCEPTIONAL CIRCUMSTANCES;
- (ii) THE DEMOLITION OF AN UNLISTED BUILDING OR STRUCTURE WITHIN A CONSERVATION AREA WILL BE PERMITTED WHERE FULL PLANNING PERMISSION HAS BEEN GRANTED FOR THE PROPOSED NEW USE OR DEVELOPMENT; AND
- (iii) PROPOSALS FOR THE DEMOLITION OF A BUILDING IN A CONSERVATION AREA SHOULD BE ACCOMPANIED BY PROPOSALS FOR THE APPROPRIATE RE-USE OF LOCAL INDIGENOUS MATERIALS WHICH REFLECT THE CHARACTER OF THE CONSERVATION AREA.

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation

**Reason**

The proposed modifications are made in order to provide clarification of the manner in which applications for development and/or demolition within Conservation Areas will be assessed and for the reasons set out by the Inspector.

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***Policy ENV22 - Conservation and Enhancement of Open Space***

*Representor Numbers 33.3, 237.34, 247.50, 270.20, 52.9, 85.3, 116.3, 132.1, 135.1, 136.1, 137.1, 360.14*

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**Inspector's Recommendation No. REC 03.47****Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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***Policy ENV23 - Regeneration of Urban Areas***

*Representor Numbers 270.21, 244.13, 174.7, 247.60*

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**Inspector's Recommendation No. REC 03.48****Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD045 and PCD047 (Paragraph 10.4.5)

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend paragraph 3.4.84 to read:

3.4.84 The Plan encourages the regeneration of derelict and degraded land within the fabric of urban areas. The re-use of brownfield sites provided opportunities for the provision of residential developments and commercial and retail uses compatible with the location, whilst ensuring that the need for development of greenfield sites is reduced. Former uses of the site may constitute an important industrial archaeological resource and this should be considered early in any redevelopment proposals. See also paragraph 10.4.5 on page 156 of the Waste Management Chapter.

**Reason**

The proposed modification is made to ensure that former uses of prospective development sites are considered early in any development proposals and for the reasons set out by the Inspector.

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*Policy ENV24 - Contaminated Land and Unstable Land*

*Representor Numbers 247.51, 270.22, 359.25, 247.44, 247.59*

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**Inspector's Recommendation No. REC 03.49**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCD046

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend paragraph 3.4.88 to read:

3.4.88 The re-use and reclamation of derelict and waste land often requires developers / agencies to address the problems of contamination and instability. In formulating proposals for the redevelopment of contaminated and / or unstable land developers will need to demonstrate that a site is stable or that any actual or potential instability or contamination can reasonably be overcome. Where the mitigation measures proposed for a site include the removal of the worst contaminated material and containment of the rest by capping the site with suitable materials, it is important to ensure that the construction of foundations, services and other underground work does not uncover the contaminated materials left on site, or that the underground works themselves do not create pathways for polluted materials to follow. Consequently, applications for planning permission will need to be accompanied by detailed site investigation reports which outline the nature and extent of the contamination instability and indicate appropriate remedial measures. Planning permission may not be granted unless the Council is satisfied that instability and contamination may be overcome safely and without undue impact upon the environment.

**Reason**

The proposed modification is made in order to provide additional certainty about the manner in which contaminated materials and contaminated land are to be processed and for the reasons set out by the Inspector.

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*Policy ENV25 - Design of New Developments*

*Representor Numbers 237.36, 173.26, 232.9, 237.35, 265.2, 270.23,  
37.2, 40.4, 249.9, 359.26, 259.49, 360.24*

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**Inspector's Recommendation No. REC 03.50**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the addition of PCD048 and PCD049 but that reference to "semi-private spaces" in criterion (vi) be deleted.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation deleting reference to 'semi-private spaces' in criterion (vi) and amend Policy ENV 25 to read:

## POLICY ENV 25 – DESIGN OF NEW DEVELOPMENTS

PROPOSALS FOR NEW DEVELOPMENT MUST HAVE FULL REGARD TO THE CONTEXT OF THE LOCAL NATURAL AND BUILT ENVIRONMENT AND ITS SPECIAL FEATURES. NEW DEVELOPMENT WILL BE PERMITTED WHERE IT:

- (i) COMPLEMENTS OR ENHANCES THE LOCAL CHARACTER OF BUILDINGS AND OPEN SPACES;
- (ii) MEETS THE COUNCIL’S APPROVED STANDARDS OF AMENITY AND OPEN SPACE, ACCESS, CAR PARKING AND SERVICING;
- (iii) ENSURES ADEQUACY OR AVAILABILITY OF UTILITY SERVICES AND ADEQUATE PROVISION FOR WASTE MANAGEMENT;
- (iv) MINIMISES ANY DETRIMENTAL IMPACT ON ADJACENT AREAS;
- (v) ENSURES EXISTING SOFT AND HARD LANDSCAPING FEATURES ARE PROTECTED AND COMPLEMENTED BY NEW PLANTING, SURFACE OR BOUNDARY FEATURES;
- (vi) ENSURES CLEAR DISTINCTION BETWEEN PUBLIC AND PRIVATE SPACES;
- (vii) PROVIDES A HIGH LEVEL OF ACCESSIBILITY, PARTICULARLY FOR PUBLIC TRANSPORT, CYCLISTS, PEDESTRIANS AND PEOPLE WITH IMPAIRED MOBILITY;
- (viii) HAS REGARD TO ENERGY EFFICIENCY IN DESIGN, LAYOUT, MATERIALS AND TECHNOLOGY; AND
- (ix) HAS REGARD TO MEASURES TO REDUCE THE RISK AND FEAR OF CRIME.

And revise paragraph 3.4.89 to read:

3.4.89 This policy establishes a framework to achieve appropriate sensitive new development that promotes creative and imaginative design within the Vale of Glamorgan. In view of the wide variety of architectural styles and contrasting identities of the Vale’s towns, villages and open countryside, it would be inappropriate to introduce rigid, over prescriptive design controls for new development within the Plan. However, to further promote the above good design principles and provide better advice to architects and their clients the Council will prepare guidance and design briefs for specific topics or sites. Similarly advice on plant species in landscaping schemes can help meet the criteria set out above. In many circumstances the use of native provenance tree and shrub species in landscaping schemes can provide benefits for bio-diversity as well. Volume Two of “Landscapes Working for the Vale of Glamorgan” provides some guidance on this point. Supplementary Planning Guidance has been produced in respect of amenity standards.

### **Reason**

For the reasons set out by the Inspector, the proposed modification, inclusive of the Inspector’s recommended amendment, is intended to provide certainty about utility requirements, safeguard against the impact/potential impact of crime in new developments and provide a factual update about the Landscapes Working for the Vale of Glamorgan Study. In addition, it is considered that the Inspector’s amendment will reduce ambiguity.

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### *Policy ENV27 - Protection of Environmental Quality*

*Representor Numbers* 237.37, 247.52, 270.25, 226.11, 244.14, 238.13,  
359.27, 359.49, 359.54, 360.23, 173.27, 290.10,  
290.8, 376.12

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## **Inspector's Recommendation No. REC 03.51**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the addition of PCD051 and PCD052 subject to the deletion of reference to the particular legislation set out in the third sentence of PCD052

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy ENV 27 to read:

#### **POLICY ENV 27 – PROTECTION OF ENVIRONMENTAL QUALITY**

DEVELOPMENT WILL NOT BE PERMITTED IF IT WOULD BE LIABLE TO HAVE AN UNACCEPTABLE EFFECT ON EITHER PEOPLE'S HEALTH AND SAFETY OR THE ENVIRONMENT:

- (i) BY RELEASING POLLUTANTS INTO WATER, SOIL OR AIR, EITHER ON OR OFF SITE; OR
- (ii) FROM SMOKE, FUMES, GASES, DUST, SMELL, NOISE, VIBRATION, LIGHT OR OTHER POLLUTING EMISSIONS.

And delete paragraph 3.4.97 and add new paragraph 3.4.97 to read:

3.4.97 The aim of this policy is to prevent adverse effects of pollution both in terms of the impact on local environmental quality and their contribution to global damage. The UK government is committed to reducing existing pollution levels and therefore future developments should not exacerbate the current situation. Accordingly, any polluting or hazard risk will be judged in the context of both UK and EC legislation / standards. Advice will be sought from the relevant regulatory authorities, including the Environment Agency, the Health and Safety Executive, and Local Authority Environmental Health Officers. Whilst light pollution is not covered by legislation, the Council will have regard to the recommendations of the Institute of Lighting Engineers and the joint Department of the Environment / Countryside Commission publication "Lighting in the Countryside: Towards Good Practice" (1997) when dealing with applications that could conceivably have unneighbourly consequences. If the pollution can be controlled to the satisfaction of the regulatory authorities, permission may be granted subject to conditions. In such cases, operations will need to be monitored appropriately to ensure continued compliance. In accordance with the precautionary principle, if it is considered that satisfactory standards cannot be achieved or sufficient doubt exists, then permission will not be granted. In order to allow the regulatory authorities to assess the full implications of any development, where applicable, applicants will need to submit an environmental assessment in line with the requirements of the Town and Country Planning (Assessment of Environmental Effects) Regulations 1998, as amended.

### **Reason**

For the reasons set out by the Inspector, the proposed modifications are made in order to ensure a clear and consistent approach to the assessment of developments that may have an impact upon peoples Health and Safety or the Environment. It is considered that the Inspector's proposed amendment will reduce ambiguity.

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*Policy HOUS00 - General Housing Objections and Omissions of Policy*

*Representor Numbers 270.26, 232.5, 238.14, 47.1, 247.1, 359.50*

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**Inspector's Recommendation No. REC 04.01**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCL004, PCE006, PCE007, PCE010 and PCE011

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 4.4.4 to read:

4.4.4 The proposed housing site at North East Barry forms part of a comprehensive mixed use development which is the subject of the Draft Pencoedtre-North East Barry Strategy. The overall area comprises a wedge of land of approximately 56 hectares, bounded by the Barry Docks Link Road, Coldbrook Road, Channels Girt, Pencoedtre Road and Port Road. Currently, it is mainly used for pasture and Forestry Commission woodland with some allotment land and a few houses. The allotment land is effectively in pasture and not currently laid out as allotments. The Environment Agency have advised that a Greenfield run off restriction may be required for this site. Welsh Water have advised that a watermain crosses the site and protective measures will be required at the developer's expense.

And revise paragraph 4.4.27 to read:

4.4.27 This 0.4 hectare site was granted outline planning permission in October 1984 for the construction of 6 "mobility" flats for the elderly and 12 "Category 1" flats for the elderly. This consent has now expired. The site is close to the site of a Roman Villa and large early medieval cemetery. There is a likelihood of archaeological features being present and an evaluation will be required. In addition, the Environment Agency has advise that a greenfield run-off restriction may be required.

And revise paragraph 4.4.29 to read:

4.4.29 The site comprises a triangular piece of land situated between the Vale of Glamorgan Railway Line and the rear gardens of three detached dwellings which front Boverton Road. The site is currently used as a coal yard and has a frontage onto Le Poulguen Way. The site has the benefit of a detailed planning consent for 10 semi-detached dwellings (granted March 1994). The Environment Agency have advised that a greenfield run-off restriction may be required.

And revise paragraph 4.4.36 to read:

4.4.36 This site was originally granted planning consent in March 1976. Since then a total of 59 units have been completed. There is an undeveloped area at the southern end of the development of approximately 0.6 hectares. In July 1997, a detailed planning application for 6 detached units was approved by the Council. The Environment Agency has advised that a greenfield run-off restriction may be required.

And revise paragraph 4.4.37 to read:

4.4.37 A 0.58 hectare site situated at the western end of Colwinston to the north of the church. The site was originally granted outline planning consent in October 1985, for 10 detached dwellings, receiving detailed planning consent in June 1989 and again in October 2001. The site is located adjacent to a medieval graveyard which may have been larger. There may also be evidence of a medieval village and so an archaeological evaluation will be required. The Environment Agency have advised that a greenfield run-off restriction may be required.

**Reason**

The proposed modifications are made for the reasons set out by the Inspector and in order to ensure the retention of important community facilities within the rural settlements of the Vale of Glamorgan and to ensure the factual accuracy of the Plan.

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*Policy*            *HOUS 4 - New Settlements*

*Representor Numbers*    *237.40, 244.15, 249.12, 264.2, 331.3, 248.3, 248.1*

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**Inspector's Recommendation No. REC 04.02****Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCE019

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 4.4.50 to read:

4.4.50 New settlements are defined as substantial (more than 1000 new dwelling units) free-standing villages or small towns. Through the UDP the Council has allocated (together with existing commitments) sufficient land for residential purposes to meet the estimated demand for new dwellings. The demand will be met by the logical expansion of existing settlements e.g. Cogan Hall Farm, Penarth and Pencoedtre, Barry (Policies HOUS 1 (8) and (3)) and by the regeneration of brownfield sites e.g. Barry Waterfront, Penarth Haven and Rhose Point (Policies HOUS 1 (1), (7) and (13)). Consequently, there is not considered to be a requirement for new settlements within the Vale during the Plan period.

**Reason**

The inclusion of a definition of new settlements is proposed in order to ensure certainty about the application of the policy and for the reasons as set out by the Inspector.

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*Policy*            *HOUS 5 - Agricultural or Forestry Dwellings*

*Representor Numbers*    *237.41, 244.16, 238.15*

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**Inspector's Recommendation No. REC 04.03****Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCE020

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy HOUS 5 to read:

POLICY HOUS 5 – AGRICULTURAL OR FORESTRY DWELLINGS

THE DEVELOPMENT OF NEW DWELLINGS BEYOND THE IDENTIFIED SETTLEMENT BOUNDARIES DESIGNATED BY POLICY HOUS 2 IN ASSOCIATION WITH AGRICULTURE OR FORESTRY WILL BE PERMITTED IF:

- (i) AN ESSENTIAL NEED, BASED ON A FUNCTIONAL AND WHERE APPROPRIATE FINANCIAL NECESSITY IS CLEARLY DEMONSTRATED.
- (ii) THE SCALE, SITING, DESIGN, LANDSCAPE AND EXTERNAL APPEARANCE OF THE PROPOSED NEW DWELLING IS COMPATIBLE WITH ANY EXISTING RELATED STRUCTURES AND THE SURROUNDING LANDSCAPE; AND
- (iii) AN ACCEPTABLE ACCESS TO THE DWELLING CAN BE PROVIDED.

IF THESE CRITERIA ARE MET A CONDITION WILL BE IMPOSED ON ALL NEW AGRICULTURE / FORESTRY DWELLINGS LIMITING THE OCCUPATION OF THE DWELLING TO A PERSON SOLELY, OR MAINLY, WORKING, OR LAST WORKING IN THE LOCALITY, IN AGRICULTURE AS DEFINED IN SECTION 336 OF THE TOWN AND COUNTRY PLANNING ACT 1990, OR IN FORESTRY OR A WIDOW OR WIDOWER OF SUCH A PERSON, AND TO ANY RESIDENT DEPENDANTS.

**Reason**

The proposed modification to Policy HOUS 5 is made in order to provide certainty about the manner in which applications for agricultural dwellings will be assessed and for the reasons set out by the Inspector.

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*Policy                    HOUS 7 - Replacement and Extension of Dwellings in the Countryside*

*Representor Numbers    310.1, 356.21*

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**Inspector’s Recommendation No. REC 04.04**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the deletion of criterion (ii) of HOUS7 and the deletion of the first sentence of Para 4.4.56

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy HOUS 7 to read:

POLICY HOUS 7 – REPLACEMENT AND EXTENSION OF DWELLINGS IN THE COUNTRYSIDE

THE REPLACEMENT OR EXTENSION OF DWELLINGS IN THE COUNTRYSIDE WILL BE STRICTLY CONTROLLED. PROPOSALS WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE EXTENDED DWELLING IS NOT DISPROPORTIONATE IN SIZE TO THE ORIGINAL DWELLING;
- (ii) ADEQUATE UTILITY AND INFRASTRUCTURE SERVICES EXIST, ARE READILY AVAILABLE OR CAN BE ECONOMICALLY PROVIDED;
- (iii) THE REPLACEMENT DWELLING OR DWELLING AS EXTENDED DOES NOT REQUIRE AN UNACCEPTABLE EXTENSION OF THE EXISTING RESIDENTIAL CURTILAGE;
- (iv) IN RESPECT OF REPLACEMENT DWELLINGS, PARKING AND AMENITY SPACE IS PROVIDED IN ACCORDANCE WITH THE COUNCIL’S APPROVED GUIDELINES;

- (v) THE SCALE, SITING, DESIGN, MATERIALS, LANDSCAPING AND EXTERNAL APPEARANCE OF THE REPLACEMENT DWELLING OR EXTENSION IS COMPATIBLE WITH ANY EXISTING RELATED STRUCTURES AND THE SURROUNDING LANDSCAPE;
- (vi) IN THE CASE OF REPLACEMENT DWELLINGS FOR DERELICT BUILDINGS, THE RESIDENTIAL USE OF THE BUILDING HAS NOT BEEN ABANDONED.

And revise paragraph 4.4.56 to read:

4.4.56 The exterior design, materials and scale of the new dwelling shall have due regard to its own location as well as any neighbouring developments. Proposals for replacement dwellings will only be permitted where it can be demonstrated that the development will be of a scale and character compatible with its local environment.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan, to ensure that all applications are dealt with on their own merits and for the reasons as set out by the Inspector.

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*Policy                    HOUS 8 - Additional Residential Development*

*Representor Numbers    159.6*

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**Inspector’s Recommendation No. REC 04.05**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the inclusion of PCE023 as amended by FPCE004 within the reasoned justification to the recommended new Policy HOUS2

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 4.4.60 to read:

4.4.60 In Policy HOUS 1 above, sufficient land is allocated for new residential development to meet the Vale’s requirements to the year 2011. In order to prevent the spread of new development outside the confines of these existing communities, settlement boundaries have been drawn around the existing urban areas of Penarth, Dinas Powys, Sully, Llandough (Penarth), Cowbridge, Llantwit Major and Barry and around the rural villages of Rhoose, St Athan, Wenvoe and Ystradowen. The aim of this policy is to protect the rural areas around and between the existing settlements, to prevent urban sprawl and to avoid the fusion of adjoining settlements. Other countryside protection policies are contained within the Environment chapter. Policies ENV 1 and ENV 3 are particularly relevant. In respect of appropriate housing development in the rural villages outlined in Policy HOUS 2, reference should also be made to Policy HOUS 14 on exception Sites for Affordable Housing in the Rural Vale.

And renumber as paragraph 4.4.44 and include within the reasoned justification of new policy HOUS 2.

**Reason**

The proposed modification is made in order to ensure clear and consistent planning policy guidance within the Plan and for the reasons set out by the Inspector.

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## **Inspector's Recommendation No. REC 04.06**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion within the reasoned justification of Policy HOUS14 of reference to section 9.2 of PGW

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 4.4.71 to read:

4.4.71 Planning Policy Wales 2002 Section 9.2.19 states that in rural areas, special provision for affordable housing may be considered to help ensure the viability of the local community. The release of any small housing sites to meet local housing needs as an exception to the policies for the general housing provision must be fully justified in terms of meeting an identified local need for such housing. Sites which are proposed must also meet all the other criteria against which normal housing developments would be judged.

### **Reason**

The proposed modification represents an update of the Plan in line with current national planning guidance.

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## *Policy HOUS 9 - Residential Development within Settlement Boundaries*

*Representor Numbers 237.43, 52.11, 207.4, 212.3, 244.34, 356.25*

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## **Inspector's Recommendation No. REC 04.07**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCN019, PCE024 and PCE025 subject to the deletion from PCE025 of the words "... within settlement boundaries ..."

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include on the Proposals Map key:

Reference should be made to the written statement of the UDP which contains several policies which are relevant to the whole area of the Plan.

And revise Policy HOUS 9 to read:

HOUS 9 – RESIDENTIAL DEVELOPMENT CRITERIA – POLICY HOUS 2 SETTLEMENTS

SUBJECT TO THE PROVISIONS OF POLICY HOUS 2, DEVELOPMENT WILL BE PERMITTED WHICH IS WITHIN OR CLOSELY RELATED TO THE DEFINED SETTLEMENT BOUNDARIES PROVIDED THAT IT MEETS ALL THE FOLLOWING CRITERIA:

- (i) THE SCALE, FORM AND CHARACTER OF THE PROPOSED DEVELOPMENT IS SYMPATHETIC TO THE ENVIRONS OF THE SITE;

- (ii) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS BY VIRTUE OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION;
- (iii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A), ON AREAS OF ATTRACTIVE LANDSCAPE OR HIGH QUALITY TOWNSCAPE OR ON AREAS OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE;
- (iv) WHEN APPROPRIATE AND FEASIBLE THE PROVISIONS OF POLICY REC 3 ARE MET;
- (v) THE PROVISION OF CAR PARKING AND AMENITY SPACE IS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;
- (vi) ADEQUATE COMMUNITY AND UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY ECONOMICALLY PROVIDED.

And paragraph 4.4.61 is revised to read:

4.4.61 The aim of this policy is to stop inappropriate development within urban areas and town cramming. For the purposes of this policy town cramming is defined as insensitive infilling or development which through its cumulative effects will damage the character or amenity of an area. Infill/rounding off development may be permitted in accordance with the Policy HOUS 2 subject to the compliance with the above criteria. Proposals which result in over development of existing residential areas and/or the loss of open space which provides an important setting for towns and villages or has public amenity, nature conservation or recreational value will be resisted. The Council's requirements for the provision of open space are set out in Policy REC 3.

**Reason**

The proposed modifications outlined in PCN019, PCE024 and PCE025 are made in order to ensure clarity and consistency of policy guidance within the Plan. The amendment to PCE025 proposed by the Inspector accords with accepted Inspector's recommendation REC 3.7, and therefore in the interest of consistency the recommendation is accepted

**Inspector's Recommendation No. REC 04.08**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the amendment of criterion (i) to read: "(i) the scale, form and character of the proposed development is sympathetic to the environs of the site"

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise criterion (i) of Policy HOUS 9 as per details in REC 4.07 above.

**Reason**

The proposed modification is made in order to provide certainty and clarification about the application of the policy and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 04.09****Details of Inspector's Recommendation**

I recommend that the plan be modified by the listing within the Appendices of important archaeological sites

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include within the Appendices a list of the important archaeological sites within the Vale of Glamorgan.

## Appendix 9 – Important Archaeological Sites

	Grid Reference
Barry	
St Barruch's Chapel	ST 119 667
Barry Castle	ST 101 672
Highlight Medieval House Site	ST 100 697
Round Barrow 612m N of Bendricks Rock	ST 131 674
Highlight Church, remains of	ST 097 699
Westward Corner Round Barrow	ST 091 669
Knap Roman Site	ST 099 665
Site of Medieval Mill & Mill Leat Cliffwood	ST 086 668
Cowbridge with Llanblethian	
St Quentin's Castle	SS 989 742
Caer Dynnaf	SS 983 743
Round Barrows N of Breach Farm	SS 970 738
South Gate	SS 993 745
Llanquian Wood Camp	ST 021 745
Llanquian Castle	ST 019 744
Stalling Down Round Barrow	ST 012 749
Round Barrow 800m SE of Malborough Grange	SS 979 730
Dinas Powys	
Dinas Powys Castle	ST 153 716
Romano-British Farmstead, Dinas Powys Common	ST 150 709
Ewenny	
Ewenny Priory	SS 912 778
Llancarfan	
Castle Ditches	ST 059 700
Llancarfan Monastery (site of)	ST 051 700
Walterston Earthworks	ST 068 712
Moulton Roman Site	ST 073 696
Llantrithyd Camp	ST 038 731
Medieval House Site, Dyffryn	ST 045 727
Llanvithyn Camp	ST 054 718
Castell Moel	ST 054 734
Horseland Moated Site	ST 040 724
Llandough	

Pillar Cross in Llandough Churchyard	ST 168 732
Llandow	
Mynydd Bychan	SS 963 755
Nash Manor Round Barrow	SS 963 728
Round Barrows W of Cant-Erw (also recorded under St Donats)	SS 935 713
Llanfair	
Old Beaupre Castle	ST 009 720
Llandough Castle, Remains of Hall	SS 995 730
Llangan	
Medieval Cross in Churchyard	SS 957 778
Llangan Celtic Cross	SS 957 778
Cross in Mary's Churchyard	SS 958 793
Ringwork & Bailey at Gelligarn	SS 960 787
Llanmaes	
Domen Fawr Round Barrows	SS 985 710
Llantwit Major	
Castle Ditches Camp	SS 960 674
Caermead Roman Site	SS 958 699
Summerhouse Camp	SS 994 665
Bedford Castle	SS 980 693
Llantwit Major Castle	SS 966 690
Llantwit Major Dovecot	SS 965 686
Llantwit Major Gatehouse	SS 965 686
Llantwit Major Monastic Settlement (Site of)	SS 965 686
Morfa House Round Barrow	SS 959 701
Boverton Place	SS 983 684
The Chantry House	SS 966 687
Michaelston	
Leckwith Bridge	ST 159 752
Caerau Camp	ST 134 750
Cwm George Camp	ST 148 722
Tyn y Coed Earthwork	ST 149 720
Penarth	
Penarth Churchyard Cross (Now in Penarth Church)	ST 181 713
Pendoylan	
Two Cooking Mounds E of Ty'n-y-Pwll	ST 071 756 / ST 070 756
Felin Isaf Castle Mound	ST 060 792
Penllyn	
Ystradowen Castle Mound	ST 011 776
Peterston-super-Ely	

Remains of Peterston Castle	ST 084 764
Rhoose	
The Bulwarks Camp	ST 081 663
Penmark Castle	ST 059 689
Early Cement Works, Aberthaw	ST 038 661
St Athan	
East Orchard Manor House	ST 029 680
West Orchard Manor House	ST 007 681
West Aberthaw Medieval Site	ST 024 667
Flemingston Deserted Village	ST 025 698
Deserted Medieval Village NE of Rock Farm	ST 020 681
St Bride's Major	
Ogmore Castle	SS 882 775
St Bride's Major Churchyard Cross	SS 894 750
Ogmore Stepping Stones	SS 882 769
Stepsau Duon	SS 909 757
Heol y Mynydd Round Barrow	SS 884 751
Croes Antoni	SS 893 752
Dunraven Castle Hillfort	SS 887 727
Promontory Fort on Fleming's Down	SS 889 768
St Donats	
Nash Point Camp	SS 915 684
Round Barrows South of Monkton	SS 932 706
Round Barrows w of Cant-Erw (also recorded under Llandow)	SS 935 713
Nash Point Round Barrows	SS 914 692 / SS 914 693
Tithe Barn, Dovecot & Remains of Other Buildings	SS 918 707
Croes Heol y Splott Round Barrow	SS 947706
Round Barrow NE of Church Farm	SS 922 707
St Donat's Churchyard Cross	SS 933 680
Area of Shrunken Medieval Village	SS 926 694
St Georges-super-Ely	
St-y-Nyll Round Barrow	ST 101 783
St Nicholas and Bonvilston	
Tinkinswood Burial Chamber	ST 092 733
Doghill Moated Site, Dyffryn	ST 092 719
Y Gaer	ST 063 747
Cottrell Ringwork	ST 084 747
Coed-y-Cwm Chambered Cairn	ST 081 738
Coed y Cwm Ringwork	ST 083 737
Cottrell Castle Mound	ST 081 745
Sully	
Sully Island "Danish" Fort	ST 169 670
Middleton Moated Sites	ST 150 686
Anti-aircraft Battery West of Lavernock Point	ST 180 679

Welsh St Donats

Maes-y-Hwyaid Round Barrow	ST 036 750
Two Round Barrows 300m North of Tair Onnen	ST 041 749 / ST 042 749
Castell Tal-y-Fan	ST 021 772

Wenvoe

St Lythan's Burial Chamber	ST 100 722
Greave Round Barrow	ST 125 732 / ST 125 733
Roman Site 340m SE of Whitton Crossroads	ST 081 713

Wick

Buarth-Mawr Barn	SS 922 722
Rhyle Round Barrow	SS 916 726
Cwm Bach Camps	SS 897 716

**Reason**

The inclusion of an appendix detailing important archaeological sites will provide additional clarity and certainty within the Plan

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**Inspector's Recommendation No. REC 04.10**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by adding "when appropriate and feasible" at the beginning of criterion (iv)

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise criterion (iv) of Policy HOUS 9 to read as per REC 4.7 above.

**Reason**

The proposed modification is made to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

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*Policy HOUS 10 – Conversion of Large Dwellings*

*Representor Numbers 240.2, 359.28*

---

**Inspector's Recommendation No. REC 04.11**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy*            *HOUS 11 - Nursing Homes*

*Representor Numbers*    *247.7, 247.61, 244.37, 376.4*

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**Inspector’s Recommendation No. REC 04.12**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the acceptance of PCE028

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy HOUS 11 to read:

**POLICY HOUS 11 – NURSING HOMES**

PROPOSALS FOR THE ERECTION OF, OR EXTENSION TO, RESIDENTIAL CARE AND NURSING HOMES WITHIN CLASS C2 OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987, (AS AMENDED) AND FOR CONVERSION OF PRIVATE RESIDENCES, HOTELS AND GUEST HOUSES AND OTHER BUILDINGS TO SUCH USES WILL ONLY BE PERMITTED IF:

- (i)        THERE ARE NO UNACCEPTABLE EFFECTS ON THE AMENITY OR CHARACTER OF THE AREA BY REASON OF TRAFFIC GENERATION OR LOSS OF PRIVACY TO ADJOINING PROPERTIES;
- (ii)       THE PROPOSAL DOES NOT CREATE UNACCEPTABLE DANGERS AND NUISANCE CAUSED BY THE VOLUME AND PROXIMITY OF TRAFFIC ON ADJACENT ROADS;
- (iii)      THE SCALE, LAYOUT AND APPEARANCE OF THE PROPOSAL REFLECTS THE CHARACTER OF THE LOCALITY;
- (iv)      THE DENSITY OF OCCUPATION, THAT IS THE NUMBER OF RESIDENTS, IS COMPATIBLE WITH SURROUNDING LAND USES;
- (v)        THE PROPOSAL PROVIDES FOR PEDESTRIAN ACCESS WITHIN THE SITE AND FROM THE STREET;
- (vi)      OPEN SPACE IS PROVIDED IN ACCORDANCE WITH THE COUNCIL’S APPROVED STANDARDS;
- (vii)     CAR PARKING AND AMENITY SPACE PROVISION IS IN ACCORDANCE WITH THE COUNCIL’S APPROVED GUIDELINES;
- (viii)    ACCESS ARRANGEMENTS ALLOW THE SAFE MANOEUVRING OF CARS, AMBULANCES AND VANS;
- (ix)      THE PROPOSAL IS IN CLOSE PROXIMITY TO LOCAL SERVICES SUCH AS SHOPS

AND BUS STOPS;

- (x) ADEQUATE COMMUNITY, INFRASTRUCTURE AND UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY AND ECONOMICALLY PROVIDED;
- (xi) ADEQUATE FACILITIES ARE AVAILABLE FOR THE SATISFACTORY DISPOSAL OF CLINICAL WASTE

\*C2 Residential institutions as defined by the Town & Country Planning (Use Classes) Order 1997

**Reason**

The proposed modification is made in order to ensure that applications for new nursing homes are fully assessed and for the reasons set out by the Inspector.

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*Policy HOUS 13 - Affordable Housing*

*Representor Numbers 233.7, 249.13, 267.5, 270.31, 359.29, 249.22*

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**Inspector's Recommendation No. REC 04.13**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCE030, PCE031 and PCE032

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and Policy HOUS 13 is revised to read:

HOUS 13 – AFFORDABLE HOUSING

THE COUNCIL WILL WHERE THERE IS A DEMONSTRABLE NEED, SEEK TO NEGOTIATE WITH DEVELOPERS FOR THE INCLUSION OF A REASONABLE ELEMENT OF AFFORDABLE HOUSING IN SUBSTANTIAL DEVELOPMENT SCHEMES. CLEAR AND ADEQUATE ARRANGEMENTS SHOULD BE MADE TO ENSURE THAT THE BENEFITS OF SUCH HOUSING ARE SECURED FOR INITIAL AND SUBSEQUENT OCCUPANTS.

