

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **15 JANUARY 2026**  
REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

1. **BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS**

**Decision Codes:**

A	Accepted
AC	Approved Conditionally
AW	Accepted (Welsh Water)
R	Refused

(a) **Building Regulation Applications - Pass**

For the information of Members, the following applications have been determined:

2025/0618/BR	AC	Ty Cerrig, Bonvilston. CF5 6TR	Single storey infill extension to side
2025/0619/BR	AC	77, Arlington Road, Sully. CF64 5TR	Single storey rear extension
2025/0623/BN	A W	49, Cae'r Odyn, Dinas Powys. CF64 4UF	Single storey extension to side and roof terrace
2025/0624/BN	A	17, Voss Park Drive, Llantwit Major. CF61 1YD	new windows and door and bathroom to shower room
2025/0626/BN	A	24, Cennin Pedr, Barry. CF63 1DF	Integral garage conversion
2025/0627/BN	A	39, Cae'r Victor, St. Athan. CF62 4HT	Local repairs to external brickwork, insulation and associated components following a small fire
2025/0628/BN	A	40, Cae'r Victor, St. Athan. CF62 4HT	Local repairs to external brickwork, insulation and associated components following a small fire

2025/0629/BN	A	20, Birch Grove, Barry. CF62 6SX	Replace 2 broken and blown windows to first storey front elevation with escape windows
2025/0631/BR	AC	Craig Wen, Llanbetherby. CF62 3AN	Single storey extension
2025/0632/BR	AC	25, Spring Street, Palmerston, Barry. CF63 2PA	Single storey side extension to enlarge kitchen. Internal works to open up rear area and provide separate front room
2025/0634/BN	A	119, Boerton Road, Llantwit Major. CF61 1YA	Supalite warm roof
2025/0635/BN	A	124, Andrew Road, Cogan, Penarth. CF64 2NW	Re roof
2025/0637/BN	A	4, Grove Place, Penarth. CF64 2ND	Velux loft conversion and internal alterations
2025/0638/BN	A	71, Boerton Road, Llantwit Major. CF61 1YA	Single storey extension
2025/0002/RV	A	7, Park Road, Penarth, CF64 3BD	Construction of a rear and side single storey extension. Alteration of windows in the stairwell, the replacement of a first floor rear window and for the addition of two new roof lights to the rear slope of the existing roof to replace two existing Velux roof lights and replacement roof.?
2025/0004/PV	A	7, Smeaton Close, Rhoose. CF62 3FU	New roof structure incorporating solid panels on existing conservatory
2025/0004/RV	A	89, White Farm, Barry. CF62 9EW	Loft conversion

2025/0020/PO	AC	1, High Close, Nelson, Treharris. CF46 6HJ	2 storey side extension
2025/0022/PO	AC	3, Lyne Road, Risca. NP11 6AT	Single storey rear lean to extension
2025/0597/BR	AC	Cadoxton House, Edmund Place, Barry. CF63 2NX	Internal & external alterations to convert existing office facility into ten new self contained one bedroom apartments
2025/0618/BR	AC	Ty Cerrig, Bonvilston. CF5 6TR	Single storey infill extension to side
2025/0619/BR	AC	77, Arlington Road, Sully. CF64 5TR	Single storey rear extension
2025/0620/BR	AC	7, Boerton Court, Llantwit Major. CF61 1UJ	Two storey extension and internal alterations
2025/0623/BN	A W	49, Cae'r Odyn, Dinas Powys. CF64 4UF	Single storey extension to side and roof terrace
2025/0624/BN	A	17, Voss Park Drive, Llantwit Major. CF61 1YD	new windows and door and bathroom to shower room
2025/0625/BN	A	22, Chestnut Avenue, St. Athan. CF62 4JP	Re roof
2025/0626/BN	A	24, Cennin Pedr, Barry. CF63 1DF	Integral garage conversion
2025/0627/BN	A	39, Cae'r Victor, St. Athan. CF62 4HT	Local repairs to external brickwork, insulation and associated components following a small fire, 2 lintels to Ground floor

2025/0628/BN	A	40, Cae'r Victor, St. Athan. CF62 4HT	Local repairs to external brickwork, insulation and associated components following a small fire
2025/0629/BN	A	20, Birch Grove, Barry. CF62 6SX	Replace 2 broken and blown windows to first storey front elevation with escape windows
2025/0631/BR	AC	Craig Wen, Llanbetherby. CF62 3AN	Single storey extension
2025/0632/BR	AC	25, Spring Street, Palmerston, Barry. CF63 2PA	Single storey side extension to enlarge kitchen. Internal works to open up rear area and provide separate front room
2025/0633/BN	A	26, Cae Canol, Penarth. CF64 3RL	Insertion of cavity tray into external balcony abutment and re fall existing flat roof balcony to drain externally. Replace external balcony railing with new glass balustrade
2025/0634/BN	A	119, Bovertown Road, Llantwit Major. CF61 1YA	Supalite warm roof
2025/0635/BN	A	124, Andrew Road, Cogan, Penarth. CF64 2NW	Re roof
2025/0636/BN	A	8, The Grange, Baroness Place, Penarth. CF64 3UW	Single storey extension
2025/0637/BN	A	4, Grove Place, Penarth. CF64 2ND	Velux loft conversion and internal alterations

