

**APPLICANT:** Welsh Education Partnership (WEPCo) and Cardiff an C/O Agent, - , -, -

**AGENT:** Mr Tobias Robinson Helmont House, Churchill Way, Cardiff, CF10 2HE

### **Land to the South of Blackton Lane and West of Port Road, Rhoose**

Development at land to the south of Blackton Lane and west of Port Road for a new Advanced Technology Centre for Cardiff and Vale College including landscaping, related infrastructure and engineering works

### **REASON FOR COMMITTEE DETERMINATION**

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application is of a scale and nature that is not covered by the scheme of delegation.

### **EXECUTIVE SUMMARY**

The proposal is a full planning application submitted by the Welsh Education Partnership (WEPCo) and Cardiff and Vale College (CAVC) seeking planning permission for the proposed development of a new education building focussed on advanced technology within the Cardiff Airport and Gateway Development Zone. The proposed building, along with the facility recently granted planning permission at Barry Waterfront under application 2024/00306/FUL, would be intended to replace CAVC's existing campus at Colcot Road.

The submissions detail that the proposed facility would provide for circa 1896 pupils and 215 staff (85 full time equivalent) within a building of circa 13,000 square metres, that would be located adjacent to the corner of Port Road and Tredogan Road.

The site comprises of circa 3.7 hectares of land on the corner of Port Road and Tredogan Road, to the north-east of Cardiff Airport. Land uses surrounding the site include the airport long stay carpark to the south, an aircraft supply shop to the west, and agricultural land to the north and on the opposite side of Port Road to the southeast. The site is outside of any settlement boundary defined by the Local Development Plan (LDP), although falls within the St Athan – Cardiff Airport Enterprise Zone and within an identified Strategic Employment Allocation (02) 'Land adjacent to Cardiff Airport and Port Road, Rhoose' for B1, B2 and B8 uses. Port Road and Tredogan Road are noted as a Transport Allocation for a Bus Line from A4050 to Culverhouse Cross.

Two representations received raising concern with regard to the development being isolated; increased traffic at the nearby Dragon Tails Roundabout and at peak school times and indiscriminate parking at neighbouring sites.

The application is recommended for approval subject to conditions.

### **SITE AND CONTEXT**

The site comprises of circa 3.7 hectares of land on the corner of Port Road and Tredogan Road, to the north-east of Cardiff Airport. Land uses surrounding the site include the airport long stay carpark to the south, an aircraft supply shop to the west, and agricultural land to the north and on the opposite side of Port Road to the southeast. The site is outside of any settlement boundary defined by the Local Development Plan (LDP), although falls within the St Athan – Cardiff Airport Enterprise Zone and within an identified Strategic Employment Allocation (02) 'Land adjacent to Cardiff Airport and Port Road, Rhoose' for B1, B2 and B8 uses. Port Road and Tredogan Road are noted as a Transport Allocation for a Bus Line from A4050 to Culverhouse Cross. A site location plan showing the site is shown below:



The majority of the site comprises of an identified Habitat Site, although this is noted as being unfavourable and containing no priority habitat. The site is free of archaeological designation itself although records are noted within close vicinity of the site.

The site falls within an Aviation Safeguarding Zone noting its position adjacent to the airport. The site also falls within DAM Flood Zone A indicating low risk of tidal or fluvial flooding, however, some areas in the west of the site are subject to low-medium surface water flood risk.

## DESCRIPTION OF DEVELOPMENT

The proposal is a full planning application submitted by the Welsh Education Partnership (WEPCo) and Cardiff and Vale College (CAVC) for the proposed development of a new education building focussed on advanced technology within the Cardiff Airport and Gateway Development Zone. The proposed building, along with the facility recently granted planning permission at Barry Waterfront under application 2024/00306/FUL, would be intended to replace CAVC's existing campus at Colcot Road.

The submissions detail that the proposed facility would provide for circa 1896 pupils and 215 staff (85 full time equivalent) within a building of circa 13,000 square metres, that would be located adjacent to the corner of Port Road and Tredogan Road.

The building would have a three-storey atrium at its centre, with two accesses from Port Road and from the car park within the site. Two wings are proposed to the east of the building, which are indicated as including 'motor and building services' and 'construction'. The proposed building would be finished in a mix of cladding materials with a different finish from ground to first floor/second floors with perspective elevation details taken from the submitted design and access statement shown below:



Front of the building from Tredogan Road



Perspective view of building from north-west from the proposed car park

Parking would be provided to the north-west of the buildings, with SuDS features and MUGA provision to the northern corner of the site adjacent to the principal access to the site. The proposals would include circa 290 car parking spaces with 10% EV charging. Additionally 284 long stay cycle parking spaces and 20 short stay spaces are proposed. The site layout is shown below:



### PLANNING HISTORY

1990/00922/OUT, Address: Land to the north-east of Cardiff-Wales Airport, Rhoose, Proposal: Business Park (B1 & B8 uses), airport related industry, ancillary uses, warehousing, hotel, car parking, open space/ recreation, pilot training college, museum & highways, Decision: Approved

1991/00193/OBS, Address: Cardiff-Wales Airport Business Park, Rhoose, Proposal: Temporary tip for storage of topsoil, sub-soil and rock, Decision: Permittal (OBS - no objections :request conditions);

1995/00475/FUL, Address: Cardiff-Wales Airport Business Park, Port Road, Barry, South Glamorgan, Proposal: Application under section 73 of town and country planning act 1990 to vary condition 1 of planning permission 3314 granted on 6.7.92 to permit submission of reserved matters within 5 years of outline permission., Decision: Approved

1996/00114/FUL, Address: Cardiff (Wales) Airport, Business Park, Port Road, Rhoose, Proposal: Application under S.73 to modify a condition so as to remove a limitation on industrial activities being airport or aircraft related, Decision: Approved

2000/00132/OUT, Address: Cardiff International Airport Business Park, Rhoose, Proposal: Development of land adjacent to Cardiff International Airport for B1, B2 and B8 use, Decision: Approved

2002/01648/OUT, Address: Airport access road and junction with Port Road, Barry, Proposal: 144 bedroom hotel with function rooms, a fitness/leisure suite and associated car parking, Decision: Approved

2003/00075/ADV, Address: Approaches to Cardiff International Airport, i.e. Port Road access road, Proposal: Advertising hoardings, Decision: Refused

2004/00052/FUL, Address: Airport Access Road and junction with Port Road, Barry, Proposal: 100 bed hotel with associated car parking, Decision

2022/00660/SC1, Address: Land to the South of Blackton Lane and West of Port Road, Cardiff Airport Business Park, Port Road, Rhoose, Proposal: Screening Opinion Request on the requirement of an Environmental Impact Assessment for the proposed development of the CaVC Advanced Technology Centre (ATC), Decision: Environmental Impact Assessment (Screening) – Required

2023/00854/SC1, Address: Land to the South of Blackton Lane and West of Port Road, Cardiff Airport Business Park, Port Road, Rhoose, Proposal: Formal screening opinion to confirm if an Environmental Impact Assessment is required in respect of the proposed Cardiff and Vale College Advanced Technology Centre, Decision: Environmental Impact Assessment (Screening) - Not Required

## CONSULTATIONS

**The Council's Highway Development section** was consulted with regard to the proposals and in their initial comments they advise the submitted Transport Assessment had been reviewed externally by Link Transport and that they agreed with the 20 recommendations contained therein, including but not limited to further details of parking provision; active travel infrastructure and additional swept path analysis to be submitted. In addition, the highways officer asked for further and improved details of active travel routes; further details of bus stops and shelters; details of traffic regulation orders; details of service/delivery arrangements to the site and the access road to widened to 7.3m to accommodate HGV movements.

Further to this, further negotiation took place with a review to overcome these concerns with the Council's highways officer and their appointed consultants. Additional information was provided, including the provision of an enhanced footway/cycleway along the frontage of the site to connect with the proposed bus stop. Further highways comments are discussed in greater length in the body of the report below but in summary they raise no objection subject to conditions being attached to any consent given requiring full engineering details of the off-site works; to provide full details of traffic regulations to reduce speed limit; provision of a construction traffic management plan; provision of a revised travel plan; provision of a signage strategy; a condition survey prior to commencement of works and associated second survey after works have finished to establish required remediation.

**South Wales Fire & Rescue Service** were consulted and advise that they have no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation' that includes the adequacy of water supplies and access for emergency firefighting appliances.

**The Council's Drainage Section** provide comments and state that the site is located in DAM Zone A and is not at risk of fluvial/coastal flooding and most of the site is at low risk of surface water flooding with exception of an area of medium risk at the western corner. As such they request an advisory relating to the submission of an application for SAB approval.

**The Council's Shared Regulatory Services (Pollution Control)** were consulted although no comments had been received at the time of writing this report.

**Cardiff Airport (Safeguarding)** were consulted and provided comments that they have no concerns in terms of physical safeguarding or in terms of National Air Traffic Services. They do not anticipate any issue in terms of lighting, although seek the applicant to commit to engagement with them should issues arise. They advise that the proposals should avoid any areas of standing water (including during construction) and seek that species of trees/plants do not become an attractant for feeding birds, particularly larger corvids, gulls or Canada Geese. They also seek clarification that there would be no yellow glare from the solar panels towards Air Traffic Control, approaches or visual circuit patterns or any potential for any green glare.