Delete paragraph 4.4.65 and insert new paragraph 4.4.65 to read:

4.4.65 For the purposes of this Policy a substantial development is defined as a housing development of more than 50 units. Affordable housing is defined in Technical Advice Note (Wales) 2 “Planning and Affordable Housing” to encompass both low cost, market and subsidised housing (irrespective of tenure, exclusive or shared ownership, or financial arrangements) that will be available to people who cannot afford to occupy houses generally available on the open market.

And paragraph 4.4.70 is revised to read:

4.4.70 The best way of securing new affordable housing units will be through the inclusion of a mix and balance of house types and sizes in large new housing developments to cater for a range of housing needs. Eighty units of social housing have previously been secured as part of the development brief produced by Cardiff Bay Development Corporation for the comprehensive redevelopment of Penarth Dock. The comprehensive redevelopment of Barry Waterfront, the developments at North East Barry, Cogan Hall Farm, Penarth and the Cowbridge Road/sawmill Site, Ystradowen will also offer opportunities for the provision of affordable housing. The proximity of these sites to existing and

proposed services such as shops and public transport offers particular location advantages. The Council will continue to work closely with Associated British Ports, the Welsh Development Agency, the National Assembly for Wales and registered social landlords and private sector developers to ensure that 20% of the total number of residential units are for affordable housing in the Barry Waterfront Redevelopment Scheme.

**Reason**

The proposed modification is made in order to provide certainty in respect of the application of the policy and for the reasons set out by the Inspector.

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*Policy*                    *HOUS 14 - Affordable Housing in the Rural Vale*

*Representor Numbers*    *237.44, 246.9, 159.3, 228.8, 247.8, 249.14,  
359.30, 159.7, 247.83*

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**Inspector’s Recommendation No. REC 04.14**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the acceptance of PCE033, PCE034 and PCE035 as amended by FPCE006

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy HOUS 14 to read:

POLICY HOUS 14 – EXCEPTION SITES FOR AFFORDABLE HOUSING IN THE RURAL VALE

IF IT CAN BE DEMONSTRATED THAT IN THE RURAL VALE THERE IS AN IDENTIFIED LOCAL NEED FOR AFFORDABLE HOUSING, THE DEVELOPMENT OF A LIMITED NUMBER OF ADDITIONAL SITES WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE SITE IS WITHIN OR ADJOINING AN EXISTING SETTLEMENT BOUNDARY;
- (ii) THE SITE IS COMMENSURATE IN SCALE, DESIGN AND LOCATION WITH THE IDENTIFIED NEED;
- (iii) CLEAR AND ADEQUATE ARRANGEMENTS ARE MADE TO ENSURE THAT THE BENEFITS OF SUCH HOUSING ARE SECURED FOR INITIAL AND SUBSEQUENT OCCUPANTS;
- (iv) THE SCALE AND FORM OF THE PROPOSED DEVELOPMENT IS IN KEEPING WITH SURROUNDING USES;
- (v) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS BY VIRTUE OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION;
- (vi) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 OR 3A), ON AREAS OF ATTRACTIVE LANDSCAPE OR HIGH QUALITY TOWNSCAPE OR ON AREAS OF HISTORICAL, ARCHAEOLOGICAL, ECOLOGICAL, GEOLOGICAL OR GEOMORPHOLOGICAL IMPORTANCE;

- (vii) OPEN SPACE IS PROVIDED IN ACCORDANCE WITH THE COUNCIL'S APPROVED STANDARDS;
- (viii) THE PROVISION OF CAR PARKING AND AMENITY SPACE IS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;
- (ix) ADEQUATE COMMUNITY AND UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY OR ECONOMICALLY PROVIDED

FOR THE PURPOSE OF THIS POLICY THE RURAL VALE IS DEFINED AS BEYOND THE SETTLEMENTS OF BARRY, PENARTH, LLANDOUGH (PENARTH) DINAS POWYS AND SULLY.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

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*Policy*            *HOUS 15 - Gypsy Caravans*

*Representor Numbers*    *230.11, 244.17, 238.16, 374.1*

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**Inspector's Recommendation No. REC 04.15**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of criterion (vi) of Policy HOUS15 and the last sentence of Para 4.4.77

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy HOUS 15 to read:

**POLICY HOUS 15 – GYPSY CARAVANS**

PROPOSAL FOR THE USE OF LAND FOR THE SITING OF RESIDENTIAL CARAVANS OCCUPIED BY GYPSIES WILL ONLY BE PERMITTED WHERE ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE EFFECT ON THE AMENITY OR CHARACTER OF NEARBY AREAS BY VIRTUE OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF TRAFFIC CONGESTION OR PARKING PROBLEMS;
- (ii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE EFFECT ON THE INTERESTS OF AGRICULTURE, CONSERVATION AREAS OF ECOLOGICAL, GEOLOGICAL, GEOMORPHOLOGICAL AND WILDLIFE IMPORTANCE OR LANDSCAPE PROTECTION;
- (iii) THE PROPOSAL HAS A SAFE VEHICULAR ACCESS;
- (iv) SATISFACTORY LANDSCAPING IS PROVIDED AND
- (v) ADEQUATE COMMUNITY AND UTILITY SERVICES EXIST AND ARE REASONABLY ACCESSIBLE OR CAN BE READILY AND ECONOMICALLY PROVIDED.

And paragraph 4.4.77 is revised to read:

4.4.77 Welsh Office Circular 2/94 Gypsy Sites and Planning advises that proposals for gypsy sites should continue to be determined in relation to land use factors and should be consistent with agricultural, archaeological, countryside and environmental objectives.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and in line with the Inspectors reasons. It is not proposed to accept PCE036 as it is in direct conflict with REC 4.15. It is clear in the Inspector's reasoning that it was his intention to delete criterion (vi) (paragraph A14.2 refers).

---

**Inspector's Recommendation No. REC 04.16**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCE036, PCE037 and PCE038

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy HOUS 15 and paragraph 4.4.77 as per REC 4.15 above.

**Reason**

The proposed modification is made in order to ensure clarity, consistency and the factual accuracy of the Plan and for the reasons set out by the Inspector.

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*Policy HOUS 1 (1) - Barry Waterfront*

*Representor Numbers 267.4, 267.17A&B, 287.2, 287.3, 249.21, 247.64, 376.13, 267.3A, 267.3B*

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**Inspector's Recommendation No. REC 04.17**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCE001

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 4.4.1 to read:

SITE 1: BARRY WATERFRONT

4.4.1 The comprehensive redevelopment of this site was originally granted outline planning consent for residential, commercial, business, retail, leisure and open space uses in July, 1988, by the Secretary of State for Wales. A renewal of the consent was granted in September 1991 and expired in 1994. In October 1994, the Council resolved to grant outline consent for the development of this site subject to the completion of a Section 106 Agreement. This was signed in May 1997. The current site of approximately 77 hectares is owned by Associated British Ports. The proposed redevelopment is a joint venture scheme between Associated British Ports and the Welsh Development Agency. The site includes approximately 25.9 hectares for residential purposes and at current build densities it is

anticipated that it will yield some 1400 units. A range of residential building types and tenure is proposed including 20% of the total number of residential units for affordable housing. There is currently nothing in the Plan which precludes affordable housing being provided by the private sector. The Environment Agency have advised that the site will need to be protected to a minimum level of 8.3 metres above Ordnance Datum. The waterfront development accommodates new infrastructure network, designed and developed in close liaison with all public utilities. Electricity, gas, water, and telecommunications can be made available to any development plot from mains running within the adoptable highway zone.

**Reason**

The proposed modification is made in order to provide greater clarity about the policy requirement of the Plan and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 04.18**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the amendment of the Proposals Map boundary to include the South Quay Area of Dock No.1 within the Waterfront, Barry Comprehensive Redevelopment Area and the residential settlement boundary of Barry

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend the Proposals Map boundary to include the South Quay Area of Dock No.1 within the Waterfront, Barry Comprehensive Redevelopment Area and the residential settlement boundary of Barry

**Reason**

In the context of the Council's acceptance of the Inspector's REC 1.8, the Council has reviewed the Inspector's deliberations with regard to this matter and accepts his reasoning. It is considered that the allocation of the land to at the South Quay Area of Dock No. 1 will assist in satisfying the housing requirements during the Plan period.

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**Inspector's Recommendation No. REC 04.19**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the consequential amendment of the reasoned justification to Policy HOUS1 (1) to indicate that additional residential development will be promoted within this area before the end of the plan period

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the following new paragraphs after existing paragraph 4.4.1 within the reasoned justification for Policy HOUS 1(1):  
BARRY WATERFRONT to read:

In addition to the comprehensive Redevelopment Site, an area 5.2 hectares of land at South Quay is allocated for mixed use development to include residential. It should be noted that this site is not included in the outline planning permission for the waterfront. The South Quay area of No. 1 Dock currently accommodates a number of Operational Chemical Storage Tanks. Remedial works will be necessary in order to ensure the problems of land contamination at the site are correctly addressed. The Environment Agency have indicated that prior to any development commencing at the South Quay site a scheme will need to be submitted that demonstrates how the site will be protected to a level of 8.3 metres AOD.

The site is likely to yield 200 dwellings. The Council is keen to ensure that current development rates at the waterfront are maintained and sufficient land at this location is available throughout the plan period. Detailed planning permission for the residential development element of this mixed use scheme will therefore not be granted until 80% beneficial occupation of the residential units on the original waterfront regeneration area has been achieved.

The Council will through discussions with developers, seek to secure affordable housing, Public Open Space, landscaping, and contributions for education, recreation, public transport and cycleway provision. The development of the site will be guided by a Development Brief, which is to be produced in partnership with the Council. The purpose of the brief will be to ensure that the development of this site makes a positive contribution to the social, economic and environmental wellbeing of the local community. In addition to a Brief, the Council will require a Traffic Impact Assessment of the site to be undertaken, in order to assess the potential impact of the development on the existing highway network and to identify appropriate transportation solutions.

**Reason**

In the context of the Council's acceptance of the Inspector's REC 1.8, the Council has reviewed the Inspector's deliberations with regard to this matter and accepts his reasoning. However, the Council considers that in view of the type of development that has already been undertaken near to this location, a higher density for the residential element of this scheme would be more appropriate. It is considered that the allocation of the South Quay area of Dock No. 1 will assist in satisfying the housing requirement during the Plan period.

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*Policy HOUS 1(3) - Pencoedtre North East Barry*

*Representor Numbers 293.2*

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**Inspector's Recommendation No. REC 04.20**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCE005

(An amendment to this recommendation was included within the Inspector's addendum report, stating that PCE004 should be replaced by PCE005. Given the ambiguity of this statement, the recommendation has not been altered.)

**Council's Recommendation**

Inspector's recommendation not accepted

**Recommended Modification**

Modify the Plan to include PCE004

**Reason**

In his response to the Council dated 16<sup>th</sup> March 2001 the Inspector confirms his intention to modify the Plan by the acceptance of PCE004 not PCE005. This proposed modification is made in order to ensure that the Plan provides certainty about constraints to development and for the reasons set out by the Inspector.

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*Policy HOUS 1 (7) - Penarth Haven, Penarth*

*Representor Numbers 217.6, 247.3, 217.12, 247.84, 217.4, 217.10,  
217.11*

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## **Inspector's Recommendation No. REC 04.21**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCE005 as amended by FPCE003

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 4.4.18 to read:

4.4.18 Approximately 5.9 hectares will be developed for residential purposes for around 463 flats and houses. The Environment Agency have advised that the site lies within 250 metres of a landfill site. In addition all development must be designed to ensure that it does not encroach into the water storage capacity of Cardiff Bay.

### **Reason**

The proposed modification is made in order to provide certainty about constraints to development and for the reasons set out by the Inspector.

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## **Inspector's Recommendation No. REC 04.22**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of FPCN003 and FPCN004

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise the boundary of the Penarth Haven comprehensive redevelopment area.

### **Reason**

For the reasons set out by the Inspector the proposed modifications are made in order to provide certainty about the constraints to development and to ensure clear and consistent guidance in the Plan .

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## *Policy HOUS 1 (8) - Cogan Hall Farm, Penarth*

*Representor Numbers 304.1, 360.28, 164.1*

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## **Inspector's Recommendation No. REC 04.23**

### **Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

No modification required

### **Reason**

No modification required for the reasons set out by the Inspector.

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*Policy HOUS 1 (10) - Redwood Close, Boverton*

*Representor Numbers 219.1, 295.1, 296.1*

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**Inspector's Recommendation No. REC 04.24**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy HOUS 1 (12) - Cowbridge Road and The Saw Mill, Ystradowen*

*Representor Numbers 58.1, 60.2, 62.1, 63.2, 64.2, 65.1, 66.1, 67.1,  
69.1, 70.1, 71.1, 72.2, 73.1, 74.1, 75.1, 76.1,  
77.1, 78.1, 79.1, 80.1, 81.1, 159.2, 161.1, 162.1,  
163.2, 163.3, 188.1, 237.42, 270.29, 280.2, 60.1,  
161.2, 162.2, 212.1, 212.2, 251.3*

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**Inspector's Recommendation No. REC 04.25**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the amendment of criterion (v) of Policy HOUS9 to read: "(v) the provisions of Policy REC3 are met".

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise criterion (v) of Policy HOUS 9 as per REC 4.7 above.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

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*Policy HOUS 1 (13) - Rhoose Point*

*Representor Numbers 57.3, 57.1A, 247.4, 57.2, 247.63*

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**Inspector's Recommendation No. REC 04.26**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCE008, PCE009 and PCN012

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 4.4.31 to read:

SITE 13: RHOOSE POINT

4.4.31 The housing site at Rhoose Point forms part of a comprehensive mixed use redevelopment on land currently in the ownership of Blue Circle Industries PLC. This is shown on the Proposals Map. In addition to housing, the scheme includes the provision of leisure, retailing and employment uses together with large areas of public open space. Primary access to the site is to the east of the existing built up area. It should be noted that the site lies within 250 metres of a landfill site.

And include Rhoose Point Access Road on the Proposals Map.

**Reason**

The proposed modifications are made in order to ensure the factual accuracy of the Plan and to provide certainty about constraints to development.

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*Policy*            *HOUS 1 (16) - Adjacent St Michael's Church, Colwinston*

*Representor Numbers*    *174.8, 291.1, 247.66, 6.1, 353.1, 353.2*

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**Inspector's Recommendation No. REC 04.27****Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCE006, PCE011 and PCE012

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraphs 4.4.27 and 4.4.37 to read as per REC 4.01 above and revise paragraph 4.4.41 to read:

SITE 19: RIVER WALK, COWBRIDGE

4.4.41 The site lies to the south west of the main shopping area in Cowbridge, backing onto the River Thaw. Two parcels of land are available at this location for a total of six units. The sites are 0.085 hectares and 0.284 hectares in size and are considered suitable for 2 and 4 detached units respectively. Dwr Cymru Welsh Water have stated that the Cowbridge Sewage Treatment Works is at capacity and this may cause a problem for the development of this site. In addition, the Environment Agency have advised that a Greefield run off restriction may be required. The site is outside the medieval walled town but may contain archaeological features therefore, an archaeological evaluation is recommended.

**Reason**

The proposed modifications are made in order to ensure the factual accuracy of the Plan and to provide certainty about constraints to development and for the reasons set out by the Inspector.

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*Policy*        *HOUS1 (17) - St John's Well, St Athan*

*Representor Numbers*    *6.1, 353.1, 353.2*

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**Inspector's Recommendation No. REC 04.28**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of residential site HOUS1 (17) and the consequential amendment of the St Athan settlement boundary, but that no modification be made with respect of objections made by Objector 253

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete Policy HOUS 1, SITE 17: ST.JOHN'S WELL, ST.ATHAN and paragraphs 4.4.38 and 4.4.39. Subsequent paragraphs renumbered accordingly.

**Reason**

The Council concurs with the reasoning and the views expressed by the Inspector in his assessment of this site. Development of this site would result in the loss of countryside, noise issues and be subject to uncertainty due to the sewage / drainage problems.

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*Policy*        *HOUS1 (20) - White Farm, Barry*

*Representor Numbers*    *82.2, 293.3, 8.2, 10.1, 14.1, 15.2, 16.1, 20.1,  
23.2, 25.1, 26.1, 27.1, 28.1, 30.1, 31.1, 32.1,  
33.5, 35.2, 36.2, 42.2, 43.1, 46.2, 53.1, 84.2,  
85.1, 87.1, 88.2, 88.4, 89.1, 90.1, 91.1, 116.4,  
117.2, 118.2, 119.2, 120.1, 140.1, 143.1, 144.2,  
145.2, 146.1, 147.1, 150.1, 151.2, 152.2, 153.2,  
154.1, 172.1, 177.1, 180.1, 197.1, 198.1, 200.1,  
201.1, 202.1, 266.2, 270.28, 297.2, 298.1, 299.2,  
300.1, 301.2, 302.1, 303.2, 306.1, 319.1, 321.1,  
232.1, 325.1, 326.2,*

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**Inspector's Recommendation No. REC 04.29**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of some 5.2ha of the White Farm site as housing land within the housing allocation of the plan is identified on the illustrative plan submitted (ID142). The remaining 7.4 acres (3ha) to be identified as informal open space.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete paragraphs 4.4.42 and 4.4.43 and add new paragraphs to read as follows:

The 12.6 hectare site is allocated for residential and recreational purposes. The residential element of the site will comprise 5.2 hectares of land with the remaining 7.4 hectares of land allocated as informal open space.

The site was originally designated in the Adopted Barry Local Plan (1983) and the Vale of Glamorgan Local Plan, Deposit Draft (as amended) 1995 for informal open space. However, a certificate of appropriate alternative development for residential purposes was granted on the majority of the site in June 1994, subject to a number of conditions, including limitations on the points of access, landscaping details, finished levels and drainage.

It is anticipated that the development of this site for residential purposes will result in the construction of 130 dwellings, including affordable housing, built at a density of 25 units to the hectare. The Council may through discussions with the owners/developers of the site seek to secure the transfer of the 7.4 hectares of recreational land to the authority for the provision of footpath linkages and nature conservation issues. The development of this site will be guided by a Development Brief, which will be produced in partnership with the Council.

Welsh Water have indicated that extensive off site water mains would be required to serve the site. The cost of providing these services would be borne by the developer. Glamorgan Gwent Archaeological Trust has indicated that an archaeological field evaluation will be required at the site prior to the granting of planning permission. In addition the Environment Agency have indicated that a greenfield run-off restriction may also apply to the site. All subsequent paragraphs to be renumbered accordingly.

**Reason**

In the context of the Council's acceptance of the Inspector's REC 1.8, the Council has reviewed the Inspector's deliberations with regard to this matter and accepts his reasoning. It is considered that the allocation of White Farm site will assist in satisfying the housing requirements during the Plan period.

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*Policy Aberthin - Court Farm*

*Representor Numbers 171.1*

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**Inspector's Recommendation No. REC 04.30**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy Barry - Highlight Farm / North of Weycock Cross*

*Representor Numbers 192.7*

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**Inspector's Recommendation No. REC 04.31**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy Barry - Highlight Farm / Highlight Lane**Representor Numbers 343.1*

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**Inspector's Recommendation No. REC 04.32****Details of Inspector's Recommendation**

I recommend that the plan be modified to include land at Highlight Farm, Highlight Lane within the Barry residential settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend the residential settlement boundary for Barry to include land at Highlight Farm.

**Reason**

For the reasons set out by the Inspector the Council has decided to modify the Plan by amending the residential settlement boundary of Barry in accordance with the Inspector's recommendation.

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*Policy Barry - Land to the North of Pleasant View**Representor Numbers 311.1, 311.2*

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**Inspector's Recommendation No. REC 04.33****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of the garage in the eastern corner of the site within the settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend the residential settlement boundary for Barry to include the garage in the eastern corner of the Pleasant View site.

**Reason**

For the reasons set out by the Inspector the Council has decided to modify the Plan by amending the residential settlement boundary of Barry in accordance with the Inspector's recommendation.

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*Policy Barry - Merthyr Dyfan*

*Representor Numbers 281.1*

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**Inspector's Recommendation No. REC 04.34**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy Barry - Palmersvale Business Centre*

*Representor Numbers 223.1, 223.2*

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**Inspector's Recommendation No. REC 04.35**

**Details of Inspector's Recommendation**

I recommend that the plan be modified subject to the further consideration of the effect of the Public Information Zone of the Barry Chemical Works, by the allocation of the undeveloped part of the objection site for residential purposes under Policy HOUS1

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete EMP 1 - SITE 12 PALMERSTON TRADING ESTATE and paragraph 5.4.17. Reallocate the site within Policy HOUS 1 as HOUS 1 (21) to read:

SITE 21: PALMERSVALE BUSINESS CENTRE, BARRY

The site is located at the junction of Arthur Street and Palmerston Road, immediately adjacent to Palmerston Trading Estate. It is anticipated that the development of the 1 hectare site will yield 20 residential units. The Health and Safety Executive has indicated that part of the South Eastern edge of the site overlaps with the Public Information Zone for Barry Chemicals complex. In view of the sensitive location of the site, the Council considers that the most appropriate way to guide development is through a Development Brief. The Brief will be produced in partnership with the Council and will address issues such as site layout, dwelling type and design, landscaping, open space and access arrangements.

**Reason**

In the context of the Council's acceptance of the Inspector's REC 1.8, the Council has reviewed the Inspector's deliberations with regard to this matter and accepts his reasoning. It is considered that the allocation of the land at Palmersvale Business Centre will assist in satisfying the housing requirements during the Plan period.

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*Policy Barry - Land to the north of Port Road*

*Representor Numbers 38.1, 38.2, 131.1, 305.1, 309.1, 269.1*

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**Inspector's Recommendation No. REC 04.36**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Barry - Port Road / Five Mile Lane*

*Representor Numbers 54.1, 54.2, 54.3*

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**Inspector's Recommendation No. REC 04.37**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy Barry - Ty Verlons*

*Representor Numbers 283.1*

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**Inspector's Recommendation No. REC 04.38**

**Details of Inspector's Recommendation**

I recommend that the plan be modified to identify major existing employment areas on the Proposals Map and that such areas be referenced to Policy EMP3

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation to show major existing areas of employment on the Proposals Map with reference to EMP3.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

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*Policy Barry - Land to the rear of St James Crescent*

*Representor Numbers 92.1, 126.12, 126.13*

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**Inspector's Recommendation No. REC 04.39****Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy Bonvilston - Land between The Village Hall and Church*

*Representor Numbers 203.2, 203.3, 203.4, 213.3*

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**Inspector's Recommendation No. REC 04.40****Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy Broughton*

*Representor Numbers 258.1*

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**Inspector's Recommendation No. REC 04.41****Details of Inspector's Recommendation**

I recommend that the plan be modified to include existing and previously allowed residential curtilages within the Broughton residential settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise the residential settlement boundary of Broughton to include existing and previously allowed residential curtilages.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Broughton in accordance with the Inspector's recommendation.

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*Policy Colwinston*

*Representor Numbers 17.2*

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**Inspector's Recommendation No. REC 04.42****Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy Corntown - Land adjacent to Corntown Court*

*Representor Numbers 351.2*

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**Inspector's Recommendation No. REC 04.43****Details of Inspector's Recommendation**

I recommend that the plan be modified by the Corntown residential settlement boundary being amended to include the residential curtilage of Corntown Court

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend the residential settlement boundary for Corntown to include Corntown Court.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Corntown in accordance with the Inspector's recommendation.

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## *Policy Cowbridge - Darren Farm*

*Representor Numbers 126.2, 126.3*

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### **Inspector's Recommendation No. REC 04.44**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified such that the part of the objection site contained by the proposed link road be included under Policy HOUS1 as an allocated housing site

#### **Council's Recommendation**

Inspectors recommendation not accepted.

#### **Reason**

The Council only proposes to allocate the sites outlined below for residential development during the Plan period. It is considered that the allocation of these sites satisfy guidance contained in Planning Policy Wales (2002) and will assist in satisfying the housing requirements throughout the Plan period. In respect of REC 4.44, REC 4.45 and REC 6.7 the Council has updated the housing demand figure to 1st April 2001 by taking into account dwelling completions over the period 1998 to 2001. The net result is that over the period 2001 to 2011 the Council needs to make land available for 4716 new dwelling units. Taking into account commitments as agreed by the Joint Housing Land Availability Study 2001 (2946 Units) and an allowance for small sites (760) there is a need for an additional 1010 dwellings rather than the 1104 dwellings recommended by the Inspector.

Proposed Modification No E04, having regard to guidance contained within Planning Policy Wales 2002, outlines how this requirement will be met.

The Council has discretion in selecting sites to meet this housing need. This is recognised by the Inspector in his cover letter to his report when he considered the housing requirement where at paragraph 9 he stated:

“It is however for the Council to determine whether there are other more suitable sites that were not before me for consideration”.

Having given the matter due consideration the Council believes that the Inspector did not adequately consider the following issues:

- the number of residential completions from 1998 to 2001;
- the potential housing capacity of sites with the benefit of planning permission
- the requirements of Section 9 of Planning Policy Wales 2002 (sequential approach to housing development), including the policy that Councils should seek only to identify sufficient land to meet their housing requirement (paragraph 9.2.7 refers).

As a consequence of the Council's re-assessment of housing supply data as tabled at Modification E04 the Council requires to allocate additional land for 1010 Units.

To meet this requirement the Council has undertaken a 'search sequence' as required by Planning Policy Wales (2002). The search sequence starts with the re-use of previously developed land and buildings within settlements, then settlement extensions and then new development around settlements with good public transport links. In undertaking the search sequence particular consideration has been given to:

- The contribution to the housing supply of sites with planning permission for housing. Council resources do not permit the revocation of current planning permissions for housing development.
- The allocation of previously developed sites or empty or under-used buildings that are suitable for housing within settlements.

- The allocation of housing sites that are highly accessible by transport means to jobs, shops and services other than by the private car.
- The capacity of existing or proposed infrastructure to absorb further development and the cost, if necessary of adding further infrastructure.
- The ability to build communities to support new physical and social infrastructure and the need to provide sufficient demand to sustain appropriate local services and facilities.
- The physical and environmental constraints on the development of land.
- The need to assist urban regeneration.

As a result of the Council undertaking the search sequence, the following sites are proposed to be allocated to meet this need:

### **Barry Waterfront**

This is a Brownfield site located within the strategy area, which benefits from excellent public transport and walking / cycling opportunities. The site is ideally placed in relation to retailing and community facilities at Barry Town, with Cardiff within easy reach by public transport.

It was envisaged that the extant planning permission for the site would yield 1000 units over the Plan period. However, having examined the current build densities at this location, it has been found that the site is now expected to yield an additional 400 units (ie 1400 in total), some of which (100) may be beyond the Plan period.

### **South Quay (within Barry Waterfront)**

This is a Brownfield site located adjacent to the existing development currently under construction at Barry Waterfront and having the same benefits as Barry Waterfront. The Inspector recommended that this 5.2 ha site be allocated for a mixed-use development to include residential use. Although the Inspector felt that this site would only contribute 100 units to the supply it is the Council's view that due to increased building densities this site will contribute at least 200 units, some of which (100) may be beyond the Plan period.

### **Llandough Fields**

This site was previously occupied by railway sidings and was originally allocated in the Deposit Plan for employment purposes. The Inspector in his report has recommended that it be included for development under Policy HOUS 1 for 65 units. The site is well related to public transport facilities and is also close to shopping facilities. It is also well placed in terms of leisure facilities associated within the water-based activities and Penarth Leisure Centre (Cogan). In addition the site would be consistent with the regeneration strategies of the Plan.

### **Redwood Close**

The site benefits from an extant planning permission for 12 residential units. The Council does not have resources to revoke this permission.

### **Palmersvale Business Centre**

The site was previously allocated for employment purposes in the Deposit Plan. The Inspector recommended that the undeveloped part of the site fronting Arthur Street would be appropriate for 20 residential units. The site is located within the strategy area and has good walking, cycling and public transport links to Barry and Cardiff.

### **The Limes**

This site was allocated in the Deposit Plan. It lies close to the centre of Cowbridge and offers opportunities to enhance the conservation area as well as being well located for community facilities in Cowbridge. The site will yield approximately 6 units.

### **River Walk**

This site was allocated in the Deposit Plan and has had a planning permission for residential development. The site is situated close to the centre of Cowbridge and is consequently well located for community facilities in Cowbridge. The site will yield approximately 6 units.

### **White Farm**

This site is located within the settlement boundary of Barry and within the strategy area of the Plan. The Council allocated this site for a mixed use of residential and open space in the Deposit Plan. Part of the site has benefited from a Certificate of Appropriate Alternative Development. The Inspector suggested that this site would be suitable for 130 dwellings together with 7.4 acres of informal open space.

### **Cogan Pill Road, Llandough**

This site was allocated for housing development in the Deposit Plan. It is located within the Plan's strategy area and within the settlement boundary of Penarth with Llandough. The site is well located to community facilities (including the hospital) and public transport. The site will yield 18 units and has had a previous outline planning permission.

### **Land to North of Railway, Rhoose**

A greenfield site located within the Council's strategy area to the south east of Rhoose and to the north of the current Rhoose Point development. The site benefits from potentially good public transport in view of the imminent re-opening of the Vale of Glamorgan rail line to passenger services. A station and interchange facilities at Rhoose will be provided and there will be clear opportunities for links to the interchange facilities as well as to proposed retail and leisure facilities at Rhoose Point. The site will clearly assist in sustaining the proposed public transport initiatives and village facilities as well as providing a range and choice of housing types during the Plan period. The site is well located for employment allocations at Cardiff International Airport. This site can accommodate approximately 400 units during this Plan period, with a further 200 units during the next Plan period.

### **Land at Pencoedtre**

This site was allocated by the Council for special employment purposes in the Deposit Plan. The Inspector has recommended that 7 ha of the 14 ha. site be allocated for approximately 135 units of residential accommodation.

The Council proposes to allocate the site for a mixture of housing, employment and woodland uses, the proportions of which will be confirmed by further research through the preparation of a woodland / conservation management plan.

The site lies within the Plan's strategy area and offers the opportunity to add to the range and choice of house types that the Plan will provide. In particular, the site offers the opportunity for a sustainable mixed use of employment / housing / recreational / woodland development. Being located within the strategy area the site has good public transport opportunities as well as the potential to contribute to the wider regeneration of Barry.

## Available Housing Supply

Site	Units
Waterfront	300*
South Quay	100*
Llandough Fields	65
Redwood Close	12
Palmersvale Business Park	20
River Walk	6
The Limes	6
White Farm	130
Cogan Pill Road	18
North of Railway, Rhoose	400
<b>Housing Supply</b>	<b>1057</b>
<b>Housing Need</b>	<b>1010</b>

- not accounting for development during the next Plan period

As a consequence of the above and having undertaken the sequential test there is no need for any additional development, over and above that shown above.

Alongside the assessment of the above sites, the Council has also assessed and considered the recommendation of the Inspector to allocate land at Darren Farm, Cowbridge.

It is considered that through the application of the 'search sequence' as required by Planning Policy Wales (2002), the sites listed above should be developed prior to the release of a greenfield site located outside of the strategy area of the Plan.

In this context Llantwit Major has seen a significant amount of development over the Plan period and there still are further growth opportunities in Llantwit Major. Nearby Ystradowen has also seen the development of a significant residential allocation. In addition, the revised settlement boundary for Cowbridge allows for greater opportunities for more appropriate brownfield residential development which has the opportunity of enhancing the conservation area. Policies HOUS 2 and ENV 7 have also been made more flexible thereby allowing the opportunity for residential development in some of the hinterland villages of Cowbridge.

