

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 1 MARCH, 2023

Page	Application	Location	Item No.	Description
	2019/00871/OUT	Land at Model Farm, Port Road, Rhoose	1.	Comments from Vale Communities Unite, incorporating response to various comments from Andrew RT Davies MS
			2.	Comments from Friends of the Earth Barry
			3.	Comment from J Davies
			4.	Various comments from Councillor S Campbell and Councillor C Champion

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 1 March 2023

Application No.: 2019/00871/OUT	Case Officer: Mr. Ceiri Rowlands
Location: Land at Model Farm, Port Road, Rhoose Proposal: Hybrid application comprising an 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.	

From:

- **Vale Communities Unite (VCU)**
- Emails from **Mr R Price o.b.o. Vale Communities Unite**

Andrew RT Davies MS also wrote in support of the deferment request from VCU and stated that the group had identified a number of procedural errors, the authority previously granted permission and this was quashed, the application was of high public interest, and as such it was essential public confidence was maintained and the authority did not risk taking another decision that may be overturned.

Summary of Comments:

The full content of the letter and emails from Vale Communities Unite are provided at the end of this document. In summary, the correspondence states that the Officer's Report does not meet the requirements of planning policy, and guidance in the areas of development viability, employment land supply, the requirements of equalities legislation, the tenant farmer and working farm, biodiversity, foul and surface water drainage, heritage, and transportation. The letter also alleges the locally designated green wedge was removed in the LDP to make way for this development, without due process being followed. It also questions whether the Council might have entered into an agreement with the developer regarding the transfer of land.

In particular, the emails contend that the report fails to comply with paragraphs 4.2.21 and 5.4.8, and other areas of Planning Policy Wales and Technical Advisory Note 23, relies upon outdated evidence, provides insufficient evidence about the need for the development, and fails to consider full development costs and recent changes in economic conditions.

The second email contends that the Council has failed its duties under the Equality Act 2010 and Human Rights Act 1998, by (among other things) not adequately considering the public sector equality duty and requiring the applicant to conduct an Equality Impact Assessment (EqIA), resulting in potential harm to people with protected characteristics.

Officer Response:

Development Viability

Paragraph 4.2.21 of Planning Policy Wales, Edition 11 2021 (PPW) relates specifically to housing developments, nonetheless, the financial information presented by the applicant has been published in full on the Council's website.

The email comments state that the applicant has failed provide financial information about the costs required, from public funding, for the access infrastructure and that increased construction costs have not been accounted for.

Site viability is, however, discussed openly in the 'development viability' section of the Officer's report (pages 109-111). The viability information, including a schedule of costs and reviews of the information by a third party appointed by the Council, have been published in full. The relevant documents are:

- 191004 R JCD0064 Viability Appraisal (Delivery Report) - RPS & Sutton Consulting
- Letter from Sutton Consulting LTD (re viability appraisal) (January 2020)
- Viability Review - Avison Young (May 2020)
- Letter from Sutton Consulting LTD re viability appraisal (March 2022)
- Viability Assessment Review - Avison Young (Aug 2022)

The Viability Review by Avison Young (May 2020) outlines that s278 works (offsite public highway) have been calculated as approx. 1.6M, together with primary (on-site) highway works costing a further c.4M. The Officer's report sets out how the overall costs and development viability have been considered and afforded weight in reaching the recommendation for approval. This includes a review the viability information (conducted recently in August 2022) which estimated that the (total) construction costs would have increased by since the 2020 review.

The developer has provided a reasonable estimate of development costs, including infrastructure and highway access works, to conduct a viability assessment for this planning application. It has been satisfactorily evidenced that the development is not viable, and this has been factored into the assessment. The Officer's report does not speculate whether, and how much, public funding might be sought by the applicant, because it has been clearly and adequately demonstrated that no excess profit exists within the scheme to provide anything but essential infrastructure. The Planning Authority has no role in distributing public funds to developers through grant or gap funding and it is not considered that this amounts to a justifiable reason to refuse planning permission.

Employment Land Supply

Paragraph 5.4.8 of PPW states that Planning Authorities should work with each other, and others, to produce Employment Land Reviews that inform Development Plan policies. The principal reason is to ensure that policies and decisions are based on up-to-date local and sub-regional evidence.

In the first instance, it is important to note that the Local Development Plan 2011-2026, adopted in 2017, is not out of date, and is the Council's current Development Plan.

The specific requirement to produce Employment Land Reviews (in the current PPW11, 5.4.8) has been introduced since the adoption of the LDP. The Council is working towards compliance with this Planning Policy Wales in this respect, and is currently formally reviewing the LDP. This process

should eventually culminate in the adoption of a Replacement LDP (rLDP) supported by this evidence base. The outcome of these formal processes cannot be pre-empted when considering current planning applications, nor does the commencement of the LDP review process constitute a moratorium on development on sites allocated in the LDP.

Whilst the LDP was adopted based on the most up to date evidence available at the time, planning decisions must nonetheless consider the most recently available evidence when making planning decisions.

The performance of the LDP is reviewed annually in Annual Monitoring Reports (AMR). In addition, the Vale of Glamorgan Local Development Plan Review Report (May 2022) considered the contextual, legislative and policy changes that have taken place since the adoption of the LDP and examines the performance of the LDP. In relation to the LDP's strategic sites (of which this is one) it states:

7.5. STRATEGIC SITES- POLICIES SP2, MG3, MG10, MG11

7.5.1. Please refer to section 6 above for updates on the policies relating to the strategic sites at Barry Waterfront, St. Athan and Cardiff Airport. Generally, the AMRs confirm that good progress has been made to date in relation to the delivery of these strategic sites. However, given the scale and timeframe for implementation of these strategic sites, they are likely to be carried forward into the Replacement LDP and referenced in various policies.

In relation to employment land delivery, the Review Report states (7.4.3) that policies SP5 and MG9 are considered to be performing well. However, in terms of employment land supply this will need to be reviewed to better understand the contextual economic changes which influence employment land demand. Notwithstanding the strategic reasons for the designation of the Enterprise Zone (as discussed in the Officer's report), and that the Review Report states that strategic sites such as this are likely to be carried forward, the rLDP review process is the appropriate means and timing to review the overall employment land supply requirements that underpin the LDP.

As noted in the Officer's report, Section 38 of The Planning and Compulsory Purchase Act 2004 requires that the determination of a planning application must be in accordance with the Development Plan, unless material considerations indicate otherwise. The extant Plan comprises the Vale of Glamorgan Local Development Plan 2011 – 2026 and there is no evidence of employment land oversupply that would lead Officers to recommend refusal of this application.

