VCU response to PEDW – Environmental Statement – CAS-02641-G8G7M5 – land at Model Farm, Port Road, Rhoose. CF62 3BT

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Please note, that where we refer to the Appellant, that is Legal and General (Strategic) land) Ltd. We also include it's various agencies, representatives, and their subsidiaries – e.g. RPS, CgMS et al.

Where we refer to the LPA, that is the Vale of Glamorgan Council, the Local Planning Authority.

Where we refer to PEDW, that is Planning and Environment Decisions Wales.

Where we refer to WG, that is the Welsh Government.

Vale Communities Unite against the development of Model Farm, are hereafter referred to as VCU.

The ES we are referring to, is the document marked 'Parc Busines Porth Cymru Environmental Statement – September 2024', which appears on the PEDW website, and the supporting documentation referred to in this master document.

Introduction to this consultation response

1. VCU was set up in 2019 as a group to campaign on behalf of the community of Rhoose and surrounding areas who fervently oppose the building of a business park on Model Farm, a productive working farm, in the Vale of Glamorgan. The group evolved after the consultation process that was instigated by both the applicant for this development, Legal & General Group and the Vale of Glamorgan Planning Department. The result of the consultation processes resulted in strong public opposition to the development. An open meeting was convened in the village which was attended by a large number of residents and politicians from Welsh Government, Local Councillors and our Member of Parliament at the time.
2. VCU actively engage on social media, with over 2,300 followers from the local community and further afield, updating them on the current situation with regards to this planning application. As a group we have organised demonstrations at the Welsh Parliament and around the Vale of Glamorgan. We have undertaken communication with local news outlets and lobbied local councillors to show our ongoing commitment to the residents of Rhoose and beyond with regards to saving Model Farm. VCU representatives have spoken against this application, raising legitimate objections, at Vale Planning Committee meetings on numerous occasions.
3. The support and encouragement, shown by our community to the VCU team, has been exceptional. We have received donations to a fund, set up to oppose the application, by way of personal donations and attendance at fund raising events arranged since the group was started. Without this outstanding support we would not be able to have engaged a legal team for this inquiry.
4. So far this planning application has resulted in a Judicial Review, which found in favour of the Claimant, because of financial information not being disclosed

when it should have been, with three other grounds. We, as a group, have highlighted inadequate evidence, including inadequate biodiversity issues being presented to council planning meetings together with outdated reports being presented for consideration at such meetings. We have little confidence in the evidence submitted for this planning application and feel there is no logical need for a business park being built in this location.

5. It is our submission that the Appellant undertook the purchase of land, near airports, around the United Kingdom, which included Model Farm, not to act as responsible custodians of the countryside but as a land banking exercise for the financial benefit of their investors.
6. As a result of the Council being asked to identify land for Local Development Plans, the area of Model Farm, which had been removed from the green wedge in 2009, was put forward by Legal and General and added to the Council's plan.
7. The Vale of Glamorgan Council have put forward new proposals to build more housing in the Green Wedge, adjacent to the Weycock Cross island. This was done in April 2025 and is a new material consideration which impacts on this Environmental Statement and the matters contained within it. The mitigation conclusions will be outdated by the new proposals being put forward by the VOGC and damage to biodiversity will be even greater.
8. There have been several attempts by the Appellant representatives to present an adequate environmental statement for this development. The original statement has been superseded several times, sometimes based on objections VCU have raised. We still feel that the new Environmental Statement does not fully mitigate the damage that this development will cause to both the environment and biodiversity and lacks positive elements to mitigate the public interest concerns.
9. For decades, the farmer, together with his family on the farm, have nurtured the land, supplying food to the surrounding areas and in doing so have helped the biodiversity on the farm to thrive. The farming business has diversified since the original planning application was made in 2019 and is now a major producer of both agricultural and horticultural seeds. There are a number of Protected and Endangered species recorded on the South-East Wales Biodiversity Records Centre (SEWBREC), which live and breed on the farm, which updated reports by the Appellant now finally acknowledge.
10. The world has changed dramatically since Legal & General took the gamble to purchase this farm. It has been reported that Wales is in danger of losing 25% of its wild bird population due to humans and development. COP 15, dealing with biodiversity issues, was held in Canada and was attended by Julie James MS representing the Welsh Government.
11. The U.K. was subject to severe criticism for its watering down of previous strong Biodiversity and Climate Emergency statements. We, as a country, were asked to demonstrate our commitment to this by giving clear leadership to the world on our commitment to this important cause. Both Welsh Government and the Vale Council has pledged their commitment to these concerns. If this development is given permission to go ahead the land supporting nature conservation would disappear. There will be the development itself to the North,

the airport to the west, an area of land to the south that would be open to the wider public and intensively farmed land to the east that does not use the same farming practices as on Model Farm. It is VCU's opinion that this would undoubtedly have a devastating impact on nature conservation. The situation is made worse by new housing proposals that the VOGC has in April 2025 announced.

12. The Vale of Glamorgan has always been a special place to visit, from its spectacular coastline to the green countryside. Welsh Government often refer to the Cardiff Wales Airport as the gateway to Wales. At present visitors arriving by air can often see the colourful display from the wildflowers Model Farm produce and the view passengers see while travelling across the iconic Victorian railway viaduct, often used by the local council for publicity, is one of green farmland. This together with the grade II listed houses is a sight to behold and something the community treasures. This development will do nothing to enhance this appearance.
13. VCU are grateful to Morag Ellis, K.C., acting on behalf of the Appellant at the Public Inquiry, who clarified that the Environmental Impact Assessment legislation was not reliant solely on the single document, viz, the Environmental Statement. This valuable advice, expressed by a highly skilled Advocate ensures that we bring into our consultation document, the raft of other documents provided by the Appellant and the LPA in connection with the requirements of the Environmental Impact Assessment Legislation.
14. VCU are very concerned that we are being asked to comment on the new Environmental Statement, without having access to the full panoply of supporting document. No schedule of core evidence documents has been produced by the Appellant or the LPA, and we are aware of missing documents on the PDEW website referred to in the EIA advertisement placed in the Barry and District Newspaper on the 28th March 2025.