Looking in more detail at the above, the following is also applicable :

In terms of the sequential approach to residential development it is considered by virtue of the following that the other sites are more appropriate for residential development during the Plan period :

- Cowbridge is an extremely important historic and vibrant town which is able to sustain appropriate local services and facilities without the need for the development of housing on this greenfield site.
- The revised settlement boundary for Cowbridge and some of the hinterland villages allow for a range and choice of opportunities for more appropriately located brownfield residential development which particularly in Cowbridge have the potential to enhance the conservation area.
- There are sites available in the centre of Cowbridge which allow for easy access by walking and cycling to the Cowbridge centre. The Darren Farm proposal which is located on the north western extremity of the town, is likely by virtue of its location to be more car orientated.
- The town's important landscape setting is recognised by the Council's proposal to designate the site as a Special Landscape area within the Thaw Valley and also the site's role in providing a backdrop setting for Cowbridge and its conservation area. It is the Council's view that any residential development of Darren Farm would have an unacceptable effect on the setting of Cowbridge.

- Cowbridge is also only served by limited public transport (bus) and does not have a train service unlike settlements of Barry, Llantwit Major and Rhoose. Barry is already well served by a range of transport modes and Llantwit Major and Rhoose will be served in the near future by a train service to the commercial centres of Barry, Cardiff and Bridgend. It is the Council's opinion that development within these areas should occur prior to the release of greenfield sites which are not as well located or which have landscape and / or conservation issues.

Given the above and the lack of need for this additional housing site and the fact that the Council considers the development of the site inappropriate for reasons outlined above, the proposed access road which would serve as a link between the A48 and B4270 is not necessary.

It is considered that the link road as recommended by the Inspector would provide the benefit of removing some through traffic from Cowbridge Town Centre. However it would not remove all extraneous car traffic from Llysworney. Such a scheme would not therefore provide a complete solution to traffic problems in Llysworney and would only provide limited relief to Cowbridge. The B4270 from Cowbridge to Llandow would also require additional improvements which are not part of the alternative scheme as recommended by the Inspector. In the light of this it is therefore considered that the Llysworney bypass is the preferred solution and the Council proposes not to amend Policy TRAN (ii) thereby retaining its commitment to the construction of the Llysworney By-pass during the Plan period.

The Council notes the Inspector's conclusion in respect of the availability of funding for the road, however, having approached the Welsh Assembly Government feels that there is an opportunity for bidding for finance for the road during the Plan period.

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## **Inspector's Recommendation No. REC 04.45**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified such that Policy TRAN2 should be amended to reflect the implementation and functions of a link road between the A48 and B4270 at Cowbridge

### **Council's Recommendation**

Inspector's recommendation not accepted.

### **Reason**

The Council only proposes to allocate the sites outlined below for residential development during the Plan period. It is considered that the allocation of these sites satisfy guidance contained in Planning Policy Wales (2002) and will assist in satisfying the housing requirements throughout the Plan period. In respect of REC 4.44, REC 4.45 and REC 6.7 the Council has updated the housing demand figure to 1st April 2001 by taking into account dwelling completions over the period 1998 to 2001. The net result is that over the period 2001 to 2011 the Council needs to make land available for 4716 new dwelling units. Taking into account commitments as agreed by the Joint Housing Land Availability Study 2001 (2946 Units) and an allowance for small sites (760) there is a need for an additional 1010 dwellings rather than the 1104 dwellings recommended by the Inspector.

Proposed Modification No E04, having regard to guidance contained within Planning Policy Wales 2002, outlines how this requirement will be met.

The Council has discretion in selecting sites to meet this housing need. This is recognised by the Inspector in his cover letter to his report when he considered the housing requirement where at paragraph 9 he stated:

"It is however for the Council to determine whether there are other more suitable sites that were not before me for consideration".

Having given the matter due consideration the Council believes that the Inspector did not adequately consider the following issues:

- the number of residential completions from 1998 to 2001;
- the potential housing capacity of sites with the benefit of planning permission
- the requirements of Section 9 of Planning Policy Wales 2002 (sequential approach to housing development), including the policy that Councils should seek only to identify sufficient land to meet their housing requirement (paragraph 9.2.7 refers).

As a consequence of the Council's re-assessment of housing supply data as tabled at Modification EO4 the Council requires to allocate additional land for 1010 Units.

To meet this requirement the Council has undertaken a 'search sequence' as required by Planning Policy Wales (2002). The search sequence starts with the re-use of previously developed land and buildings within settlements, then settlement extensions and then new development around settlements with good public transport links. In undertaking the search sequence particular consideration has been given to:

- The contribution to the housing supply of sites with planning permission for housing. Council resources do not permit the revocation of current planning permissions for housing development.
- The allocation of previously developed sites or empty or under-used buildings that are suitable for housing within settlements.
- The allocation of housing sites that are highly accessible by transport means to jobs, shops and services other than by the private car.
- The capacity of existing or proposed infrastructure to absorb further development and the cost, if necessary of adding further infrastructure.
- The ability to build communities to support new physical and social infrastructure and the need to provide sufficient demand to sustain appropriate local services and facilities.
- The physical and environmental constraints on the development of land.
- The need to assist urban regeneration.

As a result of the Council undertaking the search sequence, the following sites are proposed to be allocated to meet this need:

### **Barry Waterfront**

This is a Brownfield site located within the strategy area, which benefits from excellent public transport and walking / cycling opportunities. The site is ideally placed in relation to retailing and community facilities at Barry Town, with Cardiff within easy reach by public transport.

It was envisaged that the extant planning permission for the site would yield 1000 units over the Plan period. However, having examined the current build densities at this location, it has been found that the site is now expected to yield an additional 400 units (ie 1400 in total), some of which (100) may be beyond the Plan period.

### **South Quay (within Barry Waterfront)**

This is a Brownfield site located adjacent to the existing development currently under construction at Barry Waterfront and having the same benefits as Barry Waterfront. The Inspector recommended that this 5.2 ha site be allocated for a mixed-use development to include residential use. Although the Inspector felt that this site would only contribute 100 units to the supply it is the Council's view that due to increased building densities this site will contribute at least 200 units, some of which (100) may be beyond the Plan period.

### **Llandough Fields**

This site was previously occupied by railway sidings and was originally allocated in the Deposit Plan for employment purposes. The Inspector in his report has recommended that it be included for

development under Policy HOUS 1 for 65 units. The site is well related to public transport facilities and is also close to shopping facilities. It is also well placed in terms of leisure facilities associated within the water-based activities and Penarth Leisure Centre (Cogan). In addition the site would be consistent with the regeneration strategies of the Plan.

#### **Redwood Close**

The site benefits from an extant planning permission for 12 residential units. The Council does not have resources to revoke this permission.

#### **Palmersvale Business Centre**

The site was previously allocated for employment purposes in the Deposit Plan. The Inspector recommended that the undeveloped part of the site fronting Arthur Street would be appropriate for 20 residential units. The site is located within the strategy area and has good walking, cycling and public transport links to Barry and Cardiff.

#### **The Limes**

This site was allocated in the Deposit Plan. It lies close to the centre of Cowbridge and offers opportunities to enhance the conservation area as well as being well located for community facilities in Cowbridge. The site will yield approximately 6 units.

#### **River Walk**

This site was allocated in the Deposit Plan and has had a planning permission for residential development. The site is situated close to the centre of Cowbridge and is consequently well located for community facilities in Cowbridge. The site will yield approximately 6 units.

#### **White Farm**

This site is located within the settlement boundary of Barry and within the strategy area of the Plan. The Council allocated this site for a mixed use of residential and open space in the Deposit Plan. Part of the site has benefited from a Certificate of Appropriate Alternative Development. The Inspector suggested that this site would be suitable for 130 dwellings together with 7.4 acres of informal open space.

#### **Cogan Pill Road, Llandough**

This site was allocated for housing development in the Deposit Plan. It is located within the Plan's strategy area and within the settlement boundary of Penarth with Llandough. The site is well located to community facilities (including the hospital) and public transport. The site will yield 18 units and has had a previous outline planning permission.

#### **Land to North of Railway, Rhoose**

A greenfield site located within the Council's strategy area to the south east of Rhoose and to the north of the current Rhoose Point development. The site benefits from potentially good public transport in view of the imminent re-opening of the Vale of Glamorgan rail line to passenger services. A station and interchange facilities at Rhoose will be provided and there will be clear opportunities for links to the interchange facilities as well as to proposed retail and leisure facilities at Rhoose Point. The site will clearly assist in sustaining the proposed public transport initiatives and village facilities as well as providing a range and choice of housing types during the Plan period. The site is well located for employment allocations at Cardiff International Airport. This site can accommodate approximately 400 units during this Plan period, with a further 200 units during the next Plan period.

## Land at Pencoedtre

This site was allocated by the Council for special employment purposes in the Deposit Plan. The Inspector has recommended that 7 ha of the 14 ha. site be allocated for approximately 135 units of residential accommodation.

The Council proposes to allocate the site for a mixture of housing, employment and woodland uses, the proportions of which will be confirmed by further research through the preparation of a woodland / conservation management plan.

The site lies within the Plan's strategy area and offers the opportunity to add to the range and choice of house types that the Plan will provide. In particular, the site offers the opportunity for a sustainable mixed use of employment / housing / recreational / woodland development. Being located within the strategy area the site has good public transport opportunities as well as the potential to contribute to the wider regeneration of Barry.

### Available Housing Supply

Site	Units
Waterfront	300*
South Quay	100*
Llandough Fields	65
Redwood Close	12
Palmersvale Business Park	20
River Walk	6
The Limes	6
White Farm	130
Cogan Pill Road	18
North of Railway, Rhoose	400
<b>Housing Supply</b>	<b>1057</b>
<b>Housing Need</b>	<b>1010</b>

- not accounting for development during the next Plan period

As a consequence of the above and having undertaken the sequential test there is no need for any additional development, over and above that shown above.

Alongside the assessment of the above sites, the Council has also assessed and considered the recommendation of the Inspector to allocate land at Darren Farm, Cowbridge.

It is considered that through the application of the 'search sequence' as required by Planning Policy Wales (2002), the sites listed above should be developed prior to the release of a greenfield site located outside of the strategy area of the Plan.

In this context Llantwit Major has seen a significant amount of development over the Plan period and there still are further growth opportunities in Llantwit Major. Nearby Ystradowen has also seen the development of a significant residential allocation. In addition, the revised settlement boundary for Cowbridge allows for greater opportunities for more appropriate brownfield residential development which has the opportunity of enhancing the conservation area. Policies HOUS 2 and ENV 7 have also been made more flexible thereby allowing the opportunity for residential development in some of the hinterland villages of Cowbridge.

Looking in more detail at the above, the following is also applicable :

In terms of the sequential approach to residential development it is considered by virtue of the following that the other sites are more appropriate for residential development during the Plan period :

- Cowbridge is an extremely important historic and vibrant town which is able to sustain appropriate local services and facilities without the need for the development of housing on this greenfield site.

- The revised settlement boundary for Cowbridge and some of the hinterland villages allow for a range and choice of opportunities for more appropriately located brownfield residential development which particularly in Cowbridge have the potential to enhance the conservation area.
- There are sites available in the centre of Cowbridge which allow for easy access by walking and cycling to the Cowbridge centre. The Darren Farm proposal which is located on the north western extremity of the town, is likely by virtue of its location to be more car orientated.
- The town's important landscape setting is recognised by the Council's proposal to designate the site as a Special Landscape area within the Thaw Valley and also the site's role in providing a backdrop setting for Cowbridge and its conservation area. It is the Council's view that any residential development of Darren Farm would have an unacceptable effect on the setting of Cowbridge.
- Cowbridge is also only served by limited public transport (bus) and does not have a train service unlike settlements of Barry, Llantwit Major and Rhoose. Barry is already well served by a range of transport modes and Llantwit Major and Rhoose will be served in the near future by a train service to the commercial centres of Barry, Cardiff and Bridgend. It is the Council's opinion that development within these areas should occur prior to the release of greenfield sites which are not as well located or which have landscape and / or conservation issues.

Given the above and the lack of need for this additional housing site and the fact that the Council considers the development of the site inappropriate for reasons outlined above, the proposed access road which would serve as a link between the A48 and B4270 is not necessary.

It is considered that the link road as recommended by the Inspector would provide the benefit of removing some through traffic from Cowbridge Town Centre. However it would not remove all extraneous car traffic from Llysworney. Such a scheme would not therefore provide a complete solution to traffic problems in Llysworney and would only provide limited relief to Cowbridge. The B4270 from Cowbridge to Llandow would also require additional improvements which are not part of the alternative scheme as recommended by the Inspector. In the light of this it is therefore considered that the Llysworney bypass is the preferred solution and the Council proposes not to amend Policy TRAN (ii) thereby retaining its commitment to the construction of the Llysworney By-pass during the Plan period.

The Council notes the Inspector's conclusion in respect of the availability of funding for the road, however, having approached the Welsh Assembly Government feels that there is an opportunity for bidding for finance for the road during the Plan period.

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*Policy            Cowbridge - Slade Farm*

*Representor Numbers    192.11*

---

**Inspector's Recommendation No. REC 04.46**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Cowbridge - Llanblethian Farm*

*Representor Numbers 259.1, 52.10*

---

**Inspector's Recommendation No. REC 04.47****Details of Inspector's Recommendation**

I recommend that the plan be modified to amend the residential settlement boundary of Cowbridge and Llanblethian as shown on the objector's plan numbered GPJ4A

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend the residential settlement boundary of Cowbridge with Llanblethian to include land shown on the objector's plan GPJ4A.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Llanblethian in accordance with the Inspector's recommendation.

---

*Policy Cowbridge - Land at the edge of the Northern Settlement Boundary*

*Representor Numbers 255.1, 256.1*

---

**Inspector's Recommendation No. REC 04.48****Details of Inspector's Recommendation**

I recommend that the plan be modified to include the objection sites within the residential settlement boundary of Cowbridge and that a comprehensive development brief and management plan be prepared for the objection sites. It should be made clear in the explanatory text of the plan that this area should provide the balance of the housing land requirement for Cowbridge within the latter part of the Plan period

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the land within the residential settlement boundary of Cowbridge. In addition, add the following reasoned justification after the end of the housing allocations to read:

In addition to the housing allocation outlined above there is potential for residential development in Cowbridge on land to the north of the Town Hall. The site comprises two parcels of land, one measuring approximately 11 ha. and the other approximately 1 ha. The larger parcel consists of open land in recreational use surrounding a leisure centre. In the south east corner of the site there is also a small area of ponds and meadow which is in use as a private wild fowl reserve. Both sites are bounded by the A48 Cowbridge Bypass to the north and by residential development to the east, south and west.

The sites lie within the Cowbridge and Llanblethian Conservation Area where special attention should be given to the desirability of preserving or enhancing its character and appearance. Both sites are situated within the residential settlement boundary for Cowbridge.

The Environment Agency has advised that the 1 ha site is part of the flood plain of the River Thaw and that it has been identified as an area of potential flood storage as part of the flood alleviation scheme for Cowbridge and Llanblethian. The Environment Agency has stated that development of this site would be inappropriate and likely to hinder future proposals for flood alleviation measures for the Cowbridge and Llanblethian area. In respect of the 11 ha site, the Environment Agency has advised that it is located on a major aquifer of high vulnerability and therefore no discharge of foul or contaminated run-off must be made to ground. The Agency will need to be consulted prior to any works being undertaken at the site to discuss the necessary measures required to protect the aquifer.

Dwr Cymru Welsh Water's Capital Investment to enable this site to proceed is considered to be long term. Development of this site in advance of the planned improvements would be subject to appropriate Planning Agreements (i.e. Section 106) to be agreed before planning is approved to ensure that essential water and sewerage facilities are in place.

Glamorgan Gwent Archaeological Trust has indicated that the site may contain archaeology of national importance. In order to determine this a field evaluation will be necessary prior to the determination of any planning application.

In addition to the constraints already outlined, land ownership further complicates the development of the site, with 2.5 hectares being owned by the Council and the remaining land being in multiple private ownership.

It is considered that the development of some of the land within the larger site for residential purposes could provide the balance of the housing land requirements for the Vale of Glamorgan in the latter part of the Plan period. However, because of the potential constraints to development, the Council considers that proposals for the development of both sites will need to be the subject of a comprehensive development brief and management plan. The purpose of the brief will be to ensure that the development of this site makes an effective and positive contribution to the social, economic and environmental wellbeing of the local community. The development plan will need to address affordable housing, sustainable design, pedestrian and cycle links, landscaping, nature conservation and highway issues. Access arrangements to the site must be informed by a Traffic Impact Assessment in order to assess the potential impact of the development on the existing highway network and to identify appropriate transportation solutions. In addition the Council will, through negotiations with developers, seek to secure contributions for educational and recreational provision.

### **Reason**

In the context of the Council's acceptance of the inspector's REC 1.8, the Council has reviewed the Inspector's deliberations with regard to this matter and accepts his reasoning particularly with regard to the relationship of the site to the existing settlement of Cowbridge. It is considered that the development of land to the north of the Town Hall, Cowbridge will assist in satisfying the housing requirement during the Plan period. However, having undertaken a search sequence and re-calculated the housing supply for the Plan, the Council considers there is no need to specifically allocate any additional land for housing in Cowbridge over and above the sites at River Walk and The Limes. However, as stated above the Council supports the Inspector's conclusions in respect of the inclusion of this land within the settlement boundary as it would provide a more logical settlement boundary for the town of Cowbridge. In addition the potential future development/management of the site could count as contributing to windfall development during the Plan period.

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*Policy*      *Cowbridge - Land adjacent to Llanblethian Farm*

*Representor Numbers*    *55.1*

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**Inspector's Recommendation No. REC 04.49**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Dinas Powys - Cardiff Road*

*Representor Numbers 334.1, 334.2*

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**Inspector's Recommendation No. REC 04.50****Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Dinas Powys - Cross Common*

*Representor Numbers 338.1, 338.2*

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**Inspector's Recommendation No. REC 04.51****Details of Inspector's Recommendation**

I recommend that the plan be modified to include those parts of the objection site that constitute residential curtilage

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend the residential settlement boundary of Dinas Powys to include those elements of the objection site that constitute residential curtilage.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Dinas

Powys in accordance with the Inspector's recommendation.

---

*Policy Dinas Powys - Eastbrook*

*Representor Numbers 51.1, 341.2, 341.1*

---

**Inspector's Recommendation No. REC 04.52**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Dinas Powys - Southra*

*Representor Numbers 207.2, 207.3*

---

**Inspector's Recommendation No. REC 04.53**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Dinas Powys - Caerleon Road and Rhuddlan Way*

*Representor Numbers 204.3, 204.4*

---

**Inspector's Recommendation No. REC 04.54**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Dinas Powys - St Andrews Road and Westra**Representor Numbers 111.1, 128.2*

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**Inspector's Recommendation No. REC 04.55****Details of Inspector's Recommendation**

I recommend that the plan be modified to exclude all the properties west of St Andrews School from the Dinas Powys residential settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and exclude all areas to the west of St. Andrews School from the Dinas Powys residential settlement boundary.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Dinas Powys in accordance with the Inspector's recommendation.

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*Policy East Aberthaw**Representor Numbers 216.1*

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**Inspector's Recommendation No. REC 04.56****Details of Inspector's Recommendation**

I recommend that the plan be modified to include the land adjacent to "The Chequers" within the East Aberthaw residential settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation to include land adjacent to "The Chequers" within the East Aberthaw residential settlement boundary.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of East Aberthaw in accordance with the Inspector's recommendation.

---

*Policy Ewenny**Representor Numbers 335.1, 335.3*

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## **Inspector's Recommendation No. REC 04.57**

### **Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

No modification required

### **Reason**

No modification required for the reasons set out by the Inspector.

---

## *Policy Llanbethery*

### *Representor Numbers 191.1*

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## **Inspector's Recommendation No. REC 04.58**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified to include the land at "The Wild Goose" PH within the Llanbethery residential settlement boundary

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include land at "The Wild Goose PH" within the Llanbethery residential settlement boundary.

### **Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Llanbethery in accordance with the Inspector's recommendation.

---

## *Policy Llancarfan*

### *Representor Numbers 316.1*

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## **Inspector's Recommendation No. REC 04.59**

### **Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

No modification required

### **Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Llandough - Cogan Pill Road*

*Representor Numbers 29.1*

---

**Inspector's Recommendation No. REC 04.60**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Llandough - Corbett Road*

*Representor Numbers 112.1, 112.2*

---

**Inspector's Recommendation No. REC 04.61**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Llandough - Sites at Leckwith Road and Llandough Hill*

*Representor Numbers 232.4*

---

**Inspector's Recommendation No. REC 04.62**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

***Policy Llandough - Llandough Fields******Representor Numbers 217.5, 217.8***

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**Inspector's Recommendation No. REC 04.63****Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of the Llandough Fields Site (i.e. the land between the River Ely and the railway line) from the EMP1 (18) and its inclusion within the residential settlement boundary for Llandough with consequential amendments made to the explanatory text.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete site EMP 1(18) WEST POINT INDUSTRIAL ESTATE AND LLANDOUGH SIDINGS, PENARTH ROAD, and allocate the site under Policy HOUS 1 (20) to read:

**SITE 20 – LLANDOUGH FIELDS, PENARTH**

The site comprises a linear shaped area which the Inspector considered had the characteristics of brownfield land. The site is approximately 3.4 hectares in size, located between the River Ely and the railway sidings to the north of the settlement of Penarth. The site is visually part of the Cardiff Bay area.

The development of the site for residential purposes is expected to result in the creation of approximately 65 units. The Council will through negotiations seek to secure affordable housing, landscaping, open space and cyclepaths and contributions for the delivery and land accessibility to public transportation services. The development of the site will be guided by a Development Brief, which is to be produced in partnership with the Council. In addition to the Brief the Council will require a Traffic Impact Assessment of the site to be undertaken, in order to assess the potential impact of the development on the existing highway network and to identify potential transportation solutions.

The Environment Agency has indicated that development of the site below the 8 metre contour line is inappropriate because it may exacerbate flooding risk in the area. In addition they have indicated that prior to any development proceeding, an Otter survey will be required to establish whether this area is used for 'lying up'. The methodology for the survey will need to be agreed in advance with both the Environment Agency and the Council. Glamorgan Gwent Archaeological Trust have indicated that the site may be of archaeological interest. In order to assess the importance of the site an archaeological evaluation will be required prior to the granting of planning permission.

Any subsequent paragraphs to be renumbered.

**Reason**

In the context of the Council's acceptance of the Inspector's REC 1.8, the Council has reviewed the Inspector's deliberations with regard to this matter and accepts his reasoning. It is considered that the allocation of the Llandough Fields, Penarth will assist in satisfying the housing requirements during the Plan period.

---

***Policy Llandow - Land to the West of the Railway Line, OS0626***

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*Representor Numbers 125.1, 125.2*

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**Inspector's Recommendation No. REC 04.64**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the delineation of a residential settlement boundary for the village of Llandow and the inclusion of the objection site within the defined residential settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include Llandow as a rural settlement within Policy HOUS 2 (See REC 3.07 above) and include a residential settlement boundary for Llandow on the Proposals Map.

**Reason**

In the light of the Inspector's reasoning in respect of Llandow, the Council has reviewed its assessment of the village and considers it capable of assimilating small-scale development. It should therefore be included as a HOUS 2 settlement.

---

*Policy Llandow - New Village Proposal*

*Representor Numbers 331.1, 331.4*

---

**Inspector's Recommendation No. REC 04.65**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Llanmaes - land north of the village*

*Representor Numbers 93.1, 337.1, 337.2*

---

**Inspector's Recommendation No. REC 04.66**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the identification of Llanmaes in my recommended Policy H2/H8 and the accompanying addition of a residential settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include Llanmaes as a rural settlement within Policy HOUS 2 (See REC 3.07 above) and include a residential settlement boundary for Llanmaes on the Proposals Map.

**Reason**

In the light of the Inspector's reasoning in respect of Llanmaes, the Council has reviewed its assessment of the village and considers it capable of assimilating small-scale development. It should therefore be included as a HOUS 2 settlement.

---

*Policy Llanmaes - land north east of the village**Representor Numbers 115.1*

---

**Inspector's Recommendation No. REC 04.67****Details of Inspector's Recommendation**

I recommend that notwithstanding my recommendation that the Plan be modified by the identification of Llanmaes in my recommended Policy H2/H8 and the accompanying addition of a residential settlement boundary, the objection site be not included within such boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation REC 4.66, but exclude this objection site from the boundary

**Reason**

Notwithstanding the requirements of REC 4.66, it is clear and was found by the Inspector that the inclusion of the objection site would promote / exacerbate ribbon development and should not be included in the residential settlement boundary for Llanmaes

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*Policy Llanmaes - land west of the village**Representor Numbers 281.3*

---

**Inspector's Recommendation No. REC 04.68****Details of Inspector's Recommendation**

I recommend that the plan be modified by the identification of Llanmaes in my recommended Policy H2/H8 and the accompanying addition of a residential settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include Llanmaes as a rural settlement within Policy HOUS 2 (See REC 3.07 above) and include a residential settlement boundary for Llanmaes on the Proposals Map.

**Reason**

In the light of the Inspector's reasoning in respect of Llanmaes, the Council has reviewed its assessment of the village and considers it capable of assimilating small-scale development. It should

therefore be included as a HOUS 2 settlement.

---

*Policy Llantwit Major - Land at Eglwys Brewis Road / Llantwit Major Bypass*

*Representor Numbers 264.1*

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**Inspector's Recommendation No. REC 04.69**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Llantwit Major / Boverton - OS Field 3759*

*Representor Numbers 308.1*

---

**Inspector's Recommendation No. REC 04.70**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Llantwit Major/Boverton – Land to the south of the Boverton settlement boundary*

*Representor Numbers 346.1, 169.1, 224.2, 307.1*

---

**Inspector's Recommendation No. REC 04.70A**

**Details of Inspector's Recommendation**

I recommend that the plan be modified to include the amendment to the residential settlement boundary

of Boverton as proposed under objection numbered 346.1

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise the residential settlement boundary of Boverton to include the amendment as proposed by the objection numbered 346.1.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Boverton in accordance with the Inspector's recommendation.

---

*Policy Llantwit Major / Boverton - Land to the South*

*Representor Numbers 192.12, 271.2, 271.3*

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**Inspector's Recommendation No. REC 04.71**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Llantwit Major / Boverton - Field 3968*

*Representor Numbers 277.1*

---

**Inspector's Recommendation No. REC 04.72**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Llantwit Major / Boverton - Land to the north of Boverton*

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*Representor Numbers 286.2, 286.5, 286.6, 286.7, 286.8, 286.9, 286.10*

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**Inspector's Recommendation No. REC 04.73**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Llantwit Major / Boverton - Plasnewydd Farm*

*Representor Numbers 127.1, 127.2*

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**Inspector's Recommendation No. REC 04.74**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Michaelston-le-Pit*

*Representor Numbers 282.1*

---

**Inspector's Recommendation No. REC 04.75**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Ogmores-by-Sea*

*Representor Numbers 349.3, 349.4, 349.5*

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**Inspector's Recommendation No. REC 04.76**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Rhoose - Fonmon Road, Font-y-gary*

*Representor Numbers 227.5*

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**Inspector's Recommendation No. REC 04.77**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Rhoose - Land between Porthkerry Road and Rhoose Point*

*Representor Numbers 57.1B, 126.4, 126.5, 126.7, 126.8, 232.3, 232.10*

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**Inspector's Recommendation No. REC 04.78**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the acceptance of PCN012

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include Rhoose Point access Road on the Proposals Map.

**Reason**

The proposed modification is made in order to ensure the factual accuracy of the Plan.

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**Inspector's Recommendation No. REC 04.79****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of the objection sites within the residential settlement boundary of Rhoose, referenced under Policy HOUS1

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert a new site and supporting text within Policy HOUS 1 to read:

**SITE 22: LAND NORTH OF THE RAILWAY LINE, RHOOSE**

The site comprises 26 hectares of greenfield land located between the existing settlement of Rhoose and the Rhoose Point development. It is anticipated that the site will yield 400 units during the Plan period (1996 – 2011) and 200 units during the next Plan period (2011 – 2026). The Council is keen to ensure that anticipated development rates at the Rhoose Point site are achieved and that sufficient land at this location is available throughout the Plan period. Therefore planning permission for the development of this site will not be granted until 80% beneficial occupation of the residential units on the Rhoose Point site has been achieved.

The Council will through discussions with the site owners/developers seek to secure affordable housing, Public Open Space, children's play areas, appropriate landscaping and contribution for educational, recreational, community and public transportation provision. The development of the site will be guided by a Development Brief, which will be produced in partnership with the Council. The purpose of the brief will be to ensure a comprehensive approach to the development of the site. It is essential that the development of this significant site makes an effective and positive contribution to the social, economic and environmental wellbeing of the local community. In addition to a Development Brief, the Council will require a Traffic Impact Assessment of the site to be undertaken in order to assess the potential impact of the development on the existing highway network and to identify appropriate transportation solutions.

Glamorgan Gwent Archaeological Trust have indicated that the site may be of archaeological value and that a desk top survey of the site should be submitted as part of any planning application. Dwr Cymru Welsh Water's Capital Investment to enable this site to proceed is considered to be long term. Development of this site in advance of the planned improvements would need to be subject to an appropriate planning agreement, to be agreed prior to the granting of planning permission. This approach would, therefore, ensure that essential water and sewerage facilities are in place. The Environment Agency has indicated that the site is located on a major aquifer of high vulnerability. Therefore, no discharge of foul or contaminated run-off must be made to ground. The Agency will need to be consulted prior to any works being undertaken at the site to discuss the necessary measures required to protect the aquifer.

**Reason**

In the context of the Council's acceptance of the Inspector's REC 1.8, the Council has reviewed the Inspector's deliberations with regard to this matter and accepts his reasoning. It is considered that the allocation of the land to the north of the railway line will assist in satisfying the housing requirements during the Plan period.

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**Inspector's Recommendation No. REC 04.80****Details of Inspector's Recommendation**

I recommend that the plan be modified by the preparation of an overall development brief and phasing plan for the sites and referred to in the explanatory text to ensure that their development does not prejudice the implementation of the regeneration of Site HOUS1 (13) at Rhoose Point

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include new site and explanatory text as per REC 4.79 above that confirms the phasing of the site and the preparation of a development brief.

**Reason**

In the context of the Council's acceptance of the Inspector's REC 1.8, the Council has reviewed the Inspector's deliberations with regard to this matter and accepts his reasoning. It is considered that the allocation of the land to the north of the railway line will assist in satisfying the housing requirements during the Plan period.

---

**Inspector's Recommendation No. REC 04.81****Details of Inspector's Recommendation**

I recommend that the plan be modified by the removal of the Coastal Zone designation for land to the north of the railway line at Rhoose and that the proposed development area be designated as part of the developed coast

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and remove the Coastal Zone Designation of the land to north of the Railway Line and that the area be designated as developed coast.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and in the light of the Council's acceptance of the Inspector's reasoning and recommendations set out under REC 4.71 and REC 4.80.

---

***Policy Rhoose - Lower Farm******Representor Numbers 113.1, 113.2***

---

**Inspector's Recommendation No. REC 04.82****Details of Inspector's Recommendation**

I recommend that the plan be modified by the settlement boundary for Rhoose being redrawn to the line of the fence that runs along the boundary of the residential development permitted under planning permission 92/00320/OUT

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend the residential settlement boundary for Rhoose to include the residential development permitted under planning permission 92/00320/OUT.

**Reason**

The proposed modification is made in order to accord with planning permission 92/00320/OUT and for the reasons set out by the Inspector.

---

*Policy Sigingstone - Part OS 1848*

*Representor Numbers 220.1, 246.14*

---

**Inspector's Recommendation No. REC 04.83**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector

---

*Policy Southerndown - Land East of Southerndown House*

*Representor Numbers 358.1*

---

**Inspector's Recommendation No. REC 04.84**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of the land to the east of Southerndown House within the residential settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the land to the east of Southerndown House as identified, within the residential settlement boundary for Southerndown.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Southerndown in accordance with the Inspector's recommendation.