2025/0638/BN	A	71, Boverton Road, Llantwit Major. CF61 1YA	Single storey extension
2025/0639/BR	AC	Conigree, Cross Common Road, Dinas Powys. CF64 4NQ	New dormer, alterations to existing loft conversion and ground floor beam installation
2025/0640/BN	A	16, Glastonbury Road, Sully, Penarth. CF64 5PZ	Removal of ground floor load bearing wall between sitting room and sitting room. Relocation of existing soil pipe
2025/0641/BN	A	5, Gibbonsdown, Close, Barry. CF63 1AU	Installation of wood burning fire
2025/0642/BN	A	Caercady House, 58, High Street, Cowbridge. CF71 7AR	Internal refurbishment of the ground floor, 1st floor and second floor of the property
2025/0643/BN	A	49, Teifi Drive, Barry. CF62 7TL	Extension above existing garage for a bedroom and en-suite and conversion of garage
2025/0644/BN	A	12, Wimbourne Close, Llantwit Major. CF61 1QW	Full roof replacement
2025/0645/BN	A	50, Westgate, Cowbridge. CF71 7AR	Full renovation of property to include a two storey side extension and single storey rear extension
2025/0647/BN	A	37, Samson Street, Llantwit Major. CF61 2SH	Supalite warm roof

(b) Building Regulation Applications - Reject

For the information of Members, the following applications have been determined:

2025/0621/BN	R	REFUSED - 3, Maillards Haven, Penarth. CF64 5RF	REFUSED - Two storey extension
2025/0622/BN	R	REFUSED - 165, Stanwell Road, Penarth. CF64 3LN	REFUSED - Proposed loft conversion with dormer to rear
2025/0625/BN	R	REFUSED - 22, Chestnut Avenue, St. Athan. CF62 4JP	REFUSED - Re roof
2025/0630/BN	R	REFUSED - Persondy Farm, Treoes. CF35 5DA	REFUSED - First floor side extension, 2 storey extension, internal alterations and ground floor rear extension

(c) The Building (Approved Inspectors etc.) Regulations 2000

For the information of Members the following initial notices have been received:

2025/0096/AI	A	Oakland Mews, Tower Hill, Penarth, CF64 3BJ	Two storey extension
2025/0097/AI	A	The Villas, Vale Resort, Hensol, CF72 8JX	Development of 6 no. residential dwellings
2025/0098/AI	A	11 Grove Place, Penarth, CF64 2LB	Rear dormer loft conversion
2025/0099/AI	A	The Cherries, Pendoylan, Cowbridge, CF71 7UJ	Proposed two storey side and rear extensions and remodelling of existing property. Replacement detached garage with storage above.
2025/0100/AI	A	26, Caerleon Road, Dinas Powys, CF64 4PW	Proposed roof replacement following a fire
2025/0101/AI	A	14, Whitehall Close, Wenvoe, Cardiff, CF5 6DB	Enlargement of existing structural opening for insertion of French doors and internal structural alterations (works to incorporate material

			alterations to structure, controlled services, fittings and thermal elements)
2025/0102/AI	A	The Captains Wife, Beach Road, Swanbridge, Penarth, CF64 5UG	General refurbishment works to include new doors and screens and above ground drainage alterations
2025/0103/AI	A	Unit 2, Waterfront Retail Park, Heol Ceiniog, Barry. CF63 4BA	Internal alterations at ground floor to form additional office space, consult rooms, reconfiguration of reception area and formation of order to store cupboard
2025/0104/AI	A	14, Whitehall Close, Wenvoe. CF5 6DB	Dormer extension to existing loft room (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0105/AI	A	3, West Terrace, Penarth. CF64 2TX	Rear dormer loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0106/AI	A	29, Cambridge Street, Barry. CF62 6PJ	Hip to gable and a rear dormer
2025/0107/AI	A	66, Burdons Close, Wenvoe. CF5 6FE	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0108/AI	A	Balustrade Sample, 6, Glynne Tower, Penarth. CF64 3AW	Balustrade remediation including minor cladding and refurbishment works
2025/0109/AI	A	37, Dunraven Close, Cowbridge. CF71 7FG	Single storey extension

2025/0110/AI	A	Unit 2, Nells Point, Friars Road, Barry, CF62 5TR	Internal alterations to form a new Loungers restaurant on ground floor level only.
2025/0111/AI	A	Bonvilla, Bonvilston, CF5 6TQ.	Proposed replacement dwelling and detached garage
2025/0112/AI	A	44, Grove Terrace, Penarth. CF64 2NG	Rear dormer loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0113/AI	A	4, The Orchard, Aberthin, Cowbridge. CF71 7HU	Proposed internal alterations to remove load bearing walls
2025/0114/AI	A	89, Queens Road, Penarth. CF64 1DH	Dormer loft conversion with hip to gable end and associated works
2025/0115/AI	A	6, Dunster Drive, Sully. CF64 5TN	Proposed loft conversion and rear extension works with internal alterations
2025/0116/AI	A	31, Maes Y Gwenyn, Rhoose. CF62 3LA	Rear dormer loft conversion to existing domestic dwelling
2025/0117/AI	A	3, Ffordd Cwm Cidi, Barry. CF62 6LH	Construction of new front porch (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0118/AI	A	The Look Out, Seaview Drive, Ogmore By Sea. CF32 0QA	Proposed replacement dwelling
2025/0119/AI	A	3, Norseman Close, Rhoose. CF62 3FY	Dormer loft conversion, re roofing and associated works
2025/0120/AI	A	35, Ael Y Coed, Barry. CF62 6LN	Converted attached garage to living garage to living room to existing domestic dwelling