The Officers report acknowledges that other employment land exists in the locality (p.81 of the agenda report) and the same will be true of the wider region. However, these are *"considered less suitable or desirable for businesses in the aviation industry or those reliant on international connectivity, for example (relative to this site, given its location and proximity to the airport and the St Athan Enterprise zone). It is employment opportunities arising from these sorts of sectors which the designation of the Enterprise Zone seeks to exploit and maximise."* (p.81).

It is therefore considered that the Officer's report has reasonably set out the rationale for the site's allocation within the LDP, with reference to the background evidence, and that the principle of this allocation remains acceptable having regard to the LDP monitoring and review processes, described above. The report references a draft version of the Review Report in the policy section (on page 75)

and therefore it is recommended Members note this should refer instead to the Vale of Glamorgan Local Development Plan Review Report (May 2022).

The Officer's report recognises that no tangible evidence of site demand has been provided by the application, however, there is no policy obligation for them to do so. The viability reports from Avison Young identify some of the difficulties a developer would face in bringing the development forward, not least the fact it is demonstrably unviable. The site is, however, allocated for strategic reasons and, as inferred above, it would be for the developer to secure the necessary funds required bring the development into fruition.

Equalities Legislation

The LDP which allocated this land for the proposed use was subject to an EqIA. In relation to this matter, the examining Inspector said:

"The Public Sector Equality Duty requires the Council to have due regard to the need to eliminate discrimination, promote equality of opportunity and foster good relations between different communities. The Council has undertaken and publicised an Equality Impact Assessment of the LDP18 to ensure that such issues have been taken into account throughout the Plan preparation process. I am satisfied that this process ensures that the LDP promotes equality and diversity and does not adversely affect or discriminate against any people who are protected under the Equality Act 2010."

There has been no material change in the site use or occupation since the adoption of the LDP.

The Public Sector and Equalities Duty, and the requirements of the Equality Act 2010 and Human Rights Act 1998 have been considered in allocated the site within the Adopted LDP and in assessing this application, involving significant public engagement. This planning application is not supported by an EqIA, however a full EqIA is not considered necessary given the proposal is considered to accord with the Plan and there are no identified adverse impacts on this regard. The LDP also establishes policies whose intention is to ensure the general impact of the development is a positive one. The development would not negatively impact any particular groups or persons of protected characteristics and no specific impact of this nature is alleged in the correspondence.

The Equality Act 2010 identifies a number of 'protected characteristics', namely age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation; marriage and civil partnership. The Council's duty under the above Act has been given due consideration in the determination of this application. It is considered that the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic.

Section 106

The Council entered a s106 legal agreement that secured the transfer of land to extend Porthkerry Country Park in July 2021, following the Committee resolution to approve of the planning application. The decision was subsequently quashed by the courts annulling the s106 agreement.

There is therefore no contractual agreement in place, other than it is understood that the applicant remains agreeable to the transfer of the land. This is discussed on page 111 of the agenda report.

Tenant Farmer

The impact on the tenant farmer, their business, and the loss of a working farm are discussed in the Officer's report (see pages 83-84) and covers the matters raised in this correspondence.

Biodiversity

The impact on the ecology, the local ecosystem, and biodiversity are discussed in the Officer's report (see pages 101-108) and covers the matters raised in this correspondence. The content of the applicant's ecology surveys has been reviewed, has been subject of review by the Council's Ecologist, and is considered acceptable for the reasons outlined in the report.

Drainage

The matters of foul sewerage and surface water disposal are discussed specifically within the 'surface water drainage' and 'foul drainage' (pages 108-109) sections of the Officer's report. There are no objections to this planning application from Welsh Water and the Council's Drainage Engineer, and their responses are summarised in the 'consultations' section of the Officer's report, and their full responses are also appended to it. The land for the SuDS attenuation is not shown to as being transferred to the Council as part of the Porthkerry Country Park extension.

Heritage

The impact on the heritage assets is discussed in the Officer's report at pages 90-93 and covers the matters raised in this correspondence. This includes the reasons for the Conservation Officer's objections, the weight attributed to this, and the rationale behind the recommendation for approval of the application in balance against that objection.

Transportation

The matters of transportation, including traffic congestion, are discussed within on pages 87-90 of the Officer's report.

The transport assessment conducted by the applicant has considered 'committed development', including developments with planning permission and sites allocated within the LDP (such as the housing allocation in Rhoose). It has not considered the expression of interest for a freeport bid, and this is not considered necessary for the reasons specified in (page 81) the Officer's report. Aberthaw Power station is identified as an existing employment site within the LDP, and planning permission would almost certainly be required for any re-development of this site (at which point its transportation impacts would be considered with regard to any specific proposal).

The constraints of the local highway network, in regard to road access to the Enterprise Zone as outlined in the Welsh Government's The Case for Change (Final Report) February 2018 are recognised. The site has nonetheless been allocated for this use in the LDP, without a pre-requisite of additional road building to occur provide quicker access to/from the M4. The impact of the development on the highway network has been fully considered, as discussed in the Officer's report. The report also discusses public transport and sustainable transport infrastructure (see pages 112-115).

Green Wedge

The LDP was prepared in accordance with the procedures in the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and underwent public consultation and independent examination prior to being formally adopted. The impact on the green wedge (as defined in the LDP) is considered in the Officer's report (see page 96).

Action required:

Members to note the above, and no further action is considered necessary in relation to the other matters raised in this correspondence.

Members to note that the reference to a draft version of the Review Report in the policy section of the Officer's report (on page 75) should instead refer to the Vale of Glamorgan Local Development Plan Review Report (May 2022).



**VALE COMMUNITIES UNITE AGAINST THE DEVELOPMENT
OF
MODEL FARM.**

Report to Planning Committee.

PLANNING APPLICATION 2019/00871/OUT

INTRODUCTION.

Vale Communities Unite are a group who campaign on behalf of the community of Rhose and surrounding areas, who fervently oppose the building of a business park on Model Farm in the Vale of Glamorgan. The group was set up as a result of the consultation process that was instigated by both the applicant for this development, Legal & General Group and the Vale of Glamorgan Planning Department. The result of both consultation processes resulted in strong opposition to the development which to date has been mostly ignored by both parties involved.

It is our submission that Legal and General undertook the purchase of land, near airports, around the United Kingdom, which included Model Farm, not to act as responsible custodians of the countryside but as a land banking exercise for the financial benefit of their investors. They openly state that this has been an exercise they have been working on for the past twenty years. We have suspicions that this has involved the lobbying of not only Local Authorities but also Welsh Government to achieve their aim!

