

**CAS-02641-G8G7M5**

**LAND AT MODEL FARM, PORT ROAD, RHOOSE, CF62 3BT**

**Proof of Evidence – Planning**

Prepared by Darren Parker BA(Hons) MRTPI on behalf of Legal and General (Strategic Land) Ltd

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# 1 INTRODUCTION

1.1 The Inspector has included whether the proposed development would be consistent with the Development Plan and other relevant policies as a topic for the inquiry. This statement considers the proposed development in relation to the up-to-date development plan policies and all other material considerations. I then consider the overall planning balance, concluding that the proposal accords with the development plan as a whole and that this fact and the benefits of the scheme mean that planning permission ought to be granted.

1.2 This statement has been prepared by Darren Parker. I am a Planning Consultant and a Chartered Member of the Royal Town Planning Institute. I hold a BA (Hons) in Urban and Regional Planning and a Bachelor of Town Planning degree. I have been a planning consultant since 1998. I joined RPS in 2010. I am currently employed as an Operations Director at RPS.

1.3 During my 27 years in planning consultancy, I have been involved in a wide range of projects in South Wales and beyond. I have provided planning advice and process management to both private and public sector clients on a variety of development proposals. My work has involved planning applications for residential schemes, large scale retail, business space and renewable energy projects.

1.4 I have experience as an expert witness at public inquiry or hearing. I have participated in development plan examinations in public.

1.5 I am familiar with the appeal site. My involvement in the appeal site began prior to its allocation in the Local Development Plan adopted in 2017. I confirm that the opinions expressed in my evidence are my true and professional opinions. I am aware that my duty as a professional planning consultant is to the inquiry, irrespective of by whom I am employed.

## Background

1.6 For completeness the planning permission sought is for:

*'Outline application for the demolition of existing buildings and erection of 44.75ha Class B1/B2/B8 Business Park, car parking, landscaping, drainage infrastructure, ecological mitigation and ancillary works (all matters reserved aside from access) within Area A and a full application for change of use from agricultural land to country park (Use Class D2) within Area B'*

1.7 The Indicative Concept Masterplan includes the following:

- Access points and internal road layout
- Approximate position of development blocks and uses
- Pedestrian and cycle links
- Landscaping zones including robust mitigation planting along the southern boundary
- Drainage features including attenuation areas and swales
- Extension to Porthkerry Country Park to the south

1.8 The relevant planning policy and guidance documents are:

1. Vale of Glamorgan Local Development Plan, adopted in 2017 (LDP)
2. Cardiff Airport and Gateway Development Zone SPG (December 2019)
3. Biodiversity and Development SPG (April 2018)
4. Planning Policy Wales Edition 12 (July 2024) (PPW)
5. Technical Advice Notes (TANs)

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6. Future Wales: The National Plan 2040 adopted in 2021 (FW)

1.9 Of these, FW and the LDP comprise the development plan. There is no strategic development plan in place or under preparation.

## Local Planning Policy – Vale of Glamorgan Local Development Plan (LDP) 2011 – 2026

1.10 There are many policies in the LDP which are of relevance to the Appeal Scheme, in both the strategic and development management framework of the Plan

1.11 The strategy of the adopted LDP has 4 'key elements', as follows:

*'To promote development opportunities in Barry and the South East Zone. The St. Athan area to be a key development opportunity and Cardiff Airport a focus for transport and employment investment. Other sustainable settlements to accommodate further housing and associated development.'*<sup>1</sup>

1.12 Policy SP1, seeks to improve the living and working environment, promote enjoyment of the countryside and coast and manage important environmental assets. As an allocated employment site, the development will provide a contribution to a range of employment sites in the Vale. Additionally, the incorporation of the Porthkerry Country park extension will contribute to public enjoyment of recreation facilities.

1.13 Policy SP2 allocates strategic sites. The appeal site is SP2(3) *Employment uses at land adjacent to the airport and Port Road, Rhoose, as part of the St. Athan – Cardiff Airport Enterprise Zone.* Para 5.33 notes sites identified in Policy SP2 (Strategic Sites) are those that are considered to be major elements contributing to the implementation of the LDP Strategy as set out in the Plan i.e. the promotion of development and regeneration opportunities within the specific areas identified within the strategy.

1.14 Policy SP5 – Employment Requirements sets the scale employment land (492 hectares) to meet regional and local employment needs. According to the 2023-2024 LDP Annual Monitoring Report, overall, 97.62ha of employment land has been approved during the plan period, equating to 26.46% of allocated employment land.

1.15 SP10 - Development proposals must preserve and where appropriate enhance the rich and diverse built and natural environment and heritage of the Vale of Glamorgan. The landscape and visual assessment, heritage assessment and finally the planning balance take into account SP10.

1.16 In accordance with its Strategy, the LDP allocates the Application Site for Class B1/B2/B8 employment uses, specifically for aerospace, education, research and development, manufacturing and office development under Policies MG9 and MG10. Paragraph 6.51 says of the Appeal Site and the other two strategic employment sites: 'The sites comprise strategically located flagship sites that will stimulate inward investment and consolidate the role of the Vale of Glamorgan within the Capital Region...'.

1.17 Policy MG28 allocates 42ha of land for the provision of open space and recreational facilities at Porthkerry Country Park. Policy SP11 states that tourism and leisure proposals which promote the Vale of Glamorgan as a tourism and leisure destination will be favoured.

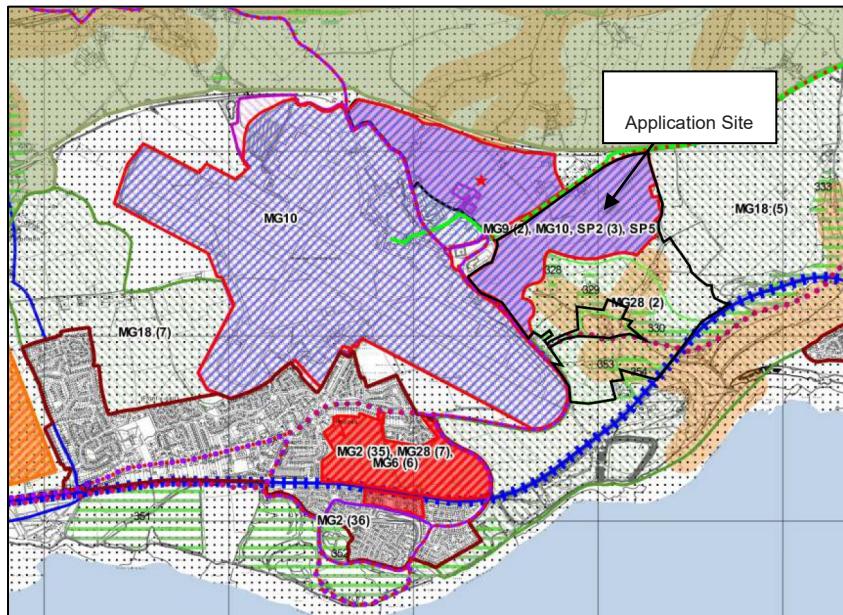
1.18 Development in the Enterprise Zone (EZ) is to focus on the aerospace and defence sectors. The policy is clear that it is not allocated to meet local market demand for general industrial or office uses, but rather to cater specifically for the needs of the aerospace industry and high-tech manufacturing.

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<sup>1</sup> LDP Chapter 5 Strategy, paragraph 5.3

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*LDP Proposals Map Extract (Source Vale of Glamorgan Local Development Plan (LDP) 2011 – 2026):*

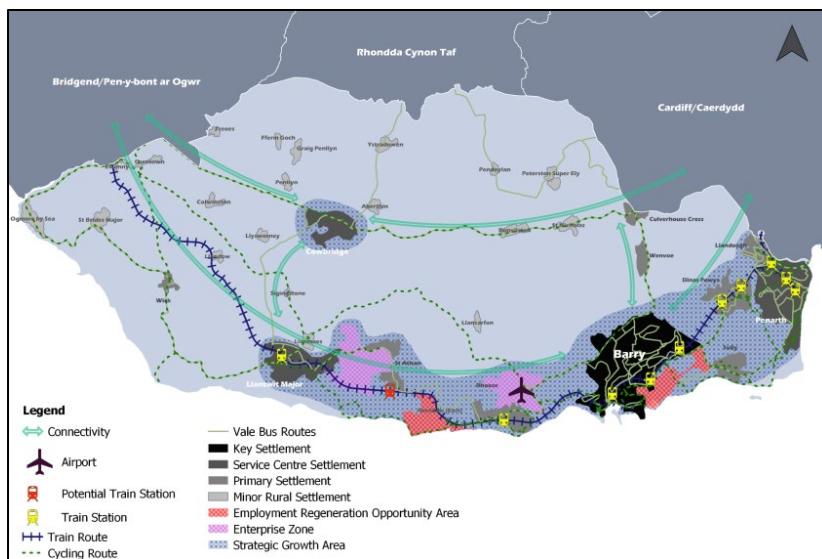


## **Emerging Local Planning Policy – Vale of Glamorgan Replacement LDP (RLDP) 2021 – 2036**

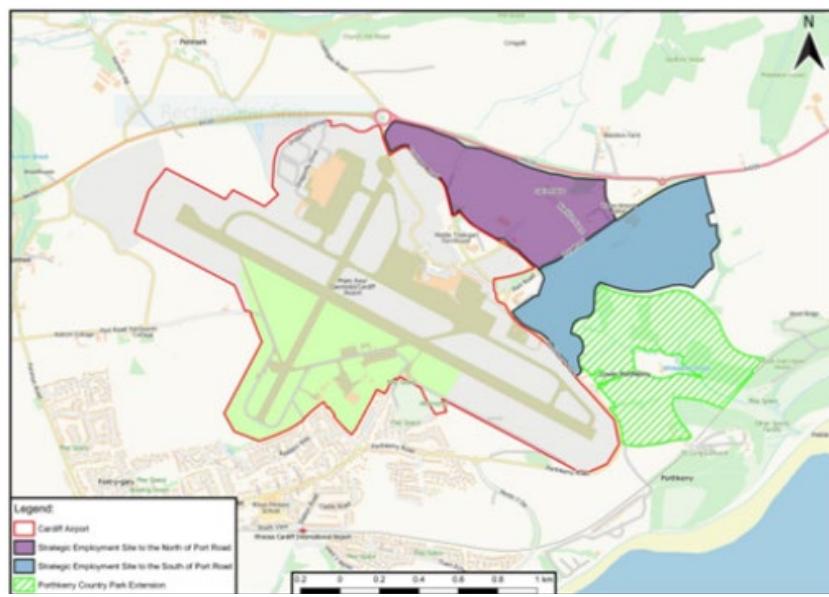
1.19 The RLDP has reached the Preferred Strategy stage. The appeal site is amongst the employment allocations included in the Preferred Strategy. Objective 9 - Building a Prosperous and Green Economy of the RLDP Preferred Strategy names the Cardiff Airport EZ (including the strategic employment site to the south of Port Road, i.e. Model Farm) as an important employment area, enabling delivery of high-quality and skilled jobs, training, and education opportunities. The Application Site is allocated in the Preferred Strategy under Policy SP13: Employment Growth, as Major Employment Allocation 2. At paragraph 6.27, the Preferred Strategy acknowledges the importance of the contribution of the proposed development, stating: '*The site's proximity to Cardiff Airport and Bro Tathan alongside future aspirations of Cardiff and Vale College provides the opportunity to develop the area into a high-quality business cluster.*'

1.20 The emerging policy direction recognises the ambition of the Council to realise the economic benefit of the delivery of employment land at the Application Site to the wider regional economy. Some but limited weight can be attributed to the RLDP progress to date as it has not reached the Draft Deposit stage. Progress to this next stage is expected in the Summer 2025. The RLDP should be consistent with FW policies 1, 10 and 33 in particular.

*RLDP Preferred Strategy Figure 12: Key Diagram (Source: Vale of Glamorgan Replacement LDP (RLDP) 2021 – 2036 Preferred Strategy).*



*RLDP Preferred Strategy Figure 20: Cardiff Airport and Gateway Development Zone (Source: Vale of Glamorgan Replacement LDP (RLDP) 2021 – 2036 Preferred Strategy):*



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## 2 ASSESSMENT OF THE PLANNING APPLICATION AND PLANNING POLICY

2.1 This assessment covers:

1. The principle of development
2. Other policy matters for consideration when determining the appeal as follows:
  - a. Landscape and visual impact
  - b. Transport and accessibility
  - c. Ecology and biodiversity provision
  - d. Built heritage and archaeology
3. Other relevant matters for consideration by the Inspector

### Principle of Development

2.2 The overarching strategy of the adopted Vale of Glamorgan LDP includes ensuring Cardiff Airport is a focus for transport and employment investment. Specifically, Policy SP2 allocates land, including the Application Site, for employment uses to assist in the delivery of the aims of the St Athan - Cardiff Airport EZ, designated by Welsh Government (WG) in 2012.

2.3 In 2021 WG demonstrated its commitment to the EZ. Future Wales via the National Plan 2040 (FW), which was put in place more recently than the LDP. In relation to Cardiff Airport and the Enterprise Zone, it is stated on FW page 82:

*'Cardiff Airport is an essential part of Wales' strategic transport infrastructure. It is an international gateway connecting Wales to the world and is an important driver within the Welsh economy. 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.'*

2.4 FW Policies applicable to the proposed development are Policy 1 – Where Wales will grow; Policy 3 – Supporting Urban Growth and Regeneration; Policy 10 – International Connectivity; and Policy 33 – National Growth Area – Cardiff, Newport and the Valleys.