The critical objections and concerns that we wish to raise in this consultation response are – -

A) The aim of an ES is to provide a systematic and objective account of the significant environmental effects likely to arise from the proposed development, including sufficient information to verify the conclusions and identify the source of the information provided. We submit that this ES fails to meet those requirements.
B) The Community should know, and be informed in detail, what is actually proposed to be built on the site, and what the design of any such buildings would be. The Appellant chose to present an outline planning application, which fails to specify what is ultimately likely to be constructed, and its documents do not specify exactly what is proposed.
C) The Application and proposed development do not accord with the Vale of Glamorgan Local Development Plan 2011-2026 (LDP).
D) The damage to a rich and diverse site of biodiversity cannot be mitigated by the content and plans that exist in this ES. Significant changes to legislation, to protect ecology in Wales, has been published by WG since the original

application was made in 2019. It is ten years since the proposed development was included in the LDP, and reports recently produced by the Appellant and by Emma Williams (Ecologist) show that the diversity and species rich nature of the land is a matter than was not well known at the time of inclusion in the LDP.

E) The core evidence to support the Environmental Statement is not set out and available on PEDW's website. Substantial tracts of information and supporting documentation, which we have been provided with at various times during the last six years, is present on other websites, in LPA papers, and has at times been provided to VCU separately. All of the relevant documents relating the application are not in one place, contrary to EIA regulations.

F) Key documents and information were withheld from VCU until the Public Inquiry was underway, and then we were given very restricted time to comment on the information in, having to fully respond to PEDW in less than three weeks. VCU has not been given appropriate and legitimate access to all relevant documents relating to the Application.

G) The mitigation arrangements for biodiversity are temporary in nature. The Appellant and LPA have an agreement to return ownership and rights for the Porthkerry Park extension, back to the appellant after 20 years for a nominal sum, and by mutual agreement. This is contained in the Section 106 agreement between these two parties. The Appellant could then make application for further industrial use, or housing development.

H) The proposed development does not provide adequate buffer zones of 50 meters to protect ancient woodland. This 50 metre buffer zone is recommended by the Woodland Trust (a statutory consultee) but has been ignored by the Appellant and the LPA. The ES does not provide adequate protection or mitigation to prevent damage to trees with Tree Protection Orders on land adjoining the proposed development.

I) There are insufficient arrangements to deal with drainage from the proposed development. There are well known water supply problems, for which no capital plans are in place to address, and the Appellant should have undertaken Hydraulic Modelling Assessments prior to the submission of a planning application and not left this matter to remain as a reserved matter. An outline application, that is vague in nature does not accord with PEDW guidance. This situation is contrary to updated National Guidance in Planning Policy Wales (12th Edition 2024).

J) The proposed development is not financially viable and is materially less attractive to potential tenants and owners than many of the other substantial sites within the Vale of Glamorgan, and neighbouring Local Authorities that already have B1, B2 and B8 planning permission in place, but remain vacant and unlet. For example, the site at Bro Tathan, only 5 kilometres to the west of Model Farm has currently 305 hectares of empty development land for aerospace related industry available. Further afield, but relevant to the economy of South Wales, there are newly available substantial B1. B2 and B8 sites available between Newport and Cardiff, and on vacant land at Neath Port Talbot. This background economic fact indicates that supply of industrial land

greatly exceeds demand, even prior to the consideration of the Model farm site. This goes against the principles of Technical Advisory Note 23 – Economic Development - issued by PEDW.

K) Misleading and overly positive references and assertions are made in the ES about public transport availability, and the nature of transport infrastructure.

We now will address each of the sections of the ES in the order contained within the document and referenced to relevant paragraphs and legislation.

Sections

1. Preamble introduction and overall objection principles contained in this submission.
2. Site descriptions and proposal.
3. Planning policy context.
4. Highways and transportation.
5. Landscape and visual character.
6. Built heritage.
7. Socio-economics
8. Climate change
9. Ecology.
10. Financial viability and deliverability contained in delivery report.

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1. Preamble introduction and overall objection principles contained in this submission.

ES paragraph reference	VCU Comment	Legislative or documentary reference
1.3.8	Concerns about the nature of this proposed development have been in place since the original Screening Opinion Request was submitted to the LPA on 1st March 2019. Concerns, of a consistently similar nature were raised by PEDW in an ES Completeness report issued in May 2023. The Screening report said that the significant impacts relating to traffic and transportation that could extend beyond the immediate locality were present, and that concern is, we believe stronger today. The Screening Report highlighted that heritage assets near the proposed site would be permanently affected by the development and that also remains today.	PEDW – ES completeness report – May 2023.

	We have been astounded by the conclusion that the LPA's Ecologist reached in the original conclusion to the Screening report, that the development was unlikely to '*give rise to significant effects on the environment'.* This assertion is comprehensively dismissed by each of the Ecology reports produced since, and with each iteration of ecology reports the site is shown to be more important. The details on ecology in the new ES at paragraph 1.3.6 are untrue, and unsupported by other expert advice (even that produced by the Appellant). The section on drainage, flooding and sewage does not consider, or indeed refer to, concerns expressed repeatedly by Welsh Water about the capacity of existing infrastructure to deal with these issues. It is of concern that the LPA refuses to challenge the Appellant to provide evidence of how the drainage infrastructure problems could be addressed satisfactorily. Contemplating giving outline permission to something that is incapable of delivery of contrary to PDEW guidance.	