At one time Model Farm was included in the allocated 'Green Wedge' but was removed from it as a result of an independent planning inspectors report on behalf of the council. The inspector identified it as potential development site and financially necessary at that time. No consultation exercise appears to have been carried out and it was removed from the green wedge by a decision made by the then council members. We are not fully satisfied that the appropriate processes were engaged in this decision as we are aware of residents in close proximity to the site who state they were not consulted on this matter?

As a result of Councils being asked to identify land for Local Development Plans the area of Model Farm that had been removed from the green wedge was put forward and added to the council's plan. It has been suggested that this was at a point when local council elections had been carried out and was instigated by Welsh Government who put pressure on the incoming council to allocate land for their LDP before Welsh Government made the decision for them.

The Head of Regeneration and Planning has deemed it necessary for the planning committee to determine this application, due to the high level of public interest. That interest is clearly opposed to the development. The planning officer's report clearly states that the community, local councils, MP and AMs have all register objections which appear to count for nothing.

It is our view that the Planning Department are presenting a one sided view to the planning committee in the favour of the applicant. There has already been a judicial review that found a viability report had been wrongly withheld from the public. The last time this application was due to come before the planning committee it was withdrawn due to representation by this group that highlighted some of the reports the committee were presented with were out of date.

We are submitting this report in order that there is a balanced argument against this application and providing members of the planning committee with the relevant reasons they can consider to make a fair decision.

We would like to remind members of the committee that they do not have accept the Planning Departments 'recommended acceptance' of their report but should strongly question aspects of it that result in material considerations. These include how it may effect the environment,

biodiversity, the impact and wellbeing of the local community, the farmer, his home and his business. Is this proposal viable and necessary at this time?

Viability Reports by Avison Young and Sutton Consultants.

These are the documents that were withheld from the public and resulted in the judicial review. You should find them on the planning portal and they need to be read as they are pertinent to this application.

In their original financial viability report Avison Young and Sutton Consulting state the project is not financially viable and would require significant public funding to bridge the gap with estimated losses of between £10,405,000 and £34,508,455. Their recent update indicates that this would now be higher due to increased construction costs.

Mr Andrew McPhillips (Managing Director Legal and General – Strategic Land and Major Projects) has gone on record stating that the build costs for this development would have increased to between £80 million and £100 million. This is bound to have an impact on the viability report produced by the above consultants and should be seriously questioned.

Welsh Government advice and Planning Obligations Supplementary Planning Guidance make it clear that development viability is a material consideration in determining planning applications.

In the professional opinion of Avison Young in their report of May 2020, page 7, Section 4.3 they state “We think it unlikely that this level of demand exists in this location. We are of the opinion that the take up rate proposed is unachievable as evidenced below.

:-Competition from existing business parks and the recently launched Bro Tathan Development will undoubtedly have a detrimental impact on take up.

Avison Young submitted a further report dated 23rd September 2022 which outlined some of the nearby sites that may impact on the business development near Model Farm.

They identify Bro Tathan and highlight limited uptake on this development. (The Aston Martin Company was attracted to this development by a substantial financial incentive provided by Welsh Government. There was interest shown by Britishvolt to develop a vehicle battery plant but this didn’t materialise and it took it business elsewhere).

They point out that the Ford Plant in Bridgend has closed and that the site has been acquired to a single development purchaser.

Aberthaw Power Station has been acquired by the Cardiff Capital Region and is expected to be developed into a renewable energy hub.

There are further business development parks located at Vale Business Park, Dyffryn Business Park, and others throughout the vale that are struggling to attract businesses to the area.

The applicant states there is the potential for in excess of 4000 jobs to be created on this site by an undisclosed developer. Why has this developer not made use of the other available sites, which could attract Welsh Government backing? If they are that keen on moving their business to the Vale why haven’t they already done so during this lengthy application process?

There are clear guidelines regarding planning applications of this type that highlight the necessity for the development if other suitable sites are in close proximity. We suggest there is more than enough evidence of such sites so why are the planning department suggesting Model Farm, a green field site, is concreted over?

Has a recent employment needs assessment, required before planning decisions are carried out, to evidence the need and necessity for a business park been undertaken?

Given the number of such parks within the Vale that are struggling to attract businesses onto their sites, the fact Avison Young state there is no demand for such a development, and is in fact in the wrong location to attract appropriate business, why are the Vale Planning Department suggesting approval of this application?

Section 106 Funding.

The committee should be aware of the objection letters submitted regarding this issue. It has been highlighted that section 106 funding should be in the region of £3.7 million but the developers have offered only £500,000 as they state their viability becomes even more awkward. In return they have offered the Vale land that connects to Porthkerry Park. This is land still within the Green Wedge and of no financial use to Legal & General and which, if kept in their portfolio they would have to maintain at cost.

Has this deal already been signed and accepted on behalf of the Vale Council putting them in a difficult position with regards to this planning application?

The Farmer and His Family.

This was one of the matters that were not adjudicated on during the last judicial review. It is deemed a material consideration and should not be brushed aside as if a justifiable casualty of this application. L&G have demonstrated they appear to have no concern for the welfare of their tenant farmer and much like the Vale Planning Department see them as collateral damage in this application.

The loss of this farm means not only the loss of a home but also of a business that works to supply the vale and surrounding areas with food produce. There is also a thriving wild flower seed business that will be lost. This will not only impact the farmer but also the suppliers and businesses they deal with. This is a point that the Planning Department has failed to consider.

Biodiversity and a Working Farm.

For years the Jenkins family have nurtured the land supplying food to the surrounding areas and in doing so have helped the biodiversity on the farm to thrive. There are a number of Protected / Endangered species recorded on the South East Wales Biodiversity Records Centre (SEWBREC), which live and breed on the farm.

The world has changed dramatically since Legal & General took the gamble to purchase this farm. Recently it has been reported by the BBC that Wales is in danger of losing 25% of its wild bird

population due to humans and development. COP 15, dealing with biodiversity issues, has been held in Canada and was attended by Julie James MS representing the Welsh Government.

The U.K as a whole was subject to severe criticism for its watering down of previous strong Biodiversity and Climate Emergency statements. We as a country were asked to demonstrate our commitment to this by giving clear leadership to the world on our commitment to this important cause. I need not remind you that the Vale Council has given their commitment to these important concerns.

An ecologist working on behalf of RPS, which is linked to both them and Legal & General, had failed to record or acknowledge many of the endangered species on the farm. Reports from the Vales Ecology Officer, alongside that from Natural Resources Wales, have indicated that there are some rare species on the farm, none of which are endangered. This is fervently rejected by Vale Communities Unites and we suggest this is a very misleading statement.