---

*Policy Southerndown - Great House Yard*

*Representor Numbers 349.2*

---

**Inspector's Recommendation No. REC 04.85**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of the buildings, together with their immediate curtilages, comprising Southerndown House Farm, "Tymawr", and the buildings with planning permission for conversion to residential use and the vacant workshops, within the residential settlement boundary of Southerndown, but excluding the paddock area on the eastern side of the objection site

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the buildings, together with their immediate curtilages, comprising Southerndown House Farm, "Ty Mawr", and the buildings with planning permission for conversion to residential use and the vacant workshops within the residential settlement boundary of Southerndown, but excluding the paddock area on the eastern side of the objection site.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Southerndown in accordance with the Inspector's recommendation.

---

*Policy St Andrew's Major**Representor Numbers 281.2*

---

**Inspector's Recommendation No. REC 04.86****Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy St Athan - Allotments - Eglwys Brewis**Representor Numbers 196.1, 196.2*

---

**Inspector's Recommendation No. REC 04.87****Details of Inspector's Recommendation**

I recommend that the plan be modified by including the area delineated as proposed new houses and private driveways on the objector's plan entitled "Sketch Scheme Concept", within the residential settlement boundary of Eglwys Brewis

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the area delineated as proposed new houses and driveways on the objector's plan entitled "Sketch Scheme Concept" within the residential settlement boundary of Eglwys Brewis.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the

Council has decided to modify the Plan by amending the residential settlement boundary of Eglwys Brewis in accordance with the Inspector's recommendation.

---

*Policy St Athan - West House Farm*

*Representor Numbers 268.1*

---

**Inspector's Recommendation No. REC 04.88**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of the objection site within the residential settlement boundary of St Athan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the objection site within the residential settlement boundary of St.Athan.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of St Athan in accordance with the Inspector's recommendation

---

*Policy St Brides Major - Area to the South*

*Representor Numbers 349.7*

---

**Inspector's Recommendation No. REC 04.89**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy St Brides Major - New Vicarage and adjoining land*

*Representor Numbers 195.1*

---

**Inspector's Recommendation No. REC 04.90**

**Details of Inspector's Recommendation**

I recommend that the plan be modified to include the curtilage of the New Vicarage in the settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the curtilage of the new vicarage within the residential settlement boundary of St.Brides Major.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of St Brides Major in accordance with the Inspector's recommendation.

---

*Policy St Brides Major - Penylan Farm**Representor Numbers 349.6*

---

**Inspector's Recommendation No. REC 04.91****Details of Inspector's Recommendation**

I recommend that the plan be modified to include the objection site within the residential settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the objection site within the residential settlement boundary for St.Brides Major.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of St Brides Major in accordance with the Inspector's recommendation

---

*Policy St Nicholas - Land off Ger y Lan**Representor Numbers 192.9*

---

**Inspector's Recommendation No. REC 04.92****Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy St Nicholas - Part OS 0913 and 1415, Duffryn Lane*

*Representor Numbers 225.1, 225.2*

---

**Inspector's Recommendation No. REC 04.93**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Sully - Land east of Swanbridge Road and north of Lavernock Road*

*Representor Numbers 121.1, 121.2, 336.1, 336.2*

---

**Inspector's Recommendation No. REC 04.94**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Sully - Beach Road*

*Representor Numbers 167.1*

---

**Inspector's Recommendation No. REC 04.95**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Sully - Land East of Sully Road*

*Representor Numbers 288.1*

---

**Inspector's Recommendation No. REC 04.96**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Tair Onen - New Village Proposal*

*Representor Numbers 264.1*

---

**Inspector's Recommendation No. REC 04.97**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy The Downs*

*Representor Numbers 210.5, 210.6*

---

**Inspector's Recommendation No. REC 04.98**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Tre-Aubrey*

*Representor Numbers 251.4*

---

**Inspector's Recommendation No. REC 04.99**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Treoes - Ty Mawr Farm*

*Representor Numbers 11.2*

---

**Inspector's Recommendation No. REC 04.100**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of the objection site within the Treoes settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the objection site within the residential settlement boundary of Treoes.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Treoes in accordance with the Inspector's recommendation.

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*Policy Trerhyngyll - OS 7084, 7100 and 7200*

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*Representor Numbers 160.1*

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**Inspector's Recommendation No. REC 04.101**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Twyn-yr-Odyn*

*Representor Numbers 12.1*

---

**Inspector's Recommendation No. REC 04.102**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Welsh St Donats*

*Representor Numbers 257.1, 257.2*

---

**Inspector's Recommendation No. REC 04.103**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Wenvoe - Land to the North of the Residential Settlement  
Boundary*

*Representor Numbers 19.3, 19.6*

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**Inspector's Recommendation No. REC 04.104**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Wenvoe - Land between Port Road and Old Port Road*

*Representor Numbers 347.1, 347.2*

---

**Inspector's Recommendation No. REC 04.105**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Wenvoe - Land to the South of the Residential Settlement  
Boundary*

*Representor Numbers 342.1, 342.2, 342.3, 126.14, 126.14*

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**Inspector's Recommendation No. REC 04.106**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy West Aberthaw - The Boys Club of South Wales Site*

*Representor Numbers 242.4*

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**Inspector's Recommendation No. REC 04.107**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Wick - Sites to the south and north of Green Isaf*

*Representor Numbers 190.1, 190.2, 339.2*

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**Inspector's Recommendation No. REC 04.108**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Wick - Lilla Cottage*

*Representor Numbers 345.2*

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**Inspector's Recommendation No. REC 04.109**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

---

*Policy Wick - Land adjacent to the North-Western Boundary*

*Representor Numbers 194.1*

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**Inspector's Recommendation No. REC 04.110****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of the objection site within the residential settlement boundary

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include the objection site within the residential settlement boundary for Wick.

**Reason**

For the reasons set out by the Inspector and the Council's acceptance of the Inspector's REC 3.10 the Council has decided to modify the Plan by amending the residential settlement boundary of Wick in accordance with the Inspector's recommendation

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*Policy* *EMP/TOUR00 – General and Omissions*

*Representor Numbers* *271.6, 217.7, 5.1, 33.6, 122.2, 287.7, 238.18*

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**Inspector’s Recommendation No. REC 05.01**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the insertion in paragraph 5.1.7 of “commercial/business” after retail and convenience facilities.

**Council's Recommendation**

Inspector’s recommendation repeated at REC 5.03. Deletion of REC 5.01 therefore accepted by Inspector in the addendum report of 7<sup>th</sup> February 2001.

**Recommended Modification**

None in response to the deleted REC 5.01 but see REC 5.03.

**Reason**

The proposed modification is repeated at REC 5.03.

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*Policy* *EMP1 - Land for Employment Uses*

*Representor Numbers* *215.1, 215.3, 218.2, 234.2, 244.18, 247.10, 247.12, 267.6, 293.12, 57.4, 271.4, 13.2, 122.2, 166.1, 169.2, 227.8, 270.32, 344.2, 352.1, 293.5, 247.11, 247.85, 290.9, 376.3, 293.11, 247.67, 290.11, 376.2, 293.6, 247.13, 293.13, 290.4*

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**Inspector’s Recommendation No. REC 05.02**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by PCF001, PCF002, PCF003, PCF007, PCF009, PCF011, PCF012, PCF013, FPCF001 and PCF004 save for the omission of reference to nature conservation matters

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend policy EMP 1 by deleting the following sites from EMP 1 and merging sites 3 and 4.

*Site 11: Palmerston Trading Estate*

*Site 18: West Point Industrial Estate and Llandough Sidings, Penarth Road*

*Site 20: Vale Gate and HTV, Culverhouse Cross*

All subsequent sites are renumbered and Policy EMP 1 amended to read:

POLICY EMP 1 – LAND FOR EMPLOYMENT USES

THE FOLLOWING LAND IS ALLOCATED FOR EMPLOYMENT USES:

Site No.	Site Name	Use Classes	Land (Ha) Available
(1)	ATLANTIC TRADING ESTATE	B1, B2, & B8	12.0(*1)
(2)	BARRY BUSINESS PARK	B1 & B8	0.8
(3)	BARRY DOCKS AND CHEMICAL COMPLEX	B1, B2 & B8	16.6
(4)	CARDIFF INTERNATIONAL AIRPORT BUSINESS PARK	B1, B2 & B8	58.9
(5)	HAYES LANE	B1 & B8	1.4
(6)	HAYES ROAD, BARRY	B1	5.3
(7)	HAYES WOOD	B1 & B8	4.2
(8)	LLANDOUGH TRADING ESTATE	B1, B2 & B8	0.9
(9)	LLANDOW TRADING ESTATE	B1, B2 & B8	7.3
(10)	MARLEY TILE CO. SITE ST. MARY HILL	B1, B2 & B8	1.6
(11)	PENCOEDTRE BUSINESS PARK	B1 & B8	3.2
(12)	RHOOSE QUARRY	B1, B2 & B8	2.9
(13)	SULLY MOORS ROAD, BARRY	B1, B2 (PART) & B8	5.0
(14)	THE WATERFRONT, BARRY	B1 & B8	3.4(*2)
(15)	TY-VERLON INDUSTRIAL ESTATE	B1, B2 & B8	0.5
(16)	VALE BUSINESS PARK	B1, B2 & B8	14.8
(17)	LAND TO THE NORTH OF RHOOSE	B1 & B8	6.3
(18)	PENCOEDTRE	B1 & B8	(*3)
(19)	LAND TO SE OF M4 JUNCTION 34 (BOSCH, MISKIN)	B1, B2 & B8	54.3
TOTAL			199.4

(1\*) This is an estimate of land available after redevelopment of Atlantic Trading Estate

(2\*) Proposals for this redevelopment indicate an illustrative figure for “commercial” land of 3.4 hectares. However, this is a mixed-use scheme, and substantial additional employment will be created in areas allocated for retail and leisure developments.

(3\*) Dependent upon outcome of development brief for the mixed residential, employment and woodland use of the site.

And, paragraph 5.4.7 is revised to read:

SITE 2: BARRY BUSINESS PARK

5.4.7 The 0.8 hectare Business Park site is located at the junction of Cardiff Road and Sully Moors Road, Barry. Planning permission has been granted for B1 use, but the site has not yet been developed. Potential uses included B1 and B8 development. As the site is adjacent to the River Cadoxton, it is recommended that ground levels are raised in consultation with the Environment Agency to avoid any potential flooding risk. Development must not exacerbate flooding in the vicinity. Compensatory works may be required to be undertaken which will be at the expense of the developer.

Paragraph 5.4.8 and 5.4.9 are revised to read:

#### SITE 3: BARRY DOCKS AND CHEMICAL COMPLEX

5.4.8 Barry Docks is the largest area of industrial land in the Vale and is owned by Associated British Ports. A large proportion of the land is leased for business use, including operational port facilities. The 13.1 hectares of land available for employment use is adjacent to the No. 2 Dock Bypass, adjacent to The Waterfront, Barry comprehensive redevelopment area and Barry Chemical Complex. It is recommended that further development of this site is subject to consultation with the Environment Agency given that part of the site lies within 250 metres of a former landfill site and that flood defence levels are raised to a minimum of 8.6 AOD. The site is presently not sewered and should there be a requirement in the future to connect mains sewerage an assessment of the public sewerage system and Bendricks Sewage Pumping Station will be necessary to ascertain whether the sewerage system can accept the additional foul drainage flow.

5.4.9 The remainder of the land forms part of the Chemical Complex, a grouping of various chemical industries on a relatively large flat site to the east of the No. 2 Dock in Barry. The Chemical Complex is home to a number of firms including: Dow Corning, Blagden Chemicals, Dow Chemicals, European Vinyls Corporation, Zeon Chemicals and Cabot Carbon. The south east of the site is occupied by the Vale Enterprise Centre, a collection of workshops housing a number of small businesses. Activities are expanding with Dow Corning implementing the Genesis project, and Van Ommeren Terminals developing a new storage facility at the Windmill site adjacent to Hayes Road. While the site has been identified for B1, B2 uses, proposals for the suitable expansion of existing industrial uses on the site will be considered on merit by the Council, subject to environmental safeguards. Where appropriate development proposals will be subject to an environmental assessment in accordance with procedures identified in the Environmental Assessment Technical Advice Note (Wales) 17, July 1998. Schedules 1 and 2 of the note identify projects which may require an assessment. The site lies within 250 metres of a former landfill site. It is recommended that further development of this site is subject to consultation with the Environment Agency and that flood defence levels are raised to a minimum of 8.6 AOD. The site is presently not sewered and should there be a requirement in the future to connect mains sewerage, an assessment of the public sewerage system and Bendricks Sewage Pumping Station will be necessary to ascertain whether the sewerage system can accept the additional foul drainage flow.

Paragraph 5.4.15 is revised to read:

#### SITE 9: LLANDOW TRADING ESTATE

5.4.15 Llandow Trading Estate is at the southern end of a former airfield and includes a significant amount of low grade general industry. Although shown primarily as non-agricultural land on the Agricultural Land Classification maps, part of the former airfield are successfully used for farming purpose, notably grazing and cereal production. 7.3 hectares of land is available to the north west of the site. Acceptable uses include B1, B2 and B8, although there may be constraints on certain developments on environmental grounds. Restrictions will be imposed following consultation with the Environment Agency in respect of pollution control and storage of materials as large part of the site is known to drain to a carboniferous limestone aquifer from which ground-water is abstracted. The site lies within 250 metres of a former landfill site.

Paragraph 5.4.18 is revised to read:

#### SITE 11: PENCOEDTRE BUSINESS PARK

5.4.18 The site has 3.2 hectares available for business / warehousing development (B1, B8) and is to the south of the Pencoedre site (Site 18). The site adjoins an area of ancient woodland (largely owned by the Forestry Commission). Both sites require archaeological investigation prior to development. Surface run-off must not exceed greenfield site flows. See also Policy HOUS1 (3).

Paragraph 5.4.20 is revised to read:

#### SITE 13: SULLY MOORS ROAD, BARRY

5.4.20 The site is a low-lying greenfield site on the eastern edge of Barry, opposite the Chemical Complex. A number of businesses operate from Sully Moors Road, but an area of land (5.0 hectares currently used for grazing) is available for industrial development. While B1 and B8 uses would be suitable for the whole site, B2 will be restricted to the northern part of the site, in view of the relative proximity of housing. The site lies within 250 metres of a former landfill site. The site is also adjacent to the Sully Brook and is at risk of flooding. Developers will be required to establish the theoretical 1 in 100 year flood level and set ground levels 500 millimetres above that level. Development must not exacerbate flooding in the vicinity which may require compensatory works to be undertaken at the developers expense. It is recommended that Welsh Water Dwr Cymru are consulted to ascertain the predicted demand of any new development on the existing sewerage network. Protection measures or diversion will be required to protect the water main crossing the site.

Paragraph 5.4.22 is revised to read:

#### SITE 15: TY-VERLON INDUSTRIAL ESTATE

5.4.22 This site covers the established Ty-Verlon Industrial Estate, Priority Enterprise Park and the former Plaracon Tyres site which has been the focus of recent development. One plot is available for development within Priority Enterprise Park. Potential uses are B1, B2 and B8 classes. The site lies within 250 metres of a former landfill site.

And paragraph 5.4.25 is revised to read:

5.4.25 A total of 14.8 hectares, split into five plots are available for development. Full planning permission for development of the largest plot to the south of the site will not be permitted until a new roundabout at the entrance to the Vale Business Park, on the B4270 and the link road between the A48 and B4270 have been constructed.

#### **Reason**

For the reasons set out by the Inspector, the proposed modifications are made in order to clarify the employment allocations within the Plan and provide clear and concise guidance on development constraints with regard to flooding. The modifications also incorporate advice from the Environment Agency that is in accordance with national guidance.

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### **Inspector's Recommendation No. REC 05.03**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion in paragraph 5.1.7 of "commercial / business" after "housing, retail".

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and modify paragraph 5.1.7 to read:

5.1.7 Penarth is the second largest town in the Vale with a population of 20,930. Its Victorian Esplanade and Pier is popular with tourists and complements the facilities at Barry. Penarth has a successful town centre and small industrial areas but along with Dinas Powys, it is a dormitory

settlement with many residents working in Barry or Cardiff. The nearby Llandough Hospital is a major employer. A small part of Penarth falls within the remit of The Harbour Authority. A mixed development of housing, retail, commercial / business and convenience facilities is already well established.

**Reason**

The proposed modification is made in order to ensure the factual accuracy of the Plan.

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*Policy*            *EMPI (6) - Hayes Lane*

*Representor Numbers*    *174.9, 247.15*

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**Inspector's Recommendation No. REC 05.04**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF005

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 5.4.11 to read:

SITE 5: HAYES LANE

5.4.11 This privately owned plot of land of some 1.4 hectares overlooks Hayes Lane and is adjacent to Atlantic Trading Estate. The land is occupied by an existing industrial operation but could form part of a more comprehensive redevelopment of the Atlantic Trading Estate. Access to the site will be improved with construction of a link road between Hayes Wood (Site 8) and Atlantic Trading Estate (Site 1). It is recommended that further development of this site is subject to consultation with the Environment Agency as the site lies within 250 metres of a former landfill site and that flood defence levels need to be raised to a minimum of 8.6 AOD.

**Reason**

The proposed modification provides supplementary factual information in respect of this site and provides guidance on requirements in respect of flood defence.

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*Policy*            *EMPI (8) - Hayes Wood*

*Representor Numbers*    *287.4*

---

**Inspector's Recommendation No. REC 05.05**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF006

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 5.4.13 to read:

## SITE 7: HAYES WOOD

5.4.13 A former sports ground now owned by the WDA, Hayes Wood has permission for B1 and B8 uses and lies adjacent to a residential area on Hayes Road. The site provided direct access to the adjoining Atlantic Trading Estate (Site 1) following the construction of a new access road. It also borders Atlantic Trading Estate (Site 1). The WDA has serviced the site and will make plots available to encourage start-up businesses. B2 uses are not acceptable, and a buffer will be required between industrial development and the adjoining houses. It is recommended that further development of this site is subject to consultation with the Environment Agency and that flood defence levels are raised to a minimum of 8.6 AOD.

### **Reason**

The proposed modification provides supplementary factual information in respect of the allocated site.

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*Policy*            *EMPI (20) - Vale Gate & HTV, Culverhouse Cross*

*Representor Numbers*    *293.7, 12.2, 94.1, 228.3, 273.1, 274.3, 274.7, 274.8, 274.9, 274.5*

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### **Inspector's Recommendation No. REC 05.06**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by PCF014

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation by deleting paragraphs 5.4.27 and 5.4.28 and renumbering the subsequent paragraphs.

#### **Reason**

The Council agrees with the Inspector's assessment that the site is no longer required for media or general employment use and that, having regard to the sensitive nature of the site in the landscape and the overriding need to protect the openness of the area, its allocation is not justified.

---

### **Inspector's Recommendation No. REC 05.07**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion of Greenwood Quarry in Policy MIN9

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend Policy MIN 9 to read:

POLICY MIN 9 – DERELICT SITES

THE COUNCIL WILL SEEK TO PREVENT FURTHER MINERAL EXTRACTION AT THE FOLLOWING SITES AND, WHERE APPROPRIATE, WILL SEEK TO SECURE RESTORATION AND LANDSCAPING WORKS;

- (i) BEAUPRE (LONG GROVE) QUARRY, ST HILARY;
- (ii) COSMESTON QUARRY, PENARTH;
- (iii) CNAP TWT QUARRY, CASTLE UPON ALUN;
- (iv) CROSS COMMON QUARRY, DINAS POWYS;
- (v) DOWNSWOOD QUARRY, PENARTH;
- (vi) ELY BRICKWORKS;
- (vii) LAVERNOCK QUARRY;
- (viii) LONGLANDS QUARRY, EWENNY;
- (ix) RHOOSE QUARRY;
- (x) SOUTHERNDOWN ROAD QUARRY, CASTLE UPON ALUN;
- (xi) GREENWOOD QUARRY, WENVOE;
- (xii) ARGOED ISHA QUARRY, LLANSANNOR;
- (xiii) ST ANDREWS QUARRY, ST ANDREWS MAJOR.

**Reason**

The proposed modification corrects a factual inaccuracy within the Plan.

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*Policy EMP1 (21) - Land to the North of Rhoose*

*Representor Numbers 293.8*

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**Inspector's Recommendation No. REC 05.08**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF015

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and amend Paragraph 5.4.29 to read:

**SITE 17: LAND TO THE NORTH OF RHOOSE, OFF RHOOSE ROAD**

5.4.29 A 6.3 hectare site immediately adjacent to the built up area of Rhoose. The location of the site adjoining residential properties will require careful attention to design, landscaping and other amenity issues. Protective measures or, diversion of water main at developers expense is required prior to commencement of works. The site is considered particularly suitable for employment for airport related uses.

**Reason**

For the reasons set out by the Inspector, the proposed modification clarifies the mitigation measures that will be required prior to the commencement of development at this site.

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*Policy EMP2 - Special Employment Sites*

*Representor Numbers 244.19, 340.3, 359.31, 376.5*

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**Inspector's Recommendation No. REC 05.09**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of Policy EMP2

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and *POLICY EMP 2 – SPECIAL EMPLOYMENT SITES* is DELETED. Subsequent Policies and paragraphs are renumbered.

**Reason**

The proposed modification ensures clear and consistent policy guidance within the Plan and accords with other recommendations made by the Inspector in his report at REC 5.10 and REC 5.12 the reasoning for which has been accepted by the Council.

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*Policy EMP2 (1) - Pencoedtre*

*Representor Numbers 293.9, 21.1, 22.1, 340.2, 340.4*

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**Inspector's Recommendation No. REC 05.10**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the re-allocation of the Pencoedtre Special Employment Site for about 7 ha of mixed housing land under Policy HOUS1 and about 7ha of Class B1 and B8 employment use under Policy EMP1, details to be considered as part of a revised development brief for the area.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation by inserting details of Pencoedtre Site into Policy EMP 1 to read:

SITE 18: PENCOEDTRE

The Pencoedtre site is located to the north east of Barry at the junction of the Barry Docks Link Road and Port Road, with the amount of land available being dependant upon a comprehensive development brief being prepared. The site will be suited to B1 and B8 uses.

Subsequent Paragraphs renumbered.

**Reason**

The proposed modification ensures clear and consistent policy guidance within the Plan and is also in accordance with other recommendation REC4.20. In the context of the Council's acceptance of the Inspector's REC 1.8 the Council has reviewed the Inspector's deliberations with regard to this matter and accepts his reasoning. It is considered that the allocation of the land at Pencoedtre will assist in satisfying the housing requirements during the Plan period. In view of the potential woodland

/conservation value of the site, the Council considers that prior to a decision being taken on the exact amount of housing/employment land this site can contribute, a detailed woodland management plan must be prepared.

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**Inspector's Recommendation No. REC 05.11****Details of Inspector's Recommendation**

I recommend that the plan be modified by PCF017

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and paragraph 5.4.32 is revised to read:

5.4.32 The sensitive location of the site requires care to be taken in designing the development. The site accommodates a considerable amount of good quality ancient woodland which needs to be retained as part of any development scheme. The Environment Agency have indicated that the woodland on the site is of high wildlife and nature conservation value. A survey of the woodland and appropriate management plan will be required prior to the granting of planning permission. In addition Glamorgan-Gwent Archaeological Trust have indicated that the site is potentially of importance and therefore an archaeological investigation of the site will be required prior to the commencement of development. Considerable investment is required in transportation and infrastructure and a comprehensive approach to the overall development is essential. Measures would need to be undertaken by a developer to locate and protect a 36 inch diameter high pressure trunk water main which crosses the site. The main cannot supply the site and therefore extensive off-site main laying will be required leading to high developer's costs. Greenfield drainage restrictions apply to this site and further consultation with the Environment Agency and the local authority is recommended.

**Reason**

For the reasons set out by the Inspector, the proposed modification clarifies the mitigation/protection measures that will be required prior to the commencement of development of this site .

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*Policy EMP2 (2) - Land to the South East of M4 Junction 34 (Bosch, Miskin)*

*Representor Numbers 239.1, 247.14, 293.14, 289.1, 354.1*

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**Inspector's Recommendation No. REC 05.12****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF018 and that the site be re-allocated under Policy EMP1

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation by inserting details of land to the south east of M4 Junction 34 (Bosch, Miskin) into Policy EMP 1 to read:

SITE 19: LAND TO THE SOUTH EAST OF M4 JUNCTION 34 (BOSCH, MISKIN)

This site is located south east of junction 34 of the M4 at Miskin and is part developed by the Robert Bosch alternator plant. The development occupies 11.7 hectares of a total site area of 66 hectares

allowed under a planning permission granted for use classes B1, B2 and B8. The site is considered to have high archaeological potential and the Council will seek to protect areas of nature conservation interest and features of landscape value within any future development proposals for the site. Greenfield drainage restrictions may apply to this site and consultation with the Environment Agency and the local authority is recommended. It is also recommended that any developer consults Welsh Water Dwr Cymru to ascertain the predicted demand of any new development on the existing sewerage network. The site is within 250 metres of a former landfill site.

Subsequent Paragraphs renumbered.

#### **Reason**

The proposed modification is made to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

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### *Policy EMP3 - New Business and Industrial Development* *EMP4 - General Industry*

*Representor Numbers* 237.46, 244.20, 247.16, 205.4, 214.2, 270.33,  
356.16, 359.32, 247.73, 290.7, 376.6, 290.3,  
244.21, 247.17, 247.74, 290.2

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#### **Inspector's Recommendation No. REC 05.13**

##### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the addition to criterion (i) of the Policy of "or COMM2 (REDUNDANT HOSPITALS)" after "ENV7 (RURAL BUILDINGS)"

##### **Council's Recommendation**

Accept Inspector's recommendation

##### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy EMP 3 is revised to read:

#### **POLICY EMP 3 – NEW BUSINESS AND INDUSTRIAL DEVELOPMENT**

PROPOSALS FOR NEW BUSINESS AND INDUSTRIAL DEVELOPMENT INCLUDING AGRICULTURAL SERVICE INDUSTRIES AND THE EXTENSION, CONVERSION AND REPLACEMENT OF EXISTING PREMISES FOR SUCH PURPOSES, WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE PROPOSAL DOES NOT LIE WITHIN THE COUNTRYSIDE EXCEPT FOR THOSE PROPOSALS ACCEPTABLE UNDER THE TERMS OF ENV7 (RURAL BUILDINGS) OR COMM2 (REDUNDANT HOSPITALS);
- (ii) THE PROPOSAL MINIMISES THE LOSS OF GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A) AND DOES NOT HAVE AN UNACCEPTABLE IMPACT ON AREAS OF ATTRACTIVE LANDSCAPE AND HIGH QUALITY TOWNSCAPE OR ON AREA OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE;
- (iii) THE SIZE AND RELATIONSHIP OF ANY NEW BUILDING AND / OR ALTERATION OR EXTENSION IS NOT DISPROPORTIONATE TO ITS SIZE AND SETTING;
- (iv) ACCESS AND PARKING ARRANGEMENTS ARE IN ACCORDANCE WITH THE COUNCIL'S APPROVED STANDARDS;

- (v) ADEQUATE LANDSCAPING IS PROVIDED;
- (vi) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE EFFECT ON RESIDENTIAL AMENITY BY VIRTUE OF TRAFFIC CONGESTION, NOISE, SMELL, SAFETY, HEALTH IMPACTS AND EMISSIONS;
- (vii) ADEQUATE UTILITY AND INFRASTRUCTURE SERVICES EXIST OR ARE REASONABLY ACCESSIBLE OR CAPABLE OF BEING READILY AND ECONOMICALLY PROVIDED;
- (viii) DOES NOT PRESENT ADDITIONAL RISK TO THE HEALTH OR SAFETY OF USERS OF THE SITE AND DOES NOT UNACCEPTABLY POLLUTE AIR, WATER, OR LAND; AND
- (ix) DOES NOT UNACCEPTABLY AFFECT THE USE OF THE ADJOINING LAND BY VIRTUE OF THE RISK AND IMPACT OF POTENTIAL POLLUTION.

**Reason**

The proposed modification is made to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

**Inspector’s Recommendation No. REC 05.14**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the deletion from Policy EMP1 of "Barry Chemical Complex" (Site 3) and the addition of its area to "Barry Docks" (Site2)

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy EMP 1 is revised to read as per REC 5.2

**Reason**

The proposed modification is made to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

**Inspector’s Recommendation No. REC 05.15**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the inclusion of PCF022

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation by policy EMP 4 being revised to read:

EMP 4 – GENERAL INDUSTRY

DEVELOPMENT WILL BE PERMITTED FOR B2 USE\* (GENERAL INDUSTRY) WHERE:

- (i) THE PROPOSAL IS COMPATIBLE WITH EXISTING BUSINESS / INDUSTRIAL / WAREHOUSING USES;

- (ii) IT WILL NOT CAUSE DETRIMENT TO THE AMENITIES OF NEARBY RESIDENTIAL AREAS;
- (iii) THE NATURE AND SCALE OF THE PROPOSED DEVELOPMENT DOES NOT UNACCEPTABLY AFFECT SURROUNDING USES;
- (iv) IT DOES NOT PRESENT ADDITIONAL RISK TO THE HEALTH OR SAFETY OF USERS OF THE SITE AND DOES NOT UNACCEPTABLY POLLUTE AIR, WATER OR LAND; AND
- (v) IT DOES NOT UNACCEPTABLY AFFECT THE USE OF THE ADJOINING LAND BY VIRTUE OF THE RISK AND IMPACT OF POTENTIAL POLLUTION.

*\*B2 use – General Industry as defined by Town and Country Planning (Use Classes) Order 1987 (as amended)*

**Reason**

The proposed modification is made in order to provide certainty about the manner in which development proposals for General Industry will be assessed and for the reasons set out by the Inspector.

*Policy EMP5 - Protection of Land for Employment Uses*

*Representor Numbers 215.2, 267.7, 35.17*

**Inspector’s Recommendation No.** REC 05.16

**Details of Inspector’s Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

*Policy EMP6 - Developments Involving Hazardous Substances and  
EMP7 - Developments Adjacent to Hazardous Industrial  
Uses*

*Representor Numbers 247.53, 244.22, 290.1, 360.7, 247.54, 244.23,  
360.8, 290.6*

**Inspector’s Recommendation No.** REC 05.17

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the inclusion of PCF024 and PCF025

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation by revising paragraph 5.4.39 to read:

5.4.39 There are a number of hazardous installations and pipelines located within the Vale of Glamorgan. These sites and pipelines are designated as notifiable installations by the Health and Safety Executive, by virtue of the quantities of hazardous substance stored, used by or, in the case of pipelines, transported. Whilst risks attached to such sites and lines are usually very small, it is important that these uses are separated from other land uses which might be incompatible from a safety viewpoint. The Environment Agency's groundwater protection policy is applicable in respect of such uses. Under the Planning (Hazardous Substances) Regulations 1992, control can be exerted over some uses, even in instances where planning permission is not required. Through its development control function the Council will maintain a close working relationship with the Environment Agency and others, in order to ensure that new developments do not have an unacceptable affect on the environment. Where appropriate development proposals will be subject to an environmental assessment in accordance with procedures identified in Environmental Assessment Technical Advice Note (Wales) 17 (July 1998). Schedule 1 and 2 of the Note identify projects which may require assessment. This Policy should be read in conjunction with ENV 27.

And by revising policy EMP 7 to read:

EMP 7 – DEVELOPMENT ADJACENT TO HAZARDOUS INDUSTRIAL USES

DEVELOPMENT WILL NOT BE PERMITTED ADJACENT TO INDUSTRIAL OR OTHER ESTABLISHMENTS WHICH ARE LIKELY TO CAUSE UNACCEPTABLE POLLUTION OR HAZARDS TO USERS OF THE PROPOSED DEVELOPMENT

**Reason**

The proposed modifications are made in order to accord with national policy and ensure certainty in the application of the policy in respect of development proposals adjacent to hazardous industrial uses and for the reasons set out by the Inspector.