2025/0121/AI	A	84, St. Davids Crescent, Penarth. CF64 3NB	Single storey side extension, first floor rear extension and dormer loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0122/AI	A	40, St. Josephs Mews, Penarth. CF64 1NP	Dormer loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0123/AI	A	Cotts Equine, Unit 1, Pant Wilkins Stables, Aberthin, Cowbridge. CF71 7GX	Re modelling and alterations to existing veterinary surgery to create a new cardiovascular veterinary surgery (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0124/AI	A	Unit 3, Llandough Trading Estate, Penarth Road, Cardiff. CF11 8RR	Replace existing rooflights and install a roof over cladding system with gutter lining installation
2025/0125/AI	A	Hall 1, Renishaw, Miskin, Pontyclun. CF72 8XY	Thermal element to roof
2025/0126/AI	A	3, Hensol Villas, Hensol. CF72 8JZ	Proposed new build annex to rear garden of an existing dwelling
2025/0127/AI	A	15, The Mount, Dinas Powys., CF64 4DP	Replace windows and a door  AMENDED 17/11/2025 - Replace windows and a door with installation of sliding doors and associated works
2025/0128/AI	A	37, Burdons Close, Wenvoe. CF5 6FE	Single storey rear extension (works to incorporate material alterations to structure, controlled

			services, fittings and thermal elements)
2025/0129/AI	A	West Winds, Boughton Road, Wick, Cowbridge. CF71 7QH	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0130/AI	A	Ty Candy Farm, Treoes. CF35 5DA	Widen existing opening to install bi fold doors and two internal alterations (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0131/AI	A	9, West Acre, Llantwit Major. CF61 2XQ	Single storey front and rear extensions (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0132/AI	A	Boyle Sports, 79, Holton Road, Barry. CF63 4HE	Fit out of existing ground floor retail unit to form a bookmakers to include infilling of redundant basement staircase
2025/0133/AI		Tamburlaine, Sgingstone, Cowbridge. CF71 7LP	Double storey extension to the rear with new roof works and a small side extension on the first floor above an existing garage
2025/0136/AI	A	Co-Op, Boerton Road, Llantwit Major. CF61 1XA	Refit of existing food store
2025/0137/AI	A	St. Nicholas, Romilly Park Road, Barry. CF62 6RN	Three storey front extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2025/0138/AI	A	Ogmore Farmhouse, Ogmore By Sea. CF32 0QP	Refurbishment of existing farmhouse to provide new utility room, wc and study to ground floor and formation of en-suite bathroom to first

			floor (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
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2025/0139/AI	A	35, Railway Road, Rhoose. CF62 3FF	Proposed garage conversion
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(d) Section 32 Building Act, 1984

It is proposed to implement the above section of the Building Act with a view to remove from the filing system, building regulation plans relating to work which has not commenced. This section of the Building Act makes provision for the Local Authority to serve notice in respect of plans which are three or more years old. Where such notices have been served (when the proposal has not commenced), it means that the plans are of no further effect and can be destroyed.

It is proposed to serve notices in respect of the following Building Regulations applications.

22/0533/BN  
22/0507/BN  
22/0536/BN  
22/0508/BR  
22/0597/BR  
22/0613/BR  
22/0643/BR  
22/0608/BR  
22/0448/BN  
22/0665/BN  
22/0404/BR  
22/0793/BN  
22/0831/BN  
22/0809/BN  
22/0843/BN  
22/0853/BN  
22/0831/BN

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **15 JANUARY 2025**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

**2. PLANNING APPLICATIONS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS**

If Members have any queries on the details of these applications please contact the Department.

**Decision Codes**

A	- Approved	O	- Outstanding (approved subject to the approval of Cadw OR to a prior agreement)
C	- Unclear if permitted (PN)	B	- No observations (OBS)
EB	EIA (Scoping) Further information required	E	Split Decision
EN	EIA (Screening) Not Required	G	- Approved the further information following "F" above (PN)
F	- Prior approval required (PN)	N	- Non Permittal (OBS - objections)
H	- Allowed : Agricultural Condition Imposed : Appeals	NMA	– Non Material Amendments
J	- Determined by NAfW	Q	- Referred to Secretary of State for Wales (HAZ)
L	- Approved <u>AND</u> refused (LAW)	S	- Special observations (OBS)
P	- Permittal (OBS - no objections)	U	- Undetermined
R	- Refused	RE	- Refused (Enforcement Unit Attention)
		V	- Variation of condition(s) approved

2020/00420/2/CD	A	Newfields, Buttrills Road, Barry	Discharge of Condition 3.(Materials Details) for planning ref 2020/00420/FUL - Single storey extensions to side, revision of previously approved application (Ref- 2019/00777/FUL)
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2021/00781/1/NMA	A	Shelter 21m From 3 Picketston Close 5m from no named Road, Eglwys Brewis Road, St Athan	Non Material Amendment - An amendment to the feature window to second floor gable to front elevation. for planning ref 2021/00781/FUL - Plot 1 Construction of detached two and half storey five bedroom house and detached double garage, forming of new vehicle and pedestrian access, construction of 2.0m wide footway to frontage of site. Associated works including driveway, landscaping, boundary walls and fencing
2022/01015/1/NMA	R	The Dales, Little Brynhill Lane, Barry	Non Material Amendment - An amendment to fenestration, remove of proposed stone chimney and addition of lean to structure to house plant and air source heat pump. Roof extended over first floor balcony area and extension of dormer size. The end extension narrowed by 0.5m. for planning ref 2022/01015/FUL - Demolition of existing side extension and replacement with two storey side extension. One and a half storey extension and dormer to principal elevation. Modernisation and alterations to existing dwelling