You should all be aware of the following findings that have been previously submitted to you, by email from our group but are summarised below as a reminder. This was one of the reasons the application was withdrawn from the earlier planning committee agenda.

Vale Communities Unite felt it pertinent to respond to the previous ecology report. We feel there were major discrepancies in the report submitted by RPS and believe the Planning Department had a duty to clarify the situation.

The ecologist writing the report is working on behalf of RPS, funded by Legal and General, who are the company requesting planning permission.

The ecologist noted that the field layout and hedgerow boundaries remain '*unchanged being intact but species-poor comprising predominantly of hawthorn Crataegus monogyna and blackthorn Prunus spinosa.*'

On a two hour walk with interested wildlife recorders it has been noted on 19/11/22 that in fact there are more than hawthorn and blackthorn on the 5 hedges within the boundary of the proposed development, and one roadside hedge leading up to the boundary of the land.

Species include:-

Hawthorn, blackthorn, dogwood, hazel, oak, field maple, ash, privet, holly, willow, wild cherry, clematis and spindle.

Wildlife recorded on Model Farm includes the following bird list which have protected or Red Flag Status:-

Black-headed gulls, meadow pipits, skylarks, starling, magpie, robin, common linnet, yellow hammer, kestrel, dunnoek, house sparrow.

The following animals are examples that are also recorded:-

Brown Hare (protected species). Four specific types of Bat (protected species). Badger's (protected species). Harvest mouse (Endangered list).

There is further evidence of a variety of flora, fauna and fungi present on the farm that encourage pollinators essential to biodiversity.

Model Farm is evidence of a green field area which helps to nurture nature of a wide variety that will be significantly harmed if proposals go ahead. Appropriate identification of at-risk species, harm of taking away natural corridors, habitat and foraging opportunities have not been adequately addressed prior to application of planning permission. These issues are of material consideration and are required to be considered under TAN and Wildlife Legislation.

Maybe you should consider asking the Planning Department to explain why the report by RPS had failed to note and address the presence of a full list of endangered and protected species on the farm? What has significantly changed in their report to alter the mind of the Council Ecologist to approve it?

Now that they have been made aware of this, it highlights a major discrepancy in the report submitted by RPS and the Planning Department has a duty to clarify the situation as they are now aware of a material consideration that could affect this planning application.

The planning Department will probably say they can mitigate these findings by ensuring that endangered wildlife is encouraged back to the area on completion of this build. They have listed this as yet another reserved matter. Can they tell you where these species are going to move to during the developments construction and how will they survive in order to return? Is there evidence of previous mitigation measures that have proved successful in other such developments and are the Planning Department able to provide the evidence for this?

Water and Sewage.

The difficulties being experienced at the Cog Moor Sewage Treatment Plant should be something this committee is more than aware of! The fact that raw sewage is emitted into the Bristol Channel from this plant is something that should concern the whole of South Wales as it has the potential to affect the health of people using the coastal areas.

We would point out that, since this application was applied for, in excess of 250 houses have been given permission to be built in Rhosce that will add to the capacity of the sewage network. An overview of Dwr Cymru / Welsh Waters findings has been given on page 51 of the planning officer's report. We wish to draw your attention to the following paragraphs.

"As highlighted within our consultation response (Ref: PPA0004091) we have considered the impact of foul flows generated by the proposed development upon the local sewage network and concluded that it is unlikely that sufficient capacity exists to accommodate this development. Our response also fails to identify a suitable point of communication for the proposed development site to be served by an adequate water supply. Accordingly, the developer has been advised it will be necessary to undertake Hydraulic Modelling Assessments of the public sewage and portable water supplies networks and consider the impact of the introduction of flows from this development and then identify solutions points of communication to ensure the site can be accommodated within these systems."

“No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a foul water drainage scheme, for that reserved matter site and/or other identified part has been submitted to and agreed in writing by the Local Planning Authority”.

This is again a matter that requires serious consideration. The sewage and water issues have been highlighted as reserve matters by the Vale Planning Department. It is our argument that Legal & General want planning permission to destroy the farm buildings making the farm unworkable and the removal of the tenant farmer.

The Hydraulic Modelling Assessment should, in our view, be undertaken before any outline planning permission is approved and not held as a reserved matter. The reason for this is obvious, if for any reason the development cannot go ahead because of water and sewage issues the Vale will have lost a farming asset for good and could be left with an eyesore on its ‘Gateway to Wales’.

The land being gifted to the Vale for inclusion to Porthkerry Country Park will also be used for attenuation ponds to help with drainage for this proposed development. As the ponds are located on the gifted land it will fall under the control of the Vale Council to maintain them. Legal and General have offered Section 106 funding to the sum of £500,000 to help develop and maintain the gifted land. This amount was negotiated prior to the cost of living crisis and is now out dated and in our opinion needs revisiting.

Council’s Conservation Officer.

It should be noted that the Council’s Conservation Officer has recommended refusal of this application due to the impact it could have on a number of Grade II listed buildings and buildings listed as a ‘County Treasure’s’ in close proximity.

The implications of water drainage from such a development and location of the attenuation ponds have the potential for flooding to Porthkerry Park and Edgerton Grey House which in our view isn’t acceptable.

We have already mentioned the term ‘Gateway to Wales’ used by both Welsh Government and the Vale when referring to Cardiff Airport. It’s been suggested that this development will have minimal visual impact on the surrounding area. We would argue that it would significantly detract from the visual appreciation by both the local community and visitors to the area.

There is a list of reserved matters highlighted in the planning officer’s report, which could in effect delay this development for a number of years. The farm would essentially be uninhabited or maintained resulting in the area around the airport becoming an eyesore. It has already been noted that a parcel of land identified for use as a transport hub will remain unused. The term Gateway to Wales may need to be redefined if this were to go ahead!

Transport and Infrastructure.

A current transport assessment has been carried out on behalf of the Planning Department for this development. The results state that the assessed impact of development traffic to Sycamore Cross junction was not significant.

We would like to clarify whether the impact of additional housing at Rhoose, the possible increase in traffic to the airport, the possibility of a 'Free Port' at the airport, the development of Aberthaw Power Station and the predicted increase of 4000 employees at Model Farm, should it go ahead, have been calculated in this assessment.

Green active travel schemes have been given as mitigation for the development. Has a viability study been carried out to gauge whether this is feasible given the location of the farm from available housing and the nearest rail station? L&G have stated that it intends to attract a work force from the aerospace industry. Where are these employees going to actually travel from within the Vale?