**Heneb, The Trust for Welsh Archaeology (formerly GGAT)** were consulted and advise that the proposals require archaeological mitigation with a moderate potential for archaeological remains being identified, including those relating to RAF accommodation buildings dating from the 1960s. As such they recommend a condition be attached to any consent granted requiring a written scheme of historic environment mitigation to be submitted prior to commencement of development.

**Cadw, Ancient Monuments** were consulted although no comments had been received at the time of writing this report.

**Dwr Cymru Welsh Water** were consulted who indicate that it is unlikely that sufficient capacity exists to accommodate development without causing detriment to existing services/the environment and that no enforcement works are currently planned. As such they advise that the applicant should undertake a hydraulic modelling assessment. They advise that there is capacity to serve the development in terms of potable water and request a condition requiring that no surface water or land drainage be allowed to connect directly or indirectly with the public sewerage network.

Following the submission of the hydraulic modelling assessment, DCWW have confirmed that a condition would be required to ensure the solution is implemented. The suggested wording of the condition was sent to DCWW who confirmed that they were satisfied with this.

**The Council's Ecology Officer** initially objected to the application on the basis of the loss of circa 405m of hedgerow; 28% woodland habitat and the lack of suitable mitigation planting and maintenance of connectivity for wildlife. They also requested further details relating to habitat compensation; boundary features to allow for passage of hedgehogs and larger mammals and need for conditions requiring a Landscape and Ecology Management Plan (LEMP) and lighting scheme.

Following the receipt of amended details they removed their objection owing to the additional hedgerow shown on the amended submissions although provided further comments with regard to the tree species being non-native; query whether planting could be provided between MUGA and meadow to prevent lightspill; mowing cycles of grassland habitat. In these comments they reiterated requests for conditions relating to LEMP and lighting strategy.

A LEMP inclusive of a lighting strategy was subsequently submitted although at the time of writing this report all matters within this document had not been fully agreed with the Council Ecologist.

**The Council's Landscape Section** was consulted although no comments had been received at the time of writing this report.

**The Council's Strategic Property Estates section** was consulted although no comments had been received at the time of writing this report.

**Wales and West Utilities** state that they '*have no objections to these proposals, however our apparatus may be at risk during construction works and should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversion works be required these will be fully chargeable.*'

**Natural Resources Wales** advise that they do have concerns with the application although advise that any such concerns can be overcome by attaching a condition requiring submission of a construction environment management plan to any consent granted. With regard to protected species and any impact upon protected species and nearby 'Arable Farms Zone' they advise further consultation with the County Ecologist.

Following the submission of a CEMP they advise that they have reviewed the submission and are satisfied with the details contained therein.

**Western Power Distribution** provided comments advising that should the applicant require a new connection or service alteration for the existing assets on the land, they will need to make a separate application to the National Grid

**Shared Regulatory Services (Contaminated Land, Air & Water Quality)** note that the submissions do not identify contaminants at the site and request conditions relating to unforeseen contamination; importation of soils/aggregates; use of site won materials and an advisory note relating to contamination and unstable land.

**Rhoose Ward members** were consulted although no comments had been received at the time of writing this report.

## REPRESENTATIONS

The neighbouring properties were consulted on 24 April 2024. Site notices were also displayed on 9 May 2024 and the application was also advertised in the press on 29 April 2024.

At the time of writing this report, two representations have been received raising the following issues:

- Rhoose will be more isolated
- Queuing traffic at Dragons Tail Roundabout
- Increased traffic at school time
- Indiscriminate parking at neighbouring sites

## REPORT

### Planning Policies and Guidance

#### **Local Development Plan:**

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

#### **Strategic Policies:**

POLICY SP1 – Delivering the Strategy

POLICY SP2 – Strategic Sites

POLICY SP5 – Employment Requirements

POLICY SP7 – Transportation

POLICY SP10 – Built and Natural Environment

## **Managing Growth Policies:**

POLICY MG9 – Employment Allocations  
POLICY MG10 – St Athan - Cardiff Airport Enterprise Zone  
POLICY MG16 – Transport Proposals  
POLICY MG20 – Nationally Protected Sites and Species

## **Managing Development Policies:**

POLICY MD1 - Location of New Development  
POLICY MD2 - Design of New Development  
POLICY MD4 - Community Infrastructure and Planning Obligations  
POLICY MD7 - Environmental Protection  
POLICY MD8 - Historic Environment  
POLICY MD9 - Promoting Biodiversity  
POLICY MD14 - New Employment Proposals  
POLICY MD15 - Protection of Allocated Employment Sites  
POLICY MD16 - Protection of Existing Employment Sites and Premises  
POLICY MD19 – Low Carbon and Renewable Energy Generation

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

## **Future Wales: The National Plan 2040:**

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process. The following chapters and policies are of relevance in the assessment of this planning application:

### Chapter 3: Setting and achieving our ambitions

- 11 Future Wales' outcomes are overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales.

### Chapter 4: Strategic and Spatial Choices: Future Wales' Spatial Strategy

- Guiding framework for where large-scale change and nationally important developments will be focussed over the next 20 years.
- Strategy builds on existing strengths and advantages and encourages sustainable and efficient patterns of development.

### Chapter 5 – The Regions

- The Vale of Glamorgan falls within the South East region.
- Regional policies provide a framework for national growth, for regional growth, for managing growth and supporting growth.
- In the absence of SDPs, development management process needs to demonstrate how Future Wales' regional policies have been taken into account.

### Policy 1 – Where Wales will grow

- Supports sustainable growth in all parts of Wales.

- Development in towns and villages in rural areas should be of an appropriate scale and support local aspirations and need.

**Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking**

- Based on strategic placemaking principles.

**Policy 5 – Supporting the Rural Economy**

- Supports sustainable, appropriate and proportionate economic growth in rural towns.
- Supports development of innovative and emerging technology businesses and sectors to help rural areas unlock their full potential, broadening the economic base and creating higher paid jobs.

**Policy 6 – Town Centre First**

- Sequential approach for new commercial, retail, education, health, leisure and public service facilities.

**Policy 9 – Resilient Ecological Networks and Green Infrastructure**

- Action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

**Policy 10 – International Connectivity**

- Cardiff Airport identified as a strategic gateway to facilitate international connectivity.
- Enterprise Zone offers opportunities for investment in the site and surrounding areas.
- New development around strategic gateways should be carefully managed to ensure their operation is not constrained or compromised.

**Policy 11- National Connectivity**

- Support developments associated with improvements to national connectivity.
- Where appropriate, new development should contribute towards the improvement and development of the National Cycle Network and the key links to and from it.

**Policy 12- Regional Connectivity**

- Priority in urban areas is improving and integrating active travel and public transport.
- Priority in rural areas is supporting the uptake of ULEV vehicles and diversifying and sustaining local bus services.
- Active travel must be an essential and integral component of all new developments.
- New development and infrastructure should be integrated with active travel networks and where appropriate ensure new development contributes towards their expansion and improvement.

- Supports reduced levels of car parking in urban areas, car free developments in accessible locations and developments with car parking spaces that can be converted to other uses over time.
- Where car parking is provided for new non-residential development a minimum of 10% of car parking spaces should have electric vehicle charging points.

### **Planning Policy Wales:**

National planning policy in the form of Planning Policy Wales (Edition 12, February 2024) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

The following chapters and sections are of particular relevance in the assessment of this planning application:

#### Chapter 2 - People and Places: Achieving Well-being Through Placemaking,

- Maximising well-being and sustainable places through placemaking (key Planning Principles, national sustainable placemaking outcomes, Planning Policy Wales and placemaking

#### Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Promoting Healthier Places
- Sustainable Management of Natural Resources
- Placemaking in Rural Areas
- Accessibility
- Previously Developed Land
- The Best and Most Versatile Agricultural Land
- Development in the Countryside (including new housing)
- Supporting Infrastructure

#### Chapter 4 - Active and Social Places

- Transport
- Activities in Places (retail and commercial development)
- Recreational Spaces

#### Chapter 5 - Productive and Enterprising Places

- Economic Infrastructure (electronic communications, transportation Infrastructure, economic development, tourism and the Rural Economy)
- Energy (reduce energy demand and use of energy efficiency, renewable and low carbon energy, energy minerals)

- Making Best Use of Material Resources and Promoting the Circular Economy (design choices to prevent waste, sustainable Waste Management Facilities and Minerals)

## Chapter 6 - Distinctive and Natural Places

- Recognising the Special Characteristics of Places (The Historic Environment, Green Infrastructure, Landscape, Biodiversity and Ecological Networks, Coastal Areas)
- Recognising the Environmental Qualities of Places (water and flood risk, air quality and soundscape, lighting, unlocking potential by taking a de-risking approach)

### **Technical Advice Notes:**

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 15 – Development and Flood Risk (2004)
- Technical Advice Note 18 – Transport (2007)
- Technical Advice Note 23 – Economic Development (2014)
- Technical Advice Note 24 – The Historic Environment (2017)

### **Welsh National Marine Plan:**

National marine planning policy in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales.

### **Supplementary Planning Guidance:**

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). The following SPG are of relevance:

- Biodiversity and Development (2018)
- Cardiff Airport and Gateway Development
- Design in the Landscape
- Economic Development, Employment Land and Premises (2023)
- Model Design Guide for Wales
- Parking Standards (2019)
- Planning Obligations (2018)
- Public Art in New Development (2018)
- Sustainable Development - A Developer's Guide

- Travel Plan (2018)
- Trees, Woodlands, Hedgerows and Development (2018)

**Other relevant evidence or policy guidance:**

- Manual for Streets (Welsh Assembly Government, DCLG and DfT - March 2007)
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Welsh Office Circular 13/97 - Planning Obligations

**Equality Act 2010**

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the preparation of this report.