2. Site descriptions and proposal.

ES paragraph reference	VCU Comment	Legislative or documentary reference
2.1.1	It is of concern that paragraph 2.1.1 refers to the site being 'East' of Barry, when it is to the 'West' of Barry. This indicates and highlights the limited interaction that the Appellant's staff have had with the site, concentrating on carrying out 'desktop' or internet-based research rather that knowing the place. The Environmental Statement, the Appellant's Design guide and other documents refers to the Hotel at the north-west corner of the site. However, this is not an hotel in the accepted sense of the term, as since 2019 this building has been homeless accommodation managed by the LPA. The ES does not take this information into account. We are concerned that the Appellant has not addressed the potential concerns that could be caused to vulnerable people living in this accommodation and receiving housing support. Has the Appellant completed an Equality Impact Assessment to accompany the ES?	Equality impact assessment legislation

2.1.3	The ES site description does not mention the valuable diversified use that the land at Model Farm is being used for now. Namely, seed production for which the land is ideal and productive.	Wild Wales Seeds website.
2.1.6	This paragraph says that 'no built development is proposed to interact with the Bullhouse Brook or Whitehouse Brook, but that is not correct. In the development phase of ten years attenuation ponds potentially, built of concrete, will be built at the confluence of the two brooks.	
2.2.3	The heights of buildings are not specifically referred to or restricted by conditions. We question how meaningful consultation could have taken place with Cardiff Airport and the National Air Traffic Control Service (NATS) when the nature of the buildings is not clear and have been referred to in different ways in different documents. For example, solar panels were recently installed on the roof of the three-story homeless accommodation at the north-west corner of the site, which were deemed by the Council to be contrary to regulations and required planning permission. A ten-storey building could be built adjacent to the airport and its runway, which this ES does not exclude.	
2.3.1	The Appellant continues to repeat a desire for the Model Farm site to become 'Europe's Centre of aeronautical excellence' whilst at the same time indicating that it wants the site to be let to any category of B1, B2 or B8 development that will express an interest. It is our view that these two differing approaches are not compatible with existing legislation and guidance and contrary to natural justice in preventing interested parties in knowing what the clear intentions are for the site. Statutory consultees responses will be equally less valid, as like VCU, they will not be able to meaningfully comment upon the plans for Model Farm when the desired final produce is being obscured by both the Appellant and the LPA.	
2.3.2	The ES refers to the 'Continued growth of Cardiff Airport' and introduces this factor as potential support and validation for the creation of an adjacent industrial estate at Model Farm. This statement is factually incorrect and is misleading. Demand at the Airport has fallen since March 2020 and this is clearly acknowledged by Welsh Government in public statements and has been	

	formally confirmed as so by the Senedd's Public Accounts Committee. This is also well documented in the published Accounts of Cardiff Airport which shows falling demand, negative growth and a continued need for publicly funded contributions to the Arm's Length Company which owns it on behalf of WG. The Airport is in decline and is being subsidised substantially by WG. This is a new material consideration, that has happened since the original application was made in 2019. Recently WG has announced subsidies to the Airport and financial help. WG have indicated that future financial help will also be required.	
2.3.2	The Appellant states that the extension to Porthkerry Park will 'Increase opportunities for recreation and amenity'. What the ES does not state is that increased access to the extension land will prevent and restrict the Appellant's putative actions on biodiversity mitigation. It is ludicrous to expect that an increase in ground nesting birds will be achievable at the same time as increased access to the land by people and dogs. It is surprising to VCU that the LPA's Ecology Officer has not commented on this matter in Officer's reports or given any explanation as to how ground nesting birds and dogs will exist harmoniously on the same piece of land.	
2.3.2	The Appellant does not mention guidance received from a Statutory Consultee – The Woodland Trust - who have issued guidance about 'buffer zones' around ancient woodland on the Model farm site. The guidance is to ensure a minimum of.50 metre buffer zones, but the Appellant on its final illustrative plan only gives a 15-metre buffer zone. This is inadequate and indicates a reluctance on behalf of the Appellant to accept guidance. We wish to remind PEDW that in internal guidance about outline planning permission it mentions that illustrative details of a development must be provided to decision makers, and yet in this application only vague and general descriptions and existing views of the site are shown, not what is planned. Two Computer Generated images are	

	provided but they are vague and in our view misleading.	
2.5.17	This paragraph refers to the Appellant's Design and Access Statement and Design Principles document – see page six of that document which repeats statements about aerospace related industry being the required outcomes of the development, yet the Appellant has now morphed the aim of the site into a general B1, B2 or B8 application. The Design Documents also refer to the provision of an energy centre on the site, but the final illustrative plan does not contain an energy centre as required by existing and current PEDW guidance.	Design and Access Statement and Design Principles document – dated July 2019
8.4.15	The Appellant appears to be confused about the Design implications of the application. Contradictory statements are made about the design at paragraphs 2.5.17 which says the design is complete, and paragraph 8.4.14 that the design is still not finalised. How is it possible for PEDW, the LPA, WG or interested parties to assess these proposals when the Appellant is confused about what the intentions for the site are?	
	The vague details provided in the final illustrative plan at paragraph 2.5.15, which was initially produced in 2021 appears to show a five-story office block at plot 1 and 2, which is near the homeless accommodation at the north west corner of the site. No commentary has been provided by the Appellant as to the planning considerations relevant to the office block having clear views into homeless accommodation (or even hotel room accommodation. No reference to this was included in the LPA's Officers recommendations report of 1st March 2023 and both the LPA and the Appellant appear to be considering the building at the north-west corner of the site as a hotel, when it is not a hotel. VCU have not been provided with details of a change of use from hotel to homeless accommodation by the LPA and no commentary on the status of the relationship between this building and the development site is provided by the Appellant.	
2.5.18	The ES does not meet the requirements of Part five of the Town and Country Planning (Environmental Impact Assessment) (Wales)	The Town and Country Planning