We would draw your attention to the Welsh Government Connectivity Study-

The Case for Change (Final Report) February 2018.

Page 11 of the report is entitled 'Transport Connectivity Baseline', and outlines the following.

- The land-use development and socio-economic 'cases' set out above clearly highlight the scale of the Enterprise Zone (EZ) and its socio-economic importance to South Wales. However, the current transport connectivity of the VoG is considered to be a constraint in the development of the EZ sites and thus the benefits associated with it. Specifically:
- Whilst the M4 provides high quality strategic access points to the VoG, the local road network within the Vale is generally of a single carriageway standard and suffers significant congestion around the primary 'gateway' of Culverhouse Cross. Accessibility analysis shows that the need to route via J33 of the M4 and the busy Culverhouse Cross does have a negative impact on both journey length and reliability.
- The most direct route from the M4 to the EZ is via J34 of the M4. However, the connecting road is of a poor quality with lengthy single track sections and poor visibility. The J34 option has become a rat run for those travelling to the VoG from the west, with negative implications for communities along the route, including Pendoylan.
- Whilst there is a reasonable public transport network connecting Cardiff City Centre with the Airport (and, to a much lesser extent, St Athan), connections from elsewhere in the Capital Region and areas to the west are limited, infrequent and generally require interchange. It is notable that those currently working in the EZ area generally travel to work by car.
- Public transport journey times to the VoG generally and the EZ specifically are well in excess of those by car.
- Freight access to and from the Vale of Glamorgan is sub-optimal, with issues associated with journey time reliability, routing through broadly residential areas and a circuitous route to West Wales. The area around Cardiff Airport has a high proportion of freight intensive industries, whilst the focus of the EZ on aerospace and manufacturing means that there is likely to be significant growth in freight movements from the VoG in the medium-term. The provision of appropriate freight routes to the M4 is a key consideration of any future improvements to VoG connectivity.

We would suggest that little has changed since this report was created. The link from the M4 junction 34 has not been completed and Welsh Government has stated that there is no significant road building being planned in the near future.

Can the Planning Department explain how they intend to mitigate the increase in traffic, including HGVs, if this application is approved? Can they further explain the cost to the public purse that will be needed to provide initial access to the site at a time the Vale Council are stating they do not have sufficient money to fund it?

Conclusion.

It is our argument that this site is financially unviable, is in the wrong location to attract investment (as identified by consultants), is a loss making project, will impact on the well being of residents in the rural Vale, does not have the road infrastructure to accommodate a development of this size, is harmful to the biodiversity in the area and is against the climate emergency statements signed up to by the Vale Council. If granted we lose a valuable farm helping to providing food security in this changing world.

Welsh Government has given this committee the option of refusing this application. Given the above reasons we feel that this is the appropriate course of action to take.

Submitted on behalf of the Committee of Vale Communities Unite.

Email 1 of 2**Response to the VOG Planning Committee – for 1st March 2023****Planning application 2019/00871/OUT**

1. On behalf of Vale Communities Unite. Following the receipt of legal advice, We request that the Planning Committee defer consideration of the above application, as Planning Officers have failed to comply with specific requirements of **Planning Policy Wales – Edition 11 and inter alia**. There is a reasonable and legitimate expectation that the Council would comply with the legal and policy requirements of Welsh Government in considering application no. 2019/00871/OUT.
2. Complying with Planning Policy Wales is not an optional extra but a firm requirement. Not doing so is a **material consideration** limiting approval of this application. The evidence base and Officers Report does not meet the requirements of paragraphs 4.2.21 and 5.4.8, and other areas of Planning Policy Wales and Technical Advisory Note 23. These areas of Welsh Government Planning Policy are very specifically addressed to B1, B2 and B8 Employment sites and planning decisions.
3. Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales. Officers appear willing to take shortcuts to try and convince the Planning Committee to approve the Model Farm planning application, and recommend approval, with an inadequate and flawed evidence base. You will be aware that Officers presented evidence to the Planning Committee meeting of the 19th October 2022 which was out of date, which resulted in the application being previously deferred.

Evidence required by Planning Policy Wales

4. The Officer's Report does not provide evidence about the need for the development as required by Planning Policy Wales – Edition 11 and Technical Advisory Note 23.
5. Planning Policy Wales says at paragraph 5.4.7 that ***'Development plans and development management decisions should be based on up-to-date local and sub-regional evidence'***.
6. Planning Policy Wales - Edition 11 - under the section headed 'Providing Sufficient Land needed by the Market' says at paragraph 5.4.5 that ***'Evidence to inform the provision of economic development uses is key, and planning authorities should work together to produce Employment Land Reviews (ELR)'***.
7. Planning Policy Wales – Edition 11 – under the section headed 'Economic Evidence and Employment Land Reviews' says at paragraph 5.4.8 that ***'Employment Land Reviews should be kept up to date and relevant to prevailing market condition and the needs of the development plan'***.
8. **We wish to point out that the Council's Employment Land and Premises Study is now ten years old.**
9. In addition, prevailing market conditions have substantially altered, with issues like sustainable development, the COVID pandemic and active travel requirements emerging

since the Council's evidence was produced ten years ago. Paragraphs 4.2.21 and 5.4.8 of Planning Policy Wales are very specific in requiring planning authorities to evidence the continued need for the development, and to provide additional financial viability in such circumstances. The Council has failed to ensure that this has occurred.

10. The Planning Officer refers to ten-year-old evidence, as pertinent to the current situation, on page 82 of the Report. This is clearly unacceptable for an application of this magnitude and high level of public interest.
11. Similar references to the use of current Employment Land Reviews are made, inter alia, in Technical Advisory Note 23 – Economic Development. These are in regard to producing development plans and in determining planning applications. These are in paragraph 1.1, 1.2.7, 1.3.1, 1.3.3, 2.1.10, and 2.1.14.
12. The requirements of TAN 23 – as set out at paragraph 4.5.2 – is that *'persistent oversupply of employment land may cause harm where the planned land supply exceeds demand, so that allocated employment sites remain vacant for long periods and frustrate development for other land uses'*. We can provide a list of available B1, B2 and B8 employment sites totalling over 1000 hectares within 30 miles of Cardiff Airport.
13. There is another land use that is supported by Welsh Government policy and guidance. It is called **Farming**.
14. Additionally, Planning Policy Wales says at paragraph 5.4.9 that ***'It is important that planning authorities are aware not only of their own areas but of the surrounding region'***. No evidence is provided of the impact on the wider region or the availability of substantial employment land in neighbouring local planning authorities. Cardiff Council, Bridgend Council, Rhondda Cynon Taff Council and Newport Council all have employment land sites being actively marketed in the B1, B2 and B8 categories. Page 81 of the Officers report fails to mention the wider land availability as required by Planning Policy Wales.
15. The Officer's report quotes very selective extracts from Planning Policy Wales on page 72, but does not tell the Planning Committee that it has not complied with the requirement of paragraph 4.2.21 and 5.4.8 inter alia. We have a reasonable and legitimate expectation that the Planning Committee be provided with a full range of the evidence available, not selective extracts.
16. On page 82 the Officer's report refers to TAN 23 but does not tell the Committee that the evidence does not comply with Planning Policy Wales.
17. We also wish to point out that the Council's Employment Land and Premises Study was already four years old when the Local Development Plan (LDP) was formally adopted in June 2017. We are incredulous that the Planning Committee and the Planning Function of the Council has been so lax in not having key evidence updated on a regular basis.
18. Incomplete evidence is provided in the Officer's Reports to substantiate the need for this development, and once again we believe that the Planning Function has demonstrated that it is willing to provide inadequate and out of date information to the Planning Committee.