**Well-being of Future Generations (Wales) Act 2015**

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

**Issues**

Noting all of the above, it is considered that the main issues to consider are the acceptability of the proposals in principle, the visual impact, highways impacts and impacts upon ecology and green infrastructure. Other matters to be considered include water and drainage considerations and impact upon the historic environment.

**Principle of development**

Future Wales supports Cardiff Airport for its strategic importance for international connectivity, it being the only airport in Wales that offers scheduled international flights. This is emphasised by Policy 10, which states:

- Cardiff Airport identified as a strategic gateway to facilitate international connectivity.
- Enterprise Zone offers opportunities for investment in the site and surrounding areas.
- New development around strategic gateways should be carefully managed to ensure their operation is not constrained or compromised.

It is also stated that:

*“Cardiff Airport is located within the Cardiff Airport and Bro Tathan Enterprise Zone which offers opportunities for investment in the site and surrounding areas. The Enterprise Zone offers a wide range of development sites and business accommodation, providing opportunities for the development of bespoke facilities or investment in existing accommodation.” (page 82)*

The application site is identified within the masterplan for the airport and would assist in delivering upon this strategically important site. Its presence in the context of the LDP is discussed in more detail below, but Members should note the strategic nature of the location and that the national policy framework fully supports the future development of Cardiff Airport and the Enterprise Zone.

Policy SP2 'Strategic Sites' states that land is allocated at the following strategic sites.

3. Employment uses at land adjacent to the airport and Port Road, Rhoose, as part of the St Athan – Cardiff Airport Enterprise Zone'.

The support text expands upon this with regard to the particular allocation stating:

*5.41 The LDP Strategy recognises the importance of Cardiff Airport to the future prosperity of the Vale of Glamorgan, as does its designation (along with St Athan) as part of the 'St Athan – Cardiff Airport' Enterprise Zone. This strategically located flagship site is intended to stimulate inward investment and consolidate the role of the Vale of Glamorgan within the Capital Region.*

*5.42 To facilitate the Enterprise Zone, Policy MG10 allocates 77.4Ha of land surrounding the airport, which is intended to focus on business and employment uses catering specifically for the needs of the aerospace industry and high-tech manufacturing. Policy MG10 expands upon this strategic allocation designation, which will require a Masterplan to demonstrate how a comprehensive development can achieve the strategic goals identified within the LDP, alongside the provision of a sizeable extension to the existing Porthkerry Country Park to the west of Barry (Policy MG28 refers).*

Policy MG9 details land allocated for employment at a number of locations including strategic employment sites including 2. Land adjacent to Cardiff Airport and Port Road, Rhoose (part of St Athan – Cardiff Airport Enterprise Zone) comprising of 77.4 Ha (gross) of land allocated for B1, B2 and B8 uses.

Policy MG10 is of particular relevance in that it expands upon the above stating the following:

*Land is allocated adjacent to Cardiff Airport and Port Road, Rhoose (77 ha) and at the aerospace business park St Athan (305ha) for the development of 382 hectares of strategic employment land (class B1, B2 and B8) forming part of the St Athan – Cardiff Airport Enterprise Zone.*

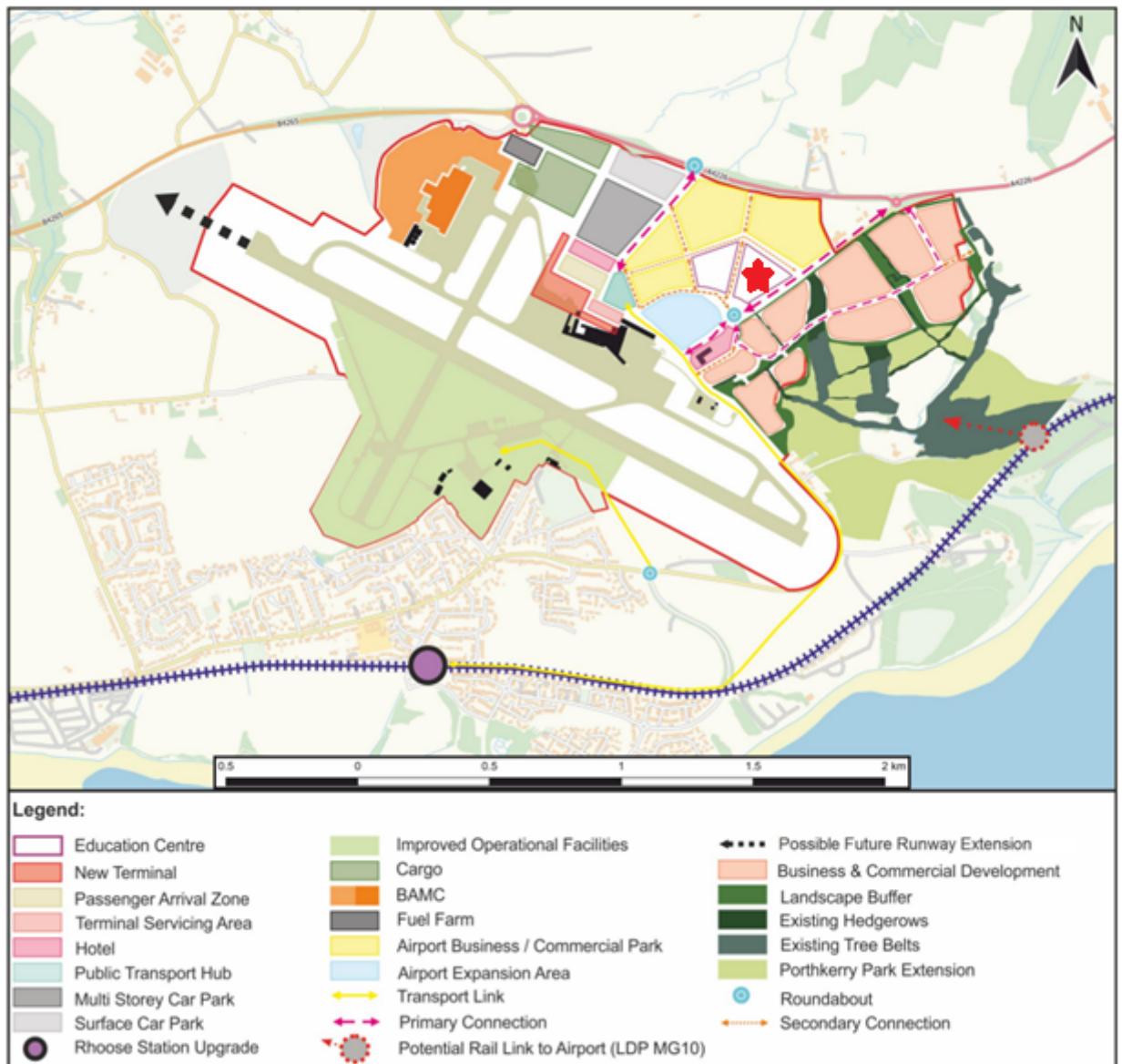
*The development of the enterprise zone will be guided by a masterplan including a number of elements that includes*

- *New aerospace, education, research and development, manufacturing, office and other ancillary development at the Cardiff Airport and gateway development zone (77 ha).*

Paragraph 6.56 of the Policy expands upon this stating that 'There are plans to create an 'airport city', taking the form of a business destination for local and international businesses including quality office accommodation, specialist education, training facilities and leisure developments.'

Since the adoption of the Local Development Plan, the Cardiff Airport and Gateway Development Zone SPG was adopted in 2019. This includes an indicative masterplan of the intended development of the wider site, as shown in the picture below:

10.10. APPENDIX 10: ILLUSTRATIVE MASTERPLAN



This includes an identified area (edged purple and marked by red star added by officers for members information) for an 'education centre', that is commensurate with the position of the site subject of this planning application. Whilst the proposals do not provide B1, B2 or B8 floor space, it is evident within the masterplan and supporting text that the provision of education facilities related to specialist education facilities, including those relating to the aerospace sector, are considered to be appropriate in this location.

Indeed, this is echoed further within the draft replacement LDP strategy that has recently undergone consultation. Whilst this can be afforded relatively little weight at the current time, this states:

*6.139 Land east of Cardiff Airport lies to the east of the Airport and the existing Airport Business Park and is adjoined by the A4226 to the north and Port Road to the south. The Welsh Government and the Vale of Glamorgan Council own most of this land, which is allocated as a mixed-use employment and training opportunities. The Council with Cardiff and Vale College are presently exploring potential development of a new Cardiff and Vale College campus for advanced manufacturing on 2.7ha of land to the south-east of the existing Airport Business Park and could house up to 2,000 students and staff. The Council wish to see the development of the remainder of the site for a commercial business park, potentially linked to the adjacent Model Farm proposals and a masterplan is currently being prepared for this.*

It is noted that the proposed details indicate that a number of disciplines that may not strictly be considered as 'advanced manufacturing' are noted within the submissions inclusive of carpentry, plastering and brickwork, albeit the general use of the building would be in line with the aspirations noted above.

Noting the above, and the continued thrust of support for such development within the emerging replacement local development plan (although noting its status this can be afforded minimal weight) it is considered that the proposed development is acceptable in principle subject to consideration of other matters.

#### Agricultural land quality.

Council records of predictive ALC mapping indicate that all of the land within the site has been classified as Grade 4. Noting this, the land is not classed as Best and Most Versatile (that is grades 1, 2 and 3A), the development would not conflict with Policy MD1 of the LDP, which states (at criterion 9) that developments should have no unacceptable impact on the best and most versatile agricultural land.