	Regulations 2017 – Part five – Publicity and Procedures on Submission of Environmental Statements. Regulation 17 requires that an Environmental Statement is a statement which includes at least *'a description of the proposed development comprising information on the site, design, size and other relevant features of the development'.* The environmental statement does not included details of the design, or visual appearance of the development – neither does it comment on the colours, materials or specific roof height of the proposed development. Roof heights are only mentioned in a general way, without giving any credence to the fact that much of the development site slopes. The draft Schedule of Planning Conditions does not limit the height of buildings to be developed. It is feasible with the existing vague proposals for a ten-story building to be introduced at detailed planning stages and interested parties would have limited ability to influence the LPA granting detailed planning permission The Design and Access Statement and design principles document does not state what the building's appearance is proposed to be. It does not specify the use of materials, or colours or visual insertion into the landscape. All of the building could be painted day glo yellow as a marketing exercise, but VCU cannot comment on this, and the Appellant cannot reasonably defend such an example, because the design guide is silent on all matters of appearance. The Design and Access Statement and Design Principles document was produced in July 2019 and therefore predates any updated guidance issued by WG, PEDW and locally by the LPA.	(Environmental Impact Assessment) (Wales) Regulations 2017 – Part five – Publicity and Procedures on Submission of Environmental Statements

3. Planning policy context

ES paragraph reference	VCU Comment	Legislative or documentary reference
3.2.2	Welsh Government seeks to maximise the food sectors and gives guidance that the planning system should be supportive of this aim through policies summarised in Planning Policy Wales. Model Farm is a substantive contributor to the	Planning Policy Wales – Edition 12

	seed requirements of other farming and horticultural endeavours and plays a part in the food chain, helping Wales to retain some degree of food security. The ES does not take this matter into account.	
	VCU submit that the Appellant was overly reliant on advice given to it by the LPA, and the Council's EIA Screening Opinion. Rather than making its own arrangements to meet the requirements, the Appellant initially produced a shortened ES which scoped out significant areas of the Regulations. Since the first ES was produced in 2019, the Appellant has repeatedly amended the text of the ES to meet a changing legislative regime, without adequately providing solutions to coherent challenges made by the Community and outside Statutory Consultees and LPA Committees and Councillors.	Future Wales : The National Plan (2040)
	The Regulations list the aspects of the environment likely to be significantly affected by development as population, human health, biodiversity, land, soil, water, air, climate, material assets, cultural heritage and landscape. VCU submit that inadequate consideration has been given to the effects on adjacent property, in the area of population, human health, biodiversity, land, soil, water, air, climate, material assets, cultural heritage and landscape. In essence, the Appellant does not address adequately all of the requirements of the legislation.	
	VCU believe that insufficient attention has been given in this ES to impacts on local receptors in relation to ground conditions, noise, vibration and air quality. The construction phase for this development is likely to be a decade or more yet the Appellant cannot provide information on human health for those people living adjacent to the site.	
3.2.22	The Appellant makes references to the location of the site within the St Athan- Cardiff Enterprise Zone, and that zone's incorporation into the adopted Vale of Glamorgan Local Development Plan (LDP). The Appellant points to the enterprise zone's locality to provide a significant opportunity to bring about aerospace related investment into the area. The Appellant argued in the original ES that there were no reasonable alternatives within which to	Vale of Glamorgan adopted LDP Schedule 4 of the Town and Country Planning (Environmental Impact

	locate the proposed development, as the proximity to the Airport was vital. However, with the change of the application to general B!, B2 or B8 classes that argument now is rendered obsolete. This proposed industrial estate could be located anywhere, and the availability of 305 hectares at Bro Tathan renders this application unnecessary and undeliverable. Alternative potential sites are listed in the Appellant's own Design and Access Statement, and substantial tracts of industrial land are available across South Wales. Insufficient consideration of alternatives renders the ES incomplete. This is a specific requirement of section 4 of the Town and Country Planning (Environmental Impact Assessment) (Wales) 2017	Assessment) (Wales) 2017
3.3.11	Policy MG20 refers to nationally protected sites and species. The policy states that development proposals likely to affect protected species will only be permitted where it is demonstrated that '*there is no suitable alternative to the proposed development'.* There are substantial alternative sites within the Vale of Glamorgan, and wider area, already with planning permission and with better access. There is no special merit or policy imperative for this site at Model Farm.	
3.2.20	Technical Advice Note 23; Economic Development advises that in identifying land for economic uses in development plans when determining applications, LPA (and therefore applicable to the Welsh Ministers in this call in process) should apply a sequential test approach. Land in the open countryside should be the third choice, Where a planning application is being considered, that could cause harm to the environment or social cohesion, it should ask three questions to help balance the economic, social and environmental issues: 1. Alternatives – if the land is not made available is it likely that the demand could be met on a site where development would cause less harm? VCU contend that there are ample sites where less harm would be caused – for example the 305 hectares of	Technical Advice Note 23: Economic Development (20140

	land available at Bro Tathan, less than 5 kilometres from Model Farm. 2. Jobs accommodated – how many direct jobs will be based at the site? VCU contend that the Appellant cannot answer this question and avoid making any clear statements about job creation, because the entire basis of the proposed development is speculative, and a hope that possible tenants will arrive at some future date. 3. Special merit – would the development make any special contribution to policy objectives? VCU contend that there is no special merit in this application that would add to policy objectives. The original LDP objective of an aerospace related industrial park has been superseded by the decline of Cardiff Airport, and the substantial availability of other B1, B2 and B8 industrial land in the vicinity.	
	Key documents and information about the development have been withheld from public examination and scrutiny. For example, the Delivery Report – produced by RPS – was only available on the PEDW website after initial document submission by interested parties had closed. The report itself is dated November 2024 and contains complex financial information that was known by the Appellant but not by interested parties, or the LPA. This information was not provided to the LPA's Planning Committee during meetings held by the LPA in December 2024 and January 2025.	Delivery Report – Produced by RPS – in November 2024

4. Highways and transportation

ES paragraph reference	VCU Comment	Legislative or documentary reference
	There is one main road to and from the Barry area serving the western vale. The A4226 is a two lane road that wasn't built to accommodate large numbers of vehicles. Since Model Farm first appeared on a planning application there has been a significant increase in housing and other developments in the Western Vale all adding to an increase in traffic. Planning permission has already been granted for a new Advanced Technology Centre for Cardiff and Vale College, essentially an Aeronautical College (ref: 2024/00329/FUL), on	Chairman's statement to the public inquiry.