2.5 The LDP strategic policy goal is strengthened through development management Policies MG9 and MG10, which provide a clear framework for the delivery of the allocation. Para 5.59 notes '*Policy MG9 allocates 437.56 hectares (314.23 Ha net) of land on three major employment sites at St. Athan Aerospace Business Park, Land adjacent to Cardiff Airport, and land to the south of M4 Junction 34 (Hensol) to meet regional need. In allocating these sites the Council recognises the strategic importance of each site both in locational terms and as the catalyst for new employment within the South East Wales region. Development of the allocated employment land is estimated to generate a potential 7,610 - 10,610 jobs within the Vale of Glamorgan. Development of these sites will also create additional (indirect) jobs within the wider region. The strategic employment allocations are intended to specifically meet the needs of the following key economic sectors:*

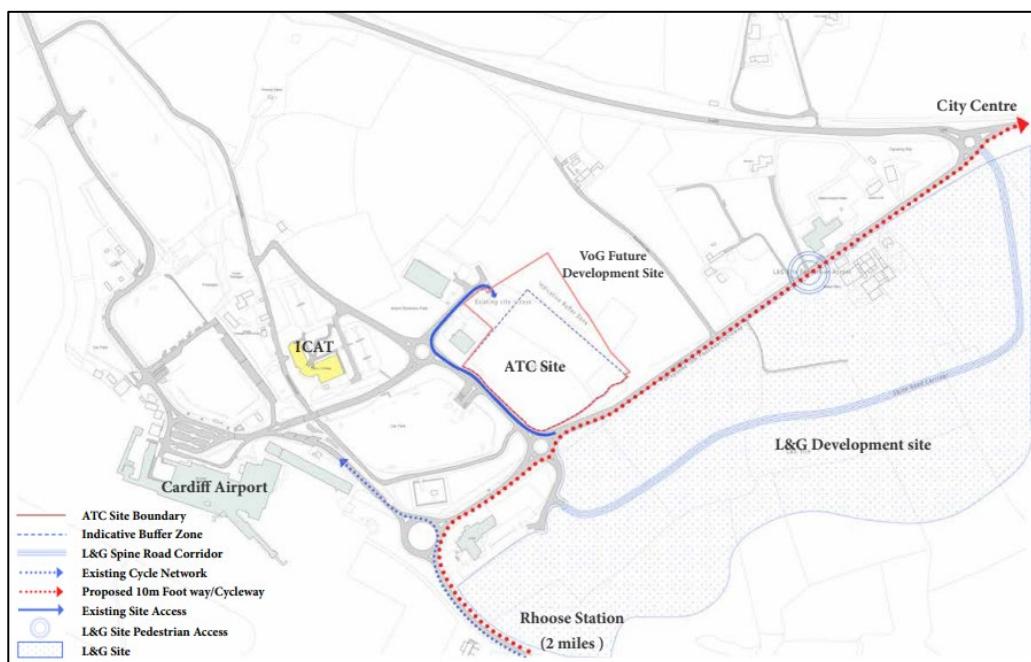
- *Aerospace Industry;*
- *High Tech Manufacturing; and*
- *Logistics and Distribution.'*

2.6 As such, from a local policy perspective, the principle of development on the site is fully supported. The LDP was the subject of a sustainability appraisal and was found to be sound at an Examination in Public.

2.7 At a national level, TAN 23 makes it clear that in considering a site allocation or planning application that could cause harm to the environment or social cohesion, alternatives, job creation and any special merits should be considered to help balance the issues. With regard to alternatives, the site's location within the St Athan – Cardiff Airport Enterprise Zone, and immediately adjacent to Cardiff Airport, fulfils very specific policy requirements – to deliver aerospace and defence related investment through making suitable land available to attract such investment, together with the extension to Porthkerry Park. To locate the proposal elsewhere, outside of the allocation and the Enterprise Zone and remote from the existing Country Park, would not meet the policy requirements.

2.8 At outline stage it is difficult to accurately quantify the number of jobs that could be created by the development, but it is estimated upwards of 3,200 skilled jobs (including apprenticeships) could be accommodated once the site is fully operational, with further job creation at the construction phase. The scheme would make a significant contribution to economic growth in the Vale of Glamorgan and the wider Cardiff Capital Region. Cardiff and Vale College (CAVC) has obtained planning permission (ref. 2024/00329/FUL) for a 13,000sqm Advanced Technology Centre immediately to the north and west of the appeal site.

*Location of Cardiff and Vale College Advanced Technology Centre Application (source: application 2024/00329/FUL Design and Access Statement):*



2.9 In terms of any special contribution the development might make to policy objectives proposal will deliver on a strategic aim of the LDP and assist in Welsh Government's aspirations for the Enterprise Zone. LDP Policy MG10 outlines that the development of the St Athan – Cardiff Airport Enterprise Zone will be guided by a masterplan, to include the following:

- New aerospace, education, research and development, manufacturing, office and other ancillary development at the Cardiff Airport and gateway development zone (77ha).
- A 42ha extension to Porthkerry Country Park.
- Provision of sustainable transport infrastructure.

- The incorporation of a sustainable energy centre at the Cardiff Airport and gateway development zone.

2.10 An Illustrative Masterplan has been adopted by the Vale of Glamorgan Council as part of the Cardiff Airport and Gateway Development Zone SPG. The March 2023 Committee Report explains that this document 'expands upon the policy framework and also provides an illustrative masterplan...'. As such, the SPG including its masterplan are material planning considerations.

2.11 The Cardiff Airport and Gateway Development Zone SPG was formally adopted 16th December 2019. A 6-week public consultation period took place between 19th August 2019 and 1st October 2019. It is evident that the Indicative Concept Masterplan for the Application Site and the Illustrative Masterplan are consistent.

*Cardiff Airport and Gateway Development Zone SPG Illustrative Masterplan (source: Cardiff Airport & Gateway Development Zone SPG):*



2.12 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. Paragraph 1.18 states a plan-led approach is the most effective way to secure sustainable development. Site allocation policies such as MG9 and MG10 are at the core of a plan led approach that has been subject to the scrutiny of a public examination and tested for soundness by an independent Inspector. For decision making there is a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise.

2.13 Section 6 of PPW places value on distinctive and natural places. The application will deliver a significant quantum (up to 44.75ha) of the employment development envisaged by the policy and the extension to Porthkerry Country Park. The land associated with the extension will be transferred to the Vale of Glamorgan Council on the grant of planning permission. The transfer of the land, together with a fund towards facilitation, access, ecology mitigation and maintenance is secured by the Section 106 Agreement.

2.14 Section 5 of PPW deals with productive and enterprising places. The WG's highest priority is to reduce energy demand wherever possible and affordable. The application proposal does not include any specific provision for a sustainable energy centre, but it is envisaged that the development will adhere to the energy hierarchy set down in Figure 10 of PPW. Draft Condition 34 is accepted by the appellant and requires submission of an Energy Masterplan and Implementation Plan prior to the commencement of development to include a study of

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the feasibility of a sustainable energy centre to service the EZ or a District Heat Network to service the Application Site.

2.15 The planning application has been considered by the Vale of Glamorgan Planning Committee on two occasions. On 14 July 2021, the Planning Committee resolved to grant planning permission subject to a Section 106 legal agreement. The permission was issued on 30 July 2021. That decision was judicially reviewed and subsequently quashed by the High Court on 6 October 2021. Subsequently, the planning application was presented at the Planning Committee on the 1 March 2023. The case officer's report presented to the Planning Committee recommended that the application be approved subject to conditions and a Section 106 Agreement. The Planning Committee voted against the officer's recommendation, but the application was not refused. Members of the Committee were unable to provide reasons for refusal in order for the application to be determined.

2.16 Overall, the application proposal is in accordance with strategic and detailed local planning policies, national planning policy and the provisions of TAN 23. The principle of development is considered to be acceptable.

## Other policy matters for consideration

2.17 The Inspector has specified matters for consideration as follows:

- Landscape and visual impact
- Transport and accessibility
- Ecology and biodiversity provision
- Built heritage and archaeology

## Landscape and Visual Impact

2.18 The Application Site does not form part of any statutory landscape designations. Policy MG17 states *Nant Llancarfan* is designated as a special landscape area.

2.19 Within the special landscape areas identified above, development proposals will be permitted where it is demonstrated they would cause no unacceptable harm to the important landscape character of the area. There are no nationally designated landscapes within the study area although there is a local SLA designation close to the northeastern part of the Site. It is important to bear in mind, when assessing the physical effects of the proposal and compliance with Policy SP10, that it is an allocation in the same LDP which designated the SLA (and other protected areas within the Council's area). It is acknowledged that the delivery of this development, as with any major development, will give rise to change in the landscape character of both the Application Site itself, and to the views of people overlooking, visiting or walking through the local area.

2.20 The extent of negative change has been minimised through careful/sensitive design and well-placed mitigation. The layout has been designed to retain and improve the existing green infrastructure and the combination of the retention of the existing woodland, trees and field boundary hedgerows, together with the creation of new areas of woodland, scrub and rough grassland, would result in a longer-term benefit for both the Application Site and the surrounding landscape, especially with the land to the south being transferred to extend Porthkerry Country Park. These principles accord with the allocation Policy MG10 and supporting text at paragraphs 6.55 – 6.57(b).

2.21 The scale, massing and appearance of the proposed development together with the approach to landscape shown in the Design and Access Statement and the Green Infrastructure Parameter Plan reflect the aspiration for a high-quality development that is sensitive and appropriate to its landscape setting. The proposals minimise the impacts on the wider surrounding landscape including respecting the primary qualities of the *Nant Llancarfan* SLA which lies to the north of the Application Site, in line with Policy SP10 and the principles for its application set out in paragraph 5.97 of the LDP, Policy MG17 (Special

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Landscape Areas). It is relevant that, even inside an SLA (which the Appeal Site is not), the designation is not intended to prevent development but to ensure that where development is acceptable careful consideration is given to the design elements of the proposal, such as the siting, orientation, layout and landscaping, to ensure that the special qualities and characteristics for which the SLAs have been designated are protected.' (LDP paragraph 6.119)

2.22 The ES concludes there are some significant but very localised landscape and visual effects but these are reduced over time and some will not be significant. No significant effects predicted for the SLA. There has been no objection by statutory consultees in respect of landscape and visual matters. Overall, the application is compliant with LDP Policies MG17 (Special Landscape Areas) and M128 (Green Wedges), Future Wales and Planning Policy Wales Edition 12. For further detail see the landscape statement at Appendix 3.

## Transport and Accessibility

2.23 LDP Policy MG16 identifies the A4050 Port Road to Cardiff Airport as a key walking and cycling route for the plan. The A4050 Port Road is a major strategic transport route that connects Cardiff Airport through Barry to the transport interchange at Culverhouse Cross and the M4. Supported by the Welsh Government and Sewta, the development of improved walking and cycling routes along this strategically important transport corridor will build upon successful projects that have been implemented by the Vale of Glamorgan Council under the Safe Routes in Communities programme in north Barry and will support the development of improved sustainable access to Cardiff Airport.

2.24 Its noted detailed feasibility work is required in respect of these key routes, which will be considered as part of a comprehensive assessment of how the impact of development on the strategic highway network can be mitigated, funding for which will be sought from national grants and development proposals in conjunction with the Council's Infrastructure Plan and Community Infrastructure Levy.

2.25 The submitted transport documents were prepared on an agreed basis with Highway Officers at the Vale of Glamorgan Council, their appointed independent consultant and Welsh Government and Transport for Wales. The 2023 Committee Report (p.47) confirms that this was 'considered acceptable and robust'. The submitted transport documents conclude that with mitigation, the development can be accommodated without detriment to the existing highway safety or the operation of the local highway network and that there would be no significant effects arising. These conclusions were agreed with Vale of Glamorgan Council, their independent consultant, Welsh Government and Transport for Wales.

2.26 Since the preparation of the original Environmental Statement, there have been changes to employment sites and associated market requirements and working practices. The assessments confirm that the traffic survey work remains relevant and allow for a higher traffic generation than that forecasted based upon current market conditions.

2.27 An integrated approach to sustainable transport improvements is necessary through collaborative working with other key stakeholders in the EZ. Legal & General Strategic Land Ltd is part of a working group with Cardiff Airport and Cardiff and Vale College (CAVC). The working group will promote a modal shift to sustainable travel, delivering on PPW's goal to reduce carbon emissions, improve air quality and increase physical activity as well as assisting in meeting goals of The Well-being of Future Generations Act. The CAVC permission secures a dedicated bus service for college students, a new shared active travel route along the front of the site on Port Road and a new bus stop. The Officer's Report (Vale of Glamorgan 2024, p.30) accepted that 'the site would be readily and realistically accessed by sustainable transport'.

2.28 The nature and timing of transport mitigation is set out in the Revised Transport Implementation Strategy. The 2023 Committee Report confirms agreement by the Highways Engineer to the Transport Implementation Strategy, raising no objection in relation to traffic generation / congestion. A Framework Travel Plan is secured by Condition 37 and provision of an active travel route along Port Road to meet that secured by the CAVC permission is secured by Condition 38. The active travel route is to be implemented prior to beneficial

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occupation exceeding 20,000sqm gross floor area to promote a modal shift to sustainable travel in line with the Sustainable Transport Hierarchy for Planning (PPW 12 Figure 9). Other transport measures as per the Revised Transport Implementation Strategy aren't included in Condition 38 as collaboration is required with other parties.