#### Visual impact

Policy MD2 (Design of new Development) states that development proposals should:

1. *'Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest;*
2. *Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density'*

The proposed building would occupy a prominent location on the junction of a well-trafficked route serving Cardiff Airport, with neighbouring land uses along Tredogan lane consisting of car parking to the other side of the road and a low level plant hire facility to the west. However, noting the context of the site adjacent to the airport and other neighbouring land uses such as the Holiday Inn to the south, it is evident that the building, whilst large, would be viewed in the context of other buildings that already exhibit a degree of scale and vertical emphasis. Noting the aforementioned policy context and the allocation identified for this and surrounding land, it is considered that a building of the scale and height proposed would not be inappropriate in this location.

It is considered that the proposed elevation details provide an interesting composition of design elements and mixed material finish that would assist in alleviating the massing of the building. The material palette would also provide interest, and there is no objection in principle to the use of the material form proposed particularly noting the lack of discernible, positive local consistency/influence to follow and to this end the general design and material palette proposed are considered to be appropriate in this context.

The application has been supported by a Landscape and Visual Appraisal prepared by Ares Landscape Architects. It identifies a number of local viewpoints and considers the degree of visibility from each one. In summary this document states that:

*Generally, from the majority of viewpoints it is anticipated that views of the site and building are not visible due to dense vegetation, hedgerows and existing trees to roadsides, field boundaries and the site boundary. In addition, the topography of the surrounding land further restricts the views of the building.*

*It is anticipated the building is likely to be visible from wider views from approx 2km north and 0.8km east of the site due to the higher level compared to the development site.*

*Views of the building will be clear from viewpoints close to the site boundary along Port Road, with some screening from proposed trees and general planting.*

*With respect to the Landscape character, the proposals will be fitting with the surrounding context of urban built development.*

*Landscape designations further from the site will not be affected by the proposals as identified in the visual appraisal above. Furthermore it will be seen in context within its urban fringe setting/character/use.*

Officers are minded to agree with the general conclusions of the submitted visual appraisal. The existing site, whilst vegetated is viewed in the context of other large buildings, including those associated with the existing airport, whilst the site and surrounding land is allocated within the adopted LDP for employment purposes that would likely give rise to potentially large, utilitarian buildings. In such a context therefore, it is considered that the proposals would be unlikely to have any significant or unacceptably harmful landscape impacts. Noting the importance and potential softening impacts afforded by existing vegetation, it is noted that the proposals would seek to retain the tree group on the site adjacent to Port Road West. The proposals are also supported by a landscaping strategy and green infrastructure statement that are discussed further below. Noting all of the above, it is considered that the proposals would be acceptable in terms of their visual and landscape impacts.

### **Impact upon neighbouring residential amenity**

The application site would appear to be a significant distance from the nearest residential receptors and as such it is considered unlikely that the proposals would result in any unacceptable direct neighbouring impacts, including in terms of noise as identified within the submitted noise assessment.

### **Highways**

Policy MD2 – ‘Design of New Development’ criterion 6, states that development proposals should have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree. Furthermore, criterion 9 requires car parking to be provided in accordance with the Council’s standards.

The application, as amended, is supported by a Transport Assessment prepared by SLR Consulting LTD dated April 2024 and that has been revised following through negotiation through subsequent addendums dated 30 July 2024 and 12 September 2024. These documents seek to assess the transport characteristics of the proposed development and identify the impact of the proposals on the surrounding transport network. The TA has undertaken a junction modelling assessment with regard to the effects of development in terms of highway and junction capacity and identifies that such impacts are *‘not significant and does not give rise to any sever residual cumulative impacts on the local highway network.’*

The submitted Transport Assessment has been reviewed by Link Transport Planning, appointed by the Local Highway Authority. The review recommended a number of points that have been considered by the Local Highway Authority in the provision of their final comments.

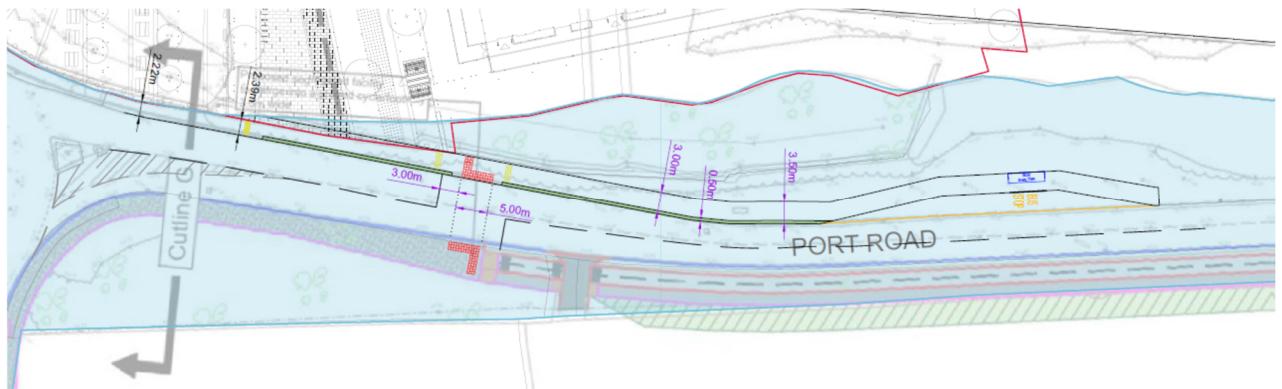
Vehicular access would be from the unnamed road to the north-west of the site, with principal accesses to the building to the front (from Port Road) and from the car park to the rear. The proposals would include a car park providing 294 spaces, inclusive of 14 disabled parking spaces and 30 EV charging bays. The proposals would also include 10 motorcycle bays and three bicycle storage areas providing facilities for parking of 284 bicycles. A pick up-drop off and delivery bay would be available within the car park area and refuse facilities are also proposed adjacent to the rear of the building.

It is also acknowledged that the site lies away from the settlement boundaries, as defined by the Vale of Glamorgan LDP, albeit within an allocated employment area of strategic importance as identified within the LDP including policies MG9 and MG10. A submission made by the applicant details that the College provides travel passes (rail and bus) free of charge to all 16-19 full time students who live more than 3 miles from their chosen College campus. All 16-21 year old students are also eligible for a Welsh Government 'my travel pass' that provides a 30% discount on bus travel at any time. Existing bus stops are currently available 150m to the south-west of the site adjacent to the Holiday Inn, in addition to that on Tredogan Road to the west. These currently provide access to twice hourly buses to the site, with Llantwit Major, Barry, Rhoose Railway Station and Cardiff utilising the 304 and 905 bus services.

In addition, the College operates a 'rider' bus which is a service operating between the College campuses within Cardiff and the Vale. A Travel Plan prepared by SLR has also been submitted with the application and this outlines measures to encourage students and staff to access the site by sustainable modes of transport, such as those identified above. It is also noted that not all students would be on site at any one time, as there would be a mix of full and part time students with varied timetables, and some students would be 16 and therefore not able to drive. These factors are considered to be material in accepting a reduction in parking provision below the maximum standards (requirement of circa 456 spaces) identified within the SPG and would afford realistic alternatives to access the site other than by the private car.

These matters have been considered by the Council's Highway Development section, including a revised parking accumulation assessment that suggests that based on the envisaged modal splits at the busiest time of any given day the parking should only be at 87% capacity, representing an allowance for 37 spaces over. The applicant has also confirmed that overspill parking can be provided at the ICAT centre located to the North-West which is owned by CAVC.

As revised, a 3.5m active travel route is now proposed along the site frontage of Port Road that will connect with the new bus stop to the east of the site and an active travel access to the main entrance to the site from Port Road. This will also provide a toucan crossing point that allow for connection with the aspired active travel route along the southern side of Port Road (as identified within (MG16 (02) and SP7(7) of the LDP). The new bus stop on Port Road would be provided within the existing highways verge and would be available to the CAVC rider service and potential bus routes serving the development in the future. A plan showing the location of the active travel route and bus stop is shown below:



Although noting that the building would be served by a pick-up/drop off area to the rear away from the adopted highway, to control potential indiscriminate drop off and pick-ups on the adopted highway that could potentially be detrimental to highway safety, it is noted that an existing traffic regulation order is in effect in the area for an urban clearway that would provide the ability to enforce any indiscriminate movements. Highways officers also consider it necessary to reduce the existing 50mph speed limit adjacent to the site frontage, which can be controlled by way of condition attached to any consent given.

Noting the above, it is considered that there are realistic and readily useable alternative modes of travel to the private car and therefore that the proposed level of parking is acceptable to serve the development, such that it would not lead to any highway safety issues. This would be subject of the conditions as requested by the Highway Authority.

## Historic Environment

Policy SP10 (Built and Natural Environment) seeks to preserve and enhance the rich and diverse built and natural environment and heritage of the Vale of Glamorgan. Furthermore, Policy MD8 (Historic Environment) states:

*'Development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan, specifically:*

1. *Within conservation areas, development proposals must preserve or enhance the character or appearance of the area;*
2. *For listed and locally listed buildings, development proposals must preserve or enhance the building, its setting and any features of significance it possesses;*
3. *Within designated landscapes, historic parks and gardens, and battlefields, development proposals must respect the special historic character and quality of these areas, their settings or historic views or vistas;*
4. *For sites of archaeological interest, development proposals must preserve or enhance archaeological remains and where appropriate their settings.'*

The proposals are a significant distance from the nearest conservation area being in excess of 1km away from Porthkerry Conservation Area and the site does not fall within an identified landscape designation. The nearest listed or locally listed building is in excess of 600 metres from the site. Owing to these separations and lack of designation of the site, it is considered that criteria 1-3 of Policy MD8 are unlikely to represent significant constraints at the site.