	land opposite the farm, with a prediction of 1300 people using the facility. The Cardiff Capital Region group have plans to redevelop the now disused Aberthaw Power Station which will undoubtably increase traffic further.	
	The VOGC have proposed a new candidate site for housing adjacent to Weycock Cross. This matter only became public knowledge in April 2025 and involves the potential development of over 300 dwellings on part of the existing, reduced Green Wedge land between Rhoose and Barry. This proposal contains the construction of a new traffic light-controlled junction on the A4226, which has significant implications for traffic flow delays between Rhoose and Barry.	
	The LPA concluded, as long ago as 2019, that the development is likely to result in significant impacts relating to traffic and transportation. This was set out in the LPA's Screening Opinion of 2019 and remains the case today. These concerns expressed that the impacts extended beyond the immediate locality of Model Farm and as such there was considerable impact on the wider highway network. This is more pronounced now, with the impact of reduced speed limits in Barry having a knock-on effect to the road network around the Airport, and the outskirts of Barry.	LPA EIA Screening Opinion
4.2.28	This paragraph asserts that '*There are six rail stations within 25 minutes cycle time of the Station. (We think this means the 'site').* This is not true. It would require a cyclist of Olympic standard to reach any of the stations, other than the nearest station of Rhoose, in that time.	
4.4.34	This paragraph says *that 'Rail services at Rhoose will increase from one train to two trains per hour during peak periods by 2026'.* This is not correct. Although Transport for Wales (TFW) would like to increase the frequency of trains at Rhoose they are unable to do so, as there is limited capacity in other parts of the rail network that prevents increased capacity from happening. Can we see what evidence the Appellant has to make these unfounded assertions?	
4.5.3	Assumptions are made in paragraph 4.5.3 about trip generation. It has been assumed that B1 occupiers would only operate 5 days a week,	

	which theoretically reduces the numbers of trips, and hence the pressure on the road network. The Appellant cannot predict or assert that a B1 occupier would only work five days a week. It has not firm proposals from any potential occupier, so this data is potentially misleading and speculatively positive towards the Appellant's case.	
Table 4.10	Daily impact traffic flows. This data was compiled in 2023. This data is now out of date through the material consideration of the changes in speed limits instigated in Wales since this data was put together. The 20-mph speed limit introduced in wide swathes of the local road network have not been considered by this ES and yet have had a major contribution in backing traffic up from Barry out into the Western rural Vale. VCU assert that this data is therefore superseded and irrelevant.	
Non Technical Summary (NTS) – Paragraph 4.7	The NTS refers to an 'Improvement Scheme' to be built at Weycock Cross, that are not referred to in the main body of the ES. At paragraphs 4.7 and 4.9 of the NTS there are references to discussions with the Council and third-party landowners about potential improvement to this vital junction. However, a new material consideration has been introduced by the VOGC in April 2025, as new proposals to build over 300 dwellings on land adjacent to Weycock Cross on existing Green Wedge land. There are also tentative proposals to create a further traffic junction to access this new housing development which would have major traffic implication in restricting access to the Airport, Rhoose and the Western Rural Vale which has not been taken into consideration.	Non Technical Summary (NTS) – Paragraph 4.7
Non Technical Summary (NTS) – paragraph 4.3	The Appellant acknowledges that no assessment of the likely construction impacts of this proposed development have been undertaken. This makes consideration of the likely effects upon the local communities and built heritage impossible to assess. It is the view of VCU that the ten year projection of the constriction phase would heavily impact upon traffic flows in the area, substantially increase traffic times between Barry and Rhoose, restrict access to the Airport and have a significant adverse economic impact to the local community.	Non Technical Summary (NTS) – paragraph 4.3

5. Landscape and visual character

ES paragraph reference	VCU Comment	Legislative or documentary reference
5.2.1	The Appellant refers to out of date English guidance that has no relevancy to a proposed development in Wales. The Appellant refers to four sets of guidance – all related to England only, and more than ten years age. This is not considered by VCU as being pertinent to the Model Farm application and fails to recognise the distinctive differences between English and Welsh planning systems.	An approach to Landscape Character Assessment – Natural England (2014)
5.2.8	The fieldwork referred to in this section was carried out six years ago, and since this time new guidance and policy advice has been produced by WG covering landscape and built heritage.	
5.2.17	The representative viewpoints presented in this section have experienced changes since they were produced in 2019. New housing has been built, new layouts of road access and fuel supply have been made at Cardiff Airport and new fairground installations have been put in place at Barry Island, which change the views of the viewpoint photographs provided.	
5.6.2	Under the section on 'magnitude', the Appellant considers the sensitivity of the development on the topography to be 'Medium'. VCU submit that this is wholly incorrect and underpays the effect on a wider area. The Appellant is minimising the impact that replacing ancient woodland, arable farmland, and a Green Wedge, with a swath of concreate and undefined Industrial Buildings. VCU conclude that the impact would be a massive change and of high sensitivity.	
5.6.3	The Appellant asserts in paragraph 5.6.3 that '*the landscape elements and features within the application site are not particularly unique'.* VCU fundamentally disagree with this. The Model Farm site is unique along the Heritage Glamorgan coastline with no other similar complexity of biodiversity. It is a unique site given the variety of protected species, trees with Tree preservation Orders (TOPs), a thriving seed production	