2023/00642/1/CD	A	Mill Cottage, Church Farm, Clemenstone	Discharge of Conditions 4.(Window and Door Details) 9.(Written Scheme of Historic Environment (HNEB)) 10. (Building Recording) for planning ref 2023/00642/FUL - Proposed two storey side extension at Mill Cottage, Church Farm, Clemenstone
2023/00747/2/CD	A	Hensol Castle, Hensol Castle Park, Hensol, Pontyclun	Discharge of Condition 3 (Enclosures) of application 2023/00747/FUL for part retrospective application for retention and completion of bat mitigation / refuse store building, creation of car parking spaces, and associated works (in conjunction with planning permission ref. 2018/00482/HYB)
2024/00234/1/NMA	R	The Old Rectory, Drope Road, Drope, St Georges Super Ely	Non Material Amendment- An amendment to the finishes on the new machinery store, being changed from grey in line roof, timber cladding and natural stonework walls as approved. to 0.5mm box profile metal cladding, colour to be slate blue as number RAL 18B29. Planning Permission ref. 2024/00234/FUL.

2024/00634/1/CD	A	Llancarfan Primary School, School Lane, Llancarfan	Discharge of Condition 2.(Historic Building Recording and Analysis) for planning ref 2024/00634/CAC - Demolition of portacabin units and extensions to existing buildings, change of use of two school buildings to provide 3no. dwellings, development of 3no. new build dwellings, access, parking, drainage, landscaping, boundary treatments and associated works.
2024/00692/FUL	A	Previously Lloyds Bank Plc, 33 High Street, Cowbridge	Demolition of internal walls & Partitions. Removal of staircase and installation of new staircase to access 1st and 2nd floors involving removal of one window at ground level at left hand facing of facade, replacing with a front door in style of windows. Reopening entrance to rear warehouse. Including change of use to Restaurant
2024/00847/LAW	A	12, Gelyn Y Cler, Barry	New Velux rooflight on front roof slope
2024/00896/FUL	R	1-2 Baltimore House Nursing Home, Park Road, Barry	Proposed three storey 25 bedroom extension with related service facilities

2025/00261/1/NMA	A	45 Stanwell Road, Penarth	Non Material Amendment - An amendment to the installation of an apex window above the French doors instead of brick/stone to the roof line. For planning ref 2025/00261/FUL - Knocking of two bedrooms in to one. Concrete/steel lintern inserted. Redeveloped ensuite. Removal of chimney stack to the rear and creation/opening to accommodate French doors and Juliet balcony.
2025/00323/FUL	A	36, Colcot Road, Barry	Modular build extension to side of property. Extension will consist of a bedroom and a shower room.
2025/00370/FUL	A	29 Dock View Rd, Barry	Residential Development of 3 no. flats on vacant site
2025/00372/FUL	A	192 Westbourne Court, Flat 11, Westbourne Road, Penarth	Modular access ramping to side of property
2025/00397/FUL	A	West Ceffyl, Broughton Road, Wick	Renovation of existing Barn and change of use to Dog Boarding
2025/00554/1/NMA	A	20, Westward Rise, Barry	Non Material Amendment - An amendment to the window to side elevation. for planning ref 2025/00554/FUL - Proposed two-storey extension to the rear and new porch to existing domestic dwelling house.

2025/00605/FUL	R	Farm Villa, Llantwit Road, Wick	Single-storey extension to the side and rear of the property. Conversion of the loft and extension of the roof.
2025/00655/FUL	A	16 Crompton Way, Ogmore By Sea	Loft conversion with rear dormer
2025/00665/FUL	A	8, Tudor Place, Llantwit Major	Proposed two storey extension to provide an addition bedroom and en-suite bathrooms. Ground floor alterations to include single storey extension with mono-pitched roof with four velux window units. With internal alterations. Materials to match existing.
2025/00753/FUL	R	22 Trem Y Bae, Penarth	Two storey and single storey extensions to the side, including external and internal material alterations.
2025/00775/ADV	A	Dinas Powys Golf Club, 34 Highwalls Road, Dinas Powys, CF64 4AJ	Retrospective planning consent for advertisement banner associated with raised golf tee platform and associated signage installed to support playability and wayfinding
2025/00776/FUL	A	Dinas Powys Golf Club, 34 Highwalls Road, Dinas Powys	Retrospective planning consent for the raised tee platform and signage installed to support playability and wayfinding