The site is also a significant distance from scheduled ancient monuments with the nearest being the Bulwarks Camp being 1.25km away to the south. Although consulted no comments have been received from Cadw. However, comments were received from them as part of the Pre-Application Consultation process that state that owing to the separation and intervening development and landscape features, it is considered that the proposals would not have an impact upon scheduled monuments or registered parks and gardens.

With regards to criterion 4, Heneb, The Trust for Welsh Archaeology (formerly GGAT) were consulted and advise that the proposals require archaeological mitigation with a moderate potential for archaeological remains being identified, including those relating to RAF accommodation buildings dating from the 1960s. As such they recommend a condition be attached to any consent granted requiring a written scheme of historic environment mitigation to be submitted prior to commencement of development.

The proposal is therefore considered to comply with Policies SP10 and MD8 in regard to heritage and archaeological impacts.

### **Land contamination and potential construction impacts**

Criterion 2 of Policy MD7 – ‘Environmental Protection’ requires development proposals to demonstrate that they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from land contamination.

The application has been supported with a Ground Investigation Report prepared by Arup and Phase 1 and 2 Geo-Environmental Desk Study and Assessments prepared by HSP Consulting. The Arup Ground Investigation report finds that the investigations and assessments have confirmed a very low level of risk in terms of human health, albeit identify isolated areas of made ground but no mitigation measures would be required; do not identify potential significant sources of contamination with respect to ground waters and no remediation measures; and also indicated that there is a very low level of ground gas and no protection measures are required.

These assessments have been considered by the Council’s SRS (Environment Team – Land Quality) and advised that although the assessments have not identified any contaminants of concern these cannot be ruled out so recommend a condition in the event that unforeseen contamination occur. They also recommend conditions relating to imported soils, aggregates and site won materials to avoid potential contamination in landscaped areas.

Comments were received from NRW who originally requested a condition requiring a construction environmental management plan to be submitted post-determination of the application. However, this was submitted by the applicant following receipt of these comments and NRW have confirmed their satisfaction with the details contained therein.

With the noted conditions, it is considered that the proposal complies with criterion 2 of Policy MD7.

## **Ecology and Green Infrastructure**

Policy MD9 (Promoting Biodiversity) states that '*New development proposals will be required to conserve and where appropriate enhance biodiversity interest unless it can be demonstrated that:*

1. *The need for the development clearly outweighs the biodiversity value of the site; and*
2. *The impacts of the development can be satisfactorily mitigated and acceptably managed through appropriate future management regimes.'*

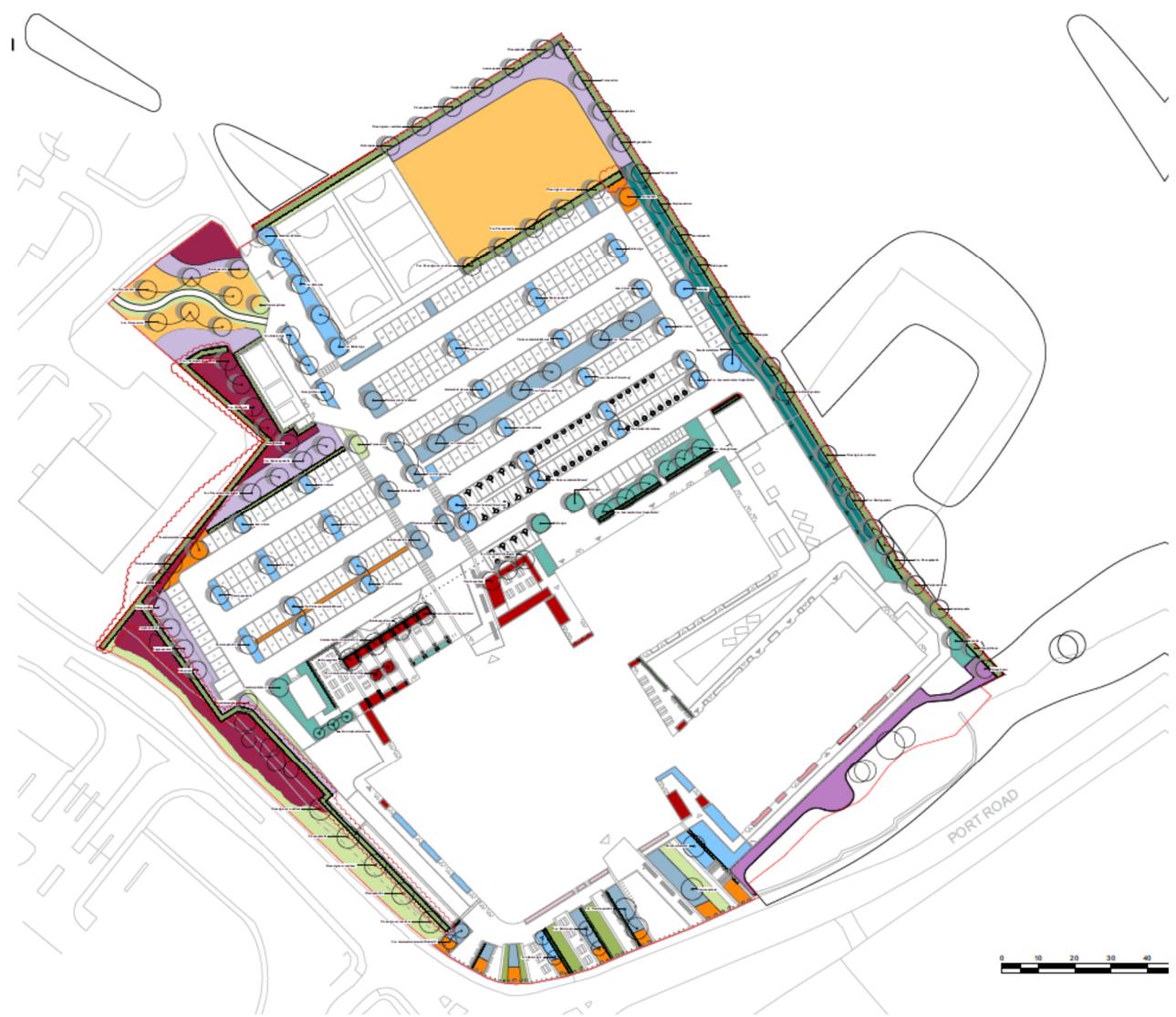
Planning Policy Wales Edition 12 (PPW12) Chapter 6 places increased emphasis on the need to preserve and enhance the natural environment. One of the requirements is for a Green Infrastructure Statement ('GIS') to be submitted with all planning applications, which will describe how green infrastructure has been incorporated into the proposal. A GIS has been supported with this application and updated in part by subsequent submissions.

An Ecological Appraisal (prepared by EDP), which was informed by an Extended Phase 1 Habitat Survey, has been submitted with the application. This included survey work of the site with regard to bats, badger and common reptiles. This identifies that the site comprises of 3 field parcels, two of which comprise of arable grassland whilst the third is characteristic of semi-improved grassland sward with scrub encroaching from field margins, which are considered to be of negligible site level ecological importance albeit with potential to support some protected/notable species. Following survey work no common reptiles were found on site whilst a low level of bat activity was confirmed, with a single tree of low suitability to support roosting bats. Other habitats were considered suitable for breeding birds, badger, common amphibians and mammal species, including hedgehog. EDP therefore make recommendations for avoidance, mitigation and compensation and where possible retention of suitable habitat and creation of new habitat including hedgerow, grassland and tree and shrub planting to compensate for loss.

Additionally the application is supported by an Arboricultural Impact Assessment that echoes the findings of the Ecological submissions provided and notes that a total of 31 individual trees will be lost to the development, 2 of which are Category B, and the remaining Category C. 2 Category U trees will also be lost. The majority of trees to be lost would be silver birch with field maple, ash and goat willow also indicated for removal. Significant works are also proposed to 4 groups of vegetation that largely comprise of species poor overgrown hedge/scrub within the site including the total removal of a group running centrally through the site comprises largely of cherry, ash, hawthorn, field maple and large amounts of scrub. Mature trees to the site frontage with Port Road would be retained and would assist in softening the impact of development from this vantage point. The plan below shows existing vegetative cover of the site, including the large amounts of scrub hatched green, largely associated with overgrowing field boundaries:



Initially concerns were raised by the County Ecologist with regard to hedgerow loss resulting from the development of the site (circa 405m) and lack of suitable compensation. A subsequent additional Ecological Briefing Note and amended landscaping submission was submitted in response to comments from the Council's Ecologist, that seeks to provide additional native hedgerow planting in compensation for suggested losses and deliver additional mitigation/compensation in respect of habitat lost, that would equate to circa 696m of new hedgerow planting, including that to the southern, northern and eastern boundaries of the site. The revised landscaping scheme also proposes the provision of circa 130 standard trees to compensate those to be lost, exceeding the 3:1 requirement within chapter 6 of PPW. 0.24ha of native understorey woodland planting is also proposed to compensate for the 0.05ha of more dense woodland planting lost to the east of the site. This would be in addition to areas of wildflower and amenity planting and that associated with the SUDs planting within swales and rain gardens. The Planting Strategy for the site is shown below for information:



Grass Seed	Swale Planting
Turf	Naturalistic Woodland Edge & Meadow Planting - Sun/shade Medium and smaller shrubs and herbaceous
Wildflower Meadow Planting	Naturalistic Woodland Edge & Meadow Planting - Shade Medium and smaller shrubs and herbaceous
Amenity Planting - Full/Partial Sun	Naturalistic Woodland Buffer Planting Taller whips and shrubs
Amenity Planting - Shade Tolerant	Green Roof To specialists specification
Rain Garden - Full Sun	Native Hedgerow
Rain garden - Partial Sun	Formal Instant Hedge Planting A <i>Taxus baccata</i>
Rain Garden - Shade Tolerant	Formal Instant Hedge Planting B <i>Griselinia littoralis</i>

Having regard to paragraph 6.4.42 of now adopted PPW12, it is considered that the proposals would assist with the delivery of a part of the identified allocation of

this strategic site and would as a result of the works provide suitable compensatory planting to mitigate that being lost.