	business, heritage assets and ground nesting birds, plus other rare species.	
5.5.10	There is already excess land allocation in the vicinity. Thousands of hectares of industrial land are already in possession of planning permission and yet lie undeveloped. South Wales has an excess of available industrial brownfield land – it is short of productive farmland and in a climate emergency, needs the benefits that Model Farm can provide.	
5.8.3	The Appellant acknowledges that a high magnitude of change would be inflicted upon the various Heritage assets adjacent to the site – particularly Upper and Lower Porthkerry Farm and The Old Rectory. The combination of damage to heritage assets and to biodiversity and ecology, should prevent this application from being approved.	
5.8.21	The Appellant only mentions Ash dieback as a potential risk on the site. The assumption that such accidents are unlikely without quantifying or specifying what that means is a significant admission. There are substantial amounts of construction activity planned for a decade or more. There are substantial areas of a sloping site that will require deep piledriving arrangements to be undertaken to construct (provisionally) 134 industrial units, and office blocks. There is limited water supply to the site and no input has been sought from emergency service to help determine the dangers to the site, adjacent property and people, the Airport or the transport network.	
5.9.22	The Nant Llancarfan Special Landscape Area (SLA) is less than 100 m north of the Model Farm site. The Conclusion of the ES is that limited impact would occur to due to limited intervisibility. However, because the heights of building are not specified or restrict by overall conditions there can be no certainty over the intervisibility issue.	
	VCU can only focus on the evidence that is before us. Therefore, we do not understand: and cannot see adequate and complete descriptions of the design of the proposal and its form and function; how it relates to the site; and how it would improve the quality of the site/area? In order to assist in this process, it may help for us to ask questions about the proposed development as these are not answered in the Environmental Statement.	Council report of 2024 – 12th Feb 2024

	• **Layout** is the framework of routes and blocks of development that connect locally/more widely, but the outline proposals do not give and sequential evidence of phasing and construction arrangements. Hints are given that the overall construction phase could be ten years long but does not say which potential items would be built first, or indeed at what stage would demolition take place. The 'hotel' repeatedly referred to in the ES is no longer a used as a hotel, but is a homeless accommodation, operated by the LPA since 2020, and the LPA have renewed these arrangements recently for a further twelve months. The Homeless accommodation is, in our view a House in Multiple Occupation (HMO) and as such is covered by separate housing legislation, and managerial requirements. The needs of vulnerable people living next to a construction site have not been considered by the Appellant from an Equality Impact Assessment perspective. • **Landscape** is the character and appearance of land, including its shape, form, ecology, natural features, hard and soft landscape, and the way these components combine. However, the outline application does not provide any specifications of the nature of the landscaping proposal • **Form** is the three-dimensional shape and modelling of buildings and the spaces they define. The form of a building or a space has a relationship with the uses and activities it accommodates, and also with the form of the wider place where it is sited. As the application was originally for a aerospace related development, and this has now morphed into an application for B1, B2 and B8 general industrial uses, the form of buildings must have changed. After all, the building needs of a car repair business or scrap recycling centre, would be entirely different to a high tech Pilot training centre, but the Environmental Statement treats both of these potential uses equally. • **Scale** is the height, width and length of each building proposed within a development in relation to its surroundings. This relates both to the overall size and massing of individual buildings and spaces in relation to their surroundings, and to the scale of their parts. What would prevent a building	

	of ten storeys being built on the site? How would this have been considered by the statutory consultees in the process, when the application is still at, by the choice of the Appellant, at outline stage. • **Appearance** is the aspects of a building or space which determine the visual impression the building or space makes, such as its architecture, building techniques, decoration, colour, texture, and lighting. VCU are unable to comment on these features, as the Appellant is committed to vagueness in it's design document which is, in our opinion, opaque in relation to what is intended. • **Materials** used for a building or landscape affect how well it functions and lasts over time. They also influence how it relates to what is around it and how it is experienced. VCU do not know the nature of likely occupiers as the B1, B2 and B8 category of potential uses is so vague. In the Vale of Glamorgan permission has been given to a wide range of uses for such buildings including breweries, fitness centres, scrap vehicle operations and food processing. Avoidance of providing information to the community likely to be adversely affected by the ultimate decision may be a tactic adopted by the Appellant but does not meet the stringent requirements of the Environmental Impact Legislation. • **Detailing** affects the appearance of a building or space and how it is experienced. It also affects how well it weathers and lasts over time. No information has been provided by the Appellant about the lifetime or durability intentions of buildings likely to occupy the site.	
	The application site is, in the view of Welsh Water, likely to face considerable problems in effectively dealing with foul and surface water. The Inspector who produced the ES Completeness report of 2023 (Declan K. Beggan) concluded that the Appellant should produce a 'Drainage Strategy' to identify how foul and surface water from the development would be managed. The Appellant has failed to do that. Great uncertainty exists about how this issue can be addressed. The Inspector said '*I am not satisfied that flooding/hydrology should be scoped out of the*	See 'Assessment of Environmental Statement' document by Declan K. Beggan – dated 12.06.2023

	ES'. And yet, the existing ES does not give any adequate solution to the matter, nor does the LPA provide any meaningful solution in its consultation responses or Officer's reports. Staying silent on the matter reduces the veracity and transparency of the application	

6. Built heritage

ES paragraph reference	VCU Comment	Legislative or documentary reference
	It should be noted that the Council's Conservation Officer has previously recommended refusal of this application due to the impact it could have on several listed buildings and locally listed 'County Treasures'. The possible implications of water drainage from this development and impact of attenuation ponds have the potential for flooding to Porthkerry Park and the former Egerton Grey House, which in our view is unacceptable.	
6.1.2	The Built Heritage Statement has not been updated since 2019. This is despite changes in legislation issued by Welsh Government. The evaluation of harm to heritage assets is not disputed by the Appellant but the scale of harm, is, in our view more than the harm described in the ES.	
6.3.2	There is a considerable body of guidance to meet WG objectives to protect the historic environment and VCU contend that this application seeks to unreasonably cause lasting and irreparable damage to the site and surrounding areas.	Planning Policy Wales (Edition 12. Welsh Government February 2024)
6.3.6	Paragraph 6.3.6 refers to development being approved where there is damage to the environment. This paragraph refers to public interest grounds. VCU contends that there are clear alternative sites available within the vicinity, and therefore the Appellant cannot meet the requirement of special merit, such that the damage to ecology, landscape and heritage assets is outweighed by the creation of warehousing and industrial units.	
6.5.5	Construction effects – VCU are concerned that the as the proposals are at a very unspecific outline stage, and the details of construction specifications are not clear from the Design guide	

	provided, that assumptions about construction impacts are not supported by evidence. For example, the ES does not give clear timescales and phasing of construction. Nor does it give details about the use of steel construction mechanisms which would necessitate cranes and heavy lifting vehicles being on site. We also make the point that much of the construction site slopes considerably and no clear principles appear to be included in the ES about what materials would be used to infill areas.	