2.29 In response to specific objections in respect of transport and accessibility, please see Appendix 1 - Appellant's Response to Representations (Table 1, reference RR.3) and Mr Archibald's evidence.

2.30 It is concluded that the additional travel demand can be accommodated safely and satisfactorily on the local transport network with the improvement measures implemented. The ES concludes that there are no significant adverse residual highways and transportation effects in EIA terms. The application is compliant with LDP Policy MD2 - Design of New Development, Future Wales and Planning Policy Wales Edition 12. No objection has been received to the planning application or to the appeal by the Council's Highways Officer or any other relevant statutory consultee.

## Ecology and Biodiversity Provision

2.31 Policy MG19 Development proposals likely to have a significant effect on a European site, when considered alone or in combination with other projects or plans will only be permitted where:

1. The proposal is directly connected with or necessary for the protection, enhancement and positive management of the site for conservation purpose; or
2. The proposal will not adversely affect the integrity of the site;
3. There is no alternative solution;
4. There are reasons of overriding public interest; and
5. Appropriate compensatory measures are secured.

2.32 Development proposals likely to have an adverse effect on a European protected species will only be permitted where:

1. There are reasons of overriding public interest;
2. There is no satisfactory alternative; and
3. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

2.33 The recorded European Protected Species (EPS) within the Proposed Development Site were bats (various species), and hazel dormouse. The bat species and hazel dormouse will also occur in The Porthkerry Country Park Extension. A number of mitigation measures are proposed in the ES for commuting bats, bat roosts and hazel dormice.

2.34 EPS Species mitigation licences would be obtained for bats and dormouse.

2.35 Policy MG21 requires development proposals likely to have an adverse impact on sites of importance for nature conservation or priority habitats and species will only be permitted where it can be demonstrated that:

1. The need for the development clearly outweighs the nature conservation value of the site;
2. Adverse impacts on nature conservation and geological features can be avoided;
3. Appropriate and proportionate mitigation and compensation measures can be provided; and
4. The development conserves and where possible enhances biodiversity interests.

2.36 The development has integrated the highest value habitat into connected green infrastructure (SINCs, ancient woodland, watercourses) is integrated into the proposed development with enhanced connectivity and maintained links with the wider environment.

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2.37 Policy MD9 states that new development proposals will be required to conserve and where appropriate enhance biodiversity interests 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.

2.38 The proposed development would give rise to temporary negative effects on certain key important ecological features, during the phased development of the site. Impacts relate to habitat loss, fragmentation and indirect effects from construction activities. There are also expected effects on the behaviour of species in parts of Area A once operational where there is a change in the context of retained habitats.

2.39 None of the important ecological features identified in the Ecology ES Chapter are predicted to be subject to negative effects of high magnitude (e.g. significant in terms of wider local populations) and all are predicted to fully recover as a result of mitigation and enhancement.

2.40 The proposals are designed to be consistent with LDP policies, FW and PPW.

2.41 No statutory designated sites are within the application site. Four non-statutory designated sites (SINCs) are incorporated into the application site and will be protected and subject to ongoing management for biodiversity.

2.42 Appropriate mitigation is proposed for two EPS species using habitats that would be lost (bats and dormouse).

2.43 VoGC had consulted with Natural Resources Wales (NRW) on the presence of bat roosts during the determination process. In the planning committee report 1 March 2023 it states that NRW advised that, subject to the mitigation measures recommended in the ecological report being carried out, the development would not be detrimental to the maintenance of the populations of the protected species.

2.44 In 2022 a precautionary assumption that dormice could be present was made and the NRW recommended a Precautionary Dormouse Mitigation Strategy be conditioned. Following confirmation of dormouse presence in 2023, the details of this mitigation strategy would now form part of the EPS mitigation licence application for this species. NRW recommendations would be incorporated into the EPS mitigation licence for this species. There has never been any indication that appropriate licences would not be forthcoming, if planning permission were granted

2.45 Baseline surveys were originally undertaken in 2018 and 2019 and informed the Outline Biodiversity Strategy 2019. In 2023/2024, the programme of ecology surveys was updated with the findings informing the ecology chapter which was included in the updated Environmental Statement. The Green Infrastructure Statement ( appended to the ES chapter) was prepared with reference to Outline Biodiversity Strategy 2019, and sets out how the biodiversity and landscape proposals align to PPW12

2.46 A Green Infrastructure Statement has been prepared as required by Chapter 6 of PPW (ed. 12, July 2024) to demonstrate the accordance of the Proposed Development with the Building with Nature standards and well-being goals for Wales. In accordance with the current PPW, the development has integrated the highest value habitat into connected green infrastructure with good connectivity to the wider environment and minimised the adverse effects of development. Mitigation is provided for adverse impacts on legally protected species, priority habitats and species, as explained in greater detail in the Ecology Proof of Evidence.

2.47 The proposed Porthkerry Country Park extension is a key element of the overall biodiversity provision. New habitats including woodlands, scrub, hedgerows and waterbodies alongside retained, enhanced and new grassland habitat will contribute to the coherent ecological networks within and adjoining the Application Site and will increase the extent of publicly accessible land managed for biodiversity also aligning with objectives of The Well-being of Future Generations Act (Wales) 2015. The Vale of Glamorgan Council adoption of the Porthkerry Country Park extension will be facilitated by the agreed funding via Section 106 contribution to long-term management.

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2.48 The Proposed Development would give rise to temporary negative effects on certain key important ecological features, during the phased development of the Application Site. None of the important ecological features identified in the Environmental Statement are predicted to be subject to negative effects of high magnitude (e.g. significant in terms of wider local populations) and all are predicted to recover as a result of mitigation and enhancement.

2.49 The protection and creation of green infrastructure within the Application Site can be controlled by condition. Provision of features of biodiversity value across the country park extension will be a requirement of conditions. There are no identified impediments to the implementation of the mitigation proposals which are to be delivered in accordance with standard good practice. The predicted temporary negative effects on biodiversity related to habitat loss would be fully compensated in the medium and long-term through the green infrastructure strategy and extension to the country park.

2.50 The Proposed Development is capable of delivering an overall net benefit for biodiversity following the establishment of the green infrastructure within the development area and in the country park extension. It complies with the step-wise approach and the measures in the submission can deliver a net benefit for biodiversity with proposals consistent with the DECCA framework and promotion of ecosystem resilient networks.

2.51 In response to specific objections in respect of ecology and biodiversity, please see Appendix 1 - Appellant's Response to Representations (Table 1, reference RR.5 and RR.6).

2.52 The ES concludes that there are no residual significant adverse ecology and biodiversity effects in the short-medium term in EIA terms. The proposed development accords with Policy SP10 (Built and Natural Environment), Policy MG19 (Sites and Species of European Importance), Policy MG20 (Nationally Protected Sites and Species), Policy MG21 (Sites of Importance for Nature Conservation) and Policy MD7 Environmental Protection. No objection has been received by the Council's Ecologist or by NRW.

2.53 The development proposals will, as required by FW Policy 9, secure biodiversity enhancement and maintenance.

## Built Heritage

2.54 In relation to built heritage matters, I refer to the statement of evidence prepared by Mr Price, which is appended to this proof.

2.55 The heritage statement (appendix 2) identifies that the proposed development would result in a degree of harm to five listed buildings, one non-designated historic building, and the Porthkerry Conservation Area. That harm ranges from 'Negligible' to 'Minor' and there is potential for such harm to be reduced as proposed screening vegetation matures, and subject to detailed design.

2.56 Some potential heritage benefits arising from the extension to Porthkerry County Park is noted.

2.57 Effects on underground archaeology are controlled by draft Condition 16 and archaeology was not identified as a reason for refusal. Mitigation measures in relation to built heritage assets, relating to scale, screening, lighting, and design, are controlled by draft Conditions 1, 4, 29, 30, and 33.

2.58 Considerable importance and weight are afforded to the harm to the listed buildings and the general policy presumption for the avoidance of harm to historic assets. The Vale of Glamorgan Council Conservation Officer objected in respect of built heritage (please see Appendix 1 - Appellant's Response to Representations (Table 1, reference RR.7)): that objection identified that the scheme would not comply with relevant heritage policies, including Policies SP10 and MD8 of the LDP 2017, as harm would arise to historic assets, though that this would need to be considered within the planning balance.

2.59 In addition to the findings of Chapter 6 of the ES, the heritage statement concludes that there are no significant adverse built heritage effects in EIA terms. In accordance with the statutory requirement to have special regard to preserving the significance of listed buildings and their

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settings, and the policy requirements set out under the PPW and the LDP, great weight is given to the harm to the listed buildings. However, the greater part of their significance would be preserved, reducing the weight to moderate. Modest weight is attributed to the harm to the Porthkerry Conservation Area. Little weight is given to the harm identified in relation to Welford Farm House. In addition, there are heritage benefits which would arise in relation to the identified historic assets as per the heritage statement. These are duly afforded modest weight as public benefits.

2.60 The overall planning balance is considered in Section 7 of this proof.

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### 3 OTHER RELEVANT MATTERS FOR CONSIDERATION BY THE INSPECTOR

#### Agricultural Land

- 3.1 The vast majority (98.3%) of the land is graded 3b or less. This grade is not considered to be the best and most versatile agricultural land afforded protection in planning policy. The most recent released stats (Type of Agricultural Land (Hectares) by Area – Stats Wales) for 2017 shows 19,075 ha of agricultural land in Vale of Glamorgan. The land allocated for the business park is 0.2% of the total for the Vale of Glamorgan.
- 3.2 If land at Model Farm is laid to wildflower production, as objectors say that it currently is, it is not making a contribution to the land supply for food security. Clearly, cropping choices will vary over time, but the national grading system assists in the application of planning policy by enabling the best and most versatile land to be identified and weighted accordingly in planning decisions. There is no objection from WG Agriculture and Soils Division.

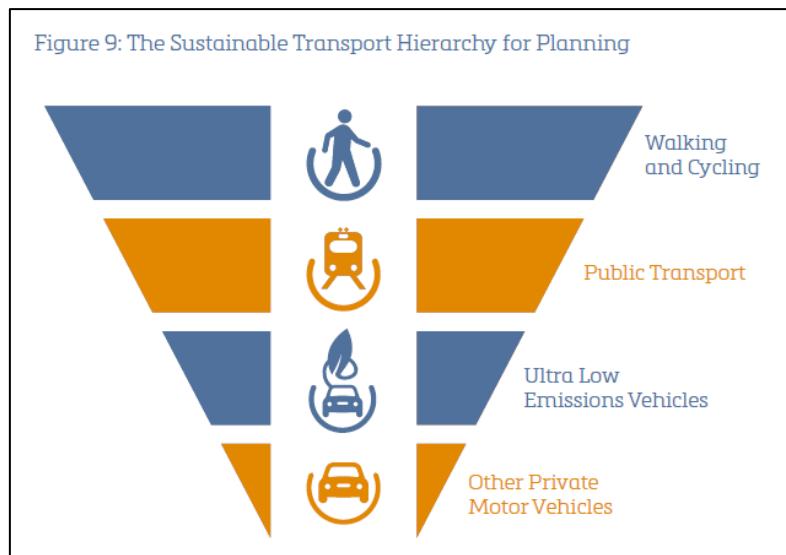
#### Economic and Other Benefits

- 3.3 The policies and allocations within development plans are intended to bring about the delivery of development that will generate economic benefits during construction and afterwards. L&G Strategic Land Ltd has made a considerable investment to get to the next stage to be able to achieve the intended outcome for the site.
- 3.4 The delivery report (Sutton Consulting and RPS) has been updated to take into account changes since the original report was completed and Mr Sutton's statement is appended at Appendix 4. The current delivery report provides an update to the employment market overview together with an assessment of the economic viability of the proposed development when considering changes to construction costs and rent returns. The delivery report highlights the contribution the site can make to the supply of readily available and attractive employment land in the region. The site could accommodate thousands of jobs. That could contribute circa £110m in net additional wages per annum.
- 3.5 These benefits accord with LDP, FW and PPW, policies and the EZ and SPG objectives. Furthermore, the CAVC Advanced Technology Campus is collocated just across the Port Road. The Centre will accommodate nearly 2000 learners. As well as full-time courses there will apprenticeships and part-time courses. There are conditions proposed for Labour Recruitment (Condition 35) and a Training and Development Scheme (Condition 36). The latter includes an apprenticeship scheme.
- 3.6 The land transfer for the Active Travel Route (Condition 38) is supported by local and national policy. The active route connects to the section adjacent to the Advanced Technology Centre.
- 3.7 **Policy SP7 - Transportation** of the Vale of Glamorgan LDP states that sustainable transport improvements that serve the economic, social and environmental needs of the Vale of Glamorgan and promote the objectives of the South East Wales Regional Transport Plan and the Local Transport Plan will be favoured. Specifically, A key priority [SP7(7)] for the delivery of strategic transportation infrastructure includes a cycle route along the A4050 Culverhouse to Cardiff airport.
- 3.8 This is also discussed by Policy MG16 – Transport Proposals, which proposes A4050 Port Road to Cardiff Airport as an important transport corridor for walking and cycling that will build upon successful projects that have been implemented by the Vale of Glamorgan Council under the Safe Routes in Communities programme in north Barry and will support the development of improved sustainable access to Cardiff Airport.
- 3.9 The Model Farm development is an allocated site under Policies MG9 and MG10. Policy MG10 St Athan - Cardiff Airport Enterprise Zone includes the element of provision of sustainable transport infrastructure.

3.10 Figure 9 of PPW 12 outlines the sustainable transport hierarchy, which places walking and cycling at the top and car use at the bottom.