The proposals, as revised, have been considered by the Council Ecologist and by Natural Resources Wales who raise no object subject to further details relating to additional planting adjacent to the MUGA that would be sought by condition, in addition to a condition relating to a Landscape and Ecological Management Plan (LEMP) that would also include details of the Lighting Strategy sought by the County Ecologist. A LEMP has been submitted by the applicant and considered by officers and the Council Ecologist, that was generally found to be acceptable although at the time of writing this report, was in need of some revision and as such an associated condition is proposed for a revised LEMP to be submitted and approved (condition 14 refers).

With regard to the stepwise approach detailed within PPW12, the site comprises of predominantly poor quality agricultural land, overgrown to a significant degree by scrub. The site has been allocated within the development plan and identified within national planning policy as part of a strategic employment allocation owing to the position of the site adjacent to Cardiff Airport. Given this, it is not possible to avoid associated impacts from the development of the site.

The proposed development of the site will result in the loss of former hedgerow and some trees on the site, however, where possible, particularly towards the fringes of the site it has been sought to minimise the level of intervention with areas of existing tree and scrub groups shown to be retained.

The application is supported by a raft of survey work that included a number of mitigation measures including dust control to protect water quality and other measures through the CEMP including protective fencing during construction and limiting of construction to predominantly daylight hours. Further mitigation measures would include extensive tree, amenity, grassland and hedgerow planting as detailed above to provide suitable habitat and connect with existing ecological/landscape features coupled with an ongoing management regime; sensitive lighting strategy; bat and bird nest boxes; sensitive bat clearance measures; measures during construction to protect potential badger and hedgehog presence and sensitive vegetation clearance. Indeed, further details of these mitigation measures would be secured through conditions attached to any consent given including a condition of landscaping to ensure suitable species of tree and hedgerow planting and that the long term maintenance is secured through a suitable LEMP (condition 14 refers). These measures would in turn largely provide suitable mitigation and compensation within the site inclusive woodland fringe planting, street trees, planting and other features. These would provide suitable on-site compensation, in conjunction with those being secured through mitigation measures detailed above.

No further off-site mitigation has been secured as part of this application as it is considered that the onsite measures noted above will provide suitable mitigation and compensation through the development of the site.

Noting all of the above, it is considered that subject to the measures detailed with the submissions and suitable conditions attached to any consent granted, that there is not an in principle ecological constraint that would restrict the grant of planning permission at this time. It is considered that subject to the identified conditions the proposals would suitably minimise, mitigate and compensate for green infrastructure and ecological interests within the site in compliance with the step-wise approach within PPW.

### **Aviation safeguarding**

Owing to the sites location adjacent to the airport, as part of the planning application process it is necessary to consider any associated impacts to aviation safeguarding. Relevant policies include Policy MD7 that states that development proposals will be required to demonstrate that they will not result in unacceptable impact on people..., property... from a number of criteria including 8) any other identified risk to public health and safety. Policy MD19 is also of relevance noting it relates to renewable energy and states that these types of development will be permitted where it can be demonstrated there is not unacceptable impact on the interest of Aviation Safeguarding.

The proposal is accompanied by a Glint and Glare assessment undertaken by Arup on the assumption that the solar photovoltaic panels would cover the entirety of the roof structure, that is generally consistent with the submitted roof plans. The assessment concludes that the geometric modelling undertaken indicates that '*there is potential for reflect sunlight to enter the cockpit of aircraft on visual approach circuits to both runways, the potential impact is not considered significant due to duration, proximity and likelihood of occurrence.*' As such based on the findings of the assessment, no mitigation is recommended.

As detailed within the consultation section above, Cardiff Airport safeguarding have provided comments that they are generally satisfied with the submissions and the lighting report provided in support of the application. With regard to clarification in relation to yellow and green glare, it is noted that the submitted report is caveated on certain assumptions with regard to specification of the panels and as such it is considered reasonable to attach a condition requiring further details of the panels to be submitted prior to their installation. With regard to matters about landscaping species, again this matter can be secured by way of condition, further to comments made with regard to ecology and green infrastructure previously. The submissions do include details of surface water drainage associated with the site, including soakaways and swales, although no open bodies of water are shown on the submissions.

Noting the above, and subject to suitable conditions, it is considered that the proposals are acceptable in relation to airport safeguarding and to this end would comply with the provisions of Policies MD7 and MD19 of the LDP.

### **Flood Risk**

Criterion 5 of Policy MD7 – ‘Environmental Protection’ requires development proposals to demonstrate that they will not result in an unacceptable impact from flood risk and consequences.

Natural Resources Wales Development Advice Map shows that the site is located within Flood Zone A. TAN 15 (2004) states that development should be directed towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. Consequently, it is concluded that on the grounds of flood risk, the proposed development meets the principles and requirements set out in TAN 15 and the aims of PPW12.

Within the response from the Council's Drainage Section it is noted that the most of the site is at very low risk of surface water flooding. No associated concerns have been raised by NRW.

Noting the above and that no objection has been raised by the relevant consultees, the proposal is considered acceptable with regards to flood risk and therefore complies with criterion 5 outlined above.

## **Drainage**

The application has been supported by a Foul and Surface Water Drainage Strategy prepared by Arup.

Within their consultation response, Dwr Cymru Welsh Water originally indicated that the public sewer did not have capacity to accept foul flows and indicated that the applicant undertake hydraulic modelling assessments to ascertain if there is capacity to accommodate the proposed development. Following discussion with the applicant they provided details of a hydraulic modelling assessment prepared by DCWW that identified a point of connection to the foul network that predicted no flooding manholes nor were spills observed during typical rainfall at Porthkerry pumping station. The increase in flows resulting from the development identify that 1m<sup>3</sup> of additional emergency storage would be required at the pumping station. Following further advice from DCWW they have advised that the requirements of the HMA can be suitably controlled by way of condition attached to any permission granted (Condition 19 refers).

The Surface Water Drainage strategy incorporates SuDS features into the layout, including rain gardens in some of the green areas, swales and permeable paving to the MUGA and parking areas. The Council's Drainage Section have not raised any concerns with the proposed development and have advised that SAB (SuDS Approving Body) pre-application advice has been sought to date, and the development would be subject to full SAB approval to agree specific details of the SuDS features which would deal with surface water on the site.

Noting the above, the proposal is considered to be acceptable in regard to drainage.

## Planning Obligations

Policy MD4 – ‘Community Infrastructure and Planning Obligations’ states what where appropriate and having regard to development viability, the Council will seek to secure new and improved community infrastructure, facilities and services appropriate to the scale, type and location of proposed development through the use of planning obligations. The Council’s Planning Obligations Supplementary Planning Guidance (SPG) provides the local policy basis for seeking planning obligations through Section 106 Agreements. It sets thresholds for when obligations will be sought, including for major development such as this application.

It is noted that the types of development where obligations are sought relate to residential and commercial development. In this case the proposal is for an education development and the applicant has suggested that the proposal does not strictly fall into either of these development categories, and this has been taken into consideration in assessing what planning obligations will be sought. In this regard it is acknowledged that the SPG states the following at Para. 1.3: *‘The Council does not propose a blanket approach to planning obligations, as each planning application will be considered on its own merits...’*

### *Public Art*

All major developments are required to provide a contribution to public art. The Community Infrastructure and Planning Obligations SPG outlines that the preferred approach is for public art to be provided on site and that it should be an integral part of the design of major developments. Further guidance is set out in the Public Art in New Development SPG. Given the prominent location of the site, it is considered that the development represents an opportunity for the incorporation of public art into the scheme.

A Public Art Strategy has been submitted by the Applicant, which outlines the proposed strategy to providing public art on the site. Specifically, the document details that a Project Steering Group will be established in Q4 2024 (October-December 2024) in order to develop the public art and that the intention is to involve creative students of the college in development of designs and installation. As part of this a thematic brief will be set and whilst this is to be confirmed, it is envisaged that the public art could be a *‘response to the local aeronautical history, a celebration of technology, future innovation and sustainability’*. Some examples of possible scope of the public art have also been provided, including pieces incorporated into landscaping, a piece within enclosures to the site or a sculpture outside of the main entrance.

The proposed approach to the public art, as detailed within the submitted strategy, is considered to be acceptable and in line with the SPGs, and it is considered that specific details and provision of the public art can be suitably secured by condition.

### *Training and Development*

It is recognised that the development would inherently provide a training and development function and as such it is considered that a requirement for on-site provision would be suitably provided such that a financial contribution in lieu would not be required.