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*Policy EMP8 - Agricultural Service Industries*

*Representor Numbers 244.24, 356.8, 373.1, 173.28, 356.33*

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**Inspector's Recommendation No. REC 05.18**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF026 and PCF027, as further amended by FPCF004 and FPCF005

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy EMP 8 is deleted and new policy EMP 8 is inserted to read:

POLICY EMP 8 – FARM DIVERSIFICATION

PROPOSALS FOR THE DIVERSIFICATION OF EXISTING FARMSTEADS WILL BE PERMITTED IF:

- (i) THE DIVERSIFICATION PROPOSALS ARE FOR SMALL SCALE EMPLOYMENT, COMMERCIAL, RECREATIONAL OR TOURISM USES;
- (ii) PROPOSALS FOR NEW STRUCTURES ARE SPECIFICALLY DESIGNED FOR AND NECESSARY FOR THE PURPOSE OF DIVERSIFICATION;
- (iii) PROPOSALS ARE COMPATIBLE WITH THE SURROUNDING LANDSCAPE, ADJACENT LAND USES, AND ANY EXISTING RELATED STRUCTURES IN TERMS OF THE SCALE, SITING, DESIGN AND EXTERNAL APPEARANCE OF ANY NEW BUILDING OR EXTENSION TO EXISTING BUILDINGS;
- (iv) PROPOSALS DO NOT UNACCEPTABLY AFFECT THE INTERESTS OF AGRICULTURE, CONSERVATION, AREAS OF ECOLOGICAL, WILDLIFE, LANDSCAPE, HISTORIC OR ARCHAEOLOGICAL IMPORTANCE;
- (v) THE PROVISION OF CAR PARKING, SERVICING AND AMENITY SPACE ARE IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;
- (vi) VEHICULAR ACCESS IS AVAILABLE OR CAN BE PROVIDED FROM THE PUBLIC HIGHWAY WITHOUT ANY UNACCEPTABLE EFFECT UPON THE APPEARANCE OF THE COUNTRYSIDE; AND
- (vii) PROPOSALS DO NOT HAVE AN UNACCEPTABLE IMPACT UPON THE AMENITY AND CHARACTER OF THE LOCAL ENVIRONMENT BY VIRTUE OF NOISE, SMELL, TRAFFIC CONGESTION OR VISUAL INTRUSION.

Paragraphs 5.4.42, 5.4.43 and 5.4.44 are deleted and replaced as per REC 5.19

**Reason**

The proposed modifications are made in order to provide certainty about the manner in which development proposals in respect of farm diversification will be assessed and for the reasons set out by the Inspector.

**Inspector's Recommendation No. REC 05.19**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF028

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation by paragraphs 5.4.42, 5.4.43 and 5.4.44 being deleted and replaced to read:

5.4.42 The Plan recognises the important role played by small scale enterprises in promoting healthy economic activity in rural areas and seeks to encourage economic diversity by helping new and varied forms of wealth creation and employment. Diversification which is ancillary to the use of the farmstead, can assist in securing the long term viability of existing businesses. Agriculture is experiencing increasingly severe economic pressure and the continued viability of significant numbers of farm businesses depends upon diversifying enterprises including development of non-agricultural enterprises.

5.4.43 Farm diversification may take a number of different forms. Examples of these include teleworking centres, holiday accommodation, farm shops, craft workshops and market gardens. The diversification of existing farmsteads may require the construction of new purpose built structures to accommodate diversification needs. The Plan recognises that a farm should not be disadvantaged in it

attempts to diversify merely because there is no suitable building available for conversion. However, development will be strictly regulated in order to ensure that only structures which are necessary for the purposes of diversification are constructed. Proposals for the conversion of rural buildings into residential accommodation will be assessed in accordance with the requirements of Policy ENV 7.

5.4.44 For the purposes of this policy farmsteads are defined as part of a farm comprising its main buildings together with immediate adjoining land.

**Reason**

For the reasons set out by the Inspector, the proposed modification provides clarity in the application of the Policy.

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*Policy EMP 9 - Agricultural Enterprise and associated Development*

*Representor Numbers 174.10, 244.25, 227.9, 356.15*

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**Inspector's Recommendation No. REC 05.20**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF029

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy EMP 9 is revised to read:

POLICY EMP 9 – AGRICULTURAL ENTERPRISE AND ASSOCIATED DEVELOPMENT

PROPOSALS FOR DEVELOPMENT ON AGRICULTURAL LAND WILL BE PERMITTED IF THE PROPOSAL:

- (i) IS NECESSARY FOR THE PURPOSES OF AGRICULTURE WITHIN THE AGRICULTURAL UNIT;
- (ii) IS DESIGNED SPECIFICALLY FOR AGRICULTURAL PURPOSES;
- (iii) IS COMPATIBLE WITH THE SURROUNDING LANDSCAPE, ADJACENT LAND USES, AND ANY EXISTING RELATED STRUCTURES IN TERMS OF SCALE, SITING, DESIGN AND EXTERNAL APPEARANCE OF ANY NEW BUILDING OR EXTENSION TO EXISTING BUILDINGS; AND
- (iv) DOES NOT HAVE AN UNACCEPTABLE IMPACT ON AREAS OF ECOLOGICAL, WILDLIFE, GEOLOGICAL AND GEOMORPHOLOGICAL, ARCHAEOLOGICAL OR LANDSCAPE IMPORTANCE.

**Reason**

For the reasons set out by the Inspector the proposed modification is made in order to provide certainty about the manner in which proposals in respect of development on agricultural land will be assessed and is in accordance with national planning policy.

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*Policy EMP10 - Non-Conforming Business and Industrial Uses*

*Representor Numbers 246.10, 244.26*

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## **Inspector's Recommendation No. REC 05.20A**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF032

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and paragraph 5.4.51 is revised to read:

5.4.51 This policy relates to the particular part of this site identified on the Proposals Map. It identifies sites for "sui generis" businesses, that is those not identified in the business and industrial use classes B1, B2 and B8, and which would not normally be appropriate on other business sites. In this respect, this Policy does not relate to any primary retail based industry. The fact that this site is identified for this type of use in no way means it should not be subject to environmental safeguards including the provision of suitable landscaping. Where appropriate development proposals will be subject to an environmental assessment in accordance with procedures identified in Environmental Assessment Technical Advice Note (Wales) 17 (July 1998). Schedule 1 and 2 of the Note identify projects which may require assessment.

### **Reason**

For the reasons set out by the Inspector the proposed modification accords with national policy and provides clear and consistent policy guidance within the Plan.

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## *Policy EMP12 - Cowbridge Cattle Market*

*Representor Numbers 13.3, 37.3, 40.5, 40.7, 40.9, 52.12, 123.1, 159.5, 176.2, 250.1, 253.1, 253.3, 254.1*

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## **Inspector's Recommendation No. REC 05.21**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of Policy EMP12

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and *POLICY EMP 12 – COWBRIDGE CATTLE MARKET* and paragraphs 5.4.54 and 5.4.55 are deleted. Subsequent paragraphs renumbered.

### **Reason**

For the reasons set out by the Inspector the Council considers that it is inappropriate to allocate a new site for the Cattle Market prior to full evaluation of the potential impact of such a development on a green field site.

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## *Policy TOUR1 - New Hotels in the Countryside*

*Representor Numbers 174.11, 178.2, 237.47, 208.2, 356.12, 350.2*

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## **Inspector's Recommendation No. REC 05.22**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF033

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy TOUR 1 is revised to read:

**POLICY TOUR 1 – NEW HOTELS IN THE COUNTRYSIDE**

PROPOSALS FOR NEW HOTELS OUTSIDE THE DESIGNATED SETTLEMENT BOUNDARIES OF THE TOWNS AND VILLAGES DEFINED BY POLICIES HOUS 2 WILL NOT BE PERMITTED. PROPOSALS FOR HOTELS WHICH INVOLVE THE CONVERSION OR EXTENSION OF EXISTING BUILDINGS OUTSIDE SETTLEMENT BOUNDARIES WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE SCALE OF THE PROPOSAL OR ANY PROPOSED EXTENSION IS IN KEEPING WITH SURROUNDING USES;
- (ii) THE PROPOSAL DOES NOT UNACCEPTABLY AFFECT THE INTERESTS OF AGRICULTURE, CONSERVATION, AREAS OF ECOLOGICAL, WILDLIFE, LANDSCAPE OR ARCHAEOLOGICAL IMPORTANCE;
- (iii) THE PROPOSAL DOES NOT UNACCEPTABLE AFFECT THE AMENITY AND THE CHARACTER OF THE EXISTING OR NEIGHBOURING ENVIRONMENTS BY VIRTUE OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS, OR VISUAL INTRUSION;
- (iv) THE PROPOSALS MEET HIGH STANDARDS OF LAYOUT, LANDSCAPING AND DESIGN AND HAS SAFE VEHICULAR ACCESS;
- (v) ADEQUATE UTILITY AND INFRASTRUCTURE SERVICES EXIST, ARE REASONABLY ACCESSIBLE, OR CAN BE READILY AND ECONOMICALLY PROVIDED;
- (vi) SUITABLE ACCESS IS PROVIDED FOR DISABLED PERSONS AND THOSE WITH IMPAIRED MOVEMENT;
- (vii) PARKING IS PROVIDED IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES.

**Reason**

The proposed modification is made in order to provide clarification of the manner in which development proposals in respect of new hotels in the countryside will be assessed and for the reasons set out by the Inspector.

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***Policy TOUR4 - Caravan, Chalet and Tent Sites***

*Representor Numbers 174.12, 178.5, 237.48, 247.18, 247.75, 247.76, 376.7, 290.5*

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**Inspector's Recommendation No. REC 05.23****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF035

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and add a new paragraph 5.4.63 to read:

5.4.63 Technical Advice Note (Wales) 15 (Development and Flood Risk) requires local authorities to consult the Environment Agency when considering applications for sites with a high risk of flooding. Also, in the interests of safety, the caravanning organisations should be encouraged to liaise with the local planning authority about flooding risks that may apply to “certificated” sites which do not require planning permission.

Subsequent paragraphs to be renumbered.

**Reason**

For the reasons set out by the Inspector the proposed modification incorporates national guidance and encourages greater liaison with the local planning authority in the interests of public safety.

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***Policy TOUR5 - Non-Residential Tourist Attractions***

***Representor Numbers*** 174.13, 178.6, 277.2, 217.13, 360.48

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**Inspector's Recommendation No. REC 05.24****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of FPCF006

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and paragraph 5.4.67 is revised to read:

5.4.67 The Council recognises the special character of the seafront at Penarth and is committed to an ongoing programme of renovation to the pier, a Grade II Listed Building. Penarth's proximity to Cardiff Bay means that its future will be strongly influenced by the regeneration of this area. The construction of the Cardiff Bay Barrage and the completion of a proposed pedestrian and cycleway around Penarth Head offer opportunities to attract more visitors to the town thereby enhancing the local economy. The highway network in and around the Barrage end of Penarth Haven has limited capacity. This is an important area which will become increasingly busy with the completion of the Barrage. Although an element of additional car parking provision will be necessary it will be important to ensure that the needs of alternative modes of transport are also considered. The layout of any new junctions, roads or car parks will need to be carefully considered in order to minimise any potential conflict with cyclists and pedestrians. Safe and convenient facilities for cyclists will be needed, together with public transport services and passenger waiting facilities. The use of traffic calming measures will also be considered to reduce any potential road safety problems.

**Reason**

The proposed modification provides further contextual information in respect of traffic management, access and car parking at Penarth.

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***Policy EMP/TOUR Implementation***

***Representor Numbers*** 287.5, 287.6, 376.9

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## **Inspector's Recommendation No. REC 05.25**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCF037 and PCF038

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 5.5.2 to read:

5.5.2 The Vale of Glamorgan Council is committed to creating the right environment for investment and will seek partnerships with the private sector, the Welsh Office, the Welsh Development Agency, the South Glamorgan Training and Enterprise Council, Barry College, the Wales Tourist Board, the European Commission, and other relevant agencies.

And revise paragraph 5.5.4 to read:

5.5.4 Barry Action, the Council's partnership between the Council and the WDA has a broader remit. It is concerned with the economic and physical regeneration of Barry as a whole, including the town centre, Barry Island, the Docks, and also including development of the Business Park at Cardiff International Airport and the redevelopment partnership between the WDA and Blue Circle Industries at Rhoose.

### **Reason**

The proposed modification provides supplementary factual information in respect of the remit of Barry Action the Council's partnership with the WDA.

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## *Policy TRAN00 - General or Omissions*

*Representor Numbers 124.6, 37.5, 40.7, 86.3, 122.1, 158.2, 158.3,  
159.4, 237.51, 270.1, 359.8, 226.3*

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### **Inspector's Recommendation No. REC 06.01**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of FPCG002, to be identified as Policy TRAN7, and the consequent renumbering of the existing Policy TRAN7 and subsequent policies

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation by the insertion of a new policy after paragraph 6.4.18 to read:

POLICY TRAN 7 – STRATEGIC PUBLIC TRANSPORT

LAND WILL BE PROTECTED AND PROVISION MADE FOR THE DEVELOPMENT OF FACILITIES FOR BUS OPERATIONS INCLUDING BETWEEN:

- (i) BARRY, DINAS POWYS AND CARDIFF;
- (ii) CARDIFF INTERNATIONAL AIRPORT, BARRY, WENVOE AND CULVERHOUSE CROSS;
- (iii) PENARTH AND CARDIFF; AND
- (iv) BETWEEN THE VALE OF GLAMORGAN AND BRIDGEND.

This Policy adds more detail to the public transport measures referred to in Part 1, Policy 7. It is the Council's intention to improve facilities and to promote the efficient operation and movement of buses and bus passengers. Although on these corridors there are many measures that can be developed within the boundary of the existing highway, there may be areas where further land will be required for the provision of bus stations, turning areas, bus priorities or bus lanes.

The development of measures to facilitate bus operations in the corridors identified in this policy will complement the measures outlined in paragraph 6.4.5. Where the development of a new road scheme relieves an existing road of heavy traffic flows it will be important to use that opportunity to the benefit of sustainable movement options, and deter the continued use of that road as a through route by traffic. The road space on the existing road will be used to cater for the safe, convenient and efficient movement of buses, cyclists and pedestrians. This will be achieved through the provision of additional facilities for buses, in conjunction with traffic management, traffic calming, cycling and pedestrian improvements.

It will be important to cater for bus links from Bridgend County Borough Council's area through the Vale of Glamorgan towards Cardiff. Any measures on this corridor will be co-ordinated with Bridgend County Borough Council and Cardiff County Council. The Council will also endeavour to establish a Quality Partnership with public transport operators on all the above corridors.

All subsequent policies and paragraphs renumbered.

#### **Reason**

For the reasons set out by the Inspector the proposed modification complements the Council's adopted Local Transport Plan and confirms the Council's commitment to the development of bus facilities.

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**Inspector's Recommendation No. REC 06.02****Details of Inspector's Recommendation**

I recommend that the plan be modified by the incorporation of targets for the proportions of movement by the various transport modes

**Council's Recommendation**

Inspector's recommendation not accepted

**Recommended Modification**

No modification required.

**Reason**

The modification proposed by the Inspector is more correctly a matter for the Vale of Glamorgan Transport Plan. While there is a statutory duty to include transport policies within the Plan the inclusion of targets as detailed by the Inspector is more appropriately included within the Vale of Glamorgan Local Transport Plan 2000/06.

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***Policy TRAN1 - Strategic Highways***

*Representor Numbers 267.8, 33.7, 226.4, 238.24, 244.27, 270.2, 359.33*

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**Inspector's Recommendation No. REC 06.03****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCN005

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and identify the land take associated with the Wenvoe section of the Airport Access Road on the Proposals Map.

**Reason**

The proposed modification is made to display factual information in respect of the Wenvoe section of the Airport Access Road that assists in the clarification of policy TRAN1 and for the reasons set out by the Inspector.

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***Policy TRAN1 (i) - The Airport Access Road***

*Representor Numbers 271.1, 82.1, 130.2, 155.4, 230.7, 230.25, 252.1,  
274.2, 291.4, 360.20*

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**Inspector's Recommendation No. REC 06.04****Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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***Policy TRAN1 (ii) - The Barry Waterfront to Cardiff Link***

*Representor Numbers 262.2, 230.8, 9.1, 156.1, 173.11, 252.3, 294.1,*

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**Inspector's Recommendation No. REC 06.05****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCN001 and FPCG001

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert TRAN 1 (ii) on the Waterfront, Barry mixed use panel and revise paragraph 6.4.3 to read:

6.4.3 The purpose of the Barry Waterfront to Cardiff Link Road is twofold: firstly to provide a link between the major development at Barry Docks and the trunk road motorway network via the A4231 and also to Cardiff and Cardiff Bay via the A4055; and secondly to alleviate traffic congestion and improve road safety on the A4055 through Dinas Powys.

**Reason**

The proposed modification is made to redress an omission on the Proposals Map and to provide clarification of the Council's proposal with regard to the Barry Waterfront to Cardiff link road and for the reasons set out by the Inspector.

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***Policy TRAN2 - Local Highways***

*Representor Numbers 271.8, 40.6, 126.1, 192.13, 226.5, 238.25, 252.2,  
359.34, 360.21, 324.1, 246.11, 246.12*

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**Inspector's Recommendation No. REC 06.06****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCG002

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with PCG002 by revising paragraph 6.4.7 to read:

6.4.7 The Llysworney Bypass scheme is important to relieve environmental and safety problems caused by a significant number of heavy lorry movements through the village. At present the lorries use the B4270 which runs through the village of Llysworney, as it provides a major access route between the A48 and the industrial estates at Llandow and Llantwit Major.

**Reason**

The proposed modification is made to provide clear and consistent guidance within the Plan to reflect the aim of the Llysworney Bypass.

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**Inspector's Recommendation No. REC 06.07****Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of Policy TRAN2 (i) and its replacement by a link road between the A48 and the B4270 at Cowbridge

**Council's Recommendation**

Inspector's recommendation not accepted.

**Reason**

The Council only proposes to allocate the sites outlined below for residential development during the Plan period. It is considered that the allocation of these sites satisfy guidance contained in Planning Policy Wales (2002) and will assist in satisfying the housing requirements throughout the Plan period. In respect of REC 4.44, REC 4.45 and REC 6.7 the Council has updated the housing demand figure to 1st April 2001 by taking into account dwelling completions over the period 1998 to 2001. The net result is that over the period 2001 to 2011 the Council needs to make land available for 4716 new dwelling units. Taking into account commitments as agreed by the Joint Housing Land Availability Study 2001 (2946 Units) and an allowance for small sites (760) there is a need for an additional 1010 dwellings rather than the 1104 dwellings recommended by the Inspector.

Proposed Modification No E04, having regard to guidance contained within Planning Policy Wales 2002, outlines how this requirement will be met.

The Council has discretion in selecting sites to meet this housing need. This is recognised by the Inspector in his cover letter to his report when he considered the housing requirement where at paragraph 9 he stated:

“It is however for the Council to determine whether there are other more suitable sites that were not before me for consideration”.

Having given the matter due consideration the Council believes that the Inspector did not adequately consider the following issues:

- the number of residential completions from 1998 to 2001;
- the potential housing capacity of sites with the benefit of planning permission
- the requirements of Section 9 of Planning Policy Wales 2002 (sequential approach to housing development), including the policy that Councils should seek only to identify sufficient land to meet their housing requirement (paragraph 9.2.7 refers).

As a consequence of the Council's re-assessment of housing supply data as tabled at Modification E04 the Council requires to allocate additional land for 1010 Units.

To meet this requirement the Council has undertaken a 'search sequence' as required by Planning Policy Wales (2002). The search sequence starts with the re-use of previously developed land and buildings within settlements, then settlement extensions and then new development around settlements with good public transport links. In undertaking the search sequence particular consideration has been given to:

- The contribution to the housing supply of sites with planning permission for housing. Council resources do not permit the revocation of current planning permissions for housing development.
- The allocation of previously developed sites or empty or under-used buildings that are suitable for housing within settlements.

- The allocation of housing sites that are highly accessible by transport means to jobs, shops and services other than by the private car.
- The capacity of existing or proposed infrastructure to absorb further development and the cost, if necessary of adding further infrastructure.
- The ability to build communities to support new physical and social infrastructure and the need to provide sufficient demand to sustain appropriate local services and facilities.
- The physical and environmental constraints on the development of land.
- The need to assist urban regeneration.

As a result of the Council undertaking the search sequence, the following sites are proposed to be allocated to meet this need:

### **Barry Waterfront**

This is a Brownfield site located within the strategy area, which benefits from excellent public transport and walking / cycling opportunities. The site is ideally placed in relation to retailing and community facilities at Barry Town, with Cardiff within easy reach by public transport.

It was envisaged that the extant planning permission for the site would yield 1000 units over the Plan period. However, having examined the current build densities at this location, it has been found that the site is now expected to yield an additional 400 units (ie 1400 in total), some of which (100) may be beyond the Plan period.

### **South Quay (within Barry Waterfront)**

This is a Brownfield site located adjacent to the existing development currently under construction at Barry Waterfront and having the same benefits as Barry Waterfront. The Inspector recommended that this 5.2 ha site be allocated for a mixed-use development to include residential use. Although the Inspector felt that this site would only contribute 100 units to the supply it is the Council's view that due to increased building densities this site will contribute at least 200 units, some of which (100) may be beyond the Plan period.

### **Llandough Fields**

This site was previously occupied by railway sidings and was originally allocated in the Deposit Plan for employment purposes. The Inspector in his report has recommended that it be included for development under Policy HOUS 1 for 65 units. The site is well related to public transport facilities and is also close to shopping facilities. It is also well placed in terms of leisure facilities associated within the water-based activities and Penarth Leisure Centre (Cogan). In addition the site would be consistent with the regeneration strategies of the Plan.

### **Redwood Close**

The site benefits from an extant planning permission for 12 residential units. The Council does not have resources to revoke this permission.

### **Palmersvale Business Centre**

The site was previously allocated for employment purposes in the Deposit Plan. The Inspector recommended that the undeveloped part of the site fronting Arthur Street would be appropriate for 20 residential units. The site is located within the strategy area and has good walking, cycling and public transport links to Barry and Cardiff.

### **The Limes**

This site was allocated in the Deposit Plan. It lies close to the centre of Cowbridge and offers opportunities to enhance the conservation area as well as being well located for community facilities in Cowbridge. The site will yield approximately 6 units.

### **River Walk**

This site was allocated in the Deposit Plan and has had a planning permission for residential development. The site is situated close to the centre of Cowbridge and is consequently well located for community facilities in Cowbridge. The site will yield approximately 6 units.

### **White Farm**

This site is located within the settlement boundary of Barry and within the strategy area of the Plan. The Council allocated this site for a mixed use of residential and open space in the Deposit Plan. Part of the site has benefited from a Certificate of Appropriate Alternative Development. The Inspector suggested that this site would be suitable for 130 dwellings together with 7.4 acres of informal open space.

### **Cogan Pill Road, Llandough**

This site was allocated for housing development in the Deposit Plan. It is located within the Plan's strategy area and within the settlement boundary of Penarth with Llandough. The site is well located to community facilities (including the hospital) and public transport. The site will yield 18 units and has had a previous outline planning permission.

### **Land to North of Railway, Rhoose**

A greenfield site located within the Council's strategy area to the south east of Rhoose and to the north of the current Rhoose Point development. The site benefits from potentially good public transport in view of the imminent re-opening of the Vale of Glamorgan rail line to passenger services. A station and interchange facilities at Rhoose will be provided and there will be clear opportunities for links to the interchange facilities as well as to proposed retail and leisure facilities at Rhoose Point. The site will clearly assist in sustaining the proposed public transport initiatives and village facilities as well as providing a range and choice of housing types during the Plan period. The site is well located for employment allocations at Cardiff International Airport. This site can accommodate approximately 400 units during this Plan period, with a further 200 units during the next Plan period.

### **Land at Pencoedtre**

This site was allocated by the Council for special employment purposes in the Deposit Plan. The Inspector has recommended that 7 ha of the 14 ha. site be allocated for approximately 135 units of residential accommodation.

The Council proposes to allocate the site for a mixture of housing, employment and woodland uses, the proportions of which will be confirmed by further research through the preparation of a woodland / conservation management plan.

The site lies within the Plan's strategy area and offers the opportunity to add to the range and choice of house types that the Plan will provide. In particular, the site offers the opportunity for a sustainable mixed use of employment / housing / recreational / woodland development. Being located within the strategy area the site has good public transport opportunities as well as the potential to contribute to the wider regeneration of Barry.

### **Available Housing Supply**

<b>Site</b>	<b>Units</b>
Waterfront	300*
South Quay	100*

Llandough Fields	65
Redwood Close	12
Palmersvale Business Park	20
River Walk	6
The Limes	6
White Farm	130
Cogan Pill Road	18
North of Railway, Rhoose	400
<b>Housing Supply</b>	<b>1057</b>
<b>Housing Need</b>	<b>1010</b>

- not accounting for development during the next Plan period

As a consequence of the above and having undertaken the sequential test there is no need for any additional development, over and above that shown above.

Alongside the assessment of the above sites, the Council has also assessed and considered the recommendation of the Inspector to allocate land at Darren Farm, Cowbridge.

It is considered that through the application of the ‘search sequence’ as required by Planning Policy Wales (2002), the sites listed above should be developed prior to the release of a greenfield site located outside of the strategy area of the Plan.

In this context Llantwit Major has seen a significant amount of development over the Plan period and there still are further growth opportunities in Llantwit Major. Nearby Ystradowen has also seen the development of a significant residential allocation. In addition, the revised settlement boundary for Cowbridge allows for greater opportunities for more appropriate brownfield residential development which has the opportunity of enhancing the conservation area. Policies HOUS 2 and ENV 7 have also been made more flexible thereby allowing the opportunity for residential development in some of the hinterland villages of Cowbridge.

Looking in more detail at the above, the following is also applicable :

In terms of the sequential approach to residential development it is considered by virtue of the following that the other sites are more appropriate for residential development during the Plan period :

- Cowbridge is an extremely important historic and vibrant town which is able to sustain appropriate local services and facilities without the need for the development of housing on this greenfield site.
- The revised settlement boundary for Cowbridge and some of the hinterland villages allow for a range and choice of opportunities for more appropriately located brownfield residential development which particularly in Cowbridge have the potential to enhance the conservation area.
- There are sites available in the centre of Cowbridge which allow for easy access by walking and cycling to the Cowbridge centre. The Darren Farm proposal which is located on the north western extremity of the town, is likely by virtue of its location to be more car orientated.
- The town’s important landscape setting is recognised by the Council’s proposal to designate the site as a Special Landscape area within the Thaw Valley and also the site’s role in providing a backdrop setting for Cowbridge and its conservation area. It is the Council’s view that any residential development of Darren Farm would have an unacceptable effect on the setting of Cowbridge.
- Cowbridge is also only served by limited public transport (bus) and does not have a train service unlike settlements of Barry, Llantwit Major and Rhoose. Barry is already well served by a range of transport modes and Llantwit Major and Rhoose will be served in the near future by a train service to the commercial centres of Barry, Cardiff and Bridgend. It is the Council’s opinion that development within these areas should occur prior to the release of greenfield sites which are not as well located or which have landscape and / or conservation issues.

Given the above and the lack of need for this additional housing site and the fact that the Council considers the development of the site inappropriate for reasons outlined above, the proposed access road which would serve as a link between the A48 and B4270 is not necessary.

It is considered that the link road as recommended by the Inspector would provide the benefit of removing some through traffic from Cowbridge Town Centre. However it would not remove all extraneous car traffic from Llysworney. Such a scheme would not therefore provide a complete solution to traffic problems in Llysworney and would only provide limited relief to Cowbridge. The B4270 from Cowbridge to Llandow would also require additional improvements which are not part of the alternative scheme as recommended by the Inspector. In the light of this it is therefore considered that the Llysworney bypass is the preferred solution and the Council proposes not to amend Policy TRAN (ii) thereby retaining its commitment to the construction of the Llysworney By-pass during the Plan period.

The Council notes the Inspector's conclusion in respect of the availability of funding for the road, however, having approached the Welsh Assembly Government feels that there is an opportunity for bidding for finance for the road during the Plan period.

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## *Policy TRAN3 - Rail Development*

*Representor Numbers 182.6, 226.6, 249.15, 271.9, 317.1, 318.1, 267.9, 376.8, 287.1*

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### **Inspector's Recommendation No. REC 06.08**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCG003, PCG004 and PCG006 immediately following that change in paragraph 6.4.12

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation revise policy TRAN 3 – RAIL DEVELOPMENT to read:

POLICY TRAN 3 – RAIL DEVELOPMENT

THE DEVELOPMENT OF RAIL FACILITIES WILL INCLUDE:

- (i) THE PROVISION OF A NEW RAIL STATION TO SERVE BARRY WATERFRONT;  
AND
- (ii) THE REOPENING OF THE VALE OF GLAMORGAN RAILWAY LINE TO PASSENGER SERVICES.

Revise paragraph 6.4.12 to read:

6.4.12 It is important to ensure that the regeneration of Barry Waterfront incorporates opportunities for residents to travel by a range of modes. In order to provide this range the provision of a new rail station is vital. This station would provide access to the Waterfront area by rail, and also provide improved access to Barry central area by rail. The Council will consult with interested parties regarding the exact location of the station. A new station will contribute to securing wider regeneration and economic development benefits, particularly having regard to a potential synergy with retail development.

#### **Reason**

The proposed modifications confirm the Council's commitment to the ongoing improvement of rail infrastructure and services and acknowledge the importance of consultation and regeneration and the economic benefits that such development may produce and for the reasons set out by the Inspector.

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## *Policy TRAN4 - Interchange to Rail Stations*

*Representor Numbers 359.35*

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### **Inspector's Recommendation No. REC 06.09**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCG005

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy TRAN 4 is revised to read:

**TRAN 4 - INTERCHANGE AT RAIL STATIONS**

PROPOSALS FOR NEW RAIL STATIONS SHOULD INCLUDE ADEQUATE FACILITIES FOR INTERCHANGE BETWEEN RAIL AND OTHER MODES, INCLUDING CAR, BUS AND CYCLING. PROPOSALS FOR DEVELOPMENT OF FACILITIES FOR INTERCHANGE BETWEEN RAIL AND CAR, BUS OR CYCLING AT EXISTING RAIL STATIONS WILL BE FAVOURED.

**Reason**

The proposed modification is made to provide clarity and guidance on how applications in respect of new rail stations will be assessed and for the reasons set out by the Inspector.

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***Policy TRAN5 - Redundant Rail Routes and Facilities***

*Representor Numbers 211.1, 226.7, 238.26*

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**Inspector's Recommendation No. REC 06.10****Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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***Policy TRAN6 - Rail Freight***

*Representor Numbers 359.36*

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**Inspector's Recommendation No. REC 06.11****Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of the wording of the Policy and its replacement by:

"Developments which would attract a significant amount of freight movements will be favoured where access to existing or potential rail freight facilities is available."

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and modify policy TRAN 6 to read:

**POLICY TRAN 6 –RAIL FREIGHT**

DEVELOPMENT WHICH WOULD ATTRACT A SIGNIFICANT AMOUNT OF FREIGHT MOVEMENT WILL BE FAVOURED WHERE ACCESS TO EXISTING OR POTENTIAL RAIL FACILITIES ARE AVAILABLE.

**Reason**

The proposed modification is made in order to provide certainty about the manner in which applications in respect of rail freight facilities will be assessed and for the reasons set out by the Inspector.