3.11 Para 4.1.11 states that '*development proposals must seek to maximise accessibility by walking, cycling and public transport, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes...*'

*Sustainable Transport Hierarchy (PPW Figure 9)*



3.12 PPW para 4.1.31 states that planning authorities must support active travel by ensuring new development is fully accessible by walking and cycling.

3.13 Para 4.1.33 states '*development plans must identify and safeguard active travel routes and networks ... and support their delivery. As part of the selection of future development sites, priority should be given to sites which can be readily connected to existing active travel routes or future networks new development should be integrated with active travel networks and contribute to their expansion and improvement, through the inclusion of well-designed routes and facilities as part of the schemes and financial contributions to pay for off-site connections. Planning authorities should also seek to assist in the completion of the national cycle network and key links to and from the network. These measures should, where appropriate, be aligned with approaches to secure green infrastructure. Planning authorities should seek opportunities to increase habitat connectivity, mitigate habitat fragmentation, and secure wider green infrastructure benefits along transport networks.*'

3.14 Overall, the site is allocated along with the active travel corridor within the LDP. National Policy is supportive of active travel being integrated within development to prioritise walking and cycling, in accordance with the sustainable transport hierarchy. The footway/cycleway land transfer to the Council as per Condition 38 is a proportionate contribution to assist the delivery of the active route as defined in Policy.

3.15 Future Wales Policy 10 identifies Cardiff Airport as one of only 4 Strategic Gateways in Wales and provides that LDPs should support the Strategic Gateways "by maximising the benefits they provide to their respective regions and Wales".

3.16 The footway/cycleway land transfer to the Council as per Condition 38 is a proportionate contribution to assist the delivery of the active route as defined in Policy.

3.17 Future Wales Policy 10 identifies Cardiff Airport as one of only 4 Strategic Gateways in Wales and provides that LDPs should support the Strategic Gateways "by maximising the benefits they provide to their respective regions and Wales". FW urges sustainable development in sustainable locations supported by active travel and public transport infrastructure and services. There is therefore a national strategic logic to developing the LDP allocation which

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is also located well in relation to local and regional active travel initiatives, to which it will proportionately contribute. The proposals accord with the national and local elements of the development plan.

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## 4 CONCLUSION – OVERALL PLANNING BALANCE

4.1 I have demonstrated that the Appeal Scheme is consistent with the development plan overall. It aims to deliver an important strategic specialist employment allocation together with significant new Green Infrastructure, in accordance with the allocation in the adopted LDP as given further expression in the SPG. Future Wales has subsequently identified Cardiff Airport as a national Strategic Gateway and seeks to maximise growth and its associated benefits in the area. The emerging Replacement LDP, although at an early stage, unsurprisingly given the national spatial policy for this area, continues the direction of policy travel.

4.2 Policy MG10 requires an extension to Porthkerry Park. The 48-hectare extension to the park, which is part of the planning application, would facilitate public access to enjoy the environment. Initial works will include new footpaths, trails and footbridges, together with associated signage and furniture. This would open up many new public views including enhanced opportunities to appreciate the built heritage while taking exercise. It is possible to re-create habitat on land proposed to form the Porthkerry Country Park extension as well as on site. In order to facilitate these works and on-going maintenance a financial contribution is agreed.

4.3 Just over 10 hectares of green space would be retained within the business park. Overall, the proposals would result in:

- nearly two miles (3.01 km) of new hedgerows, plus 300m of hedgerows to be restored through additional planting;
- nearly 4 acres (1.5 hectares) of hazel dominated scrub planting;
- nearly 2.5 acres (1 hectare) of scrub planting; and
- over 6 acres (2.5 hectares) of new broadleaved woodland planting.

4.4 NRW has no objection to the proposed business park. The Council's Ecologist has stated that the mitigation target set out within the Biodiversity and Development SPG has been met.

4.5 There have been objections to the loss of a working farm. In general, private tenancy agreements are not material to planning. Whilst removal of a farmer is regrettable, this has been a possible outcome since the site was allocated. The requirements for vacant possession would be determined by a separate due process under landlord and tenant law. No planning policy requires the retention of particular farm holding. Having regard to the quality of the agriculture land, the allocation and the benefits that are associated with the development the impact is considered acceptable in the planning balance.

4.6 The Green Infrastructure Statement demonstrates that the proposed development has been designed to date taking into account Ecosystem Resilience and the DECCA framework; relating to diversity, extent, connectivity, context and adaptability outlined in PPW. The planning of green infrastructure within the Proposed Development also considered the Sustainable Development Principle of the Well-being of Future Generations Act and a number of the seven well-being goals, notably a Resilient Wales, Healthier Wales and Globally Responsible Wales. Detailed green infrastructure proposals and their appropriate delivery and aftercare would be designed in consultation with the Vale of Glamorgan Council and set out within a Detailed Biodiversity Management Strategy.

4.7 The Vale of Glamorgan Council Conservation Officer agreed with the conclusions of the Built Heritage Statement that there would be varying degrees of harm to the setting of historic assets. As a result of this, he did not support the application. Cadw has no objection to the proposed development. Glamorgan and Gwent Archaeological Trust considered the proposed development to be acceptable and a condition sought was added (Condition 16). Harm to designated heritage assets or their settings attracts considerable importance and weight in the planning balance but this does not mean that planning permission must be refused. Overall, the consistent advice of the planning officers of the Local Planning Authority has been to grant permission. As [Seth]'s statement explains, there would be some heritage benefits associated with the proposals which must also be weighed. I have already noted the scheme's compliance overall with national and local strategic development plan policies.

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Although there would be some adverse effects on heritage assets, these are agreed by the heritage experts to be slight and there is no objection from Cadw. They could, in part, be mitigated and, in my view, they are outweighed by the overall accordance with the development plan and the Scheme's contributions to national and regional economic development as well as its considerable contribution to Green Infrastructure at this important Strategic Gateway location, offering visitors, workers and residents valuable opportunities for active outdoor recreation and appreciation of the natural and built heritage.

4.8 FW Chapter 5 – The Regions includes 'Future Wales policies provide an important regional framework in the absence of Strategic Development Plans, identifying key strategic spatial issues that require a larger than local policy response. The Welsh Government will ensure decisions taken by the planning system support the delivery of these policies'. It goes on to say in the absence of Strategic Development Plans the development management process will need to demonstrate how FW regional policies have been taken into account and demonstrate how they conform with FW and PPW.

4.9 Given the application is consistent with FW and the LDP and the extent of benefits associated with the proposals, I consider that the weight is in favour of planning permission being granted.

4.10 As per the Well-being of Future Generations (Wales) Act 2015 "Sustainable Development" means the process of improving the economic, social, environmental, and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals. The seven well-being goals are pursued simultaneously by the proposed development.

1. The employment opportunities generated, and training will allow people (including students at the recently permitted Vale College) to take advantage of the wealth generated through securing decent work and contribute to a prosperous Wales.
2. The onsite green space and sustainable drainage, biodiversity mitigation and enhancement as well as the extension to the Country Park enhance the natural environment to support social, economic and ecological resilience and the capacity for a resilient Wales.
3. A contribution to a healthier Wales will be possible as space at the business park could be used for exercise, work breaks and lunch breaks. The extension to Porthkerry Country Park will result in increased visitors. In addition to which there is a contribution to an active travel route.
4. Access to employment and training enables people to fulfil their potential no matter what their background or circumstances to achieve a more equal Wales.
5. Active travel and public transport measures to a modern attractive business park situated within an Enterprise Zone will contribute to a Wales of cohesive communities.
6. The proposed business park is located adjacent to Wales' international airport. The proposed development will be part of one of only a few Enterprise Zones in Wales within one of only four national Strategic Gateways. The development will encourage a Wales of vibrant business culture ((and embrace the Welsh language)).
7. When improving the economic and social well-being of Wales via the proposed business park the biodiversity management, building techniques and materials as well as means of transport will make a positive contribution to a globally responsible Wales.

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## **Appendix 1 – Appellant’s Response to Third Party Representations**

# APPELLANT'S RESPONSE TO THIRD PARTY REPRESENTATIONS

The below is extracted from the appellant's final comments submitted to the appeal (document reference: 2025-01-20 - APP - Final Comments)

The final comments provided response to third party representations submitted by, or on behalf of, the following parties:

- The Vale of Glamorgan United against Model Farm (representing the majority of respondents)
- Cllr William Andrew Hennessy
- Simon Barry (Boyer) on behalf of the Stevens family
- RSPB Cymru
- Coed Cadw Woodland Trust
- Other interested parties comprising members of the public

Table 1 below provides a summary of third party responses and final comments provided by the appellant.

**Table 1. Summary of matters raised and appellant response**

Ref	Matter raised in representations	Appellant response
RR.1	<p>The site is not an appropriate location for development due to:</p> <ul style="list-style-type: none"><li>- Availability of other brownfield sites.</li><li>- Loss of agricultural land.</li></ul>	<p>The principle of the development of this site is established by virtue of Policies MG9 – Employment Allocations &amp; MG10 St Athan - Cardiff Airport Enterprise Zone of the Vale of Glamorgan Local Development Plan 2011-2026 (LDP).</p> <p>The 2023 Committee Report which recommended approval of planning application 2019/00871/OUT confirmed that the principle of the development proposed in the application is clearly established through the adoption of the LDP.</p> <p>The matter is therefore not a principal concern in the determination of the appeal.</p>
RR.2	<p>Concern over the viability of the scheme and the demand for industrial units B1/B2/B8 in South Wales.</p>	<p>The VoGC Adopted LDP relies on the delivery of this site to meet employment land requirements during the plan period. The proposed allocation of the site in the Replacement LDP demonstrates the VoGC's reliance on the site to encourage inward investment and consolidate the role of the Vale of Glamorgan within the Capital Region.</p> <p>Public intervention in the property market is not uncommon due to widespread and persistent market failure, whereby the costs of development exceed the market value of sites, disincentivising private sector development. An updated Delivery Report was submitted in support of the appeal which confirms that</p>

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there is a lack of new and modern floorspace across most sectors of the office and industrial market. The proposal presents a major project that can transform the approach to Cardiff Airport and can provide a critical mass of employment floorspace in this location. The proposal will contribute towards the realisation of the allocation to deliver high quality employment land which will play an important role in both the Vale of Glamorgan and the Cardiff Capital Region.

The matter is therefore not a principal concern in the determination of the appeal.

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RR.3	Development of the site will result in increased traffic congestion in the area and road safety issues, both as a result of the project alone and as a result of the project in combination with other projects and/or sites including the proposed Cardiff and Vale College Campus, Aberthaw Power Station redevelopment and Cardiff Airport.	The impact of the Proposed Development on traffic and transport as a result of both the project alone and the project in combination with other projects identified, is assessed in the ES that was submitted in support of planning application 2019/00871/OUT and has been updated in support of this appeal. The ES concludes that the additional travel demand can be accommodated safely and satisfactorily on the local transport network subject to a set of specified improvement measures being implemented.
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The 2023 Committee Report which recommended approval of planning application 2019/00871/OUT confirmed that the supporting documentation demonstrated that the existing highway network could accommodate the forecasted traffic, without resulting in an unacceptable traffic impact locally and in the within the wider highway network. It was deemed that the proposal was in accordance with the relevant LDP policies. The VoGC Highways Officer confirmed no objection to the application.

The matter is therefore not a principal concern in the determination of the appeal.

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RR.4	Development of the site will result in flooding issues at Porthkerry Park.	The majority of the site is not in an area identified as being at risk from flooding according to the NRW Development Advice Map (DAM) or the draft Technical Advice Note (TAN) 15 Flood Map for Planning (FMfP) which represents the best available information on flood risk. A small portion of Area B is affected by Flood Zones 2 and 3, however, no built development is proposed in Area B. The proposal incorporates provision for sustainable drainage features to manage surface water flows.
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Accordingly, the proposal is in full accordance with Policy MD7 (Environmental Protection) of the LDP as acknowledged in the 2023 Committee Report. The VoGC's Drainage Section confirmed no objection to the planning application subject to the application of conditions relating to the requirement for a Flood Exceedance Plan, management details, and a Construction Environmental Management Plan.

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The matter is therefore not a principal concern in the determination of the appeal.

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RR.5 Development of the site will have an adverse impact on Ancient Woodland, hedgerows, habitat connectivity and bird species.

This matter has been addressed under the response to the VoGC's putative reason for refusal above.

RR.6 Suggestion that a detailed biodiversity management strategy should be provided prior to determination of the appeal.

The appellant has committed to the preparation of a detailed Biodiversity Management Strategy that can be secured by a condition of the appeal. The 2023 Committee Report which recommended approval of planning application 2019/00871/OUT confirmed that both NRW and the VoGC's Ecologist were satisfied with the information provided and that the necessary management objectives were secured within the application documentation.

A detailed Biodiversity Management Strategy would be prepared and submitted to the VoGC for approval prior to the commencement of construction. The strategy would be substantially in accordance with the agreed management objectives.

The matter is therefore not a principal concern in the determination of the appeal.

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RR.7 The VoG Council's Heritage Officer has stated that harm would be made to historic assets, including Listed buildings.

This matter has been addressed under the response to the VoGC's putative reason for refusal above.

RR.8 Concern that a foul water solution cannot be achieved for the development.

Dwr Cymru Welsh Water stated no objection to the planning application in the 2023 Committee Report subject to the application of a condition requiring a foul water drainage scheme be agreed prior to any approval of reserved matters or commencement of development. This was secured by proposed Condition 9.

The matter is therefore not a principal concern in the determination of the appeal.