2025/00808/FUL	A	Unit 4, Kings Wood Court, B4524 Ogmore Road At Ewenny, Ewenny, CF35 5BP	Change of Use from Class B1 light industrial use to B2 general industrial use and ancillary A3.
2025/00822/LAW	A	Lower Greenway Farm, Pen Y Waun To Junction A48, Bonvilston	The respective units have been in continuous use for under Class B8, for in excess of 10 years.
2025/00844/FUL	A	Bevan House, Engineering Fabrication Limited, Penarth Road, Penarth	Proposed warehouse extension to the side and rear at Carter Lauren Construction, Bevan House, Penarth
2025/00859/LAW	A	Unit 15, Espex Batteries, Atlantic Trading Estate, Barry	Install 99 solar panels to roof of property
2025/00864/FUL	A	9 Maes Lindys, Rhoose	Proposed 2 storey side extension to provide annex and additional bedroom accommodation
2025/00876/FUL	A	83 Jenner Road, Barry	Single storey rear extension to mirror the footprint of the existing lean-to extension
2025/00877/FUL	A	St Aubyns, Llancarfan, Barry	Proposed Indoor swimming pool, gymnasium, sauna and steam room plus new entrance porch
2025/00879/FUL	A	18 Cae Rex, Llanblethian, Cowbridge	Proposed single storey side house extension and associated external works

2025/00912/FUL	A	1 Milton Close, Llantwit Major	Take down existing UPVC conservatory, replace with new single storey extension. Install new garden room and garden shed. Erect new fence on section of Southern boundary.
2025/00921/FUL	A	26 Carn Yr Ebol, Barry	Installation of an air source heat pump and bee hotel to support biodiversity net gain
2025/00941/FUL	A	15, St Brides Road, Wick	Part demolition of existing single skin brick outhouse and construction of new extension
2025/00942/FUL	A	Ishton Barn, Lon Cwrt Ynyston, Leckwith	Installation of a single Velux style roof window
2025/00944/FUL	A	58 Wordsworth Avenue, Penarth	The proposed works comprises a single story extension to the rear.
2025/00945/FUL	A	18 Trem Y Bae, Penarth	Proposal to build sun lounge onto existing first floor terrace above existing kitchen which will be accessible through first floor living room patio doors.
2025/00947/FUL	R	Hensol Castle Distillery, Hensol Castle Park, Hensol	Installation of Canopy Over Existing Storage Area Together with Associated Works

2025/00948/FUL	A	Lynroy, Ham Lane South, Llantwit Major	New insulated render system and chimney to existing dwelling along with single storey rear extension.
2025/00956/FUL	A	25 Coleridge Avenue, Penarth	Proposed two storey side extension, all finishes to match existing
2025/00960/PNA	A	Land to rear of 2 Cwrt Llanfleiddan, Llanblethian, Cowbridge	Modern Farm Building 6m x 9m for the storage of agricultural machinery and fodder
2025/00981/FUL	A	14 Fforest Drive, Barry	Installation of air source heat pump to front of property, birdbox to support biodiversity net-gain
2025/00987/FUL	A	44 Plas St Andresse, Penarth	Proposed replacement balcony to front of property and low wall with glass panels to front boundary
2025/00991/RG3	A	St Athan Primary School, Rock Road, St Athan	Reconstruction of existing fire damaged classroom block (demolished May 2025) with larger footprint to incorporate additional area for community use.
2025/01027/PND	F	Barry Biomass No. 2, David Davies Road, Barry	Demolition of operational buildings and associated external plant

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 15 JANUARY 2026

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. APPEALS

(a) Planning Appeals Received

LPA Reference No: 2024/00350/FUL  
Appeal Method: Written Representations  
Appeal Reference No: CAS-04386-L1B3Q3  
Appellant: Barons Court Ltd  
**Location:** **Barons Court, Penarth Road, Penarth, CF64 1ND**  
Proposal: Demolition of existing dwellings. New 24 room  
aparthotel (C1 hotel use) adjacent to Barons  
Court Restaurant  
Start Date: 20 October 2025

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LPA Reference No: 2024/00409/FUL  
Appeal Method: Written Representations  
Appeal Reference No: CAS-04587-K7C1B7  
Appellant: James Frazer-Mann  
**Location:** **21, Clement Place, Barry**  
Proposal: Alteration to front wall  
Start Date: 4 November 2025

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L.P.A. Reference No: 2024/01111/FUL  
Appeal Method: Written Representations  
Appeal Reference No: CAS-04594-S7M7Y6  
Appellant: Mr and Mrs Dorian Davies  
**Location:** **Ty'r Wennol, Llantwit Road, St Athan**  
Proposal: Reroofing and extending of existing kitchen.  
New porch to side of property.  
Start Date: 21 November 2025

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L.P.A. Reference No: 2024/00079/FUL  
Appeal Method: Written Representations  
Appeal Reference No: CAS-04481-L9Q6M1  
Appellant: Mr Gareth Thomas  
**Location:** **Badgers Hollow, Craig Penllyn, CF71 7RT**  
Proposal: Variation of Conditions 1 & 3 of Planning  
Approval 2008/01524/FUL: Retrospective  
consent for revised scheme for a single  
detached dwelling

Start Date:	3 December 2025
L.P.A. Reference No:	2024/01023/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04514-K6M8V0
Appellant:	Greggs PLC
<b>Location:</b>	<b>Greggs, 3, The Precinct, Boerton Road, Llantwit Major, CF61 1XA</b>
Proposal:	Variation of Condition 4 (Opening Hours) of Planning Permission 2020/01506/FUL: Two storey extension to existing retail units for commercial development for mixed use to include A1, A2, A3 and B1 at L M Sportsplace Ltd., 2, The Precinct, Boerton Road, Llantwit Major
Start Date:	12 December 2025

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(b) Enforcement Appeals Received