### *Sustainable Transport*

The Planning Obligations SPG seeks for sustainable transport contributions and the starting point for considering requirements for sustainable transport facilities will be an assessment of existing facilities in light of the likely needs arising from the proposal.

As detailed earlier in this report, a submission made by the Applicant details that the College provides travel passes (rail and bus) free of charge to all 16-19 full time students who live more than 3 miles from their chosen College campus. All 16-21 students are also eligible for a Welsh Government 'my travel pass' that provides a 30% discount on bus travel at any time. In addition, the College operates a 'rider' bus which is a service operating between the College campuses within Cardiff and the Vale.

A Travel Plan prepared by SLR has been submitted with the application and this outlines measures to encourage staff to access the site by sustainable modes of transport, such as those identified above. As noted earlier in this report, following consultation with the Highway Authority, an updated travel plan is required by condition which shall include, but not necessarily be limited to, a travel survey, active travel audit and annual review report to be submitted to the Council.

Noting all of the above, it is considered that the site would be readily and realistically accessed by sustainable transport and therefore, on balance, a contribution in this regard is not considered to be required in order to render the application acceptable.

### *Public Open Space*

Open space offers vital opportunities for sport, recreation and tourism, and can also act as a visual amenity, and may have conservation and biodiversity importance. Provision of public open space is important for people's health and well-being. The SPG outlines that public open space contributions are sought for retail or employment developments where floorspace to be created exceeds 1000sqm or the site is 1 hectare or more. Whilst the proposal is for an education development, it would nevertheless still generate a demand for public open space to serve the needs of students and staff.

The development incorporates areas of open space within the site, including 2 MUGAs, social spaces to the front and rear of the building and more informal areas including 'Cherry Tree Walk' to the north-west of the site. In addition, the atria within the building will provide a multi-functional space for use by students and staff. The Applicant has also provided clarification of the breakdown of full and part time students, and as such it is acknowledged that not all students would be on site at any one time. It is therefore considered that the 'in kind' provision of spaces on the site are sufficient to serve the needs of users, such that a financial contribution would not be required in this instance.

In summary, with a condition requiring details of the public art strategy, it is considered that the development will comply with Policy MD4 as well as the Planning Obligations SPG.

## REASON FOR RECOMMENDATION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040.

Having regard to Policies....SP1 – Delivering the Strategy;SP2 – Strategic Sites

SP5 – Employment Requirements; SP7 – Transportation; SP10 – Built and Natural Environment; MG9 – Employment Allocations; MG10 – St Athan - Cardiff Airport Enterprise Zone; MG16 – Transport Proposals; MG20 – Nationally Protected Sites and Species; MD1 - Location of New Development; MD2 - Design of New Development; MD4 - Community Infrastructure and Planning Obligations; MD7 - Environmental Protection; MD8 - Historic Environment; MD9 - Promoting Biodiversity; MD14 - New Employment Proposals; MD15 - Protection of Allocated Employment Sites; MD16 - Protection of Existing Employment Sites and Premises and MD19 – Low Carbon and Renewable Energy Generation, Planning Policy Wales Edition12; Future Wales: The National Plan 2040; Technical Advice Notes 5 'Nature Conservation and Planning', 11 'Noise', 12 'Design', 15 'Development and Flood Risk', and 16 Sport, Recreation and Open Space'; the Council's Supplementary Planning Guidance on Barry Development Guidelines, Biodiversity and Development, Parking Standards, Sustainable Development – a Developer's Guide and Travel Plan; the proposal would align with the strategic objectives contained therein and is considered acceptable, subject to condition, having regard to the layout, design and visual impact; historic environment; impact upon neighbouring amenity; highway, access and parking; biodiversity and green infrastructure; contamination; flood risk; drainage; and planning obligations.

Having regard to the Council's duties under the Equality Act 2010 the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

## RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Planning Statement 27710906 V4

Pre-Application Consultation Report 31111512 V3

Design and Access Statement VG0101-SRA-XX-XX-RP-A-02001

Site Location Plan VG0101-SRA-ZZ-ZZ-DR-A-02000 C02

General Arrangement Ground Floor Plan VG0101-SRA-XX-00-DR-A-02100 C02

General Arrangement First Floor Plan VG0101-SRA-XX-01-DR-A-02101 C02

General Arrangement Second Floor Plan VG0101-SRA-XX-02-DR-A-02102 C02

General Arrangement Roof Plan VG0101-SRA-XX-RF-DR-A-02105 C02

General Arrangement Upper Roof Plan VG0101-SRA-XX-RF-DR-A-02106 C02

General Arrangement North West & South East Elevation VG0101-SRA-XX-XX-DR-A-02200 C02

General Arrangement North East & South West Elevation VG0101-SRA-XX-XX-DR-A-02201 C02

General Arrangement Construction & Building Services Workshops Elevations VG0101-SRA-XX-XX-DR-A-02202 C02

General Arrangement Link & Engineering Workshop Elevation VG0101-SRA-XX-XX-DR-A-02203 C02

General Arrangement (Rendered) North West & South East Elevation VG0101-SRA-XX-XX-DR-A-02204 C02

General Arrangement (Rendered) North East & South West Elevation VG0101-SRA-XX-XX-DR-A-02205 C02

General Arrangement Sections VG0101-SRA-XX-XX-DR-A-02250 C02  
Typical Bay Elevation -Teaching Block South Elevation VG0101-SRA-XX-XX-DR-A-02350 C02

Typical Bay Elevation -Engineering Workshop West Elevation VG0101-SRA-XX-XX-DR-A-02351 C02

Typical Bay Elevation - Workshops South Elevation VG0101-SRA-XX-XX-DR-A-02352 C02

Typical Bay Elevation – Link East Elevation VG0101-SRA-XX-XX-DR-A-02353 C02

Typical Bay Elevation - Teaching Block Elevation to SE Courtyard VG0101-SRA-XX-XX-DR-A-02354 C02

Access and Circulation VG0101-ALA-00-XX-DR-L-00004 P07

Secure Line Strategy VG0101-ALA-00-XX-DR-L-00008 P07

Outline Levels VG0101-ALA-00-XX-DR-L-00009 P06

## Foul and Surface Water Drainage Summary Statement 4-70 4 March 2024

Ecology Appraisal Report dp8160\_r001 G  
Green Infrastructure Statement edp8160\_r003 C  
Tree Survey Report including Arb Impact Assessment 23 October 2023  
Energy Statement VG0101-ARP-XX-XX-RP-N-00006 3 January 2024  
Archaeological DBA 26981777 V4  
Archaeological Evaluation 291110.03 March 2024  
Noise Impact Assessment G0101-ARP-XX-XX-RP-Y-00011 P02

Transport Assessment 425.002058.00001 5 April 2024  
Travel Plan 425.002058.00001 5 April 2024  
External Lighting Assessment ATC-ARUP-XX-XX-RP-OL-000001 P02  
Glint and Glare Assessment VG0101-ARP-XX-XX-RP-Y-00013 P03  
Ground Investigation Report VG0101-ARP-ZZ-ZZ-RP-G-00001 02  
Phase I Geo Environmental Assessment Report June 2020  
Phase II Geo Environmental Assessment Report July 2020

Illustrative Landscape Masterplan VG0101-ALA-00-XX-DR-L-00001 P10  
Landscape General Arrangement VG0101-ALA-00-XX-DR-L-00002 P10  
Fencing General Arrangement VG0101-ALA-00-XX-DR-L-00003 P08  
Planting Strategy VG0101-ALA-00-XX-DR-L-00010 P07  
Detailed General Arrangement 1 of 5 VG0101-ALA-00-XX-DR-L-000011 P08  
Detailed General Arrangement 2 of 5 VG0101-ALA-00-XX-DR-L-000012 P08  
Detailed General Arrangement 3 of 5 VG0101-ALA-00-XX-DR-L-000013 P07  
Detailed General Arrangement 4 of 5 VG0101-ALA-00-XX-DR-L-000014 P07  
Detailed General Arrangement 5 of 5 VG0101-ALA-00-XX-DR-L-000015 P07  
Ecology Briefing Note edp8160\_r004a all received 13 June 2024

Advanced Technology Centre Construction Environment Management Plan prepared by Bouygues UK received 6 August 2024

Cardiff & Vale College - Public Art Proposal for the Barry Waterfront and Advanced Technology Centre Developments received 16 August 2024

Transport Assessment Addendum prepared by SLR Consulting LTD dated 30 July 2024  
Transport Assessment Addendum 2 prepared by SLR Consulting LTD dated 12 September 2024

Drawing Ref PD06 Indicative 3.5m Shared Active Travel Route and Toucan Crossing Arrangement  
Drawing Ref PD06.1 Indicative 3.5m Shared Active Travel Route Land Requirements both received 10 September 2024

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

3. Notwithstanding the submitted details, prior to their use in the development hereby approved, a schedule of materials (including samples) to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the first beneficial use of the building.

Reason:

To safeguard local visual amenities, as required by Policies SP1 (Delivering the Strategy) and Policy MD2 (Design of New Development) of the Local Development Plan.

4. Details of the Photo Voltaic provision, including details of yellow/green glare, siting and design, shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be completed in accordance with the approved details prior to first beneficial use of the development hereby approved.