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## **Appendix 2 –** **Built Heritage Statement of** **Evidence**

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# 1 INTRODUCTION

1.1 This document comprises a **heritage statement of evidence**, prepared on behalf of the appellant Legal and General (Strategic Land) Ltd, in support of the appeal against non-determination for the proposed development of a business park on land at Model Farm, Port Road, Rhoose, in the Vale of Glamorgan (planning ref. 2019/00871/OUT; appeal ref. CAS-02641-G8G7M5).

## Qualifications and Experience

1.2 My name is Seth Price. I hold a Bachelors degree in Archaeology (with honours). I am a full Member of the Chartered Institute for Archaeology (MCIfA) and an Associate Member of the Institute for Historic Building Conservation (AssocIHBC), accredited in conservation practice that evaluates change in the built and historic environment. I have over 13 years' experience in the private sector as a heritage consultant, providing independent heritage consultancy and services. I am a committee member for the ClfA Buildings Archaeologist Group where I advocate for the profession, push for high standards of professional conduct and practice, and advise on industry guidance.

1.3 I have worked for RPS (now part of Tetra Tech) since January 2025 as a Technical Director - Built Heritage. My work involves the detailed assessment of the historic environment, including buildings, monuments, and landscapes of the highest significance. I specialise in assessing the significance of historic buildings, places, and landscapes, and in understanding the potential impacts, both positive and negative, of development upon that significance.

## Statement of Truth

1.4 The evidence that I have prepared and provided herein is true. My advice is governed by the Institute for Historic Building Conservation (IHBC) and the Chartered Institute for Archaeology (ClfA) Codes of Conduct which mandate that I must act with competence, honesty, and integrity, providing informed professional advice on behalf of the historic environment. I confirm the opinions expressed are my true and professional opinions, irrespective of by whom I am instructed.

## Purpose of this Statement of Evidence

1.5 Following the making of the appeal, two putative reasons for refusal were presented in relation to the scheme. The second related to historic assets:

2. *The proposed development by virtue of its layout, scale and massing would have a harmful impact on the setting of historic assets. The benefits of the scheme are not considered to outweigh the identified harm to the designated heritage [sic] assets. The proposed development is therefore contrary to Policies SP10....*

1.6 Following a committee meeting dated 12 December 2024, Vale of Glamorgan Council withdrew both reasons for refusal.

1.7 The Inspector has asked that the effect of the proposal on historic assets be covered as an issue at the inquiry.

1.8 In this statement of evidence, I therefore assess the degree of harm to built historic assets likely to arise from the Appeal proposal. I identify the key historic assets to enable an informed decision to be reached with regard to the scheme's impact, and the weight any such impact should be afforded in the planning balance. I outline my position in relation to the existing baseline, including the identification of potential opportunities for enhancement to the significance of historic assets where relevant.

1.9 Importantly, the putative reason for refusal related to *built* historic assets only (i.e., listed and locally listed buildings). No objections relating to archaeology were forthcoming and Cadw, as statutory consultees, tendered no objections in relation to the scheme's impact on any scheduled monuments or registered historic parks and gardens. Archaeological historic assets are not considered further within this statement.

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## Project Involvement and Role

1.10 My involvement with the project follows the extended sickness of Mr Jonathan Smith, Senior Director – Built Heritage at RPS, who compiled the baseline reports in relation to built heritage for the appeal site. My role is therefore to act as expert witness in relation to heritage as part of the appeal process, in his stead. I am familiar with the Site, its planning history, and the significance of the historic assets identified as likely to be affected by the proposed development.

1.11 This statement should be read in conjunction with the Built Heritage Statement (BHS), originally prepared in April 2019 and updated in June 2019 together with Chapter 6 (Built Heritage) of the Environmental Statement (ES), prepared in June 2019, and updated in November 2024 (CgMs 2019; RPS 2024). Other relevant documentation includes the consultation response prepared by the Vale of Glamorgan Council Conservation Officer, Peter Thomas, in October 2019 (VGC 2019).

1.12 I have reviewed each of these documents. I have independently reviewed the baseline evidence for the Site, including other supporting documents such as the Design and Access Statement, Chapter 5 (Landscape and Visual Character) of the ES (revised November 2024), and the Archaeological Desk-Based Assessment (CgMs 2019). I have undertaken my own review of Locally Listed County Treasures (a list of historic assets for the Vale of Glamorgan); the National Heritage List for Wales; and Registered Historic Landscape and Historic Landscape Characterisation data for the Site and its environs. I have discussed the Site and specialist report findings with my landscape colleague Mr Wilson, and have reviewed, from the heritage perspective, the ZTV and verified views prepared as part of his baseline evidence. In doing so I have drawn my own professional opinions and have identified an additional factor relevant to the proposed development which I discuss in Section 3.2 of this statement.

1.13 Since the preparation of the BHS, and the original ES Chapter, there has been a change in heritage legislation in Wales, with the coming into force in November 2024 of the Historic Environment (Wales) Act 2023. Nonetheless, commencement of the 2023 Act does not bring about material changes for the purposes of the heritage assessment. The amended legislation will be addressed by Counsel in her Opening Statement.

## The Built Heritage Statement

1.14 The BHS included a full assessment of the significance of the identified historic assets and assessed the scheme's likely impact to those assets, **before recommending mitigation measures**. In reviewing the BHS in October 2019, the Conservation Officer concluded that: '*The methodology employed in the assessment is considered robust and the findings of the report in respect of the above buildings is accepted as an accurate assessment*' (VGC 2019: 4).

1.15 The original BHS, dating to April 2019, proposed that measures such as directional street lighting and screening vegetation be introduced into the development to mitigate harm identified to the significance of historic assets. The original BHS was informed by an initial masterplan, dated to May 2018 (drawing no. JCD0064-003, revision M), which saw built development extending as far south as the property known as Lower Porthkerry Farmhouse and west to Porthkerry Road.

1.16 The updated BHS, dating to June 2019, reflected the introduction of screening development within an updated masterplan and incorporation of a setback of development from Lower Porthkerry Farmhouse, as per the existing masterplan which dates to May 2019 (drawing no. JCD0064-003, revision S); this masterplan introduced the safeguarded land for the future rapid transport corridor within the west of the Site also, but that project does not form part of the application. **The updated BHS, apparently in error, did not update the identified level of harm to reflect that mitigation – this was addressed in the subsequent ES Chapter.**

## The ES Chapter

1.17 The ES chapter was prepared in June 2019, but updated in October 2024. The chapter included an assessment of the proposed development **incorporating mitigation measures** proposed within the BHS, as per the existing masterplan (drawing no. JDC0064-003, revision S); **accordingly, the scheme's impact upon the significance of historic assets identified within the ES Chapter (and within this statement) is less than that in the BHS.**

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## Control of mitigation measures

1.18 Control of the future development of the Site to ensure delivery of proposed mitigation measures relating to heritage would be ensured by condition, as drafted within the case officer's report presented to the Planning Committee in 2023. Condition 1 required that details of layout, appearance, landscaping, and scale be submitted to and approved in writing by the council. Condition 4 stipulated that development must accord with the existing parameter plans in terms of scale (drawing no. JCD0064-004, revision H). Soft landscaping was controlled by conditions 29 and 30. Lighting would be controlled by condition 33.

## 2 MAIN ISSUE

2.1 The main heritage issues relate to the impact of the proposed development upon the significance of eight historic assets, and as to whether its public benefits outweigh any harm identified. Those assets are identified on the attached figure (Figure 1). List entries / descriptions of relevant historic assets are included as core documents (in addition, digital links are embedded within this report, underlined text).

2.2 The relevant assets and the anticipated impact of the proposed development upon their significance, allowing for mitigation measures introduced following preparation of the BHS in 2019, can be summarised thus:

2.3 **Porthkerry Farmhouse Grouping** (see ES, RPS 2024: para 6.5.12; BHS, CgMs 2019: 22 – 26, 39)

The group includes:

- Lower Porthkerry Farmhouse (Grade II Listed Building, Cadw ref. 19576) – 120m south of the proposed development area
- Upper Porthkerry Farmhouse (Grade II Listed Building, Cadw ref. 13621) - 170 metres south of the proposed development area
- Upper Porthkerry Farmhouse Stables (non-designated historic asset, Locally Listed 'County Treasure', ref. 475) - 200 metres south of the proposed development area

**Minor Harm was identified in relation to the significance of the listed buildings** owing to the loss of a small part of their immediate rural, agricultural context and an urbanising effect, mediated by screening vegetation (which will mature with time, potentially reducing the impact) and a setback to the development. The harm should be appreciated within the context of the existing extensively altered setting to the west and north of the buildings; namely, the busy Porthkerry Road, the airport, and views north to the Holiday Inn on Port Road. There is potential that the harm may reduce subject to detailed design.

A **Neutral Impact was identified in relation to the stables as a County Treasure**, being more removed from the development area, screened by the other farmhouses, and less sensitive to change within its setting.

The greater part of the significance of the historic assets, as vested in their built-form, group value with one another, and their immediate rural landscape to the east and south, would be preserved.

2.4 **Church Farmhouse Grouping** (see ES, RPS 2024: para 6.5.13; BHS, CgMs 2019: 26 – 29, 40; ES):

The group includes:

Church Farmhouse (Grade II\* Listed Building, Cadw ref. 83147) –680 metres south of the proposed development area -

Outbuilding north of Church Farmhouse (Grade II\* Listed Building, Cadw ref. 83157) –670 metres south of the proposed development area

**Negligible Harm** was identified in relation to the listed buildings owing to some erosion of their wider agricultural / rural setting, distant views to the proposed development, and light spill, though mediated by screening vegetation and intervening parkland. However, such changes must be appreciated within the wider context of the Cardiff International Airport which lies 400m west of the buildings. There is potential for the impact to reduce to a **Neutral Impact** as screening vegetation becomes more established and subject to the scheme's detailed design.

The greater part of the significance of the historic assets, as vested in their built-form, group value with one another and the Church of St Curig, and their immediate rural landscape to the north, east and south, would be preserved.

2.5 **Church of St Curig** (Grade II\* Listed Building, Cadw ref. 13619) (see ES, RPS 2024: para 6.5.14; BHS, CgMs 2019: 29 – 30, 41) - c.770 metres south of the south of the proposed development area

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**Negligible Harm** was identified owing distance from the Site, and as the Site is not readily able to be experienced from the asset (and vice versa), allowing for mitigation measures (screening vegetation) and intervening parkland. There is some potential for a degree of light spill which may affect the way in which it is presently experienced, and the urbanisation of its wider setting on the approach to Porthkerry may affect how its historical sense of isolation is experienced. However, such changes must be appreciated within the wider context of the Cardiff International Airport which lies 400m west of the church. It is likely that the impact will reduce to a **Neutral Impact** as screening vegetation becomes more established and subject to the scheme's detailed design.

The greater part of the church's significance, as vested in its built-form, its immediate spatial and functional associations to its church yard, and in its historical associations with Church Farmhouse, would be preserved. As would its communal and historic value as a church, landmark and focus for the local community.

2.6 [Porthkerry Conservation Area](#) (see ES, RPS 2024: para 6.5.15; BHS, CgMs 2019: 31 – 33, 42) – located 630m south of the proposed development area

**Negligible Harm** was identified to its **significance** owing to urbanising effect within its wider setting, on the approach to the Conservation Area and in glimpses at distance, with some potential for intrusive lighting. The harm identified differs from the minor harm described within the ES Chapter: in my opinion, the Conservation Area is closely defined, both spatially and visually, with only limited views out towards the Site (mostly from the modern farmyard to Church Farmhouse). Its character and appearance derives primarily for the set-piece presented by the Church Farmhouse grouping alongside the Church of St Curig, as experienced from the road and small green which lies between them. The development would appear largely incidental, at distance, would not affect the microcosmic way in which the Conservation Area's character and appearance is best appreciated. Any harm would be mediated by distance, screening, and the retained buffer provided by the parkland. No changes *within* the Conservation Area would result from the proposed development.

2.7 Any harm to the conservation area's significance must be appreciated within the wider context of the Cardiff International Airport which lies 400m to its west. It is likely that any harm will reduce as screening vegetation matures and subject to the scheme's detailed design.

2.8 [Former Egerton Grey House Hotel](#) (non-designated historic asset) (see ES, RPS 2024: para 6.5.16; BHS CgMs 2019: 35 – 37, 43) - located 390 metres south of the proposed development area

A **Neutral Impact** owing to screening, limited extent of setting, and low significance of the historic asset, allowing for additional screening planting as part of the proposed development. The low significance held by the historic asset would be preserved, as would its relationship to its grounds which form its immediate setting.

2.9 Any harmful impact to a listed building should be afforded **considerable importance and weight**, in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2.10 The duty formerly contained in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for Wales and England, and the equivalent duty imposed by Section 160 of the Historic Environment (Wales) Act 2023 in relation to Wales, is explicit that the 'special attention' relates only to development *within* such an area. This is reflected in local national and local policy wording (e.g., Policy MD8 of the Vale of Glamorgan Local Development Plan). The minor harm to the significance of the Conservation Area, owing to a change in its setting, therefore, does not attract the statutory weighting, although it is a material consideration to be borne in mind within the general policy presumption for the avoidance of harm.