LPA Reference No:	ENF/2023/0186
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04573-F0M3V0
Appellant:	Mr L & Mrs G Harbison
<b>Location:</b>	<b>Land at 6, Wimbourne Close, Llantwit Major, CF61 1QW</b>
Proposal:	Without planning permission, the carrying out of operational development comprising the construction of a two-storey rear extension and flat roof dormer extension to the rear of the property, in the approximate location outlined in blue on the Plan
Start Date:	7 October 2025
LPA Reference No:	ENF/2025/0147
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04570-C5T1N7
Appellant:	TANC Estates Ltd
<b>Location:</b>	<b>Land at Unit 10, Lower Greenway Farm, Bonvilston, CF5 6TR.</b>
Proposal:	Without planning permission, the material change of use of unit 10, Lower Greenway Farm, Bonvilston, from agriculture to a B2 use (general industrial), for the manufacturing of concrete and stone products.
Start Date:	20 October 2025

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(c) Planning Appeal Decisions

LPA Reference No:	2024/00160/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04214-X0W3V8
Appellant:	JV Tree Services
<b>Location:</b>	<b>Land at Coed Arthur, Llancarfan, CF62 3AE</b>
Proposal:	Change of use and siting of residential caravan (temporary)
Decision:	Dismissed
Date:	6 October 2025
Inspector:	Richard James
Council Determination:	Delegated

**Summary**

The main issues were considered to be whether the proposal would provide a suitable form of development in the countryside and the effect of the proposal upon biodiversity interests. The appeal site was located within the complex of a forestry and timber storage yard and formed part of the designated Coed Arthur Ancient Semi-Natural Woodland (ASNW). The proposal would provide a static caravan for a temporary period, to provide residential accommodation for an employee of the forestry and arboricultural enterprise operating from the complex.

*Development in the countryside*

The proposal would be located within a rural location, which was a considerable distance from the nearest settlements. Consequently, the proposal was unlikely to be served by a range of accessible services or amenities via active travel or public transport links, and future occupants would therefore likely be dependent on the use of a private car for their day-to-day needs from this isolated location.

It was considered that the enterprise's management of the Coed Arthur woodland and providing supporting arboricultural services for woodland and tree management to various locations off site, largely aligned with the characteristics of a rural enterprise as described within paragraph 4.3.2 of TAN 6. It was identified that in accordance with TAN 6, proposals for new rural enterprise dwellings should demonstrate a clearly established functional need. TAN 6 Rural Enterprise Dwellings Practice Guidance advised that an essential functional need requires the presence of a worker at most times if the proper functioning of an existing enterprise is not to be prejudiced and which cannot be achieved by any other practical means such as electronic surveillance. The Inspector concluded however that no compelling evidence had been provided to explain why a resident employee was essential for animal husbandry reasons or to secure the ongoing 24-hour service, which had a secured contract and currently uses equipment stored at the complex.

Whilst the Inspector acknowledged the recently reported criminal activity at rural based enterprises generally, no substantive evidence had been submitted to identify the regularity of criminal activity or to indicate the extent to which this had threatened the commercial viability of the enterprise, including the availability of equipment when needed. The full extent of current security measures employed at the Coed Arthur complex was unclear from the

submitted evidence and it had not therefore been demonstrated that alternative or additional security measures, other than the presence of a resident worker, would either be unavailable or would be ineffective in adequately deterring criminal activity for the enterprise. As such, it had not been demonstrated that there was an essential need for a resident worker at the appeal site for the proper functioning of the enterprise. The proposal would not therefore provide a suitable form of development in the countryside, having regard to the rural restraint strategy of national and local planning policy and the principles of sustainable development and would be contrary to LDP Policy MD1 and the objectives of national policy.

#### *Biodiversity*

Whilst located within the ASNW, the appeal site comprised an area of mown grassland and bare earth, with no tree or significant vegetation growth. A well-maintained existing access track and external timber storage area were located closer to the nearest existing trees. Heavy machinery and associated activity of the enterprise was therefore likely to operate in close proximity to these trees currently, to which the proposal would be unlikely to cause increased pressure from associated human activity. No trees were proposed for removal and it was also unlikely that substantial ground works would be required, due to the lightweight and temporary structure proposed. The Inspector did not therefore consider that the proposal would cause the loss or deterioration of the ASNW, or be harmful to its biodiversity value and was satisfied that suitable biodiversity enhancement could be secured via a condition, should the appeal be allowed.

#### *Conclusion*

Whilst it was found that the proposal would not be harmful to biodiversity interests, it would not provide a suitable form of development in the countryside, having regard to the rural restraint strategy of national and local planning policy and the principles of sustainable development. It was therefore concluded that the appeal should be dismissed.

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LPA Reference No:	2025/00113/ADV
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04338-R4J5K4
Appellant:	Mr Shaun Jones (Roadside Media Properties Limited)
<b>Location:</b>	<b>Sea View Flats, 12b Esplanade Buildings, Friars Road, Barry, CF62 5TJ</b>
Proposal:	Replacement of the current Static 48 Sheet billboard (18Sqm) with a 48 Sheet P8 LED Billboard
Decision:	Appeal Dismissed
Date:	1 October 2025
Inspector:	G Hall
Council Determination:	Delegated

## **Summary**

The main issue was considered to be the effect of the proposed advertisement on the visual amenity of the area. The appeal site comprised the end elevation of a prominent four-storey building, which was considered to make an important contribution to the character and appearance of the Barry Marine CA.