7. Socio-economics

ES paragraph reference	VCU Comment	Legislative or documentary reference
7.2.13	VCU have concerns that the projected number of jobs that **will** be created has varied throughout the six years that since this application was made. The appellant has changed the way in which the outcomes for the site are presented repeatedly. In paragraph 7.2.13 the Appellant is now referring to statistics on the '*number of jobs the proposed development will have the capacity to accommodate'.* This is, in our view, complete nonsense. A storage warehouse would have the capacity to contain potentially thousands of human beings but may only have a very small number of employees that work there. Robotic warehousing developments, for example, those developed by Amazon and Ocodo have few people working in them. There is no real analysis in the whole Socio-economic section to give evidence of any firm proposals at all for employment. It is just a wish list to persuade the Welsh Government to give planning permission and ignore the damage to the environment and heritage assets, and does not accord with Planning Policy Wales Edition 12 section 6 about the Public Interest.	
7.4.18	Table 7.8 and paragraph 7.4.18 provide evidence that 91% of businesses in the Vale of Glamorgan are micro businesses employing less than 9 people. Yet the proposals in this application are to build 90 industrial units of around 3000 square feet. It is inconceivable to expect 90 businesses	

	moving to this remote, inaccessible site with poor transport links. There are simply too few people in the Vale of Glamorgan to support that scale of increased business activity proposals, and the ES does not give accurate or valid indications of real-world demand for 90 plus industrial units at this location.	
7.5.17	The construction phase is estimated to last 10 years. This indicates that there is no current momentum for demand. There is no keen and dedicated potential employer waiting in the wings to enter this development. It is a hypothetical and speculative development hoping for general B1, B2 or B8 businesses to turn up slowly over a ten-year period.	
7.5.64	Food security is not mentioned with the sector on Socio-economic sensitivity. Neither is the important and material consideration of climate change on socio-economic issues.	
	Excessive levels of planning permission have already been given planning permission within the Vale of Glamorgan. These are a sample of some of those developments within 20 miles of Model farm with substantial vacancies and huge amounts of unallocated land :- • Bro Tathan • Picketston • Hensol • Bridgend • North Cardiff • Newly granted industrial Estate development between Cardiff and Newport	
Non Technical Summary – Paragraph 7.5	The Appellant acknowledges that there have been changes to the demand for industrial units since the original ES was prepared. However, the Appellant does not state how it will generate demand on the Model Farm site when there are better alternate sites for industrial development with better access across South West Wales, and indeed within the Vale of Glamorgan. This is further evidence to indicate that this proposed development is unnecessary and unsustainable.	

8. Climate change

ES paragraph reference	VCU Comment	Legislative or documentary reference
	The Appellant is unable to quantify the likely effect of climate change implications should this development go ahead. Climate change and addressing its potential impacts about new development are central matters in terms of Future Wales The National Plan 2040, Planning Policy Wales Edition 12 and the Wellbeing of Future Generations Act 2015. The Welsh Government declared a climate emergency on 29th April 2019. The LPA declared a climate emergency on 29th July 2019, yet both the LPA and Appellant neglect to explain how positive benefits would accrue from this development.	
	The Appellant was criticised by PEDW in it's completeness report of May 2023 for the unacceptable omission of climate change implications and the Appellant has repeated the same omissions. If the Appellant is unable to quantify the climate change implications in the ES the development should be rejected by Welsh Ministers as no one will be able to adequately assess the impact on the people of Wales. This is entirely at odds with WG Legislation in the form of the Wellbeing of Future Generations Act 2015 which requires measures to ensure that the impact of current decisions does not fetter future generations with the mistakes of the present generation.	See 'Assessment of Environmental Statement' document by Declan K. Beggan – dated 12.06.2023
8.4.15	The Appellant states here that '*As the Proposed Development is currently in the outline stage of the design process, a detailed bill of quantities is not yet available until a future Reserved matters application is submitted.'* Effectively the Appellant is admitting that it does now know what is going to be constructed and cannot calculate the impact on climate change.	
Non Technical Summary – Chapter 8	Despite the criticism expressed by PEDW about the lack of information on Climate Change implications in the original application, the Appellant continues to avoid stating any evidence about the implications in this new ES. Repeatedly, the Appellant states that as the application is 'an outline design stage' it cannot say what the impact of the development will be on	

	climate change. This does not meet the requirements of Planning Policy Wales or enable the VOGC or others to assess the impact in a time of Climate Emergency.	

9. Ecology

ES paragraph reference	VCU Comment	Legislative or documentary reference
	The mitigation arrangements for biodiversity are temporary in nature. The Appellant and LPA have an agreement to return ownership and rights for the Porthkerry Park extension, back to the appellant after 20 years for a nominal sum, and by mutual agreement. This is contained in the Section 106 agreement between these two parties. The Appellant could then make application for further industrial use, or housing development.	VCU objection K
	The Vale of Glamorgan is the third worse Council in Wales for maintaining urban tree cover. It is therefore important to maintain biodiversity targets that the rural density of trees is maintained across the Country.	Report by NRW – 5th April 2025
	The proposed development fails to provide adequate mitigation over biodiversity interests on the site. The outline planning application refers to the demolition of existing buildings but does not give any coherent timescales when demolition would take place.	
9.5.14	The Appellant acknowledges here, that the details of the development are unclear. It states, *'Given that the proposed development is at outline stage, monitoring is not included in detail'.* The lack of formal monitoring arrangements whilst the development is at an initial stage is concerning. The Appellant has expressed views on the demolition of the existing buildings being one of the first tasks to happen during the ten-year construction phase. Inadequate monitoring is an abdication of responsibility by the Appellant and in our view does not provide an effective protection for protected species on the site.	
9.5.22	The Appellant is ignoring the requirements of the Environmental Impact Assessment regulations in scoping out air quality impacts. No air quality modelling of emissions has been undertaken.	