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### 3 OTHER MATTERS

#### Welford Farm House - Outbuildings

- 3.1 The Conservation Officer consultation response in 2019 identified a single historic asset omitted from the BHS and ES Chapter: Welford Farm Barns (located 220m east of the Site, shown on Figure 1). The building is included within the Vale of Glamorgan local list of County Treasures as '*Welford Farm House – Outbuildings*' (ref. 459). It was omitted from the BHS (and ES chapter) owing to a differing interpretation of its residual significance following conversion to a residence – an event post-dating its inclusion in the local list (BHS, CgMs 2019: 20).
- 3.2 Nevertheless, the assessment of the building's significance, and the assessment of the scheme's impact upon that significance by the conservation officer are, in my view, reasonable (VGC 2019: 5-6). The officer's assessment concluded that the building is of 'local significance', that the site makes a small contribution to its residual significance as part of its wider agricultural setting, and that the proposed development would result in a 'minor degree of harm' which would not require mitigation. I agree that any impact to the building's residual significance would be minor at most, and that no mitigation measures would be necessary owing to its limited significance. However, Planning Policy Wales requires that such harm be included in the planning balance as a material consideration. The weight to be afforded to the harm should be proportionate to the degree of harm and the significance of the asset, which both the conservation officer and I consider to be very slight.

#### Heritage Benefits

- 3.3 The case of *Kenneth Kay v SSGCLF and Ribble Valley Borough Council*, [2020] EWHC 2292 (Admin), 21 August 2020, makes clear that any heritage benefits should be expressly included and referred to as public benefits; this is reiterated within Paragraph 1.28 of TAN 24 (2017). Doing so fulfils the statutory duty (where development falls within a conservation area) under Section 160 of the Historic Environment (Wales) Act 2023, and is in accordance with national and local plan policy (e.g., local plan policies SP10 and MD8, and Paragraphs 6.1.9, 6.1.10, and 6.1.14 of PPW 2024).
- 3.4 No heritage benefits were identified within either the BHS, ES chapter, within the conservation officer's consultation report, nor in any correspondence with Cadw. However, in my review, I have identified some heritage benefits deriving from the proposed development, which merit consideration.
- 3.5 Heritage impact may be nuanced – a change may cause some harm, while allowing for an enhancement of another aspect of an historic asset's inherent values. Cadw guidance makes it clear that opportunities for enhancement, or for 'offsetting', should be identified and given due consideration as part of any decision relating to the historic environment (Cadw 2017a: 9 - 11; 2017b: 10)
- 3.6 The most immediate benefit relates to the extension to the Porthkerry Country Park. The resultant expanded parkland would create opportunities to access and appreciate the significance of the identified historic assets. For example, views would be facilitated to the Porthkerry Farm Group buildings from the fields to their east and southeast, allowing for a better appreciation of their historical function and ties to the surrounding rural landscape. The proposed parkland extension would enhance their communal value or enable new ways to appreciate their historic rural setting and architectural interest. Similarly, the extension to the park has potential to enhance the significance of the Grade II Listed Porthkerry Viaduct, again by enabling greater public access and resulting in new views to the asset from the northwest (Cadw refs. 83158 and 13620; an assessment of the viaduct is included within the BHS, CgMs 2019: 34).
- 3.7 In addition, the extension to the country park would create an opportunity to directly contribute to the delivery of a key 'issue' identified within the Porthkerry Conservation Area Appraisal and Management Plan document (VGC 2009: 18); namely, 'the enhancement of footpath links to Porthkerry Park'.

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## 4 CONCLUSIONS

- 4.1 The Inspector has asked that the effect of the proposal on historic assets be considered at the inquiry.
- 4.2 In summary, the proposed development would result in a degree of harm to five listed buildings, one non-designated historic building, and the Porthkerry Conservation Area. That harm ranges from negligible to minor at most, accounting for embedded mitigation measures within the proposed development. There is potential for such harm to be reduced as proposed screening vegetation introduced as part of the proposed development matures, and subject to the scheme's detailed design.
- 4.3 Harm to the listed buildings should be afforded **considerable importance and weight**, though must be proportionate to the degree of harm and the significance of the buildings in question. The harm to the Conservation Area attracts no statutory weighting, as any impact would result from a change to its wider setting, rather than from development *within* the area.
- 4.4 My findings draw on the evidence base established by RPS from 2019 through to 2024, professional opinion, and experience, and are aligned with my professional accreditation.
- 4.5 In addition to the harm identified as part of the previous assessments of the Site, I identify some pertinent heritage benefits relating to each of the identified historic assets deriving from the proposed extensions to Porthkerry Country Park, which merit consideration in the planning balance as public benefits.
- 4.6 Mr Parker (RPS) will consider these built heritage conclusions in the planning balance part of his statement.

## 5 REFERENCES

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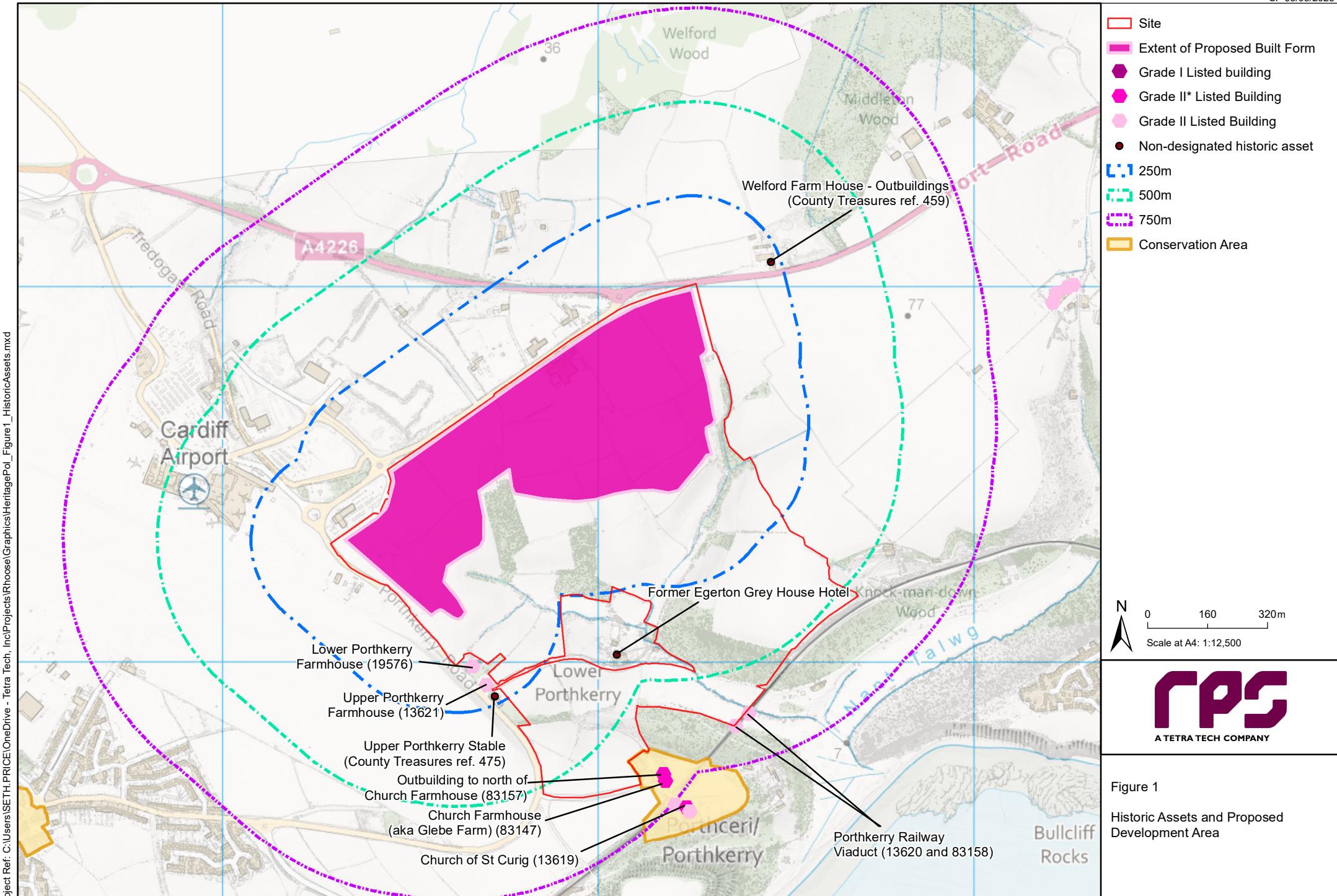
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## Appendix A

### Figure 1 - Historic Assets and Proposed Development Area



**Appendix 3 –**  
**Landscape Statement of Evidence**

## 1 INTRODUCTION AND PROFESSIONAL BACKGROUND

- 1.1 My name is Mark Wilson. I am a Landscape Architect and a Chartered Member of the Landscape Institute (CMLI). I hold a BSc (Special Honours) degree and postgraduate MA in Landscape Architecture. I also have a MSc (Distinction) in Geographical Information Systems (GIS).
- 1.2 I have been in practice since graduating in 1990, having joined RPS in September 2013. I am currently employed as a Principal Landscape Architect by RPS.
- 1.3 During my 35 years in practice, I have been involved in a wide range of projects, in both rural and urban areas, where I have advised private and public sector clients on landscape design and landscape and visual impact assessment. My work has involved the landscape and visual assessment of residential schemes, leisure developments including holiday parks and caravan parks, renewable energy schemes including solar and wind farms and battery storage facilities. I have also been involved with the co-ordination and production of the Landscape and Visual Chapters for Environmental Statements.
- 1.4 I have appeared as a landscape and visual expert witness at public inquiry on behalf of RPS and have provided material used at the South Downs National Park Inquiry in 2008 on behalf of Hampshire County Council.
- 1.5 I am familiar with the Appeal Site and the geographical area within which it is located, in as far as they relate to landscape and visual matters, which are relevant to the Appeal agenda. I confirm that this Appeal Statement is true and has been prepared in accordance with the guidance of the Landscape Institute. I further confirm that the opinions expressed in my evidence are my true and professional opinions. I am aware that my duty as a professional landscape architect is to the Appeal process, irrespective of by whom I am employed.
- 1.6 RPS was commissioned by Legal and General (Strategic Land) Ltd. to prepare a Landscape and Visual Impact Assessment (LVIA) as part of an Environmental Statement. My involvement with the Model Farm Business Park project started in 2018. My colleague Helen Donelly, author of the original LVIA in July 2019 left RPS later that year. Building on the original LVIA I am author of the additional landscape and visual matters requested by in the *ES Completeness Report* issued by PEDW in respect of the appeal ref CAS-02641-G8G7MT on 12th June 2023. In addition to this Appeal Statement I will speak to the LVIA submitted as part of the ES application in 2019
- 1.7 This Landscape and Visual Resources Appeal Statement has been prepared by myself, on behalf of Legal and General (Strategic Land) Ltd. This Appeal Statement addresses the non determination by Vale of Glamorgan County Borough of the Application for planning permission for a new business park at Model Farm, Port Road, Rhoose, Vale of Glamorgan, planning application Ref. 2019/00871/OUT and the advice given by the Inspector in the Pre Inquiry Note dated 21<sup>st</sup> February 2025.

### The structure of this Appeal Statement

- 1.8 This Appeal Statement is concerned with the landscape and visual resources of the Appeal Site and the surrounding landscape.
- 1.9 The structure of this Statement follows the advice given by the Inspector in the Pre Inquiry Note dated 21<sup>st</sup> February 2025 and set out below:
  - **The effect of the proposed development on the character and appearance of the area**

## 2 THE EFFECT OF THE PROPOSED DEVELOPMENT ON THE CHARACTER AND APPEARANCE OF THE AREA

2.1 Planning and Environment Decisions Wales – PEDW issued an *ES Completeness Report* in respect of the appeal ref CAS-02641-G8G7MT on 12th June 2023. In relation to landscape and visual matters this report requested further information as follows:

- The assessment of construction effects, which have been reviewed and updated as necessary in light of any updates to the baseline and EIA guidelines;
- The cumulative effects assessment in relation to landscape and visual matters, which have been updated to consider the current position; and
- Additional winter photography from representative viewpoints, which has been provided.

2.2 RPS were commissioned by Legal and General to update the 2019 LVIA in relation to the above and submitted the revised Chapter 5 LVIA September 2024 (JSL3282\_170 Rev D) to address the above.

2.3 PEDW confirmed the ES had been updated as required on 30<sup>th</sup> October 2024.

2.4 The updated Chapter 5 LVIA (September 2024) sets out the assessment of potential effects. The Appeal Site and therefore the Proposed Development lies within the Vale of Glamorgan LCA 26 Rhoose Porthkerry Hinterland and LANDMAP Visual and Sensory Aspect Area Rhoose Hinterland (VLFGLVS641).

### Consistency with Recent Guidance

2.5 The guidance used for the methodology and assessment is set out in Section 5.2 of the updated Chapter 5 LVIA (September 2024). The Detailed Methodology can be found at Appendix A. The assessment process follows the Landscape Institute guidance set out in (Guidelines for Landscape and Visual Impact Assessment: Third Edition, Landscape Institute, May 2013) (GLVIA 3). The most recent Landscape Institute Technical Guidance Note - LITGN-2024-01: *Notes and Clarifications on Aspects of Guidelines for Landscape and Visual Impact Assessment* Third edition (GLVIA3) (published August 2024) explains at 3(5) that moderate effects may or may not be significant - justification should be given as to why/why not a moderate effect is significant or not. In the light of this recent guidance there would be no increase in the number of significant landscape and visual effects. In the updated LVIA (September 2024), the Moderate adverse cumulative effects judged for landscape receptors are not significant for reasons set out at paragraph 5.9.17 of Chapter 5 LVIA (September 2024) .