The proposed LED billboard, by virtue of its large scale, elevated position, and illumination, would introduce a conspicuous and visually intrusive feature on the upper floors of the building. Whilst a previous billboard occupied a similar position, that sign was a traditional paper-and-paste display. The proposed digital sign, by contrast, would feature a changing LED display and be operational for extended periods, making it materially more prominent and intrusive.

Even with controls on luminance, hours of use, and display timings, it would be a discordant and dominant feature within the CA, particularly during the darker winter months when its prominence would be heightened. The large scale, elevated position, and illuminated nature of the proposed digital display would undermine the architectural integrity of the host building and the wider CA. The presence of digital signage elsewhere, which the Council indicated was unauthorised, did not establish a precedent, nor did the illumination associated with the adjacent funfair, which was of a different character and formed part of an expected leisure attraction. By contrast, the proposed billboard would be a permanent, fixed feature on a prominent historic building, resulting in significant harm to the visual amenity of the area, which would fail to preserve or enhance the character or appearance of the Barry Marine CA.

It was therefore concluded that the appeal should be dismissed.

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LPA Reference No:	2024/01055/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04176-B7H7Q7
Appellant:	Mr & Mrs Denley
<b>Location:</b>	<b>Treetops, Duffryn Lane, St Nicholas, CF5 6TA</b>
Proposal:	New two-storey dwelling in the grounds of Treetops, with associated double garage and landscape work. Existing outbuilding to be demolished and replaced with double garage to serve existing house.
Decision:	Appeal Dismissed
Date:	10 November 2025
Inspector:	L. Hughson-Smith
Council Determination:	Delegated

## **Summary**

The main issues were considered to be whether the proposal preserved or enhanced the character or appearance of the St. Nicholas Conservation Area (CA) and whether the proposal made adequate provision for affordable housing

### *Character and Appearance*

The appeal site formed part of the extensive garden associated with Treetops, a detached property located along Dyffryn Lane, which was characterised by large, detached dwellings set within generous plots, giving the area a spacious and verdant character as it transitioned towards open countryside. In the St. Nicholas Conservation Area Appraisal and Management Plan, mature trees were a defining feature of the lane and some of these trees were located within the appeal site and clearly visible from the road. Collectively, these high-quality trees were considered to be integral to the area's wooded and verdant character and contribute positively to the CA.

The proposal sought the removal of 2 category A and 2 category B trees, to facilitate the new dwelling and to enable the replacement of the garage and driveway associated with Treetops. It would also result in the encroachment of the new driveway, parking area and detached garage, into the root protection areas (RPA) of several other trees. Whilst technical solutions were proposed to mitigate the harm to these trees, no evidence had been provided to demonstrate their appropriateness or effectiveness where significant portions of RPAs were affected or where multiple trees were impacted in close proximity.

The Tree Report was limited to a preliminary assessment of tree condition and was considered to provide limited assurance that the surveyed trees were in a state capable of withstanding such incursions. It was stated that any RPA loss would be compensated for elsewhere contiguous with the affected trees. However, most of the trees concerned were within a constrained part of the site and it was therefore, unclear how such compensation could realistically be achieved. The Inspector was not therefore persuaded that the proposed measures would adequately safeguard the long-term health and stability of the high-quality trees and considered it likely that the scheme would lead to further decline or potential loss of trees over time.

Planning Policy Wales (Edition 12) (PPW) states that trees capable of making a significant contribution to the area should be retained and protected, and that permanent removal of trees would only be permitted where it would achieve significant and clearly defined public benefits. No compelling evidence had been submitted to demonstrate the development would deliver such benefits and the provision of one additional dwelling would only make a modest contribution to the housing supply.

Whilst the appellant had contended that PPW's stepwise approach had been followed, no detailed consideration had been given to alternative options to evidence whether a layout or scale of development could be achieved whilst retaining the important trees. The Inspector shared the Council's concerns that their proximity to the new dwelling may lead to future pressures for their removal or reduction in size and had doubts whether biodiversity interests would be conserved, as required by LDP Policy MD9. It was also considered that it would not be appropriate to rely on compensatory planting where it had not been demonstrated that options for avoidance have been exhausted.

The Inspector considered that it had not been evidenced that the proposed impact on the trees was unavoidable or justified and the development would likely cause a substantial diminution of the site's mature tree cover, eroding the

verdant qualities of this part of the CA. It was therefore concluded that the proposal would fail to preserve or enhance the character and appearance of the CA, with particular regard to trees and would conflict with LDP Policies SP1, SP10, MD2, MD5, MD8 and MD9 and the advice in the Council's SPG. It also failed to align with the advice in TAN 12: Design in that the special qualities of the rural landscape should be recognised and enhanced through conservation of the character of the countryside.

#### *Affordable Housing*

The appeal was accompanied by a signed Unilateral Undertaking (UU) which offered an affordable housing contribution however, it was considered to contain several omissions and the financial contribution offered was less than requested by the Council without supporting justification. The Inspector was not satisfied that the development provided the necessary infrastructure, and it was therefore concluded that the proposal failed to make adequate provision for affordable housing in conflict with LDP policies MD4, MG4 and the associated SPG.

#### *Conclusion*

It was therefore concluded that the appeal should be dismissed.