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*Policy TRAN7 - Cardiff International Airport*

*Representor Numbers 129.1, 359.37*

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**Inspector's Recommendation No. REC 06.12**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy TRAN8 - Cycling development*

*Representor Numbers 45.2, 59.1, 237.50, 253.4, 34.1, 95.2, 96.2, 97.1, 98.2, 99.1, 100.2, 101.1, 102.1, 103.1, 104.2, 105.1, 182.3, 106.1, 107.2, 108.1, 182.3, 182.4, 221.2, 226.8, 226.13, 226.17, 226.18, 270.3, 359.38, 226.14, 360.49, 226.15, 360.50, 252.4, 226.16,*

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**Inspector's Recommendation No. REC 06.13**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCG007, PCG009, PCN002, PCN008, FPCF003 and FPCF005

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy TRAN 8 is revised to

read:

## POLICY TRAN 8 – CYCLING DEVELOPMENT

LAND WILL BE PROTECTED AND PROVISION MADE FOR CYCLE ROUTES INCLUDING:

- (i) SAFE AND CONVENIENT LINKS WITHIN AND BETWEEN THE VALE OF GLAMORGAN AND CARDIFF;
- (ii) LINKS WITH THE NATIONAL CYCLE NETWORK;
- (iii) CYCLE PARKING FACILITIES;
- (iv) A NETWORK OF ROUTES IN THE RURAL VALE.

Paragraph 6.4.26 is revised to read:

6.4.26 Cycling developments are also included as part of Policy REC 12 which states that the Council will establish a number of recreation routes, some of which will incorporate cycling facilities. It is important to recognise that the Council will need to negotiate with local land owners regarding the implementation of cycle route proposals. The Council's current approved cycle parking guidelines set out the requirements for cycle parking facilities associated with different types of land use and development. Appendix 6 Table 6 illustrates examples of how the guidelines operate. These guidelines are based on the Standing Conference on Regional Policy in South Wales "Guidelines for the Provision of Facilities for Cyclists". Similar to the operation of Car Parking Guidelines the Council retains the right to employ flexibility in its use of guidelines and to approve updated guidelines when necessary. One proposed route between the Vale of Glamorgan and Cardiff includes the Cogan cycle route. The Council is actively pursuing a route to be provided adjacent to the railway line between Cogan and West Point industrial estate, subject to a license agreement with Railtrack and Rail Property Ltd. The Council has received assistance from Sustrans in the negotiation of this license agreement. In the long term there is potential for this route to continue to Grangetown railway station. The proposed bridge over the river Ely will provide a direct link between Penarth Haven, Cogan, Cogan Station and the site of the proposed Sports Village. Any future development of a walk way along the River Ely and around the impounded lake created by the barrage should also incorporate safe and convenient cycling facilities.

The Penarth / Sully and the Penarth / Cogan recreational routes are identified on the Proposals Map and a new paragraph is inserted following paragraph 6.4.25 to read:

It is intended that the potential for the provision of cycle routes and facilities will be investigated during the Plan period, according to the Council's Cycling Strategy and together with innovative proposals emerging from the Council's Cycle Forum, including the following routes:

1. Penarth to Dinas Powys;
2. Lower Penarth to Sully via former railway line;
3. Dinas Powys to Cardiff via Cwm George and Cwrt-yr-Ala Lane;
4. Barry to Wenvoe and Cardiff;
5. Cogan to Cardiff via a new bridge over the River Ely;
6. Through Cosmeston Country Park and St Cyres Park;
7. Cowslip Estate to Cogan Leisure Centre and Cogan Station.

### **Reason**

The proposed modifications are made to confirm the Council's commitment and priorities in developing a range of routes and facilities for cycling and for the reasons set out by the Inspector. The

modification accords with the aspirations and objectives of the Vale of Glamorgan Cycling Strategy.

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### *Policy TRAN9 - Parking*

*Representor Numbers 124.8, 226.9, 182.5, 249.16, 253.3, 359.39*

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#### **Inspector's Recommendation No. REC 06.14**

##### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCM002 (page 196) (Appendix 6) and PCG010

##### **Council's Recommendation**

Accept Inspector's recommendation

##### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and Appendix 2 to is revised to read as per amendments shown in REC 3.37 above and revise policy TRAN 9 to read:

POLICY TRAN 9 – PARKING

THE PROVISION OF PARKING FACILITIES WILL BE IN ACCORDANCE WITH THE APPROVED PARKING GUIDELINES, AND WILL BE RELATED TO: THE TYPE OF LAND USE, ITS DENSITY AND LOCATION; ACCESSIBILITY TO EXISTING AND POTENTIAL PUBLIC TRANSPORT FACILITIES; AND THE CAPACITY OF HIGHWAY NETWORK.

##### **Reason**

The proposed modification is made to clarify the application of the policy and for the reasons set out by the Inspector.

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#### **Inspector's Recommendation No. REC 06.15**

##### **Details of Inspector's Recommendation**

I recommend that the plan be modified by the incorporation of the replacement regional parking guidelines as an appendix if they be published before the Council resolves to approve the Plan

##### **Council's Recommendation**

Accept Inspector's recommendation

##### **Recommended Modification**

The Council will endeavour to ensure that the final version of the revised Regional Parking Guidelines, when published, are incorporated into the Plan when endorsed by all other relevant authorities.

##### **Reason**

The proposed modification is made to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

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### *Policy Para 6.5.2*

*Representor Numbers 232.7*

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#### **Inspector's Recommendation No. REC 06.16**

##### **Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy SHOP00 - Retailing Policies in General or Omission of Policy*

*Representor Numbers 86.4, 267.13, 244.28, 273.3, 276.4, 276.3, 238.28*

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**Inspector's Recommendation No. REC 07.01**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion from paragraph 7.1.12 of "with a restriction on the amount of convenience goods floorspace"

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 7.1.12 by deleting "with a restriction on the amount of convenience goods floorspace" to read:

7.1.12 In May 1997, the Council granted an outline planning consent for the comprehensive redevelopment of 77 hectares of Barry No. 1 Dock. The retail element of this development was conditioned to accommodate no more than 11,148m<sup>2</sup> gross retail warehousing. Control of the scale and type of retailing is a vital factor in encouraging urban regeneration and contributing to the future prosperity of Barry town centre. The ready availability of a retail site for development within the town will assist in competing with pressures from out-of-town development and in widening the range of shopping facilities in Barry.

**Reason**

The proposed modification is made in order to accord with subsequent planning consents over and above the previously specified restriction and for the reasons set out by the Inspector.

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**Inspector's Recommendation No. REC 07.02**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion from paragraph 7.4.16 of "with a restriction on the amount of convenience goods floorspace (929m<sup>2</sup>)" and insertion of "The Environment Agency has advised that the site will need to be protected to a minimum level of 8.3 metres above Ordnance datum"

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 7.4.16 to read:

7.4.16 Site (iv) In May 1997, the Council granted an outline planning consent for the comprehensive redevelopment of 77 hectares of Barry No. 1 Dock. The retail element was conditioned to accommodate no more than 11,148m<sup>2</sup> gross of retail warehousing. The Environment Agency have advised that the site will need to be protected to a minimum level of 8.3 metres above Ordnance datum. The development of this brownfield site is intended to be complementary to the role of the town centre. SHOP 4 provides a list of criteria against which proposals for retail warehousing in Barry Waterfront will be assessed.

**Reason**

The proposed modification is made in order to reflect levels of convenience goods approved by subsequent planning consents and to provide further factual information provided by the Environment Agency and for the reasons set out by the Inspector.

---

**Inspector's Recommendation No. REC 07.03****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCH001

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete the last sentence of paragraph 7.1.11 which reads:

By raising land values a justification is provided in financial terms for the expensive infrastructure investment that is often necessary to "kick-start" such schemes.

**Reason**

The proposed modification is made in order to ensure that the paragraph is consistent with the requirements of national planning policy and for the reasons set out by the Inspector.

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***Policy SHOP2 - New and Improved Shopping Facilities***

*Representor Numbers 40.8, 52.13, 267.10, 274.6*

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**Inspector's Recommendation No. REC 07.04****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCH002 and FPCH002

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy SHOP 2 to read:

**POLICY SHOP 2 – NEW AND IMPROVED SHOPPING FACILITIES**

NEW AND IMPROVED RETAILING FACILITIES WITHIN AND ADJOINING ESTABLISHED TOWN / DISTRICT SHOPPING CENTRES, AND IN THE AREA OF COMPREHENSIVE REDEVELOPMENT AT BARRY WATERFRONT, WILL BE PERMITTED IF THE PROPOSAL:

- (i) HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS BY VIRTUE OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION;
- (ii) ENSURES THE HIGHWAY NETWORK IS CAPABLE OF ACCOMMODATING THE TRAFFIC GENERATED BY THE PROPOSAL WITHOUT UNACCEPTABLE EFFECT ON TRAFFIC FLOWS AND ROAD SAFETY;
- (iii) PROVIDES A HIGH STANDARD OF DESIGN AND MATERIALS;
- (iv) PROVIDES CAR PARKING AND SERVICING FACILITIES IN ACCORDANCE WITH THE COUNCIL'S APPROVED STANDARDS;
- (v) ENSURES THAT ADEQUATE UTILITY SERVICES EXIST OR CAN BE READILY AND ECONOMICALLY PROVIDED; AND

(vi) PROVIDES FOR ACCESS BY DISABLED PERSONS.

And insert new paragraph after paragraph after paragraph 7.4.10 to read:

Criterion (ii) is designed to ensure that there is not an unacceptable increase in traffic flows, i.e. with demand exceeding the highway capacity, as a result of a new development. Although in some cases there may be a “nil detriment” situation, i.e. there is not significant worsening of the present traffic situation, where a new development creates an unacceptable effect on traffic flows or raises road safety concerns, it will be important for the developer to enter into negotiation with the Council to resolve these issues (see para. 6.5.2).

All subsequent paragraphs to be renumbered.

**Reason**

The proposed modification is made for the reasons set out by the Inspector and in order to ensure that traffic the flows in and adjoining established town / district shopping centres and at Barry Waterfront do not exceed the capacity of the highway network. In addition, the insertion of the word 'and' ensures that all of the criteria in the Policy are applied to new and improved retailing facilities

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**Inspector’s Recommendation No. REC 07.05**

**Details of Inspector’s Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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*Policy SHOP3 - Retail Development*

*Representor Numbers 247.20, 41.2, 44.1, 45.1, 85.4, 116.1, 133.1, 34.1,  
138.1, 141.1, 142.1, 157.1, 244.29, 273.2, 285.1*

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**Inspector’s Recommendation No. REC 07.06**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by PCH003 subject to the amendments made by REC 7.2

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and modify paragraph 7.4.16 to read:

7.4.16 Site (iv) In May 1997, the Council granted an outline planning consent for the comprehensive redevelopment of 77 hectares of Barry No. 1 Dock. The retail element was conditioned to accommodate no more than 11,148m<sup>2</sup> gross of retail warehousing. The Environment Agency have advised that the site will need to be protected to a minimum level of 8.3 metres above Ordnance datum. The development of this brownfield site is intended to be complementary to the role of the town centre.

SHOP 4 provides a list of criteria against which proposals for retail warehousing in Barry Waterfront will be assessed.

**Reason**

The proposed modification is made to clarify variations already approved by Council in subsequent planning consents and for the reasons set out by the Inspector.

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*Policy SHOP4 - Retail Warehousing in Barry Waterfront*

*Representor Numbers 244.30, 267.12, 33.8, 85.2, 116.2, 244.38, 267.11*

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**Inspector's Recommendation No. REC 07.07**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCH004 as further modified by FPCH003

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and modify policy SHOP 4 to read:

POLICY SHOP 4 – RETAIL WAREHOUSING IN BARRY WATERFRONT

PROPOSALS FOR THE PROVISION OF RETAIL WAREHOUSING WITHIN THE COMPREHENSIVE REDEVELOPMENT OF BARRY WATERFRONT WILL BE PERMITTED IF THE PROPOSAL:

- (i) IS LOCATED IN THE AREA OF LAND EAST OF THE GLADSTONE LINK ROAD AND SOUTH OF THE RAILWAY LINE;
- (ii) WILL NOT HAVE AN UNACCEPTABLE EFFECT ON THE VITALITY, VIABILITY AND ATTRACTIVENESS OF BARRY TOWN CENTRE;
- (iii) WILL NOT HAVE AN UNACCEPTABLE EFFECT ON TRAFFIC FLOWS, TRAFFIC PATTERNS, ENERGY USE AND VEHICLE EMISSIONS;
- (iv) IS WELL LOCATED TO PUBLIC TRANSPORT, THE NEEDS OF THE NON-CAR TRAVELLER AND THE MAIN ROAD NETWORK;
- (v) PROVIDES CAR PARKING AND SERVICING FACILITIES IN ACCORDANCE WITH THE APPROVED COUNCIL GUIDELINES;
- (vi) PROVIDES ADEQUATE UTILITY SERVICES THAT CAN BE READILY AND ECONOMICALLY PROVIDED;
- (vii) INCORPORATES A HIGH STANDARD OF DESIGN; AND
- (viii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE EFFECT ON AREAS OF ECOLOGICAL, GEOLOGICAL, GEOMORPHOLOGICAL, WILDLIFE IMPORTANCE, LANDSCAPE PROTECTION OR ARCHAEOLOGICAL INTEREST.

**Reason**

The proposed modifications are made for the reasons set out by the Inspector and in order to ensure that the Plan provides clear and consistent guidance that accords with national planning policy. In addition, the insertion of the word 'and' ensures that all of the criteria in the Policy are applied to retail warehousing in the Waterfront, Barry.

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***Policy SHOP5 - Ground Floor Uses in Primary Shopping Areas******Representor Numbers 270.34, 360.52, 360.53***

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**Inspector's Recommendation No. REC 07.08****Details of Inspector's Recommendation**

I recommend that the plan be modified by PCH006 and PCH010

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy SHOP 6 to read:

**POLICY SHOP 6 – ABOVE GROUND FLOOR LEVEL IN PRIMARY SHOPPING AREAS**

ABOVE GROUND FLOOR LEVEL WITHIN THE PRIMARY SHOPPING AREAS OF EACH OF THE DISTRICT SHOPPING CENTRES, DEVELOPMENTS WITHIN USE CLASSES A2 AND A3 AS DEFINED BY THE TOWN AND COUNTRY PLANNING USE CLASSES ORDER 1987 (AS AMENDED) WILL BE PERMITTED IF THE PROPOSAL:

- (i) PROVIDES ACCESS AND PARKING ARRANGEMENTS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;
- (ii) INCORPORATES A HIGH STANDARD OF DESIGN;
- (iii) WOULD NOT GIVE RISE TO NEW, OR EXACERBATE EXISTING, LOCAL PROBLEMS RESULTING FROM TRAFFIC GENERATION, HIGHWAY SAFETY, NOISE, SMELL OR OTHER AMENITY CONSIDERATIONS; AND
- (iv) DOES NOT CREATE AN UNACCEPTABLE EFFECT ON THE AMENITIES OF ADJOINING OCCUPIERS OR THE GENERAL PUBLIC.

\* A2 Financial & Professional Services, A3 Food & Drink as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)

And revise policy SHOP 10 to read:

**POLICY SHOP 10 – NEW TAKEAWAY OUTLETS**

NEW TAKEAWAY FOOD OUTLETS (CLASS A3\* OF THE USE CLASSES ORDER 1987 (AS AMENDED)) WILL BE PERMITTED IF THE PROPOSAL:

- (i) DOES NOT HAVE AN UNACCEPTABLE EFFECT ON RESIDENTIAL AMENITIES BY VIRTUE OF GIVING RISE TO NEW OR EXACERBATE EXISTING LOCAL PROBLEMS RESULTING FROM TRAFFIC GENERATION, HIGHWAY SAFETY, NOISE, SMELL OR OTHER AMENITY CONSIDERATIONS;
- (ii) PROVIDES CAR PARKING AND SERVICING FACILITIES IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES; AND

- (iii) DOES NOT HAVE AN UNACCEPTABLE EFFECT ON ANY CONSERVATION AREA OR LISTED BUILDING.

\* A3 Food and Drink as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)

**Reason**

The proposed modification is made in order to clarify the application of the policy and ensure that the policy is grammatically correct and for the reasons set out by the Inspector.

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*Policy SHOP11 - Upper Floors in Town and District Shopping Centres*

*Representor Numbers 356.27*

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**Inspector's Recommendation No. REC 07.09**

**Details of Inspector's Recommendation**

This recommendation has been deleted in accordance with the Inspector's Addendum Reports

**Council's Recommendation**

No recommendation required

**Recommended Modification**

No modification required.

**Reason**

The objection received referred to Supplementary Planning Guidance that was not before the inquiry.

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*Policy SHOP12 - New Retail Development Outside District Shopping Centres*

*Representor Numbers 174.14, 276.5, 278.6, 276.6*

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**Inspector's Recommendation No. REC 07.10**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of FPCH003

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and modify policy SHOP 4 to read as at REC 7.07 above.

**Reason**

The proposed modification is made in order to ensure that the Policy provides clear and consistent guidance, consistent with national planning policy and for the reasons set out by the Inspector.

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*Policy REC00 - Sport and Recreation Policies in General or Omission of Policy*

*Representor Numbers 271.11, 20.3, 20.4, 40.9, 41.1, 44.2, 53.3, 142.2, 208.5, 238.30, 237.52, 270.37*

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**Inspector's Recommendation No. REC 08.01**

**Details of Inspector's Recommendation**

I recommend that paragraph 8.2.3 of the plan be modified by the insertion of "after public consultation" after "made available"

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 8.2.3 to read:

8.2.3 The guidance goes on to state that open spaces with significant recreational or amenity value should be protected from development particularly in urban areas. All playing fields should also be protected except where facilities can best be retained and enhanced through the redevelopment of a small part of the site, alternative provision of equivalent community benefit is made available after public consultation or there is an excess of such provision in the area.

**Reason**

The proposed modification is made to provide certainty about the manner in which the Council will identify land suitable for playing fields and for the reasons set out by the Inspector.

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*Policy REC1 - Protection of Existing Recreational Facilities*

*Representor Numbers 52.14, 360.42, 376.1A*

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**Inspector's Recommendation No. REC 08.02**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCI001

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy REC 1 to read:

POLICY REC 1 – PROTECTION OF EXISTING RECREATIONAL FACILITIES

DEVELOPMENT INVOLVING THE LOSS OF EXISTING RECREATIONAL FACILITIES, WHETHER IN PUBLIC OR PRIVATE OWNERSHIP, WILL BE PERMITTED IF:

- (i) ALTERNATIVE PROVISION OF EQUIVALENT COMMUNITY BENEFIT IS MADE AVAILABLE, OR;
- (ii) THERE IS AN EXCESS OF SUCH PROVISION IN THE AREA AND

- (iii) THE FACILITIES ARE NOT IMPORTANT TO THE CHARACTER OF A CONSERVATION AREA OR THE SETTING OF THE TOWN OR VILLAGE.

**Reason**

The proposed modification is made in order to safeguard facilities of importance to conservation areas / townscape and the structure of the urban area and for the reasons set out by the Inspector.

---

*Policy REC3 - Provision of Open Space Within New Residential Developments*

*Representor Numbers 249.17*

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**Inspector's Recommendation No. REC 08.03**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by rewording Policy REC3 and paragraph 8.4.6 to indicate that any open space sought will be assessed in the light of the existing provision in the locality

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy REC 3 to read:

**POLICY REC 3 – PROVISION OF OPEN SPACE WITHIN NEW RESIDENTIAL DEVELOPMENTS**

WITHIN RESIDENTIAL DEVELOPMENT OPEN SPACE AT A STANDARD OF 2.43 HECTARES PER 1000 PROJECTED POPULATION WILL BE SOUGHT IN ACCORDANCE WITH THE COUNCIL'S APPROVED MINIMUM STANDARDS FOR OUTDOOR PLAYING SPACE. SUCH OPEN SPACE WILL BE SOUGHT IN ACCORDANCE WITH THE FOLLOWING GUIDELINES:

- CHILDREN'S PLAYING SPACE – 0.6 – 0.8 HECTARES PER 1000 PROJECTED POPULATION
- OUTDOOR SPORT – 1.6 – 1.8 HECTARES PER 1000 PROJECTED POPULATION

IN ASSESSING THE REQUIREMENTS OF INDIVIDUAL DEVELOPMENTS THE OPEN SPACE SOUGHT WILL BE ASSESSED IN THE LIGHT OF EXISTING PROVISION IN THE LOCALITY.

"In assessing the requirements of individual developments regard will be had to the extent and nature of local needs and the opportunities to satisfy that need in the locality."

And revise paragraph 8.4.6 to read:

8.4.6 The location and quality of the existing open space in a locality will provide the basis for any assessment of provision required in new developments. The anticipated population profile of the new development may also influence open space requirements.

**Reason**

The proposed modification is made in order to ensure clear guidance on the Council's requirements for open space provision within new developments and for the reasons set out by the Inspector.

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## *Policy REC5 - New Playing Field Provision*

*Representor Numbers 270.38, 33.9, 204.2, 253.6, 277.3, 360.10, 344.1, 18.1, 52.15, 360.43*

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### **Inspector's Recommendation No. REC 08.04**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by an expression of intent in the supporting text to continue to seek hitherto unidentified sites during the Plan period in order to remedy the deficit in playing field requirements.

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 8.4.13 to read:

8.4.13 Policy REC 5 in allocating land for playing fields will go some way towards reducing the deficit, although an under provision will remain in many areas. The Council will continue to seek hitherto unidentified sites throughout the Vale during the Plan period in order to further remedy the deficit in playing field requirements.

#### **Reason**

The Plan clearly identifies the existing deficit in playing field provision. For the reasons set out by the Inspector the inclusion of such an expression of intent to seek new sites is considered appropriate.

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### **Inspector's Recommendation No. REC 08.05**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by PCI002 and PCI003

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 8.4.11 to read:

8.4.11 Playing fields is the generic term for the space required for a number of organised recreation activities such as football, rugby, cricket etc. In considering the existing provision of playing fields within the Vale, the analysis follows the practice of the NPFA by including private facilities which are available to the public by "practice and policy". Unfortunately, public access to educational facilities and private facilities, which includes the voluntary, industrial and commercial sectors, can vary considerably. Private facilities have been included in the assessment of provision. School playing fields have also been included in the analysis as all pitches play a part in satisfying need regardless of their ownership. Table 1 opposite indicates existing and future requirements for playing fields in the Vale using the NPFA's minimum standard of 1.62 hectares per 1000 population for outdoor sport which has been adopted by the Council.

And revise Table 1 to read:

LOCATION	POPULATION	HECTARES			
		NPFA Standard	Existing actively used provision*	School playing field provision	Deficit
Barry	46,810	75.8	34.8 (2.0p)	6.33	34.67
East Vale	36,640	59.4	39.5 (9.0)	2.44	17.46
Cowbridge	6,080	9.8	4.6 (1.6)	2.87	2.33
Llantwit Major	10,040	16.3	10.6 (0)	1.08	4.62
Rural Vale	19,630	31.8	19.3 (2.8)	1.33	11.17

\* Aggregate of both public and private (private in brackets)

### Reason

The proposed modification is made in order to provide further certainty about the manner in which the requirements for additional playing field provision has been derived and for the reasons set out by the Inspector.

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## *Policy REC6 - Children's Play Facilities*

*Representor Numbers 249.18, 246.13, 356.18*

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### **Inspector's Recommendation No. REC 08.06**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by PCI004, PCI005 and PCI006

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy REC 6 to read:

#### **POLICY REC 6 – CHILDREN'S PLAYING FACILITIES**

**CHILDREN'S PLAY FACILITIES WILL BE PROVIDED IN THE FOLLOWING IDENTIFIED AREAS OF NEED:**

**BARRY, PENARTH, BONVILSTON, COWBRIDGE, LLANDOW, ST NICHOLAS, ST MARY CHURCH, WICK, SOUTHERNDOWN AND ST BRIDES MAJOR;**

**AND IN NEW DEVELOPMENT AT A STANDARD OF 0.2 – 0.3 HECTARES PER 1000 PROJECTED POPULATION. (THIS PROVISION FALLING WITHIN THE REQUIREMENTS FOR CHILDREN'S PLAYING SPACE 0.6 – 0.8 HECTARES PER 1000 PROJECTED POPULATION AS SET OUT IN POLICY REC 3.)**

Paragraph 8.4.15 is revised to read:

8.4.15 In the past the NPFA recommended that play spaces be provided at distances not more than 400 metres from the dwellings they serve with smaller play spaces provided nearer home for children of pre-school age. "Walking time" rather than distance is now prescribed by the NPFA as the best gauge of access to facilities. Five minutes walking time is estimated to correspond to 400 metres along a pedestrian route and fifteen minutes to 1000 metres. The Council's adopted open space standards so far as they relate to the provision of children's play areas is 0.6 – 0.8 hectares per 1000 population, (see Policy REC 3) and the Council would ideally wish to achieve this. However, the existing deficiencies in the pattern of provision of children's play equipment cannot always be remedied by the provision of new facilities because of the absence of suitable land. The above policy, however, aims to assist in improving deficiencies in the existing pattern of play provision.

Insert new paragraph after 8.4.15 to read:

Essentially, the term “children’s play facilities” refers to children’s outdoor play equipment e.g. adventure playgrounds. However, the term “children’s play space” mentioned in Policy REC 3 has a much broader meaning and includes not only children’s play facilities but also other designated facilities for children which offer specific opportunity for outdoor play space such as casual or informal space within housing areas.

Subsequent paragraphs renumbered.

**Reason**

The proposed modifications are made in order to provide greater clarity and definition to the requirements for children’s play facilities and for the reasons set out by the Inspector.

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*Policy REC7 - Sport and Leisure Facilities*

*Representor Numbers 237.53, 174.15, 182.2, 227.10, 356.11, 356.28,  
259.40, 18.2*

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**Inspector’s Recommendation No. REC 08.07**

**Details of Inspector’s Recommendation**

I recommend that Policy REC7 of the plan be modified by PCI007, PCI008 and PCI009

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy REC 7 to read:

**POLICY REC 7 – SPORT AND LEISURE FACILITIES**

PROPOSALS FOR NEW SPORT AND LEISURE FACILITIES OUTSIDE EXISTING TOWN AND DISTRICT CENTRES WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE PROPOSALS EITHER SINGULARLY OR CUMULATIVELY WITH OTHER EXISTING OR APPROVED DEVELOPMENTS DOES NOT UNDERMINE THE VITALITY, VIABILITY AND ATTRACTIVENESS OF TOWN OR DISTRICT CENTRES OR PROPOSED DEVELOPMENTS AT BARRY WATERFRONT;
- (ii) THERE ARE NO SUITABLE TOWN, DISTRICT OR EDGE OF CENTRE SITES AND IN THE CASE OF OUT OF TOWN / DISTRICT PROPOSALS, THERE ARE NO SUITABLE TOWN, DISTRICT, EDGE OF CENTRE OR OUT OF CENTRE SITES (THE SEQUENTIAL TEST);
- (iii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE EFFECT ON THE ACHIEVEMENT OF AN ACCEPTABLE SUPPLY OF BUSINESS / INDUSTRIAL LAND AS IDENTIFIED IN POLICIES EMP 1 AND 2;
- (iv) THE PROPOSAL IS WELL LOCATED TO PUBLIC TRANSPORT, THE NEEDS OF THE NON CAR TRAVELLER AND THE MAIN ROAD NETWORK;
- (v) THE HIGHWAY NETWORK IS CAPABLE OF ACCOMMODATING THE TRAFFIC GENERATED BY THE PROPOSAL WITHOUT AN UNACCEPTABLE EFFECT ON TRAFFIC FLOWS AND PATTERNS, SAFETY, ENERGY USE OR OTHER EMISSIONS;

- (vi) THE PROPOSAL MEETS THE COUNCIL'S APPROVED PARKING GUIDELINES;
- (vii) ADEQUATE UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY AND ECONOMICALLY PROVIDED;
- (viii) THE PROPOSAL DOES NOT RESULT IN THE LOSS OF GRADES 1, 2 OR 3A AGRICULTURAL LAND OR HAVE AN UNACCEPTABLE EFFECT ON AREAS OF ARCHAEOLOGICAL, ECOLOGICAL OR WILDLIFE IMPORTANCE OR LANDSCAPE PROTECTION;
- (ix) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS BY VIRTUE OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION.

And amend paragraph 8.4.19 to read:

8.4.19 It is also recognised that there are some recreational activities that are appropriate and in harmony with the countryside and the Council will seek to balance and reconcile the conflicting demands made on these areas. Account will need to be taken of the nature of any activity proposed, the ability of the land to sustain the proposal in the long term and the management techniques used to control it. Built development however, can intrude into the countryside and depending on its exact location may result in the concentration of non-sustainable activities, such as increasing the amount of car borne trips. Policy ENV 1 governs development in the countryside. Policies ENV 4 and 5 deal with development proposals which fall within the Glamorgan Heritage Coast and the Coastal Zone.

**Reason**

The proposed modifications are made in order to ensure that the Plan provides clear and consistent guidance that is in accordance with national planning policy and provides for the protection of the environment and for the reasons set out by the Inspector.

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*Policy REC8 - Golf Courses and Golf Driving Ranges*

*Representor Numbers 237.54, 174.16, 86.5, 155.2, 208.4, 208.6, 208.8, 356.26, 359.41, 247.23, 208.10, 247.77*

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**Inspector's Recommendation No. REC 08.08**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCI012 and PCI014

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph REC 8 to read:

**POLICY REC 8 – GOLF COURSES AND GOLF DRIVING RANGES**

**PROPOSALS FOR GOLF COURSES AND GOLF DRIVING RANGES WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:**

- (i) THE PROPOSAL RESPECTS THE INDIGENOUS LANDSCAPE PATTERN;
- (ii) THE PROPOSAL DOES NOT ADVERSELY AFFECT THE QUALITY OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND (GRADES 1, 2 AND 3A);

- (iii) THE PROPOSAL DOES NOT UNACCEPTABLY AFFECT THE ARCHAEOLOGICAL, ECOLOGICAL, GEOLOGICAL AND GEOMORPHOLOGICAL VALUE OF THE AREA;
- (iv) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE EFFECT ON THE CHARACTER OR AMENITY OF NEIGHBOURING AREAS;
- (v) THE TRAFFIC GENERATED BY THE PROPOSED USE CAN BE ACCOMMODATED BY THE ADJOINING ROAD NETWORK IN BOTH PHYSICAL AND ENVIRONMENTAL TERMS;
- (vi) BUILDING DEVELOPMENT IS RESTRICTED TO THOSE FACILITIES ESSENTIAL TO SERVE THE GOLF COURSE, NAMELY, CLUBHOUSE INCLUDING CHANGING ROOMS, OFFICES, REFRESHMENT FACILITIES AND ASSOCIATED MAINTENANCE BUILDINGS. THE SCALE AND DESIGN OF SUCH FACILITIES SHALL PAY REGARD TO THE LOCATION OF THE SITE AND IT WILL BE NECESSARY TO ENSURE THAT ADEQUATE SERVICES CAN BE PROVIDED WITHOUT DETRIMENT TO THE ENVIRONMENT;
- (vii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE EFFECT ON PUBLIC RIGHTS OF WAY AND SHALL, WHEREVER POSSIBLE, PROVIDE OPPORTUNITIES FOR ENHANCING PUBLIC ACCESS.

PROPOSALS FOR THE ILLUMINATION OF GOLF FACILITIES WILL BE PERMITTED WHERE THERE IS NO UNACCEPTABLE EFFECT UPON THE ENVIRONMENTAL CHARACTER OF THE SITE, ECOLOGY AND RESIDENTIAL AMENITY.

And revise paragraph 8.4.24 to read:

8.4.24 The use of potable water supplies for irrigating golf courses is wasteful and can lead to adverse effects on supplies. Other than the provision of purely domestic supplies to buildings, all irrigation water will be required to come from private extraction, not the public distribution system. Developers will be required to demonstrate that the proposed use of private water supplies will not adversely impact upon existing areas of conservation interest, water features and other users dependant upon either surface waters or ground water resources. Appropriate conditions will be imposed on any planning consent or through a legal agreement.