2.6 NRW's GN46 Using LANDMAP in Landscape and Visual Impact Assessments has superseded GN3.

2.7 GN 017 Landscape Sensitivity Assessment guidance for Wales (NRW, 2023) was published after the original LVIA (2019) the Detailed Methodology at Appendix A and follows a similar approach to judging susceptibility, value and sensitivity set out at section 5.5 (p. 33 and 34.) It is noted that GN 017 is about "*How to commission, carry out, use, and update a landscape sensitivity assessment to influence spatial planning and land management change.*" (first page of GN 017; NRW, 2023). It is primarily guidance on how to undertake or update an area-wide landscape character assessment, not methodology on how to assess the sensitivity of a landscape to a particular development.

### Landscape Effects

2.8 The effects experienced by landscape receptors are set out at paragraphs 5.7.1 to 5.7.16 of the updated Chapter 5 LVIA (September 2024). Effects on the Nant Llancarfan SLA to the north of the Appeal Site are set out at paragraphs 7.7.17 to 5.7.20. Table 5.5 provides a summary of effects on landscape receptors.

## Visual Effects

2.9 The effects on residential receptors, and dynamic receptors – Public Highway and Public Rights of Way are set out in paragraphs 5.8.1 to 5.8.10. The effects on representative viewpoints are set out in paragraphs 5.8.11 to 5.8.14 of the updated Chapter 5 LVIA (September 2024). Table 5.6 provides a summary of effects on visual receptors and representative viewpoints.

## Cumulative Effects

2.10 The cumulative landscape effects are provided in Table 5.7 by cumulative scheme. The cumulative effects of all the schemes and the proposed development combined is set out in paragraphs 5.9.16 to 5.9.20.

## Summary of the effect on character and appearance of the area

2.11 The summary and conclusion of the LVIA is presented from paragraphs 5.9.22 to 5.9.35.

2.12 The following provides an overview of the effects at the local Appeal Site level and wider effects at the LANDMAP / LCA scale together with an overview of the guidance and methodology.

2.13 The Appeal Site does not form part of any statutory landscape designations. There are no nationally designated landscapes within the study area.

2.14 While not designated, the factors used to assess the level of 'landscape value' are set out in paragraph 5.3.48 using LANDMAP Visual and Sensory Questions 46, 48 and 50. LANDMAP, also referred to by Natural Resources Wales (NRW) as 'the Welsh landscape baseline', is a GIS (Geographical Information System) based landscape resource and dataset '*where landscape characteristics, qualities and influences on the landscape are recorded and evaluated into a nationally consistent dataset.*' The primary landscape qualities of the 5 Aspect Areas within the ZTV are maintained and respected.

## Effects at the Appeal Site Scale

2.15 At the Appeal Site scale the key landscape elements / characteristics are set out in Section 5.6 of the updated Chapter 5 LVIA (September 2024). The direct effect on the physical fabric of the Appeal Site arising from the proposals and their level of sensitivity to the type of development proposed and magnitude of change and level of effect are summarised in Table 5.4. **Significant local effects are predicted on the Site topography, farmland land use and land form. These would reduce over time as the soft landscape proposals mature, softening the development in its landscape setting. There would be minor effects on the Appeal Site hedgerows and trees and negligible adverse to no effect on the Appeal Site's public rights of way.**

## Effects at the LANDMAP Aspect Areas and VoGC LCA scale

2.16 The component LANDMAP Visual and Sensory Aspect Areas and Landscape Character Areas (LCAs) and overall evaluation are shown in Figures 4c and 4d respectively. The assessment of significance of effect follows the NRW guidance GN3 now GN46 '*Using LANDMAP in Landscape and Visual Impact Assessments*' and Section 5.7 examines the effects at the VoGC Landscape Character Area and LANDMAP scale, of the host LCA 26 Rhoose Porthkerry Hinterland and LANDMAP Visual and Sensory Aspect Area Rhoose Hinterland (VLFGLVS641). This area is considered to be of medium value and Medium sensitivity to the Proposed Development – paragraph 5.7.2. The proposals would result in the conversion of a small part of the host Aspect Area from a predominantly agricultural landscape to a new mixed development of employment use. The landscape framework of hedgerows woodland, streams and rights of way on the Appeal Site would remain. Consequently, the Magnitude of Change would be high locally but low in the context of the whole Aspect Area.

2.17 The updated Chapter 5 LVIA (September 2024) included other topic aspect area classification and evaluation in the baseline section. To assist the inquiry, this Appeal Statement, I more clearly explains the contribution these topic Aspect Areas have on the overall effect on landscape character.

2.18 Porthkerry Rural (VLFGLHL030) Historic Landscape Aspect Area: The sensitivity is judged to be medium (medium value baseline paragraph 5.3.51 LVIA – September 2024 and medium susceptibility). The historic regular field framework of hedgerows would remain similar to the baseline but the development would change the fields from arable use to business park and associated infrastructure use. The magnitude of change would be high at the Appeal Site scale. At the scale of the whole Aspect Area the change would be low. The effect would be major adverse locally which is significant but low in the context of the whole Historic Landscape Aspect Area.

2.19 Rhoose-Moulton (VLFGPLL840) Landscape Habitat: Covers the majority of the study area. The sensitivity is judged to be medium (medium value and medium susceptibility). The main justification stated at Q45a '*the focus of interest being field boundaries and occasional semi-improved grassland communities*'. The development would change the fields from arable use to business park and associated infrastructure use but the design of the proposed development would retain this hedgerow and woodland framework except to allow for necessary vehicular accesses, where hedgerows would be breached. The magnitude of change would be high at the Appeal Site scale. At the scale of the whole Aspect Area the change would be low. The effect would be major adverse locally which is significant but low in the context of the whole Landscape Habitat Aspect Area.

2.20 Barry - Rhoose (VLFGLGL962) Geological Landscape: Covers the majority of the study area. The sensitivity is judged to be medium (high value and low susceptibility). The main justification stated at Q16 '*Area includes key inland exposures of Lower Jurassic, Blue Lias Formation with scientific and educational potential and therefore including possible candidate RIGS sites*'. However the Appeal Site does not exhibit these exposures. The proposed development would involve some change to the topography to accommodate the new business park and associated infrastructure use but Whitelands and Bullhouse Brook parts of the stream network would be protected. The magnitude of change would be medium at the Appeal Site scale. At the scale of the whole Aspect Area the change would be low. The effect would be moderate adverse locally which is not significant but low in the context of the whole Geological Landscape Aspect Area.

2.21 Rhoose Hinterland (VLFGLCLS041) Cultural Landscape: The extent is similar to the equivalent Visual and Sensory Aspect Area Rhoose Hinterland (VLFGLVS641). There is no published overall evaluation level. The sensitivity is therefore difficult to assess. The historic regular field framework of hedgerows would remain but the development would change the fields from arable use to business park and associated infrastructure use. The magnitude of change would be high at the Appeal Site scale and low at the whole Cultural Aspect Area scale.

2.22 In conclusion there would be similar levels of direct effect on the Historic Landscape as for the Visual and Sensory Aspect Area but less is predicted for the equivalent Landscape Habitat Aspect Area, Geological Landscape Aspect Area. The judgements for the different topic aspect areas effects are not compounded but used to inform overall effects on landscape character. This reflects the approach in NRW's GN46 '*Do not add different evaluations together to create a single landscape value. It is more helpful to recognise what is distinctively important about a landscape (key characteristics, qualities and values) and assess how this would be affected by the proposed development, to what degree, and therefore what the significant effects would be*'

2.23 The scale, massing and appearance of the proposed development together with the approach to landscape shown in the Design and Access Statement - particularly the Green Infrastructure Parameter Plan reflects the objectives for the business park. '*Green infrastructure has been designed into the scheme through the incorporation of existing semi-natural features and provision of new green space in a network of connected features within and adjoining the scheme.*'

2.24 The conclusions of the LVIA paragraphs 5.9.21 to 5.9.34 and proposals in the Design and Access Statement show how the Proposed Development is consistent with Local Plan policies.

2.25 **The Proposed Development would have a Major and significant adverse effect locally on the landscape character of the Appeal Site. However, In the context of the whole host LCA 26 Rhoose Porthkerry Hinterland the Magnitude of Change is judged to be Low and the effect would be Minor which is not significant.**

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## Effects on the Nant Llanfarcan SLA

2.26 The Appeal Site is situated less than 100m south of the locally designated and non-statutory Nant Llanfarcan Special Landscape Area (SLA) at its closest point to the north of the Appeal Site. The Landscape Designation Plan is provided at Figure 2. This version includes the SLA designations which were missing from the ES Ch 5 resubmission but were shown on the original version of the figure in the 2019 submission (Appendix A).

2.27 The Vale of Glamorgan Supplementary Planning Guidance (SPG) 'Cardiff Airport and Gateway Development Zone' (December 2019) was produced after the submission of the original ES. It identifies '*a number of important site-specific design principles*'. These include Site Location and in particular that '*consideration should be given to the character of the Nant Llanfarcan SLA and how this could influence the design of future proposals on the site*'.

2.28 Any potential adverse effects on landscape character within the Nant Llanfarcan SLA in the wider landscape to the north of the Appeal Site are likely to be very localised due to limited inter-visibility. Although the ZTV - Figure 5 Rev B indicates the potential for intervisibility, fieldwork and photography - e.g. Representative Viewpoints 12 and 13 - have shown that the intervening hedgerows often with mature trees and small tree groups in the landscape which were not part of the ZTV modelling reduce the intervisibility with the SLA. The primary qualities and features of the SLA are described in the VoG Designation of Special Landscape Areas (March 2008) '*The majority of the area is rolling lowland, dissected by the Nant Llanfarcan valley. The central area is highly enclosed by the adjacent plateau landscape. It is a steep sided narrow lowland valley which contains a tranquil and historic landscape of streams, semi natural broadleaf woodlands, planted coniferous woodland and small farms. It has a strong small scale pastoral pattern and traditional settlement form including villages with Conservation Area designation. It is of high scenic quality with a strong sense of place.*' The Proposed Development would not alter or reduce the level of these primary qualities as it would have very little visual influence over the SLA. The Proposed Development seeks to retain the existing woodland blocks and hedges on site and increase native woodland planting on the Appeal Site and the landscape buffer along the northern boundary with Porthkerry Road as shown on the Parameter Plan – Green Infrastructure, in the Design and Access Statement.

2.29 **The LVIA deals with the effect on the Nant Llanfarcan SLA at paragraphs 5.7.17 to 5.7.20 and is judged to be Minor adverse which is not significant.**

## Points of Clarification

2.30 Chapter 5 - LVIA of the ES assesses the effects on nearby residential properties at paragraphs 5.8.1 to 5.8.6 and summarised in Table 5.6. Only two properties – Welford farm Complex and Lower Porthkerry Farm are predicted to experience significant adverse effects in the short term. On reviewing this part of the LVIA and during site work in 2024, Lower Porthkerry Farm rather than Upper Porthkerry Farm is predicted to experience significant effects. It is considered that as the soft landscape proposals mature, it will screen and contain the development to a greater degree and the effects will be reduced. Additionally, the setting to Lower Porthkerry Farm is compromised currently by the airport and associated development to the north and west and the views to the south east will remain rural in nature in the long term. Overall, the effect is judged to be moderate to minor adverse by year 10 on visual amenity for both these properties, which is not significant.

2.31 Figure 7 of the LVIA which formed part of the resubmission in 2021, was not updated to reflect the current layout and design. The proposed development is set further away from Porthkerry Road than shown in viewpoint visualisations 5 and 7 due to the Light Rapid Transit corridor. Therefore the visual impact judgement in the LVIA will be reduced slightly for these viewpoints and viewpoint 6 on Porthkerry Road but remains major adverse in the short term reducing to moderate by year 10 with planting mitigation.