Reason:

To safeguard local visual amenities, as required by Policies SP1 (Delivering the Strategy), Policy MD2 (Design of New Development), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Local Development Plan

5. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of site compound, wheel washing facilities, parking for construction traffic, the proposed routes for heavy construction vehicles, timings of construction traffic and means of defining and controlling such traffic routes and timings. The development shall be carried out in accordance with the approved Management Plan.

Reason:

To ensure that the parking provision and highway safety in the area are not adversely affected by the construction of the development and to meet the requirements of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

6. Prior to first beneficial occupation of the development, a revised travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include but not be limited to details of the following:

- Measures to encourage and educate a modal shift away from the private car to travel to college not only for staff but for all pupils.
- A travel survey to be undertaken not more than 12 months upon opening of the new College and the results to be provided to the Council's transport/highways departments. This should then be carried out on an annual basis.
- An Active Travel audit to be undertaken to determine reasons for any shortfall or missed targets in usage by active travel modes.
- A report should be provided to the Council annually reviewing the effectiveness of the travel plan and shall include any necessary amendments to the travel plan or additional measures to be implemented.
- Regular monitoring should be undertaken of any congestion, conflict issues, indiscriminate parking and any other safety issues on the highway in and around the site and in the pick up and drop off area and in consultation with the Local Highway

Any measures/actions, further surveys and monitoring set out in the approved Travel Plan shall thereafter be undertaken in accordance with the approved details.

Reason:

To encourage the use of more sustainable modes of transport and aide in the delivery of sustainable transport objectives, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan

7. Prior to first beneficial occupation of the development, a robust signage strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include new signage to be installed along the access roads to the site to inform of the college location and also signage for the proposed servicing access. The costs for the design and installation of the proposed signage will be provided by the developer. The signage shall be fully installed in accordance with the approved details prior to first beneficial use of the development and thereafter retained in accordance with the approved details whilst the development remains in existence.

Reason:

In the interests of highway safety and to ensure compliance with Policies SP1 (Delivering the Strategy), MD2 (Design of New Development) and MD7 (Environmental Protection) of the Local Development Plan

8. No development (including site clearance and demolition) shall take place, until a Condition Survey of an agreed route along the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed with the Local Highways Authority prior to the survey being undertaken. The survey must consist of:

- A plan to an appropriate scale showing the location of all defects identified within the routes for construction traffic
- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey

No building or use hereby permitted shall be occupied or the use commenced until any damage to the adopted highway has been made good to the satisfaction of the Highway Authority.

Reason:

To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer in accordance with Policy MD2 (Design of New Developments) of the Local Development Plan.

9. Within 1 month following the completion of the development, a Second Condition Survey along the route agreed under Condition 8 shall be submitted to and approved in writing by the Local Planning Authority. The Second Condition Survey shall identify any remedial works to be carried out which are a direct result of the development approved and shall include the timings of the remedial works. Any agreed remedial works shall thereafter be carried out at the developer's expense in accordance with the agreed timescales.

Reason:

To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer in accordance with Policy MD2 (Design of New Developments) of the Local Development Plan.

10. Notwithstanding the approved plans, no off-site development shall commence until full Engineering details of the "off site works" (including

those shown on drawings PD06.1 'Indicative 3.5m shared active travel route land requirements' and PD06 "Indicative 3.5m shared active travel route and toucan crossing' received on 10 September 2024) have been submitted to and approved in writing by the Local Planning Authority. These shall include the vehicular and pedestrian access into the site inclusive of vision splays; new shared active travel route; toucan crossing across Port Road West; new bus shelter and layby; street lighting; highway drainage; details of Traffic Regulatory Orders for reducing the speed limit along the site frontage and to prevent indiscriminate parking/dropping off (inclusive of carriageway markings and signage); and any associated highway retaining structures within the vicinity of the site. The works approved by this condition shall thereafter be carried out in accordance with the approved details and implemented in full prior to beneficial use of the development.

Reason:

In the interests of highway safety and to ensure compliance with Policies SP1 (Delivering the Strategy), MD2 (Design of New Development) and MD7 (Environmental Protection) of the Local Development Plan.

11. No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource and to ensure compliance with Policy MD8 of the adopted Local Development Plan.

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place until a scheme to deal with the contamination found has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and

ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

13. Any aggregate (other than virgin quarry stone), recycled aggregate material, topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

14. Notwithstanding the submitted details, no development shall take place, including site clearance, until a landscape & ecological management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:
  - i) Details of sensitive site clearance with respect to reptiles and breeding birds;
  - ii) Details of newt friendly drainage.
  - iii) A plan showing wildlife and habitat protection zones, if appropriate;
  - iv) A lighting scheme (including specifications and details of lighting) for the site in order to ensure minimal light spillage onto adjoining vegetation;
  - v) Details of the management of ecology features and landscaped areas to maximise biodiversity;
  - vi) Measures to be undertaken to enhance biodiversity on site (including but not limited to bat and bird box provision);
  - vii) Details of site wide scrub and compensatory planting (including details of aftercare);
  - viii) A minimum of 100mm gap at the bottom of all fencing used on site;
  - ix) Details of ongoing maintenance and management of both retained and additional landscaping features.

The works shall thereafter be completed in accordance with the timings approved by the local planning authority and the site operated in accordance with the approved details (including management and aftercare) thereafter.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD9 (Promoting Biodiversity) of the Local Development Plan.

15. Notwithstanding the submitted details, prior to the first beneficial occupation of the development, a detailed scheme of soft landscaping, which shall include, but not be limited to, amended landscaping arrangement adjacent to Port Road (noting amended footway/cycleway linkage); more native tree species, provenance of wildflower mixes, additional planting between the MUGA and meadow further details of hedgerow and woodland planting, shall be submitted to and approved by the Local Planning Authority.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment) and MD2 (Design of New Developments)

16. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1 (Delivering the Strategy) SP10 (Built and Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

17. Prior to work commencing on the construction of the principal college building, further details of the public art to be provided on site and integrated within the development, shall be submitted to and approved in writing by the local planning authority. The approved Strategy shall thereafter be implemented in accordance with its agreed implementation plan.

Reason:

To ensure that public art is provided as integral part of the development in accordance with Policy MD2 (Design of New Development) of the Local Development Plan and the advice contained in the Public Art Supplementary Planning Guidance.

18. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and to ensure compliance with the provisions of Policy MD7 of the adopted Local Development Plan.

19. No beneficial use of the development hereby approved shall occur until such time that a foul sewerage connection has been made in accordance with the recommended connection option and the necessary reinforcement works to the sewerage system implemented (including that to Porthkerry SPS), as identified by the submitted 'Developer Services Hydraulic Modelling Report 3273W - ATC College' and confirmed in writing to the Local Planning Authority.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of residents and ensure no pollution of or detriment to the environment and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Local Development Plan.

**NOTE:**

1. The applicants are advised that all necessary consents / licences must be obtained from Natural Resources Wales (formerly Environment Agency Wales) prior to commencing any site works. The Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP General enquiries: telephone 0300 065 3000 (Mon-Fri, 8am - 6pm).
2. Bats must not be disturbed or destroyed during tree work. A full visual inspection of the trees to be worked on must be carried out prior to intended work to check for the presence of bats. Advice on bats and trees may be obtained from the Natural Resources Wales (Countryside Council for Wales as was). Bats may be present in cracks, cavities, under flaps of bark, in dense Ivy and so forth. Should bats be identified, please contact either Natural Resources Wales on 0845 1306229 or the Council's Ecology Section on 01446 704627.
3. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.

Further information of the SAB process can be found at our website or by contacting our SAB team: [sab@valeofglamorgan.gov.uk](mailto:sab@valeofglamorgan.gov.uk)

4. Where the work involves the creation of, or alteration to, an access to a highway the applicant must ensure that all works comply with the appropriate standards of the Council as Highway Authority. For details of the relevant standards contact the Visible Services Division, The Vale of Glamorgan Council, The Alps, Wenvoe, Nr. Cardiff. CF5 6AA. Telephone 02920 673051.
5. The Council's Highways Authority have made the following notes within their comments for your information:
  1. The applicant / developer must enter into a highway agreement under S278 of the Highways Act 1980 with the Council to facilitate the construction of the proposed site accesses arrangements serving the site and associated offsite improvement works (including any required Traffic Regulation Orders), in accordance with a scheme which shall first have been submitted to and agreed in writing by the Local Highway Authority.

- 2. No works whatsoever shall commence on site until the design calculations, duly certified by a Professional Engineer, and full Engineering details of any structures, drainage systems, street lighting, water culverts etc. abutting or within close proximity to the existing / proposed highway have been submitted to and approved by the Local Highway Authority.**
- 3. There shall be no obstructions inclusive planting whatsoever within the areas required for vision splays. All proposed boundary walls, hedgerows or planting shall be located to the rear of the required vision splays in the interest of highway / public safety.**
- 4. No surface, roof water or other deleterious material from the site shall discharge or migrate onto the adopted highway. Applicant to make provisions to deal with the above within the confines of the site in the interest of highway safety and environmental management.**
- 5. A stage 2 and 3 Road Safety Audit (RSA) will be required to be provided in accordance with GG119 upon agreement of the detailed design and then implementation of the works on site and a competent and qualified road safety professional will need to be procured to undertake the work.**
- 6. The scheme of TROS required by condition 10 shall include any additional requirements as deemed necessary by the Local Planning Authority in order to provide a safe means of access and to prevent the parking/stopping along the site frontage. The applicant/developer to cover all legal costs at time of application and any additional costs such as objections/unforeseen issues and all associated engineering works to implement on site.**

**Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.**

**In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).**

**The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.**

**Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.**