Without proper evidence, the views of the Planning Officer are pure conjecture, only have the status of personal opinion, and expose the Council to the risk of further legal challenge.

Financial viability evidence

19. Planning Policy Wales (11th Edition, February 2021) explains the exceptional circumstances for viability assessment at the application stage and the need for such an exercise to be 'open and transparent'. The applicant has failed to do this by not providing financial information about the costs required, from public funding, for the access infrastructure. Planning Policy Wales is very specific on this point, and provides examples of where additional financial information is required – the presumption and legitimate expectation included in Planning Policy Wales, is that the planning authority and developer will operate on an 'open book' basis. In the event of a recession or other significant economic changes require the planning authority to include details site and infrastructure costs. We argue that a 'pandemic' resulting in very significant economic costs – raised interest rates, unprecedented increases in the cost of living and general inflation, predicted recession by the Office of Budget Responsibility and the OECD, and the war in the Ukraine are such events, but the applicant and the Council have failed to account for, and quantify: -

- a. The cost to the public purse of providing the road infrastructure; and
- b. The impact of steep increases in construction costs.

Put simply, the Planning Authority and the applicant have not stated whether the cost of access infrastructure and gap funding referred to on page 110 of the Officer's Report is £5 million or £50 million. It is left up to the Planning Committee and other interested parties to guess. This is a clear departure from the requirements of Planning Policy Wales to operate on an 'open book' basis. This matter was raised by the Barrister in the Judicial Review papers on application 2019/00871/OUT (Model Farm) in 2021. We raise it again.

20. The specific section of Planning Policy Wales is - *"4.2.21 Where up-to-date development plan policies have set out the community benefits expected from development, planning applications which comply with them should be assumed to be viable and it should not be necessary for viability issues to be considered further. It is for either the applicant or the planning authority to demonstrate that particular exceptional circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision-maker, having regard to all the circumstances in the case, including whether the development plan and the viability evidence underpinning it are up-to-date, and any change in circumstances since the plan was adopted. **Such circumstances could include, for example, where further information on infrastructure or site costs is required or where a recession or similar significant economic changes have occurred since the plan was adopted.** Where negotiation is necessary, the planning authority and developer should operate in an open and transparent manner with all information provided on an 'open book' basis'.*

21. **Not meeting the specific requirements of Planning Policy Wales is a material consideration and the Planning Committee should defer consideration of the application until an up-to-**

date Employment Land Review is included within evidence, and the amount of gap funding required by from the public purse is quantified.

Vale Communities Unite

Email 2 of 2

Additional response to VOG Planning Committee – 1st March 2023 **MODEL FARM – Planning Application number 2019/00871/OUT** **Equality Act 2010, Human Rights Act 1998 legislation inter alia.**

1. Further to our e-mail of 26th February 2023, we wish to make representations to the Planning Committee about errors and omissions made by Planning Officers in the matter of Model Farm – Planning Application number 2019/00871/OUT.
2. Firstly, however, we wish to make a general point. The Council will be aware that the progress of the Legal and General application at Model Farm has been tortuous. A Judicial Review in 2021, which resulted in the VOG Council acknowledging that it acted unlawfully, and the embarrassing spectacle of the Planning Committee having to defer the application at the Planning Meeting of the 19th October 2022, because Officers had presented out of date information to the Committee.
3. It is not our role to constantly point out to the Council, where Planning Officers have failed to do their jobs properly. It is the **Leadership and Governance responsibility** of the Leader and Cabinet to ensure that this occurs. Collectively you have failed in this responsibility.
4. We still have serious concerns to raise with you about the application. In addition to the previously mentioned concerns regarding evidence and financial viability, we have identified a further key failing and omission in the evidence base to support the application.
5. You will be aware that Local Authorities in Wales are under a duty not to discriminate, as both service providers and exercisers of public function for purposes of the Equality Act 2010. Indirect discrimination occurs when a neutral policy or practice puts people with a protected characteristic at a particular disadvantage compared to those who do not have it. Indirect discrimination is susceptible to a proportionality justification, hence it has particular significance in planning law and practice, requiring a Equality Impact Assessment (EqIA) in the scheme development and decision-making processes.
6. In addition to the substantive duty not to discriminate in the exercise of its function, local authorities are subject to the public sector equality duty (PSED) which imposes a procedural requirement when the authority exercises its functions, including those

pertaining to its own meetings, and the exercise of the planning function. Namely the need to :-

- Eliminate unlawful discrimination harassment and victimisation and other conduct prohibited by the 2010 Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who not, including tackling prejudice and promoting understanding.

7. Accordingly, Section 149 requires a local authority to have due regard to the need to, inter alia, eliminate discrimination and advance equality. To quote from relevant case law :-

'The duty is personal to the decision maker, who must consciously direct his or her mind to the obligations; the exercise is a matter of substance which must be undertaken with rigour, so that there is a proper and conscious focus on the statutory criteria and proper appreciation of the potential impact of the decision on equality objectives and the desirability of promoting them. Whilst there is no obligation to carry out an EqlA, if such an assessment is not carried out it may be more difficult to demonstrate compliance with the duty. On the other hand, the mere fact that an EqlA has been carried out will not necessarily suffice to demonstrate compliance.'