## Summary

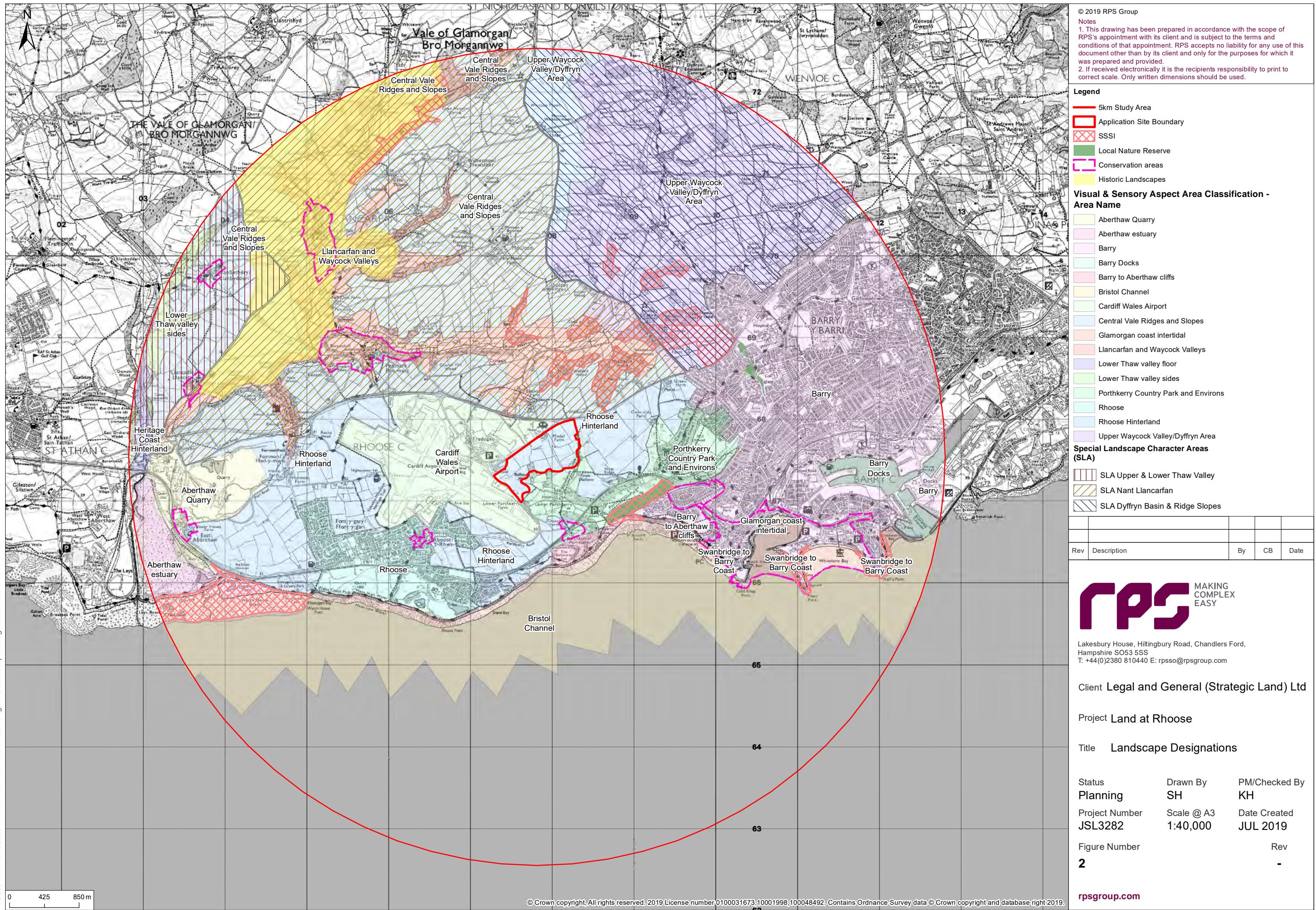
2.32 It is acknowledged that the delivery of this allocated development will give rise to change in the landscape character of the Appeal Site itself and to the views of people overlooking, visiting or walking through the local area. However, the extent of change has been minimised through

careful/sensitive design and well placed mitigation. The layout has been designed to retain and improve the existing green infrastructure. The combination of retention of the existing woodland, trees and field boundary hedgerows, together with creation of new areas of woodland, scrub and rough grassland, would result in a longer-term benefit for both the Appeal Site and the surrounding landscape, especially with the southern part of the Appeal Site being transferred to extend Porthkerry Country Park. The scale, massing and appearance of the proposed built development together with the approach to landscape shown in the Design and Access Statement - particularly the Green Infrastructure Parameter Plan - reflects the objective of achieving a high quality development that is sensitive and appropriate to its landscape setting. The proposals minimise the impacts of the built part of the development on the wider surrounding landscape including respecting the primary qualities of the Nant Llancarfan SLA which lies to the north of the Appeal Site.

## Appendix B

### Figure 5.2 Landscape Designations

(This figure has been reproduced here as the Special Landscape Areas in the version submitted in the Deferred ES September 2024 were missing)



**Appendix 4 –**  
**Economic Development Statement**  
**of Evidence**

**REFERENCE:** JCD0064

**APPLICATION NO:** 2019/00871/OUT

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**PROPERTY:** Model Farm, Rhoose, Vale of Glamorgan

**APPLICANT:** Legal & General (Strategic Land) Limited

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**Statement of:** **CHRISTOPHER JAMES SUTTON BSc MRICS**

**DATED:** **13 March 2025**

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## **1 INTRODUCTION**

- 1.1 I am Chris Sutton BSc MRICS. I qualified as a chartered surveyor in 1991 and have worked in the industrial and commercial property sector in South Wales for 35 years.
- 1.2 I established Sutton Consulting Limited in 2019 and was previously Regional Director for property consultants JLL (formerly King Sturge) in their Cardiff office. For Welsh Government, I chaired the Advisory Board for the Central Cardiff Enterprise Zone until 2018.
- 1.3 Sutton Consulting Limited and RPS completed a Delivery Report (November 2024) which set out the contribution the development would make to the supply of employment land in Cardiff Capital Region.
- 1.4 This Statement provides an update on developments in the market since that report, including the approval of Cardiff Parkway with associated business park.
- 1.5 The opinions I have expressed represent my true and complete professional opinion on the matters to which they refer.

## 2 CARDIFF PARKWAY

- 2.1 In January 2025, the Welsh Government Minister approved a called-in planning application for a new mainline railway station with associated business park at Cardiff Parkway, St Mellons, Cardiff, between Newport and Cardiff.
- 2.2 Cardiff Parkway Developments proposes a business park of around 32 ha (80 acres), capable of accommodating up to 83,600 sq m (900,000 sq ft) of employment floorspace. Rolls Royce has announced its intention to open an office here<sup>1</sup>. Huw Thomas, the Leader of Cardiff Council stated the site would be a component of the recently announced Investment Zone<sup>2</sup>, to be located within the Cardiff and Newport Travel To Work Areas (TTWA).
- 2.3 Cardiff Parkway will bring forward development land suitable for higher valued-added uses however this site is complementary to Model Farm as part of a balanced portfolio of employment sites across Cardiff Capital Region (CCR).
- 2.4 CCR requires a balanced portfolio of employment sites and Grade A floorspace, comprising a mix of different locations and size<sup>3</sup>. There is a benefit in diversity as a balanced portfolio will create a range of sites suitable for different industries / sectors potentially having different characteristics in terms of utilities, infrastructure and proximity to existing clusters. Some businesses (e.g., US and German owned) will prefer greenfield over brownfield, some businesses will seek to avoid flood risk. There is also benefit in having a mix of public and private sector developers as private sector investors may be nimbler in terms of securing projects whilst the public sector may need to undertake the heavy lifting in terms of bringing forward less viable sites.
- 2.5 Both Model Farm and Cardiff Parkway are anticipated to bring forward B1 employment land. Parkway is rail connected site with proximity to the semi-conductor cluster at Imperial Park, Newport and has interest from Rolls-Royce. Parkway is greenfield but located within an area classified as at risk to river and coastal flooding. Model Farm

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<sup>1</sup> [Rolls Royce press release link](#)

<sup>2</sup> [CCR article link](#)

<sup>3</sup> [SQW Commercial Property: Market Analysis and Potential Interventions](#) March 2020

is to the west of the capital and benefits from proximity to Cardiff International Airport. Model Farm is also greenfield land but with no flood risk<sup>4</sup>.

2.6 There is room for both Model Farm and Parkway bearing in mind the focus by policy makers, including Welsh Government, CCR and local government, upon value-added business sectors including Life Sciences, Creative, AI, FinTech, Cyber Security, Semi-conductors (explored in 4.2 below). They also bring the advantage of introducing long-term private sector capital in the form of Investec (Parkway) and Legal & General (Model Farm).

## **3 CARDIFF INTERNATIONAL AIRPORT & CARDIFF AND VALE COLLEGE**

3.1 In July 2024, Ken Skates, Cabinet Secretary for Economy, Transport & North Wales made a Ministerial Statement regarding the future direction of Cardiff Airport. With the 3-year Covid-relief programme ending, Welsh Government confirmed it had been working with the Board of Cardiff Airport to develop a longer term strategy.

3.2 The GOV.UK statement<sup>5</sup> by the Subsidy Referral Unit (part of the Competition & Markets Authority) provides a useful summary of the proposed financial support to the Airport, totalling £205.2 million over 10 years. The summary highlighted target activities including targeting Maintenance, Repair & Overhaul (MRO), general aviation, Fixed Base Operations (FBO) development and improvement, a fire training facility and infrastructure upgrades, a hangar village, cargo services and lower carbon aviation technologies. The proposed subsidy was publicly announced on 22nd July<sup>6</sup>.

3.3 Cardiff Airport is exploring MRO opportunities and has produced an 'MRO brochure' for the airport with an initial focus on airside land adjacent to British Airways Maintenance Company (BAMC).

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<sup>4</sup> Flood risk determined from Natural Resources Wales website, 13 March 2025.

<sup>5</sup> [GOV.UK statement](#)

<sup>6</sup> [Written Statement: Cardiff Wales Airport – long term strategy](#).

- 3.4 Airfreight operator European Cargo has established a route from China to Cardiff International Airport, currently 4 a week, but anticipated to rise to 5 flights a week later in spring 2025.
- 3.5 Cardiff Airport & St Athan Enterprise Zone remains in operation under the direction of the Cabinet Secretary for the Economy, working with the board of the Airport. Aston Martin, Ecube (aircraft dismantling) and Vantage Data Centers have been attracted to nearby Bro Tathan. There is now little available at Bro Tathan with the remaining hangars requiring significant refurbishment before marketing.
- 3.6 Cardiff & Vale College (CAVC) secured planning consent in October 2024 for their 'Advanced Technology Centre' (ATC). This is promoted as more than a standard FE College, being 50% 16-18 year olds on standard courses, with the remainder comprising apprentices, part-time and work related learning.
- 3.7 CAVC's focus is upon green skills and net zero including composites, robotics, AI and research led activities with clean rooms. CAVC has partnerships with Cardiff Met, University of South Wales and Kingston University, the latter the accreditor for specialist aviation courses. This will be an attractive feature for Model Farm, particularly for businesses focussed upon skills development.

#### **4 THE PROVISION AND PROMOTION OF STRATEGIC SITES AS PART OF A COMPETITIVE BUSINESS ENVIRONMENT**

- 4.1 Factors influencing locational decision making business include skills, the availability of capital and infrastructure. However, the availability of strategic sites and premises can make the difference between securing a project in one region compared to another<sup>7</sup>.

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<sup>7</sup> [SQW Commercial Property: Market Analysis and Potential Interventions](#) March 2020 '... the availability of the 'right' land and premises infrastructure is part of the wider inward investment offer, alongside the workforce skills base, transport accessibility, and so on. Historically, the provision of commercial property has been an important part of Wales' inward investment 'pitch'.

- 4.2 Regional policy tends to target high value-added employment uses such as advanced manufacturing, life sciences, offices, hybrid research and development units<sup>89</sup>. These are uses which are usually associated with use class B1, with an attractive business park environment enjoying good connectivity and access to skilled labour.
- 4.3 There is a lack of both 'shovel-ready' strategic employment sites and Grade A floorspace in Cardiff Capital Region SQW stated there is evidence of widespread 'market failure' and Knight Frank reported no Grade A industrial floorspace available anywhere in South Wales<sup>10</sup> (Jan 2025). In recent years regional projects by IQE, Sharp Clinical, General Dynamics & Great Point Studios were all secured on the back of a property offer.
- 4.4 Our Delivery Report highlighted a reasonable amount of allocated employment land across CCR however most is secondary in nature. Model Farm offers something different. In the Vale of Glamorgan, larger allocations are Junction 34 (Renishaw), Aberthaw, south Barry / Hayes Road and Bro Tathan. Many of these share the same characteristics offering employment sites for industry, manufacturing or processing rather than a business park setting.
- 4.5 In January 2025 Cardiff Council released its draft Replacement Local Development Plan (RLDP) with no provision for strategic employment land along the western side of the city. As part of the Cardiff RLDP evidence base, an 'Employment Land Study'<sup>11</sup> was prepared by Hardisty Jones (2022).
- 4.6 Hardisty Jones outlined the opportunity for '*...a new strategic scale site to support the next phase of Cardiff's development*' and further employment land provision '*... to meet the growth in housing development on the western side of Cardiff*' (both points made in section 11.0.11).

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<sup>8</sup> [CCR Priority Sectors](#):- Compound Semiconductor, FinTech, Cyber Security and Analytics, Creative Industries, MedTech, Energy and Environment.

<sup>9</sup> See also Welsh Government [Economic mission: priorities for a stronger economy](#) 2023 (Priority 4)

<sup>10</sup> [Business Wales article by Knight Frank 8 January 2025](#)

<sup>11</sup> [Cardiff RLDP Employment Land Study, Hardisty Jones 2022](#)

4.7 In my view, both points are well made but in my view the need on the western corridor is not simply to fulfil local demand<sup>12</sup>. My direct experience during 2001-2012 in marketing Capital Business Park, Wentloog, Cardiff for developer JR Smart is that there is some reluctance from company owners / directors who live in the Vale of Glamorgan to travel across the city. In summary, there is an opportunity for a business park 'offer' on the western side of the city.

**Extract from Cardiff Replacement LDP 2021-2036 illustrating just one strategic employment site (Parkway) and no significant provision of employment land along the western boundary of the county**



## 5 CONCLUSION

5.1 There is a weak network of ripe, strategic sites attractive to new and emerging sectors of the economy, being those high-value sectors which can act as a focus for economic growth. There is no substantial development programme in place from the public

<sup>12</sup> In 2005, a report was commissioned by the Welsh Development Agency on the provision of employment sites to meet the needs of high value-added employment sectors with a focus upon B1. The 'Property Strategy for Employment Land & Premises in Wales' (PwC/King Sturge) included a key recommendation for an international class business park in 'greater Cardiff' and land at Junction 33, M4 was identified but never delivered.

sector to bring forward large-scale employment sites and the consequent lack of serviced sites, particularly those suitable for use class B1, is a structural weakness of the Welsh economy.

5.2 There are few international class strategic sites like Model Farm than can underpin Cardiff Capital Region's efforts to attract inward investment or, indeed, are attractive enough to retain regional businesses, particularly in value-added sectors.



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