**Reason**

The proposed modifications are made in order to ensure that the Plan provides clear and consistent guidance, is in accordance with national planning policy and for the reasons set out by the Inspector.

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*Policy REC9 - New Golf Related Developments*

*Representor Numbers 237.55, 174.17, 208.3, 360.11*

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**Inspector’s Recommendation No. REC 08.09**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by PCI015, as amended to express the Policy in positive terms, citing the listed criteria as exceptions where golf-related development will not be allowed

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector’s recommendation and revise policy REC9 to read:

## POLICY REC 9 – NEW GOLF RELATED DEVELOPMENT

NEW GOLF RELATED DEVELOPMENTS WILL BE PERMITTED PROVIDING THEY ARE NOT LOCATED WITHIN THE GLAMORGAN HERITAGE COAST AND THEY DO NOT HAVE AN UNACCEPTABLE EFFECT ON:

- (i) SITES OF SCIENTIFIC INTEREST;
- (ii) DESIGNATED NATURE CONSERVATION SITES;
- (iii) PARKS, GARDENS AND LANDSCAPES OF HISTORIC IMPORTANCE; AND
- (iv) DESIGNATED CONSERVATION AREAS AND / OR LISTED BUILDINGS.

### **Reason**

For the reasons set out by the Inspector the proposed modification is made in order to ensure clear and consistent policy guidance within the Plan.

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## *Policy REC10 - Development of Allotment Land*

*Representor Numbers 359.42*

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### **Inspector's Recommendation No. REC 08.10**

#### **Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

No modification required

#### **Reason**

No modification required for the reasons set out by the Inspector.

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## *Policy REC11 - Informal Public Open Spaces and Country Parks*

*Representor Numbers 237.56, 145.1, 306.2, 110.1, 165.1, 87.2, 8.1, 14.2, 15.1, 16.2, 20.2, 23.1, 25.2, 26.2, 27.2, 28.2, 30.2, 33.10, 35.1, 36.1, 42.1, 43.2, 46.1, 53.2, 84.1, 88.1, 88.3, 89.2, 90.2, 91.2, 117.1, 118.1, 119.1, 120.2, 143.2, 144.1, 146.2, 150.2, 151.1, 152.1, 153.1, 180.2, 197.2, 198.2, 199.1, 200.2, 201.2, 202.2, 266.1, 297.1, 298.2, 299.1, 300.2, 301.1, 302.2, 303.1, 320.1, 322.1, 326.1, 327.2, 328.2, 329.2*

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### **Inspector's Recommendation No. REC 08.11**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reasons set out by the Inspector.

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***Policy REC12 - Public Rights of Way and Recreation Routes***

*Representor Numbers* 52.16, 60.3, 61.1, 62.2, 63.1, 64.1, 65.2, 68.1, 72.1, 159.1, 163.1, 237.57, 253.5, 271.12, 130.1, 218.13, 232.6, 244.31, 267.14, 34.2, 86.6, 95.1, 96.1, 97.2, 98.1, 99.2, 100.1, 101.2, 102.2, 103.2, 104.1, 105.2, 106.2, 107.1, 108.2, 139.1, 139.4, 165.2, 211.1, 221.1, 226.12, 228.7, 231.1, 360.44, 376.14, 237.58, 237.59, 139.3, 155.1, 139.2

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**Inspector's Recommendation No. REC 08.12****Details of Inspector's Recommendation**

I recommend that the plan be modified by PCI016, PCI018, PCI020, PCI021, PCI022 subject to the insertion of "in consultation with Community Council and" before "with the assistance of", PCI023 and PCI024

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation

Delete "AND / OR" from last sentence and replace reference to "Nash Point" to "the Ogmore River" from Criterion (vii) of Policy REC 12 and amend Policy to read:

**POLICY REC 12 – PUBLIC RIGHTS OF WAY AND RECREATIONAL ROUTES**

DURING THE PLAN PERIOD, THE COUNCIL WILL MAINTAIN AND IMPROVE THE EXISTING PATTERN OF PUBLIC RIGHTS OF WAY (INCLUDING BRIDLEWAYS). LAND WILL BE PROTECTED AND PROVISION MADE FOR THE ESTABLISHMENT OF THE FOLLOWING ROUTES AS A FRAMEWORK FOR A NETWORK OF LINKAGES FOR THE ENJOYMENT OF THE COUNTRYSIDE.

- (i) ALONG THE OONEY BROOK, LLANTWIT MAJOR;
- (ii) ALONG THE HODDNANT, LLANTWIT MAJOR;
- (iii) EXTENSION OF THE PENARTH RAILWAY WALK SOUTH WEST TOWARDS SULLY, INCLUDING THE PROVISION OF A CYCLE ROUTE;
- (iv) COMPLETION OF A TOWN TRAIL IN BARRY;

- (v) DEVELOPMENT OF THE DISUSED RAILWAY LINE BETWEEN ABERTHAW / COWBRIDGE / PONTYCLUN INCLUDING THE PROVISION OF A CYCLE ROUTE;
- (vi) IMPROVEMENT OF ACCESS TO THE COAST AT LAVERNOCK POINT, ST MARY'S WELL BAY, SWANBRIDGE, SULLY, RHOOSE POINT, PLEASANT HARBOUR AND SUMMERHOUSE POINT;
- (vii) DEVELOPMENT OF A SEASCAPE TRAIL LINKING EXISTING FOOTPATHS TO PROVIDE AN UNBROKEN RIGHT OF WAY FROM THE OGMORE RIVER TO CARDIFF BAY;
- (viii) CREATION OF NEW ACCESS OPPORTUNITIES AS PART OF DEVELOPMENT PROPOSALS;
- (ix) DEVELOPMENT OF A FOOTPATH AROUND PENARTH HEAD, INCLUDING THE PROVISION OF A CYCLE PATH; AND
- (x) FROM THE CARDIFF BAY BARRAGE THROUGH PENARTH HAVEN AND ADJACENT TO THE RAILWAY LINE, AND ALSO ADJACENT TO THE RIVER ELY.

WHERE APPROPRIATE THE COUNCIL WILL FAVOUR THE INCORPORATION INTO THESE ROUTES OF BRIDLEWAYS, CYCLEWAYS AND FACILITIES FOR USERS.

Revise paragraph 8.4.42 by deleting the last sentence to read:

8.4.42 The Countryside Council for Wales regards the rights of way network as the single most important means by which the public can enjoy the countryside. However, the present pattern of rights of way reflects historical patterns of circulation. Some, therefore, are often poorly related to modern requirements for movement or are neglected.

Revise paragraph 8.4.44 by adding new final sentence to read:

8.4.44 Given the legal status of the rights of way network it is the intention of the Council to improve the recreational potential of rights of way by giving priority to those routes relevant to present day recreational needs and identifying new routes. In particular priority will be given to routes between residential areas and recreational facilities, and circular routes from countryside attractions readily accessible by car and public transport (e.g. country parks). The legal status of all public rights of way will continue to be protected for the future by all means available to the Council.

Delete paragraph 8.4.45 and replace with new paragraph 8.4.45 to read:

8.4.45 It is the intention of the Council to maintain and improve the existing pattern of public rights of way (in consultation with Community Councils and with the assistance of groups such as Valeways) by all means available to it. The Council will also ensure that land is protected and provision made for the establishment and development of recreation routes. Any improvements will attempt to minimise conflict with agricultural use and conservation interests. Equally, it will be necessary to ensure that landowners are aware of and discharge their legal obligations in respect of the footpath network. The potential for the provision of spine routes, off which circular routes can radiate, will also be investigated as part of any improvements. It will also be important to ensure that any impact on existing rights of way due to proposed developments and planned highway construction is fully considered. These routes will not be open to motorised transport. Measures will be provided to ensure that disabled persons can enjoy the routes.

Revise paragraph 8.4.46 by adding new final sentence to read:

8.4.46 The provision of these footpaths would assist in improving the links between residential areas and recreational facilities, besides being important recreational facilities in themselves. The link between urban areas and coast would be enhanced by the improvement of the existing footpath system in Llantwit Major. In the south-east Vale the completion of the proposed footpath spine route linking

Penarth and Sully would facilitate linking access routes to the coast. The completion of the Barry “Town Trail” would link the major green spaces in north and west Barry to the recreational facilities of Barry Island and provide the basis of a comprehensive recreational footpath network for the whole of Barry. The proposed “Seascape Trail” is aimed at linking the existing Glamorgan Heritage Coast Path to the Seawall path at Rumney and Peterstone (within Cardiff County and Newport County Borough Councils areas) thereby serving an unbroken right of way along the whole of the Vale’s coastline. In identifying a route between Jackson’s Bay and the Bendricks due cognisance will be given to the operational needs of ABP. A route will only be agreed after full consultation with ABP.

Insert new paragraph after paragraph 8.4.47 to read:

8.4.48 The Aberthaw to Pontyclun proposed recreation route is not a right of way. The Council’s approved Cycling Strategy and Sustrans have identified the disused railway line as a potential feeder route for cyclists and walkers into the cross South Wales section of the National Cycle Network. However, the disused railway line is now owned by a number of different landowners. Clearly it will be important for the Council to enter into negotiations with landowners to address their concerns and to illustrate the potential benefits of a link to the National Cycle Network. It is intended that wherever possible the route will follow the line of the disused railway, although it is recognised that local diversions may be necessary due to local circumstances.

#### **Reason**

For the reasons set out by the Inspector the proposed modifications are made in order to clarify the location, purpose, development and legal status of the recreation routes proposed by Policy REC 12 of the Plan

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### **Inspector’s Recommendation No. REC 08.13**

#### **Details of Inspector’s Recommendation**

I recommend that the plan be modified by explanation in the supporting text of the choice of cycle route proposals, the constraints militating against any wider programme, and the broad principles against which the appropriateness of opening footpath routes to bridle and cycle traffic will be assessed

#### **Council’s Recommendation**

Accept Inspector’s recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector’s recommendation and insert new paragraph after paragraph 8.4.48 to read:

8.4.49 The primary limitation for future implementation of cycle routes will be the availability of funding. As funding for cycling schemes is likely to be limited, the promotion, improvement and implementation of existing and new cycling schemes within the Vale of Glamorgan will largely be dependent upon seeking provision within other larger projects or initiatives. The Council feels that the routes identified present realistic opportunities for the future development and the securing of funding, when considered in the context of the National Cycle Network and the Penarth Headland Link. The Council will continue to seek improvements for cyclists and horseriders when opportunities arise e.g. through the Council’s Safe Routes to Schools Schemes and in association with the development of the Vale of Glamorgan Line.

8.4.50 The Council has powers under the Highways Act 1980 and the Wildlife and Countryside Act 1981 to create or reclassify public rights of way. Any request for the reclassification or dedication of routes for bridle or cycle traffic will be considered against the criteria set out in these Acts.

Subsequent Paragraphs renumbered.

#### **Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the

Plan and to explain the factors underlying the choice of cycle routes.

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*Policy REC13 - Sailing*

*Representor Numbers 182.1*

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**Inspector's Recommendation No. REC 08.14**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCI025

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and modify REC 13 to read:

POLICY REC 13 –SAILING

THE UPGRADING AND IMPROVEMENT OF EXISTING SAILING FACILITIES WILL BE FAVOURED. PROPOSALS FOR NEW SAILING FACILITIES WILL BE PERMITTED IF THERE IS NO UNACCEPTABLE EFFECT ON THE COUNTRYSIDE, THE GLAMORGAN HERITAGE COAST, THE COASTAL ZONE AND WATER RESOURCES AND THE RESIDENTIAL AMENITY OF EXISTING OR NEIGHBOURING ENVIRONMENTS BY VIRTUE OF NOISE OR VISUAL INTRUSION.

**Reason**

For the reasons set out by the Inspector the proposed modification is made in order to ensure that the development of sailing facilities does not unacceptably effect residential amenity and to comply with the requirements of TAN (16): Sport and Recreation.

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*Policy MIN00 - Minerals Policies in General or Omission of Policy*

*Representor Numbers 124.14, 124.13, 247.27, 359.11, 222.3*

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**Inspector's Recommendation No. REC 09.01**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of Ewenny Quarry in Policy MIN9

**Council's Recommendation**

Inspector's recommendation not accepted

**Recommended Modification**

No modification required

**Reason**

From the Inspector's amendments included in his Addendum and Further Addendum Reports it is clear that he accepts that Ewenny Quarry is a working site and as such should not be included in Policy MIN9.

---

**Inspector's Recommendation No. REC 09.02**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion of PCN017

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and identify a Minerals Buffer Zone at Ewenny quarry on the Proposals Map.

**Reason**

The proposed modification clarifies the operational status of Ewenny quarry resulting from REC 9.1 / REC 9.2 and identifies an appropriate minerals buffer zone for inclusion within the Plan.

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**Inspector's Recommendation No. REC 09.03**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion of PCJ008 subject to the provisions of REC 9.13 and REC 9.16

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert a new paragraph immediately after policy MIN 4 to read:

In addition, in view of increasing concern on the effect of mineral workings on groundwater resources, proposals for the development of new mineral reserves, or for the extension of existing mineral winning activities, that require planning permission and which include or are likely to include working below the water table such that dewatering is required, will only be considered when supported by the following information:

- (i) a water features survey;
- (ii) identification of the hydrogeological conditions of the site and adjacent areas;
- (iii) an assessment of the potential impact of dewatering activities;
- (iv) an agreed monitoring scheme;
- (v) identification of appropriate mitigating measures that will be adopted, where necessary, should the agreed monitoring scheme demonstrate derogation of either surface or groundwater interests to include abstractions; protected rights; surface water features supported by groundwater; wetlands and springs.

**Reason**

The proposed modification confirms the supplementary information that will be required in support of applications for new or extended mineral working sites and is made subject to the provisions of REC 9.13 and 9.16 and accords with the requirements of Mineral Planning Policy Wales December 2000.

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*Policy Marine Dredged Sand*

*Representor Numbers 218.1*

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**Inspector's Recommendation No. REC 09.04**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for the reason set out by the Inspector.

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*Policy MIN - National Planning Guidance*

*Representor Numbers 272.1*

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**Inspector's Recommendation No. REC 09.05**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCJ001

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

The Plan will be modified in accordance with the Inspector's recommendation. Reference to MPG1 will be omitted because the guidance is no longer extant in Wales. Paragraph 9.2.2 is revised to read:

9.2.2 Revision of MPG 7 in 1996 relates solely to England but the earlier version remains in force in Wales. The revision of MPG 6 which was published in 1994 also relates only to England, although it

makes various assumptions regarding continuing supplies of aggregates from Wales. In the absence of similar revised Government guidelines on likely aggregates requirements in Wales the previous version of the MPG remains valid in Wales. To overcome the discrepancies in the two versions of guidance, the South Wales Aggregates Working Party produced a set of 'Guidelines for Aggregates Provision in South Wales' in March 1995.

**Reason**

The proposed modification is made to clarify the current situation with regard to Minerals Planning Guidance in England and Wales and for the reasons set out by the Inspector.

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*Policy MIN1 - Mineral Exploration*

*Representor Numbers 237.60, 247.56, 174.18*

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**Inspector's Recommendation No. REC 09.06**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion of PCJ002 and PCJ003

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy MIN 1 to read:

POLICY MIN 1 – MINERAL EXPLORATION

PROPOSALS TO CARRY OUT MINERAL EXPLORATION WILL BE PERMITTED UNLESS THERE WOULD BE AN UNACCEPTABLE IMPACT ON ANY OF THE FOLLOWING:

- (i) LANDSCAPE CHARACTER;
- (ii) VISUAL AMENITY;
- (iii) NATURE CONSERVATION;
- (iv) RESIDENTIAL AMENITY;
- (v) THE GLAMORGAN HERITAGE COAST;
- (vi) SURFACE WATER AND GROUND WATER RESOURCES;
- (vii) SCHEDULED ANCIENT MONUMENTS AND HISTORIC LANDSCAPES.

**Reason**

The proposed modifications are made in order to provide certainty about the manner in which development proposals in respect of mineral exploration will be assessed in accordance with national guidance.

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*Policy MIN2 - Release of Limestone Reserves*

*Representor Numbers 272.2, 293.16, 359.11*

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**Inspector's Recommendation No. REC 09.07**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by FPCJ001

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy MIN 2 is revised to read:

POLICY MIN 2 – RELEASE OF LIMESTONE RESERVES

THE FOLLOWING LAND IS ALLOCATED FOR THE WINNING AND WORKING OF LIMESTONE:

- (i) LAND TO THE SOUTH OF PANTYFFYNNON QUARRY;
- (ii) LAND TO THE NORTH WEST OF LITHALUN QUARRY;
- (iii) LAND TO THE SOUTH OF CWM SLADE AND WENVOE QUARRY;

AS IDENTIFIED ON THE PROPOSALS MAP, IN ORDER TO PROVIDE FOR A TOTAL OF 20 YEARS RESERVES AT EACH SITE.

**Reason**

The proposed modification allocates the land south of Cwm Slade & Wenvoe quarry in order to ensure that adequate limestone reserves are protected from development during the Plan period and for the reasons set out by the Inspector.

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***Policy MIN3 - Protection of Further Limestone Resources***

*Representor Numbers 279.1, 293.17, 109.1, 230.16, 237.62, 360.12,*

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**Inspector's Recommendation No. REC 09.08****Details of Inspector's Recommendation**

I recommend that the plan be modified by FPCJ002

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy MIN 3 by deleting criterion (iv) LAND TO THE SOUTH OF CWM SLADE AND WENVOE QUARRY and renumber subsequent criteria.

**Reason**

The proposed modification is made in order to accord with the requirements of REC 9.07 in ensuring adequate limestone reserves. The modification is also made to ensure continuity within the Plan and for the reasons set out by the Inspector.

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*Policy MIN4 - New or Extended Mineral Working Sites*

*Representor Numbers* 244.32, 272.3, 278.1A, 222.4, 222.5, 222.6,  
236.1, 278.1B, 356.9, 359.11, 360.17, 237.76,  
360.37, 236.4, 272.6, 275.10, 278.3, 278.4,  
360.38

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**Inspector's Recommendation No. REC 09.09**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCJ004 as further modified by FPCJ003 and the addition of "consistent with the status of their designation" at the end of the Policy, FPCJ005 and FPCJ006

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation

**POLICY MIN 4 – NEW OR EXTENDED MINERAL WORKING SITES**

UNLESS THERE IS OVERRIDING NEED FOR MINERALS DEVELOPMENT PROPOSALS FOR THE RELEASE OF NEW MINERAL RESERVES OR THE IDENTIFICATION OF NEW MINERAL RESOURCES, WILL NOT BE PERMITTED ON LAND:

- (i) OF GRADE 1, 2 OR 3A AGRICULTURAL QUALITY;
- (ii) OCCUPIED BY PERMANENT BUILDINGS OTHER THAN NON-RESIDENTIAL FARM BUILDINGS; OR
- (iii) WITH PLANNING PERMISSION FOR AN ALTERNATIVE USE.

SUCH PROPOSALS WITHIN OR ADJACENT TO:

- (iv) THE GLAMORGAN HERITAGE COAST OR EAST VALE COASTAL ZONE;
- (v) AREAS DESIGNATED FOR SPECIAL PROTECTION

WILL BE SUBJECT TO A RIGOROUS EXAMINATION CONSISTENT WITH THE STATUS OF THEIR DESIGNATION.

**Reason**

For the reasons set out by the Inspector, the proposed modifications are made in order to ensure certainty about the manner in which applications for new or extended mineral workings will be assessed and are in accordance with national guidance.

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**Inspector's Recommendation No. REC 09.10**

**Details of Inspector's Recommendation**

This recommendation has been deleted in accordance with the Inspector's Addendum Reports

**Council's Recommendation**

No recommendation required.

**Recommended Modification**

No modification required.

**Reason**

Recommendation deleted in accordance with the Inspector's Addendum Reports.

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***Policy MIN5 - Preferred Order of Release of Sites***

*Representor Numbers* 279.2, 247.24, 247.78, 247.25, 272.8, 278.5, 230.13, 222.7, 272.4, 278.2, 222.8, 230.14, 230.15, 247.79, 247.87, 272.7, 278.6, 230.26, 278.7

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**Inspector's Recommendation No. REC 09.11****Details of Inspector's Recommendation**

I recommend that the plan be modified by PCJ006

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy MIN 5 to read:

**POLICY MIN 5 – PREFERRED ORDER OF RELEASE OF RESERVES**

IN ASSESSING THE NEED FOR NEW RELEASES OF MINERALS, THE EXTENSION OF EXISTING SITES WITH PLANNING PERMISSION WILL BE FAVOURED TO THE OPENING OF NEW SITES, AND THE DEEPENING OF EXISTING SITES WITH PLANNING PERMISSION WILL BE FAVOURED TO THE LATERAL EXTENSION OF SUCH SITES, WHERE THE ADOPTION OF SUCH AN APPROACH WOULD NOT CREATE UNACCEPTABLE DETRIMENT TO THE ENVIRONMENT, SURFACE WATERS OR GROUNDWATER RESOURCES.

**Reason**

The proposed modification clarifies the application of the policy in assessing the preferred order of release of mineral reserves and the potential impact of these releases.

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**Inspector's Recommendation No. REC 09.12****Details of Inspector's Recommendation**

I recommend that the plan be modified by PCJ007

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 9.4.11 to read:

9.4.11 Generally, the continuation of operations at a site already disturbed by mineral workings is preferable to the introduction of such operations to a new area. Although this may mean operations continuing over a longer period, their impact is already well-known and documented. The prospect of an extension also provides an opportunity to introduce better controls over the existing operation. Deepening before extending laterally also helps to minimise the area of land devoted to working, and

ensures the optimum use of existing resources. Both ensure that existing investment in infra-structure is used to its fullest extent. In both cases, however, care needs to be taken to avoid environmental problems such as pollution, interruption to water supplies, derogation of water resources, or the continued use by heavy traffic of narrow country lanes with no prospect of widening.

**Reason**

The proposed modification is made in order to provide greater certainty about the application of the policy and to protect water resources from derogation.

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**Inspector's Recommendation No. REC 09.13**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCJ008 subject to the insertion of "where necessary" after "adopted"

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert new paragraph immediately following MIN 4 to read as per REC 9.03.

**Reason**

For the reasons set out by the Inspector, the proposed modification further clarifies the supplementary information that will be required in support of applications for new or extended mineral working sites as previously amended by the Inspector's recommendation REC 9.3. The location of the text is further amended by REC 9.16.

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**Inspector's Recommendation No. REC 09.14**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the recasting of paragraph 9.4.12 as a policy incorporating a development control check list which should also include general criteria regarding blasting at sites

**Council's Recommendation**

Accept Inspector's recommendation.

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert new policy before paragraph 9.4.12 to read:

POLICY MIN XXX – ENVIRONMENTAL IMPACT

EVERY OPPORTUNITY WILL BE TAKEN TO IMPROVE THE ENVIRONMENTAL IMPACT OF EXISTING MINERAL WORKING SITES AND MINIMISE THE ENVIRONMENTAL IMPACT OF PROPOSED MINERAL WORKING SITES BY INTRODUCING OR IMPOSING MODERN CONTROLS OVER:

- (i) WORKING METHODS;
- (ii) HOURS OF OPERATION;
- (iii) BLASTING METHODS;
- (iv) VEHICULAR ACCESS ARRANGEMENTS;

- (v) LANDSCAPING OF THE SITE;
- (vi) OVERBURDEN STORAGE AND WASTE DISPOSAL ARRANGEMENTS;
- (vii) MEASURES TO AVOID POLLUTION;
- (viii) MEASURE TO PROTECT GROUNDWATER RESOURCES;
- (ix) RESTORATION AND AFTER CARE ARRANGEMENTS WHERE APPROPRIATE;
- (x) CONTROL OF SECONDARY INDUSTRY AT THE SITE;
- (xi) PROTECTION OF NATURE CONSERVATION INTERESTS IN THE SITE AND ITS SURROUNDINGS; AND
- (xii) PROVISION OF A FIVE YEARLY REVIEW OF THE EFFECTIVENESS OF THESE CONTROLS.

Renumber the subsequent policies. Paragraph 9.4.12 is revised to read:

9.4.12 The way in which minerals are worked determines their impact on the environment and whether they can be satisfactorily worked in a given area. Some of the issues are common to all or most mineral working sites. Others arise from their particular location. Whilst this Plan is essentially designed to ensure an adequate supply of minerals for the future, it is also appropriate to consider how to resolve problems already being caused by mineral working in the Vale. In some cases such problems may preclude further extension to a site until they are resolved. Examples include unsociable working hours, lack of restrictions on blasting practices, inadequate restoration requirements, poor landscaping and unsuitable access arrangements. The matters listed in Policy MIN XXX will need to be taken into account in relation to both existing and proposed sites.

**Reason**

The proposed modification is made in order to accord with national guidance and to provide operators/developers with a detailed list of information that will be required by the Council prior to its consideration of planning applications in respect of existing and proposed mineral working sites.

**Inspector’s Recommendation No. REC 09.15**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by the inclusion in paragraph 9.4.13 of the tests of a legal agreement, or reference be made to the scope of agreements in Part 1 of the Plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector’s recommendations and revise paragraph 9.4.13 to read:

9.4.13 How some of these controls will be applied to existing workings is set out in the area policies and proposals in Supplementary Planning Guidance. The opportunity to implement these policies at such sites will arise in various ways:

- a) *the statutory review of mineral workings required by the Environment Act 1995;*
- b) *the renewal of time-limited planning permissions;*
- c) *planning obligations or legal agreements negotiated in relation to new proposals nearby.*

Welsh Office Circular 13/97 advises that planning obligations should only be sought where they meet the following tests:

- (i) Necessary;
- (ii) Relevant to planning;
- (iii) Directly related to the proposed development;
- (iv) Fairly and reasonably related in scale and kind to the proposed development;
- (v) Reasonable in all other respects.

**Reason**

Welsh Office Circular 13/97 advises that planning obligations should only be sought where they meet the necessary tests. The proposed modification is made in order to ensure certainty in respect of planning obligations and when they will be reasonably sought.

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**Inspector' Recommendation No. REC 09.16**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the relocation of PCJ008 immediately after Policy MIN4 in accordance with FPCJ008

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert new paragraph immediately following MIN 4 to read as per REC 9.03.

**Reason**

For the reasons set out by the Inspector the proposed modification confirms the supplementary information that will be required in support of applications for new or extended mineral working sites. This recommendation supersedes REC 9.3.

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**Inspector's Recommendation No. REC 09.17**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of paragraph 9.4.15 and 9.4.16 by PCJ010 and PCJ011

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete paragraphs 9.4.15 and 9.4.16 all subsequent paragraphs to be renumbered.

**Reason**

The proposed modification accords with current national policy in that the two paragraphs to be deleted have been superseded by the Environment Act 1995 which introduces periodic 15 year reviews for all Minerals Planning permissions.

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*Policy MIN6 - Buffer Zones*

*Representor Numbers 272.5, 279.3, 111.2, 227.11, 230.17, 235.2,  
270.44, 359.43*

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**Inspector's Recommendation No. REC 09.18**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCJ012

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation revise policy MIN 6 to read:

POLICY MIN 6 – BUFFER ZONES

NEITHER RESIDENTIAL AND SIMILARLY SENSITIVE DEVELOPMENT NOR MINERAL WORKING WILL BE PERMITTED WITHIN THE BUFFER ZONES DEFINED AROUND EACH EXISTING QUARRY AND ANY PROTECTED MINERAL RESOURCES ON THE PROPOSALS MAP, UNLESS IT CAN BE DEMONSTRATED THAT MINERAL WORKING WOULD NOT UNREASONABLE AFFECT SENSITIVE DEVELOPMENT.

**Reason**

For the reasons set out by the Inspector the proposed modification qualifies the criteria for development in areas where mineral resources are protected or in buffer zones around mineral workings.

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*Policy MIN7 - Restoration and After-Care*

*Representor Numbers 356.7, 360.15, 247.26, 236.5*

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**Inspector's Recommendation No. REC 09.19**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of "firm" and the insertion of "appropriate" in Policy MIN7

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy MIN 7 is revised to read:

POLICY MIN 7 – RESTORATION AND AFTER CARE

PROPOSALS FOR MINERAL WORKING OR FOR RELATED PLANT AND BUILDINGS WILL BE PERMITTED ONLY WHERE APPROPRIATE PROPOSALS ARE INCLUDED FOR REINSTATEMENT OF THE SITE TO A CONDITION FIT FOR AN APPROPRIATE AFTER-USE, SUPPORTED WHERE RELEVANT BY ADEQUATE AFTERCARE PROPOSALS.

**Reason**

The Council concurs with the Inspector's reasoning in this matter that it is unreasonable to expect "firm" proposals for restoration and aftercare when mineral extraction work is still continuing on site. The insertion of "appropriate" allows for agreement of the broad principles of restoration and aftercare.

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**Inspector's Recommendation No. REC 09.20****Details of Inspector's Recommendation**

I recommend that the plan be modified by PCJ013

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and paragraph 9.4.21 is revised to read:

9.4.21 When new planning permissions are granted or when existing permissions are renewed, conditions will be imposed to ensure restoration of the site when mineral working finishes. Operators will generally be expected to agree the broad aims of the restoration scheme at the outset, particularly where water courses or water features are affected by the workings, to keep these aims under regular review throughout working, to prepare detailed proposals within a year of the end of working and to implement the scheme forthwith. Where restoration is to agricultural or amenity use, appropriate aftercare proposals will be needed. Where agriculture is the after-use, it will be expected that the standard of after-use will either reflect the pre-working agricultural quality of the land, or in old permissions, will be the best standard possible taking into account current site circumstances (soil availability, topography and location).

**Reason**

For the reasons set out by the Inspector the proposed modification is made in order to provide clarity in the application of the policy.

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***Policy MIN9 - Derelict Sites***

*Representor Numbers 181.1, 185.1, 187.2, 189.1, 229.1, 237.63, 291.2, 314.2, 124.12, 230.12, 360.16*

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**Inspector's Recommendation No. REC 09.21****Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion of Argoed Isha and St Andrews Quarries in Policy MIN9 and the inclusion of PCN018

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy MIN 9 to read:

POLICY MIN 9 – DERELICT SITES

THE COUNCIL WILL SEEK TO PREVENT FURTHER MINERAL EXTRACTION AT THE FOLLOWING SITES AND, WHERE APPROPRIATE, WILL SEEK TO SECURE RESTORATION AND LANDSCAPING WORKS;

- (i) BEAUPRE (LONG GROVE) QUARRY, ST HILARY;
- (ii) COSMESTON QUARRY, PENARTH;
- (iii) CNAP TWT QUARRY, CASTLE UPON ALUN;
- (iv) CROSS COMMON QUARRY, DINAS POWYS;
- (v) DOWNSWOOD QUARRY, PENARTH;
- (vi) ELY BRICKWORKS;
- (vii) LAVERNOCK QUARRY;
- (viii) LONGLANDS QUARRY, EWENNY;
- (ix) SOUTHERNDOWN ROAD QUARRY, CASTLE UPON ALUN;
- (x) GREENWOOD QUARRY, WENVOE;
- (xi) ARGOED ISHA QUARRY, LLANSANNOR;
- (xii) ST ANDREWS QUARRY, ST ANDREWS MAJOR.

And Policy MIN 9 on the key legend of the Proposals Map is revised to read:

Mineral Resources Proposed for Closure.

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan, to provide a factual update and to ensure that no ambiguity exists about the operational status of either Argoed Isha quarry or St.Andrews quarry and for the reasons set out by the Inspector.

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*Policy MIN11 - Mineral-related Industry at Ports*

*Representor Numbers 218.3*

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**Inspector’s Recommendation No. REC 09.22**

**Details of Inspector’s Recommendation**

I recommend that the plan be modified by PCJ015 and PCJ016

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and policy MIN 11 and paragraph 9.4.36 are deleted.