8. It is our assertion, backed by a substantial body of documents and case law references that in regard to the Model Farm development the Council has failed to ensure that it has taken indirect discrimination issues into account. It has failed to ensure that there has been proper and conscientious focus on the statutory criteria including the Equality Act 2010, and the Human Rights Act 1998. To make this simple for you, there are no references in the Officer's Report for the Model Farm application of the Council making any effort to consider a raft of Equality and Human Rights issues pertinent to the application. You have not even completed a basic Equality Impact Assessment.
9. We could expand significantly on this issue and point out where the application fails to address obvious and basic areas of indirect discrimination. We assure you that they are substantial, relevant and have been covered elsewhere in case law. Should the application be approved without addressing the issue of an EqlA further legal challenge will be inevitable. These basic requirements have also not been included in the various policy documents supporting the Model Farm planning application.

10. We will however, refer you in planning terms to the principles established in the case of *Bracking v Secretary of State 2013*. The PSED duty '*must be exercised in substance, with rigour and an open mind*'. In this planning application neither of these has occurred.
11. In further case law it has been demonstrated that '*even where express reference is made to the duty that is not, of itself, sufficient to demonstrate compliance.*'.
12. Welsh Government Guidance describes the EqIA process as '*a systematic and evidence-based tool, which enables public bodies to consider the likely impact of work on groups of people*'. Accordingly, such assessments need to be based on good evidence which includes listening to the views of people likely to be affected. In this regard we believe that the Council has failed to provide evidence that this has occurred.
13. Further case law recognises that the production of an EqIA in planning applications is considered and recognised as good practice, as it enables and encourages a structured assessment to be made. No such action has taken place in regard to the Model Farm application. We do not believe that the Council has taken due regard of the PSED, by failing to assess the particular needs of people with protected characteristics particularly in regard to race, age and disability considerations. The Officer's Report and supporting documentation gives no indication that specific indirect discrimination has been considered.
14. In our view, the Planning function of the Council has become fixated on the need to approve the Model Farm application at all costs, and to the exclusion of considerations of the general PSED obligation and other important elements of planning law and guidance. It has given a tokenistic consideration of some aspects of the impact on people with protected characteristics which will be challenged.
15. The Planning Function have not exercised their professional duties in a satisfactory way, as they have failed to recognise the importance of ensuring that EqIAs are an integral part of scheme development requirements, no matter how pressing the needs of the developer are, or if the proposed development is included in the Local Development Plan. The PSED obligation cannot be trumped or side-lined by the profit motive of a developer. EqIA should be genuinely used to inform the planning process based on evidence considerations of impact. This requires that decisions are documented contemporaneously making it clear in Officer's Reports how the needs of all those with protected characteristics have been considered and how relevant policies have been taken into account.
- 16. In summary, we contend that:-**

- the Council has failed to take it's Public Sector Equality Duty into account in considering Planning Application number 2019/00871/OUT and this is a material consideration.
- It has failed to undertake an Equality Impact Assessment on supporting policy documents and the application itself resulting in potential harm to those with protected characteristics;
- It has treated the Public Sector Equality Duty as a 'tick box' exercise, rather than seeing it as a duty which needs to be seen to have been performed.

17. Therefore we ask that the Planning Application be deferred until these shortcomings have been addressed.

Vale Communities Unite

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 1 March 2023

Application No.: 2019/00871/OUT	Case Officer: Mr. Ceiri Rowlands
Location: Land at Model Farm, Port Road, Rhoose Proposal: Hybrid application comprising an 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.	

From: Friends of the Earth (Barry)

Summary of Comments:

The full content of the letter from Friends of the Earth (Barry) is provided at the end of this document. In summary, the letter states that they object to the issues of foul drainage and surface water drainage being conditioned or treated as a reserved matter. The principal reason for the former is that they contend the Hydraulic Modelling Assessments specified in Welsh Water's responses are essential to decide if a practicable solution exists to the foul sewerage and water supply issues highlighted therein. They also contend the proposed scheme, SuDS framework and SAB approval process fails to deal with the problem of surface water runoff.

Officer Response:

Friends of the Earth (Barry) have previously objected to these aspects of the proposals, and the matters of foul sewerage and surface water disposal are discussed specifically within the 'surface water drainage' and 'foul drainage' (pages 108-109) sections of the Officer's report. There are no objections to this planning application from Welsh Water and the Council's Drainage Engineer, and their responses are summarised in the 'consultations' section of the Officer's report, and their full responses are also appended to it. It is considered that the conditions proposed deal sufficiently with this matter and protect the integrity of the environment given their requirements and the timing of the requirements.

Action required:

Members to note. No further action.

LATE REPS Model Farm Development

At 1 March Planning Committee Application 2019/00871/OUT

FoE object to dealing with sewage as a Reserved Matter

It cannot be dismissed as a “Condition”. It’s as fundamental an issue as highway access. Welsh Water objects that

it is unlikely that sufficient capacity exists to accommodate this development.

They write the developer needs

to undertake Hydraulic Modelling Assessments (HMAs) of the public sewerage system

An HMA is essential to decide if there is a practicable solution. As the developer fails to carry out an HMA, the Council cannot know if one exists.

Developers of west Cardiff’s Plasdwr site have been told that Cog Moors sewage works are overloaded to such an extent that sewage from that development cannot be accommodated as had been promised. Instead, in 2021 they devised a hotly contested scheme to take its sewage to the East Moors sewage works; Cardiff Council’s approval is under challenge via JR in the High Court. The VoG Council should not similarly risk a judicial challenge because they fail to establish the practicability of a sewage solution.

The HMA for a sewage solution involves considering basic options as for Plasdwr:

- new sewage treatment works (if taking it to Llantwit STW is excluded)
- schemes to divert surface water run-off from the sewer (SuDS) over areas in the catchment

The application and its ES fail to cover either options in outline, as necessary to underpin an HMA. Where would a new sewage works be sited? Could Cog Moors STW be expanded? Would retrofitted SuDS schemes be practicable on a reasonable timescale. Would the developer be ready to fund either option (when the development is already said to be non-viable)? The easier SuDS schemes are anyway required to cope with increasing storm-intensity under climate change (with VoG and DCWW funding) so further schemes to allow for sewage from the Model Farm development cannot be presumed – outline assessment is needed for this Outline application.

We object to drainage being treated as a reserved matter. Such a large scale urban development inevitably creates much run-off from rooves and hard surfaces, which goes rapidly into local streams – this both accelerates their erosion and adds to flooding of Porthkerry Park. With climate change increasing storm intensity, development has to include measures to counteract these environmental harms. The ES fails to provide the necessary information on them. No counteracting let alone mitigation measures are shown to be practicable.