9.5.23	The Appellant states that '*The phasing of the proposed development is unknown'.* With no clear plans about what is actually going to be built, and no information about when any construction would take place, VCU remain concerned that this application is a speculative proposition unsupported by demand or specific site relevant merit.	
9.7.8	The ES states that '*taken together, ancient and semi-natural broadleaved woodlands on the site are considered to be of up to county importance'.* VCU are informed by Ecologist Emma Williams that the presence of a Black Poplar on the site would be of national significance. Species rich hedgerows are also noted on the site. The Appellant does not give adequate acknowledgement to the importance of this woodland in a legislative context.	
9.7.16	The Appellant describes the pond on the north of the site as being '*not considered to be of Priority Habitat status'.* Yet in April 2024 evidence of amphibians living in and around the pond has emerged. The ES underplays the importance of site ecology assets.	
Table 9.5 9.7.24 and onwards	The site is rich in biodiversity and habitat types. The most recent surveys show the extent of protected and notable species on the site – namely • Bats • Badgers • Otters • Dormouse • Brown hare • Over 70 species of breeding birds, including Schedule 1 birds listed on the Wildlife and Countryside Act 1981. • Amphibians. • Reptiles • Terrestrial invertebrates • Vascular and non-vascular plants VCU are concerned that the relationships between complex biodiversity interests are not being taken into account. The mitigation proposals underplay the reliance that one species has on another.	
9.7.69	No reptile survey has been undertaken, despite evidence that these have been noted in the area.	

	Th ES states '*Reptiles are considered to be important within the context of the site'*.	
9.8.2	The Appellant suggests that the Barn Complex is likely to fall into disrepair in the long term. The Appellant cannot possibly know what the longer-term repair and maintenance prospects for the farm building are. The Appellant has repeatedly sought planning permission to demolish the entire set of buildings at Model Farm, so the challenges of maintenance have not been assisted by the Appellant's own actions.	
9.11.77	It is misleading for the Appellant to state here that '*no operational activity is expected to lead to direct impacts on breeding birds and there is unlikely to be risks associated with nest destruction, killing or injury.* The LPA has provided a CIL Compliance Statement in which it states that ploughing and harrowing will be undertaken in the area of the Porthkerry Park. VCU submit that the actions planned by the LPA are at odds with the mitigation recommendations advocated by the Appellant.	
	The S106 arrangements and the transfer of land for the extension to Porthkerry are not compatible with Council Policies MG10 and MG28 of the LDP. The land would be transferred to the Council – specifically for the benefit of providing public access. At the same time the LPA has announced the anticipation of increased visitor numbers. These actions are entirely incompatible with the LPAs policies to promote nature conservation on the site/land being transferred, including mitigation for ground nesting birds.	
	The Appellant cannot achieve net gain in relation to biodiversity as the whole intention of the Porthkerry Park extension is to promote access by the public (human and dog) into previously restricted areas of private land – this is contrary to PEDW advice and NRW previously expressed views.	
	There are trees with Tree Preservation Orders attached to them, immediately adjacent to the site. These are a Pedunculate Oak (TPO Ref: 2022-01T6) at the confluence of Bullhouse Brook and Whitelands Brook, two London Plane trees (TPO Ref : 2022-01-T3 and 2022-010T4) and a Horse Chestnut (TPO Ref :2022-01-T2). These trees are located close to where construction activity is indicted to construct attenuation ponds. The ten-	

	year construction phase is in our view, likely to affect the viability of these protected trees.	
	The LPA's original Screening Opinion for the EIA stated that the Model Farm site was not ecologically sensitive but had the potential to support protected species. Ecology was, therefore, scoped out of the main ES previously produced. This original assessment was, in our view, completely wrong. Even the Appellant, through subsequent investigations and surveys, now acknowledge that the ecology and biodiversity of the site is complex and abundant. However, the LPA has continued to follow this old, flawed advice, and the belief that mitigation is possible remains in this ES. VCU believe that it is not possible to mitigate the effect on the Ecology by the actions proposed in this ES.	See 'Assessment of Environmental Statement' document by Declan K. Beggan – dated 12.06.2023.

10. Financial viability and deliverability

ES paragraph reference	VCU Comment	Legislative or documentary reference
	There has been substantial construction cost inflation since the Financial Viability calculations were produced (finally after a Judicial Review, forced the LPA to reveal documents that it had previously withheld from public scrutiny). The Delivery Report indicates on page 31 that a loss of £6.8 million would be made on the development in the first ten years of its construction. However, VCU contend that the financial viability calculations are flawed, exclude some obvious costs, and underplay the real financial viability considerations.	Avison Young Report
	The total scheme is indicated as being loss making. This is even after the LPA has decided to subsidise the scheme but failing to implement Supplementary Planning Guidance for infrastructure which would have required the applicant to pay £3.7 million in Section 106 contributions. The deliverability of the scheme is a material consideration and should have been taken into account when first being included in the LDP. The appellant's own projections indicate that the scheme is speculative and there is no evidence of need for this development in this location.	

	There is no allowance for the planning obligations associated with the transfer of land in the Section 106 draft agreement. The LPA has now agreed to apply a cost of living indexation to the original costs of managing the Porthkerry Park extension. In our estimate this is a likely cost of almost £1million that has not been included in the Delivery Report financial appendices.	
	There are no assumptions made for interest charges in the financial assessments made by the Appellant. There is sensitivity analysis to indicate how changes to interest rates would impact on financial viability, or how construction cost inflation has been built into these assumptions.	
	The Avison Young report noted that the proposed development is likely to be materially less attractive than numerous existing sites in South-East Wales, most of which have proximity to the M4. VCU remain of the view that the evidence of demand for industrial units on this specific site is negligible and unevidenced.	
	The CIL Compliance statement produced by the LPA has some extraordinary financial information about the costs of managing the extension to Porthkerry Park.	CIL Compliance Statement