**Reason**

The Inspector considers policy MIN 11 and its supporting text superfluous, the objectives of the policy being adequately controlled by other policies within the Plan. REC 9.22 therefore deletes Policy MIN 11 and it’s supporting text.

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*Policy WAST00 - Waste Management Policies in General or Omission of Policy*

*Representor Numbers 230.10, 247.37, 124.11, 244.33, 247.33, 247.34, 275.3, 275.4, 359.12, 360.3, 275.9, 360.54, 247.28, 247.86, 275.8, 360.55, 238.33*

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**Inspector's Recommendation No. REC 10.01**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCK001 with the addition at the end of "and its detailed land use implications"

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete paragraph 10.1.3 and insert two new paragraphs to be numbered accordingly to read:

At the present time, the disposal of inert materials, such as builder's waste occurs at a number of sites in the area. The Council disposes of domestic and commercial waste to landfill sites outside the Vale of Glamorgan with the present contract terminating in 2005. The Council has taken the decision to develop its future waste management strategy around materials recovery, composting and disposal to existing facilities. This disposal strategy attempts to achieve the objectives and advice stemming from European and UK Legislation and its detailed land use implications.

The Waste Management Strategy, approved by the Council in June 1998 identifies three "scenarios" giving rise to estimates of wastes arising in the Vale of Glamorgan over the Plan period.

- Scenario A, the "Upper Limit" reflects historic trends and envisages a 2% p.a. compound increase;
- Scenario B, the "Lower Limit" assumes a 15% decrease over the period 1996 – 2011 and a 1% compound decrease thereafter, reflecting the impact of producer responsibility regulations;
- Scenario C which has been accepted as the basis for future planning envisages the wastes arising as (in tonnes):

1996	2001	2006	2011
45,000	43,967	45,615	47,578

The Council is aware that its area may not produce a sufficiently large annual tonnage of waste to allow it to fund a programme of disposal in isolation from other local authorities. The Council awaits the strategic Waste Management Assessment of the Environment Agency to guide the future Waste Management Strategy and its detailed landuse implications.

**Reason**

For the reasons set out by the Inspector the proposed modifications are made to inform the Plan of the conclusions of the Council's Waste Management Strategy (June 1998) and clarify the important land use considerations associated with waste management.

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**Inspector's Recommendation No. REC 10.02**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCK002 as further changed by FPCK001 together with reference to be made to the arrangements for waste disposal in the interim period after 31 March 2000 pending the implementation of measure arising from the Strategic Waste Management Assessment for the South Wales Region

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation, including the following new sentence at the end of Paragraph 10.2.3:

10.2.3 Planning Policy Wales 2002 draws attention to the wider legislative context of waste management and the Government's strategy "Making Waste Work" (now superseded by the Waste Strategy 2000) when preparing development plans. In consideration of this Government Strategy, regard should be given to the Waste Hierarchy and disposal. Disposal by landfill will only be considered if supported by an Environmental Assessment which discounts all other means of disposal. It is also the responsibility of the Environment Agency Wales to prepare a Strategic Waste Management Assessment within which it is expected that regional self sufficiency will be defined. The National Assembly for Wales is preparing guidance for regional groupings of waste planning authorities with a view to achieving regional self-sufficiency in the treatment and disposal of waste. When these are finalised an early review of this chapter is likely to be required in order to ensure that the Vale plays its part in the region. In the meantime household waste is disposed of outside the Vale under a contract lasting until 2005.

**Reason**

The proposed modification is made in order to ensure that the Plan clearly outlines the requirements of national planning policy and to provide certainty about interim arrangements for waste disposal in the Vale of Glamorgan

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**Inspector's Recommendation No. REC 10.03****Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion of a textual reference to the intention to review Chapter 10 of the UDP simultaneously with the proposals to implement measures arising from the Strategic Waste Management Assessment for the South Wales Region

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert reference in paragraph 10.2.3 as above, to the Council's intention to review chapter 10 of the Plan when further guidance is available from the Strategic Waste Management Assessment for the South Wales Region.

**Reason**

The proposed modification is made in order to ensure that the Plan clearly outlines the requirements of national planning policy and to provide certainty about interim arrangements for waste disposal in the Vale of Glamorgan

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***Policy WAST1 - Waste Management Facilities***

*Representor Numbers* 174.19, 237.64, 52.17, 275.5, 356.13, 247.82,  
275.12, 247.80, 247.29

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**Inspector's Recommendation No. REC 10.04**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by PCK003 subject to the elaboration of Criterion (i) to require reference to the full hierarchy of means of waste disposal, the objectives of waste avoidance, reduction and disposal, and the setting of targets for reduction and modes of disposal

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Amend the Plan in accordance with the Inspector's recommendation and revise policy WAST1 to read:

#### WAST 1 – WASTE MANAGEMENT FACILITIES

PROPOSALS FOR WASTE MANAGEMENT FACILITIES INCLUDING TREATMENT / DISPOSAL FACILITIES, LANDFILL SITES, TRANSFER STATIONS, HOUSEHOLD WASTE SITES, SPECIAL WASTE TREATMENT / DISPOSAL FACILITIES, CIVIC AMENITY AND RECYCLING SITES, FORESHORE OR DERELICT LAND RECLAMATION WILL BE PERMITTED IF THE PROPOSAL:

- (i) CONFORMS WITH THE PRINCIPLE OF THE WASTE HIERARCHY (REDUCTION, RE-USE, RECOVERY AND SAFE DISPOSAL); THE “PROXIMITY PRINCIPLE”; THE PRINCIPLE OF REGIONAL SELF SUFFICIENCY; THE OBJECTIVE OF WASTE AVOIDANCE, REDUCTION AND DISPOSAL; THE SETTING OF TARGETS FOR REDUCTION AND MODES OF DISPOSAL;
- (ii) DOES NOT UNACCEPTABLY AFFECT RESIDENTIAL AMENITY OR POSE A THREAT TO PUBLIC HEALTH;
- (iii) DOES NOT UNACCEPTABLY AFFECT THE QUALITY OR QUANTITY OF WATER RESOURCES (BOTH SURFACE AND GROUNDWATER);
- (iv) HAS REGARD TO THE ADEQUACY OF THE HIGHWAY NETWORK AND THE NEED TO MINIMISE THE DEMAND ON THE TRANSPORT NETWORK;
- (v) DOES NOT UNACCEPTABLY CONFLICT WITH THE INTERESTS OF AGRICULTURE, NATURE CONSERVATION, AREAS OF ECOLOGICAL, WILDLIFE OR ARCHAEOLOGICAL IMPORTANCE OR FEATURES OF GEOLOGICAL OR GEOMORPHOLOGICAL IMPORTANCE OR LANDSCAPE PROTECTION POLICIES;
- (vi) HAS A HIGH STANDARD OF LAYOUT, LANDSCAPING AND DESIGN;
- (vii) PROVIDES ARRANGEMENTS FOR THE AFTER TREATMENT AND FUTURE USE OF THE SITE WHICH ARE TO THE SATISFACTION OF THE LOCAL PLANNING AUTHORITY; AND
- (viii) IS NOT AT AN UNACCEPTABLE RISK OF FLOODING, INCLUDING TIDAL INUNDATION, OR DOES NOT INCREASE THE RISK OF FLOODING ELSEWHERE.

### **Reason**

For the reasons set out by the Inspector the proposed modification is made in order to provide certainty in respect of application of the Policy and to accord with national planning guidance..

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### *Policy WAST3 - Disposal of Special Waste*

*Representor Numbers 230.9, 275.6, 356.14, 359.44, 247.30, 247.31, 52.18, 360.56*

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## **Inspector's Recommendation No. REC 10.05**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by PCK006

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete policy WAST 3 and renumber the subsequent policies.

### **Reason**

For the reasons set out by the Inspector, the proposed modification is made in order to accord with the requirements of the proximity principle and national planning policy

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## *Policy WAST4 - Waste Disposal on Agricultural Land*

*Representor Numbers 247.32, 275.7, 359.45, 247.81, 275.11*

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## **Inspector's Recommendation No. REC 10.06**

### **Details of Inspector's Recommendation**

I recommend that the plan be modified by PCK008 and that an explanatory note be inserted to explain the relation of this policy to land raising

### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy WAST 4 to read:

#### **POLICY WAST 4 – WASTE DISPOSAL ON AGRICULTURAL LAND**

THE DEPOSIT OF WASTE ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A) WILL NOT BE PERMITTED. PROPOSALS FOR THE IMPROVEMENT OF LOWER GRADED AGRICULTURAL LAND BY THE DEPOSIT OF IMPORTED WASTE WILL BE PERMITTED IF:

- (i) THE IMPROVEMENT SOUGHT IS NECESSARY FOR THE PURPOSE OF AGRICULTURE WITHIN THE HOLDING: AND
- (ii) THE VOLUME OF WASTE TO BE DEPOSITED IS THE MINIMUM NECESSARY TO ACHIEVE THE IMPROVEMENT SOUGHT.

And a new paragraph 10.4.7 be inserted to read:

10.4.7 Proposals that change the profile of agricultural land through landfilling or landraising operations may result in unnatural landforms. In these cases special regard must be given to the landscape impact of any such proposals, especially with Special Landscape Areas, and any such proposals will considered against the criteria under the general waste policy WAST 1.

### **Reason**

The proposed modification is made in order to provide certainty about the application of the Policy and for the reasons set out by the Inspector.

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*Policy COMM00 - Community and Utility Services Policies in General  
or Omission of Policy*

*Representor Numbers 33.11, 247.39, 148.1, 164.2, 164.3, 164.4, 241.3,  
304.2, 359.51, 359.52, 238.34, 48.1*

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**Inspector's Recommendation No. REC 11.01**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCL013 and FPCL003

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and delete paragraph 11.4.39 and insert new policy and supporting text to read:

POLICY COMM XXX – ADDITIONAL BURIAL LAND

PROPOSALS FOR ADDITIONAL BURIAL LAND IN THE FOLLOWING IDENTIFIED AREAS OF NEED: BARRY, PENARTH, LLANTWIT MAJOR, WILL BE PERMITTED IF:

- (i) PARKING AND SERVICING ARE PROVIDED IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;
- (ii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE EFFECT ON RESIDENTIAL AMENITIES BY VIRTUE OF GIVING RISE TO NEW OR EXACERBATE EXISTING LOCAL PROBLEMS RESULTING FROM TRAFFIC GENERATION, HIGHWAY SAFETY, NOISE, SMELL OR OTHER AMENITY CONSIDERATIONS; AND
- (iii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A), ON AREAS OF ATTRACTIVE LANDSCAPE OR HIGH QUALITY TOWNSCAPE OR ON AREAS OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE.

The Council has been advise that during the Plan period there will be a requirement for additional burial space to be provided within the Barry, Penarth and Llantwit Major areas, because existing cemeteries are reaching capacity. Land for the development of new burial space will be made available as part of the Cogan Hall Farm development.

Whilst the Council has no statutory obligation in this mater it will in conjunction with Barry and Llantwit Major Town Councils seek to identify suitable land for burial purposes. Consideration will be given to proposals for all burial methods including traditional cemeteries, crematoriums and alternative green burials.

And insert new paragraph after paragraph 11.4.29 to read:

Where the existing foul sewerage system cannot serve new developments, improvements to the system must be carried out prior to the development becoming operational. However, where connection to the mains is not feasible, consideration may be given to the use of private sewage treatment facilities provided that ground conditions are satisfactory and the plot of land is of sufficient size for an adequate sub soil drainage system. Small private sewage treatment plants within sewerred areas will not be considered to be acceptable.

With the subsequent paragraphs renumbered.

**Reason**

The proposed modifications are made in recognition of the need for additional burial land in the Llantwit Major, Penarth and Barry areas and to provide certainty about the manner in which applications will be assessed and to provide certainty about the operational requirements for sewerage provision within areas of new development.

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**Inspector's Recommendation No. REC 11.02****Details of Inspector's Recommendation**

I recommend that the plan be modified by the insertion of reference to archaeological features and listed buildings in Policy 14, with consequential amendment of paragraph 2.9.1

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise Policy 14 to read :

## POLICY 14

DEVELOPMENTS ASSOCIATED WITH COMMUNITY AND UTILITY SERVICES WILL BE PERMITTED IF THERE IS NO UNACCEPTABLE IMPACT ON THE INTERESTS OF AGRICULTURE, CONSERVATION, LISTED BUILDINGS, ARCHAEOLOGICAL FEATURES, AREAS OF ECOLOGICAL, WILDLIFE AND LANDSCAPE IMPORTANCE AND RESIDENTIAL AMENITY.

And revise paragraph 2.9.1 to read:

2.9.1 The strategic objective of this policy is to ensure that an adequate supply and range of community and utility services exist to meet the needs of the residents of the Vale of Glamorgan but without adversely affecting the natural, built or historic environment. Utility services are of strategic significance on two main levels. Firstly, they provide the basic services for the functioning of the community in terms of energy generation, water supply, sewage disposal and telecommunications. Secondly, because they are normally large land users, both in terms of supply and distribution, they may have to be sited in areas where development would not normally be permitted. In addition to the provision of strategic utility services there are a range of community services which are essential to the well being of any community. These comprise social services, education, health and library facilities.

**Reason**

The proposed modification is made in order to ensure that listed buildings and archaeological features are adequately considered when assessing applications for community and utility services and to accord with national planning policy.

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***Policy COMM2 - Reuse of Redundant Hospitals***

*Representor Numbers 205.1, 205.2, 214.3, 214.4, 350.1, 250.5, 214.5,  
270.40, 360.57, 350.3, 205.7, 214.7*

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**Inspector's Recommendation No. REC 11.03****Details of Inspector's Recommendation**

I recommend that the plan be modified by PCL002 and FPCL001

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 11.4.7 to read:

11.4.7 It is envisaged that during the plan period Hensol, like Sully Hospital, will cease to be used for health purposes. The Council recognises that these existing hospitals are suitable for redevelopment and reuse including prestigious employment uses such as research and development, conference facilities / hotel or educational / recreational use. A piecemeal approach to development will not be permitted. Proposals for the development of land within the curtilage of these hospitals will be considered in accordance with Policies ENV 1 and ENV 5 of the Plan.

**Reason**

For the reasons set out by the Inspector the proposed modifications are made in order to provide greater clarity and certainty about the future use of Sully and Hensol Hospitals and the manner in which resultant planning applications will be assessed.

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**Inspector's Recommendation No. REC 11.04****Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of an additional policy:

"The Reuse and Redevelopment of Barry College Annex

Proposals for the reuse and redevelopment of Barry College Annex will be permitted if all of the following criteria are met:

The proposal does not unacceptably affect the local environment or surrounding countryside;

The proposal does not involve any extension to the existing buildings;

Proposals for the replacement of the existing timber-framed buildings do not result in a significant increase in the original volume of the buildings;

Any proposals for employment use fall within Business Class B1;

The provision of car parking, servicing and amenity space is in accordance with the approved guidelines;

Highway and pedestrian accesses are improved to the appropriate standard;

The site is to be landscaped in accordance with an approved plan.

Development proposals for the site will be guided by the preparation of a development brief.

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and include a new policy and supporting text to read:

POLICY COMM XXX – THE REUSE AND REDEVELOPMENT OF BARRY COLLEGE ANNEX

PROPOSALS FOR THE REUSE AND REDEVELOPMENT OF BARRY COLLEGE ANNEX WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE PROPOSAL DOES NOT UNACCEPTABLY AFFECT THE LOCAL ENVIRONMENT OR SURROUNDING COUNTRYSIDE;
- (ii) THE PROPOSAL DOES NOT INVOLVE ANY EXTENSION TO THE EXISTING BUILDINGS;
- (iii) PROPOSALS FOR THE REPLACEMENT OF THE EXISTING TIMBER FRAMED BUILDINGS DO NOT RESULT IN A SIGNIFICANT INCREASE IN THE ORIGINAL VOLUME OF THE BUILDINGS;
- (iv) ANY PROPOSALS FOR EMPLOYMENT USE FALL WITHIN BUSINESS CLASS B1;
- (v) THE PROVISION OF CAR PARKING, SERVICING AND AMENITY SPACE IS IN ACCORDANCE WITH THE APPROVED GUIDELINES;
- (vi) HIGHWAY AND PEDESTRIAN ACCESS ARE IMPROVED TO THE APPROPRIATE STANDARD; AND
- (vii) THE SITE IS TO BE LANDSCAPED IN ACCORDANCE WITH AN APPROVED PLAN.

DEVELOPMENT PROPOSALS FOR THE SITE WILL BE GUIDED BY THE PREPARATION OF A DEVELOPMENT BRIEF.

B1 use – Business as defined by the Town and Country Planning (Use Classes) Order 1987, as amended.

It is envisaged that during the Plan period the Annex of Barry College, which is located off Five Mile Lane, will cease to be required by the current owners for educational purposes. The College Annex is situated in the attractive Waycock Valley. The existing campus comprises a number of early 20<sup>th</sup> Century buildings which were part of the isolation hospital which originally occupied the site, four timber framed buildings erected for educational purposes and a caretakers dwelling.

The Council recognises that the existing campus buildings are suitable for sensitive redevelopment and reuse for other uses which are compatible with the countryside location. These could include B1 employment use under the terms of Policy EMP 3, hotel / non residential tourism uses under the terms of Policy TOUR 1, TOUR 4 and TOUR 5, educational purposes, medical facilities, community use, horticulture under the terms of Policy ENV 8 and sports and recreation under the terms of Policy REC 7. In the Council's opinion reuse and redevelopment of the site for residential purposes is inappropriate and contrary to policies contained in the Environment and Housing chapters of the Plan.

The Council accepts that reconstruction of the existing timber framed buildings may be necessary. However, this should be undertaken in a sensitive manner ensuring that replacement structures occupy the same footprint. Whilst reconstruction of the existing timber framed buildings will be permitted the Council will seek to ensure that no other additional construction takes place within the campus.

In order to ensure continued highway safety along Five Mile Lane the Council will require improvements to the existing vehicular / pedestrian access. These improvements will require the upgrading of the existing vehicular access and the creation of a safe public footpath linkages. All vehicular and pedestrian access improvements must be undertaken in a manner which respects the sensitivity of the location.

In order to protect the attractive setting of the Waycock Valley a piecemeal approach to development will not be permitted. Proposals for the development of land within the curtilage of the campus will be considered in accordance with Policy ENV 1 of the Plan.

All subsequent Policies and paragraphs to be renumbered.

**Reason**

For the reasons set out by the Inspector the proposed modification is made in order to provide certainty about the potential future use of the Barry College Annex site.

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*Policy COMM3 - Provision of Schools*

*Representor Numbers 270.41, 267.15*

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**Inspector's Recommendation No. REC 11.05**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by PCL003

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy COMM 3 to read:

POLICY COMM 3 – PROVISION OF SCHOOLS

LAND IS RESERVED FOR THE DEVELOPMENT OF SCHOOLS AT:

- (i) NORTHEAST BARRY (1.2 HECTARES);
- (ii) COGAN HALL FARM (0.95 HECTARES);
- (iii) THE WATERFRONT, BARRY (1 HECTARE).

**Reason**

The proposed modification is made in order to ensure clear and consistent policy guidance within the Plan and for the reasons set out by the Inspector.

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*Policy - Library Provision*

*Representor Numbers 270.43*

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**Inspector's Recommendation No. REC 11.06**

**Details of Inspector's Recommendation**

I recommend that no modification be made to the plan

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

No modification required

**Reason**

No modification required for reasons set out by the Inspector.

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## *Policy - Community Halls*

*Representor Numbers 375.1*

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### **Inspector's Recommendation No. REC 11.07**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by PCL004

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert new policy and supporting text after paragraph 11.4.15 to read:

POLICY COMM XXX – RETENTION OF COMMUNITY FACILITIES

THE RETENTION OF COMMUNITY FACILITIES IN RURAL SETTLEMENTS AND VILLAGES WILL BE FAVOURED.

For the purposes of this Policy community facilities are defined as services which seek to primarily meet the needs of the rural communities. Facilities such as Village Shops, Post Offices, Churches, Community Halls and Public Houses provide an important service in rural areas and help engender a sense of community.

Development proposals for the conversion of existing community facilities to alternative uses will be assessed in the light of all material considerations including the availability and accessibility of alternative services. Proposals for the conversion of retail uses in local and neighbourhood centres to alternative uses will be assessed in conjunction with Policy SHOP 9.

All subsequent Policies and paragraphs to be renumbered.

#### **Reason**

For the reasons set out by the Inspector the proposed modification are made in order to ensure the retention of important community facilities within the rural settlements of the Vale of Glamorgan and to ensure the factual accuracy of the Plan.

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## *Policy Utility Services - General*

*Representor Numbers 174.20, 7.1, 50.4, 241.4, 241.5, 267.16, 293.1, 7.2, 241.6, 360.58, 241.7, 241.8, 360.59*

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### **Inspector's Recommendation No. REC 11.08**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by PCL005, PCL006, PCL007, PCL008 and FPCL002 together with PCE002 in Chapter 4

#### **Council's Recommendation**

Accept Inspector's recommendation

### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 11.4.16 to read:

11.4.16 The Council will seek to minimise the effects of the provision of utility services on the environment through consultation with statutory undertakers. In particular, new utility services in conservation areas, areas of attractive landscape and sites of wildlife importance should where feasible be placed underground or diverted so as to minimise their impact. Where services are placed underground, adequate measures should be taken to restore the land to harmonise with its surroundings. Where services are placed underground sites of nature conservation interest and archaeological importance should be avoided. The Council wished to encourage the rationalisation of service provision so as to reduce adverse impact.

Paragraph 11.4.17 is revised to read:

11.4.17 SWALEC has confirmed that a new grid substation will be required to service the north east Barry and Cogan Hall Farm housing development areas for which a site will need to be identified.

Paragraph 11.4.18 is revised to read:

11.4.18 The proposed housing development at Rhoose identified in Policy HOUS 1 will be supplied from the East Aberthaw Grid Sub Station. This, however, is an interim measure, and any new development may require the construction of a new 132kv sub station in the area. The actual timing of the new grid sub station will depend on the development in and around the village of Rhoose and Cardiff International Airport.

Paragraph 11.4.19 is revised to read:

11.4.19 SWALEC will require reinforcement of the electricity distribution system during the Plan period, and will include a new 132kv circuit to link Cardiff Bay via Sully, Barry and Penarth with Aberthaw.

A new paragraph is inserted following paragraph 11.4.16 to read:

The National Grid Company plc (NGC) operate and maintain a network of high voltage powerlines (275kv and above) that enables the transmission of electricity. NGC currently has several lines connecting with the power station at Aberthaw. In light of the high cost and other associated difficulties it is acknowledged by the Council that the undergrounding of high voltage powerlines will only be carried out in appropriate circumstances.

With all subsequent paragraphs to be renumbered accordingly and the following sentence is added to the end of paragraph 4.4.1 to read:

The waterfront development accommodates a new infrastructure network, designed and developed in close liaison with all public utilities. Electricity, gas, water and telecommunications can be made available to any development plot from mains running within the adoptable highway zone. The Environment Agency has also advised that the site lies within 250 metres of a landfill site and the land is potentially contaminated.

### **Reason**

For the reasons set out by the Inspector the proposed modifications are made in order to provide certainty about the operational requirements and areas of improvement needed in the electricity distribution system in the Vale of Glamorgan during the Plan period and also to conform with national planning policy.

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## *Policy Public Sewage Treatment*

*Representor Numbers 293.10, 247.89*

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### **Inspector's Recommendation No. REC 11.09**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by FPCL003

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert new paragraph after paragraph 11.4.29 to read:

Where the existing foul sewerage system cannot serve new developments, improvements to the system must be carried out prior to the development becoming operational. However, where connection to the mains is not feasible, consideration may be given to the use of private sewage treatment facilities provided that ground conditions are satisfactory and the plot of land is of sufficient size for an adequate sub soil drainage system. Small private sewage treatment plants within sewered areas will not be considered to be acceptable.

Re-number subsequent paragraphs.

#### **Reason**

For the reasons set out by the Inspector the proposed modification is made in order to provide certainty about operational requirements for sewerage provision within areas of new development

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## *Policy Telecommunications*

*Representor Numbers 270.42, 174.23, 5.2, 149.1, 292.1, 360.60, 149.2, 360.61*

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### **Inspector's Recommendation No. REC 11.10**

#### **Details of Inspector's Recommendation**

I recommend that the plan be modified by PCL009 and PCL010

#### **Council's Recommendation**

Accept Inspector's recommendation

#### **Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise paragraph 11.4.31 to read:

11.4.31 Government policy seeks to facilitate the growth of telecommunications, including cellular radio and cable television, together with new forms of broadcasting. Planning Policy Wales 2002 recognises the need for access to modern high speed telecommunications services throughout Wales and the provision of sites for such installations, whilst taking full account of the effect upon the environmental amenity of neighbouring areas. The Guidance also specifies that when considering telecommunications development proposals, local planning authorities should take account of the limitations imposed by the nature of the network and the technology. The Guidance requires that local planning authorities identify criteria intended to guide telecommunications developments in order to

minimise the impact on amenity consistent with operational requirements. In light of these aims the following policy is put forward:

And revise policy COMM 4 to read:

**POLICY COMM 4 – TELECOMMUNICATION**

THE DEVELOPMENT OF TELECOMMUNICATION SYSTEMS BY TELECOMMUNICATIONS OPERATORS WILL BE PERMITTED IF:

- (i) THERE ARE NO SUITABLE EXISTING FACILITIES SUCH AS EXISTING RADIO MASTS AND TOWERS OR EXISTING BUILDINGS THAT CAN BE UTILISED;
- (ii) SUFFICIENT MEASURES ARE TAKEN TO MINIMISE THE VISUAL IMPACT OF THE DEVELOPMENT SUCH AS SITING TO TAKE ADVANTAGE OF TREE SCREENING, INCORPORATION OF APPROPRIATE LANDSCAPING AND APPROPRIATE COLOURING OF APPARATUS INCLUDING MASTS AND ANTENNAS; AND
- (iii) THE DEVELOPMENT DOES NOT HAVE AN UNACCEPTABLE EFFECT ON THE INTERESTS OF AGRICULTURE, CONSERVATION, AREAS OF ECOLOGICAL INTEREST, ARCHAEOLOGICAL SITES, WILDLIFE AND LANDSCAPE IMPORTANCE, OR ON FEATURES OF GEOLOGICAL OR GEOMORPHOLOGICAL IMPORTANCE.

**Reason**

For the reasons set out by the Inspector the proposed modifications are made in order to ensure that the Plan provides clear and consistent guidance and accords with national planning policy in respect of telecommunications.

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*Policy*            *COMM5 - Wind Generators and Farms and  
COMM6 - Other Renewable Energy Schemes*

*Representor Numbers*    *174.21, 237.65, 359.46, 360.1, 174.22, 359.47,*

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**Inspector's Recommendation No. REC 11.11**

**Details of Inspector's Recommendation**

I recommend that the plan be modified by the inclusion of PCL011 and PCL012

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and revise policy COMM 5 to read:

**POLICY COMM 5 – WIND GENERATORS AND FARMS**

PROPOSALS FOR INDIVIDUAL WIND GENERATORS AND WIND FARMS WILL BE PERMITTED IF:

- (i) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT UPON THE LANDSCAPE, PARTICULARLY WHEN VIEWED FROM PUBLIC ROADS, PUBLIC RIGHTS OF WAY AND OTHER LAND USED BY THE GENERAL PUBLIC. PROPOSALS WHICH FALL WITHIN THE GLAMORGAN HERITAGE COAST AND AREAS OF HIGH LANDSCAPE

IMPORTANCE, OR LIE OUTSIDE SUCH AREAS BUT HAVE AN UNACCEPTABLE ADVERSE VISUAL EFFECT UPON THEM WILL NOT BE PERMITTED;

- (ii) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT UPON SITES OF CONSERVATION, ARCHAEOLOGICAL, HISTORICAL, ECOLOGICAL AND WILDLIFE IMPORTANCE;
- (iii) ALL POSSIBLE STEPS ARE TAKEN BY THE DEVELOPERS TO MINIMISE NOISE DISTURBANCE AND SHADOW FLICKER FROM THE TURBINES FOR LOCAL RESIDENTS. DEVELOPERS WILL BE REQUIRED TO AMELIORATE PROBLEMS BY THE USE OF APPROPRIATE LEGAL AGREEMENTS AND / OR CONDITIONS ATTACHED TO THE GRANTING OF PLANNING CONSENT;
- (iv) ALL POWER LINES CONNECTING THE TURBINES TO THE NATIONAL GRID SHOULD RESULT IN NO UNACCEPTABLE VISUAL EFFECT UPON THE LANDSCAPE OF THE VALE OF GLAMORGAN;
- (v) THE NUMBERS OF ANCILLARY BUILDINGS ARE LIMITED AND ARE DESIGNED AND SITED TO MINIMISE THEIR IMPACT ON THE LANDSCAPE;
- (vi) THE CUMULATIVE EFFECTS OF DEVELOPMENT DO NOT HAVE AN UNACCEPTABLE IMPACT UPON THE LANDSCAPE;
- (vii) ACCESS FOR CONSTRUCTION TRAFFIC CAN BE PROVIDED WITHOUT DANGER TO HIGHWAY SAFETY AND SHOULD BE CONSTRUCTED IN LOCALLY SYMPATHETIC MATERIALS (I.E. ROAD BASED MATERIALS TOP DRESSED WITH LOCAL SOIL TO REGENERATION OF VEGETATION);
- (viii) THE PROPOSAL DOES NOT CREATE SIGNIFICANT OR IRREMIABLE RADIO INTERFERENCE;
- (ix) THE PROPOSAL DOES NOT UNACCEPTABLY EFFECT OPERATIONS UNDER THE CONTROL OF THE CIVIL AVIATION AUTHORITY OR THE MINISTRY OF DEFENCE;
- (x) WITHIN 24 MONTHS OF PART OR THE WHOLE OF THE SITE BECOMING PERMANENTLY INOPERATIVE THE STRUCTURES SHALL BE REMOVED, AND THE SITE RESTORED TO ITS FORMER USE. (PERMANENTLY INOPERATIVE IS CONSIDERED TO BE WHEN A TURBINE HAS NOT BEEN IN OPERATION FOR THE PURPOSE OF ELECTRICITY PRODUCTION FOR A PERIOD EXCEEDING 6 MONTHS).

And revise policy COMM 6 to read:

#### POLICY COMM 6 – OTHER RENEWABLE ENERGY SCHEMES

PROPOSALS FOR OTHER RENEWABLE ENERGY SCHEMES WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE IMMEDIATE AND SURROUNDING COUNTRYSIDE;
- (ii) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT UPON THE SITES OF CONSERVATION, ARCHAEOLOGICAL, HISTORICAL, ECOLOGICAL AND WILDLIFE IMPORTANCE;
- (iv) ADEQUATE MEASURES ARE TAKEN, BOTH DURING AND AFTER CONSTRUCTION, TO MINIMISE THE IMPACT OF THE DEVELOPMENT ON LOCAL LAND USE AND RESIDENTIAL AMENITY.

**Reason**

For the reasons set out by the Inspector the proposed modifications are made in order to provide certainty of the need to protect areas of high quality landscape and to accord with national policy and also to provide certainty in the application of the policy.

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***Policy Cemeteries******Representor Numbers 39.5, 33.13, 234.5***

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**Inspector's Recommendation No. REC 11.12****Details of Inspector's Recommendation**

I recommend that the plan be modified by the deletion of paragraph 11.4.39 and the insertion of PCL013, a policy and explanatory text relating to additional burial land

**Council's Recommendation**

Accept Inspector's recommendation

**Recommended Modification**

Modify the Plan in accordance with the Inspector's recommendation and insert new policy and explanatory text as per details at REC 11.1

**Reason**

The proposed modification is made in recognition of the need for additional burial land in the Llantwit Major, Penarth and Barry areas. The changes provide certainty about the manner in which an application would be assessed.



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