The schemes proposed to collect and discharge run-off via the SuDS framework and approval Board fail to deal with the problem. Attenuation ponds have inadequate capacity (under SuDS procedures) to hold back rain-water from intense storms. They just delay the run-off by an hour or less, compared with the hours and days delay for rainwater that infiltrates the fields. Holding ponds of sufficient capacity would take substantial land and need designing into the outline plan. Otherwise discharge to the sea via a new surface water pipe might be feasible. This has to be designed in the outline plan.

The Council’s commitment to the Climate Emergency requires it to seek the full information missing from the ES at the outline permission stage.

In what way is Welsh Water capacity lacking to take the Foul Water (sewage)?

They do not say if it’s capacity of the sewer and pumps, or capacity of the sewage treatment works. The data on untreated sewage spills imply both.

Welsh Water don’t admit to breaching discharge consents which say CSOs can discharge only storm water, yet discharging into Barry Dock storm overflow 150 times a year far exceeds all definitions of “storms”. Welsh Water data for the high-capacity long sea outfall from The Knap shows it operating routinely, perhaps because of limited pumping capacity to take it to Cog Moors STW as was planned.

Cog Moors STW discharges untreated sewage around 70 times a year; it was designed for under 3 "spills" over the summer bathing season, but was 3 times worse in 2021. (Welsh Water and NRW ignored the impact on sea-users through the winter months).

Cog Moors STW was also designed with a maximum spill rate for untreated sewage. Physically the plant cannot spill more untreated foul water than this, and the data show it hits this maximum. It did so during the 23 December 2020 storm, when roadway drains stopped taking the stormwater, flooding in Penarth streets and Cosmeston. Welsh Water decided to admit Cog Moors did not have "capacity" for taking and discharging even untreated sewage.

Welsh Water's Future Plans do not meet the shortage in capacity in the VoG

The VoG was consulted on the forward plan last autumn (the strategic plan is still awaited). That included nothing for the Cog Moors STW and catchment. The Council Leader objected at the lack of investment towards meeting Blue Flag standards at Barry beaches in the 2025-2030 plans, as the Welsh Government say to concentrate on CSOs discharging to rivers. NRW has no priority for watersports and bathing users of coastal waters.

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE: 1 March 2023

Application No.: 2019/00871/OUT	Case Officer: Mr. Ceiri Rowlands
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From: J Davies (via email)

Summary of Comments: comments made regarding the positive environmental impacts of the tenant farmer's business, the loss of productive farmland, the nature and climate emergencies, the climate impacts of concrete, and provided photos of the application site.

Officer Response: The matters outlined above have been considered in the Officer's report as per the below:

- tenant farmer's business (pages 83-84)
- the loss of productive farmland (page 84)
- climate impact/ the nature and climate emergencies (pages 85-86 & 101-108, 112)

Action required:

Members to note. No further action.

Email from J Davies 27.2.23

No doubt you're very busy. This is just to stress some issues that may not be prominent over Model Farm at Wednesday's committee meeting but are important and i hope you will kindly bear in mind.

- The farm's Wild Wales Seeds business does massive good- beyond the farm, in the Vale, Wales and elsewhere- for the environment and species like precious pollinators. Its products can be used by the council as a special resource, e.g for oases of beauty and wildlife. A local business worthy of support, not a giant international corporation, a ruthless insatiable money machine whose primary, if not only, concern is for profits, to the detriment of the planet and our future existence.

- Farm land is needed now more than ever, for existing and potential food crops, as at Model Farm. With all the problems of food supply and prices, hurting the poor most, Model Farm is even more valuable.

- Pollinators are declining alarmingly, and must be saved for the sake of human survival. Model Farm attracts countless pollinators.

- The council has rightly declared nature and climate emergencies. According to international research a few years ago, Wales was among the worst 8% of countries for species and biodiversity decline in recent decades. Every creature, every life matters, to arrest the decline.

- The concrete industry is among the worst culprits for global warming. The (loss-making) business park's concrete would be a damaging alternative to the farm's fields, woodland and wildflower meadows.

You have seen previous photos, including of beautiful meadows and various species. Please find attached a couple of recent photos (egret, redwing), in the farm's planned development area, and a reminder of the beloved cornflower meadow.

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COMMITTEE DATE : 1 March 2023

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From: Cllr S Campbell & Cllr C Champion

Summary of Comments:

The full comments from Cllr Campbell and Cllr Champion are provided at the end of this document.

Cllr Champion stated he was alarmed to read reports about Cardiff Airport in January concerning the future of the Airport (a Wales Online article) and questioned whether this was a material factor.

Cllr Campbell stated that Cllr Champion raised a valid point and stated there needs to be clarification on Cardiff Airport given it is mentioned frequently in the paperwork, and the way the development is linked to the airport.

Officer Response:

The planning policy position and the need for the development are discussed in the Officer's report (see pages 76-83). The report outlines that Cardiff Airport is supported, as reflected in Policy 10 of Future Wales: The National Plan (2021). This document was produced after the pandemic but reaffirms the political commitment to the Airport (and by association, the Enterprise Zone) due to its strategic importance.

Action required:

Members to note. No further action.

Comments from Cllr Champion 24.2.23

As a Planning Committee member and having received a briefing on the Cardiff Capital Region, I was alarmed to hear and read reports about Cardiff Airport in January. If there is a doubt over the future of the Airport, then this has major implications not only for the Vale but Cardiff region. Should this have any bearing on planning decisions and the PLDP? Is it scare mongering, if so I don't see why. Has there been a response from W.Gov. I haven't heard any.

<https://www.walesonline.co.uk/news/wales-news/cardiff-airport-probably-wont-exist-26031576>

We have to consider the Planning Application for the redevelopment of Model Farm which I am undecided about.

I am no expert in these things, so would like guidance. Is it a material factor?

Comments from Cllr Campbell 24.2.23

I think Cllr Champion has raised a valid point.

There needs to be clarification on the future of Cardiff Airport, especially as Cardiff Airport is mentioned frequently within paperwork. Also, within the map plans, approval from Cardiff Airport is sort for certain areas. If Cardiff Airport and the future of Model Farm are to be detached, then by reading the plans, this doesn't seem to be case. Without knowing the anonymous third party involved, it is difficult, given current media speculation around the future of the airport, to justify Cardiff Airports need for this development. However, if this development is in no way linked to Cardiff Airport, then the documentation and maps need clarification to reflect this.

I highly suggest that agenda item 9: 2019/00871/OUT is postponed until proper evidence and documentation is available to show the link between this proposed development and Cardiff Airport, and the impact of future for Cardiff Airport on this proposed development.

Just to clarify; I am not a member of the planning committee, but the Rhose Ward Councillor.