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LPA Reference No:	2024/00409/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04587-K7C1B7
Appellant:	James Frazer-Mann
<b>Location:</b>	<b>21, Clement Place, Barry</b>
Proposal:	Alteration to front wall
Decision:	Appeal Dismissed
Date:	4 December 2025
Inspector:	J Tudor
Council Determination:	Delegated

#### **Summary**

The main issue was considered to be the effect of the development on the character and appearance of the street and the Barry Marine Conservation Area ('BMCA'). The appeal property was a detached dwelling situated on a corner plot at the end of Clement Place.

The development had already been completed at the time of the Inspector's visit and consisted of increasing the height of two gate piers from 1.02m to 1.8m and the replacement of a low metal gate with a taller slatted timber gate matching the height of the raised piers. A long rendered planter had also been placed on top of the retained section of wall, raising its height from about 0.75m to 1.5m with a side fence of similar height adjacent to No 19. The retained front wall and raised piers had been painted white at the time of the visit, the same colour as the dwelling.

The Inspector considered other boundary treatments along Clement Place and the surrounding streets, including brick piers, rendered walls, fences and hedges and acknowledged that the street did not have a single uniform boundary treatment. With regard to Clement Place, it was considered that whilst

there were a few exceptions which appeared out of character, most of the red brick semi-detached bungalows which stretched along its length were fronted by matching low red brick walls and gate piers. Low red brick front boundary walls were also prevalent along The Parade, a main thoroughfare which Clement Place runs off, albeit some had hedges behind and in that local context, it was considered that the development appeared prominent and out of keeping with surrounding properties, causing harm to the character and appearance of the street and the area.

The Inspector acknowledged that although there were some higher walls at the beginning of the street, they were side walls to two corner properties fronting onto The Parade, where they were bounded by low red brick walls with piers, similar in many respects to those found at the front of most properties along Clement Place. It was also considered that the fence height along the pathway to the side of the appeal property was not as visually prominent in views along the street. In contrast, the front boundary treatment at the appeal property, as augmented by the planter, raised piers, gate and side fence to No 19, drew the eye, due to its height, form and materials, and appeared incongruous compared with the predominant low red-brick boundary walls along much of the rest of Clement Place.

The Inspector considered that these low red brick boundary walls facing the road, common along Clement Place and some other streets, made a positive contribution to the street scene and the character and appearance of the BMCA. The relevant Conservation Area Appraisal and Management Plan (July 2009) ('the CAA') referred to a number of short side streets running north from The Parade to form residential streets of bungalows and two and three storey houses, and stated that '*the survival of redbrick boundary walls and gate piers contribute to the overall Victorian feel of the Parade area.*' The Inspector considered it clear that these red brick boundary walls were a characteristic feature of parts of the BMCA which contributed to its overall significance, and it was noted that the Council's Heritage Officer had expressed a similar view.

Furthermore, the Council's concern that permitting this development could lead to pressure to allow further front/side garden fencing enclosures within the street scene, which could cause further harm was acknowledged. The Inspector also considered that allowing the appeal, could potentially set an unhelpful precedent which would make it more difficult to resist similar proposals in the future.

It was therefore concluded that the development, as a result of its form, height and prominence, appeared discordant and had an adverse effect on the character and appearance of the street and the BMCA. Consequently, it did not preserve the character or appearance of the BMCA and failed to comply with various policies within the Vale of Glamorgan Local Development Plan 2011-2026 (June 2017) including policies MD2, MD5 and MD8.

#### *Other Matter*

The Council's second reason for refusal concerned the absence of a Green Infrastructure Statement ('GIS') in relation to biodiversity enhancements and it was noted that a GIS had since been supplied with the appeal and could be addressed through a biodiversity enhancement condition.

### *Conclusion*

Whilst acknowledging that the higher boundary treatment offered improved privacy for occupiers of the host dwelling, reducing public views from the street into the front garden and towards ground floor windows, it was concluded that this did not outweigh the harm identified to the street scene and to the character and appearance of the BMCA, and it was therefore concluded that the appeal should be dismissed.

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#### (d) Enforcement Appeal Decisions

LPA. Reference No:	ENF/2024/0041
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04219-P6T2N5
Appellant:	Watts Coaches Ltd
<b>Location:</b>	<b>Land to the rear of Watts Coaches Garage, Llantrithyd, CF71 7UB</b>
Proposal:	Without planning permission, the construction of an unauthorised timber building and its occupation for residential purposes.
Decision:	Appeal not proceeded with
Date:	27 October 2025
Inspector:	N/A
Council Determination:	Committee

### **Summary**

Following the issuing of the enforcement notice on 26<sup>th</sup> March 2025, planning permission was granted for the retention of the timber building as offices and a welfare unit for staff associated with the business (2025/00326/FUL). As the unauthorised residential use had ceased and an alternative use granted planning permission for the building, the notice was subsequently withdrawn on 23rd October 2025, and the appeal did not therefore proceed.

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LPA. Reference No:	ENF/2023/0186
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04573-F0M3V0
Appellant:	Mr L & Mrs G Harbison
<b>Location:</b>	<b>Land at 6, Wimbourne Close, Llantwit Major, CF61 1QW</b>
Proposal:	Without planning permission, the carrying out of operational development comprising the construction of a two-storey rear extension and flat roof dormer extension to the rear of the property, in the approximate location outlined in blue on the Plan
Decision:	Appeal Dismissed
Date:	15 December 2025
Inspector:	C Sweet
Council Determination:	Committee

## **Summary**

*The appeal on Ground (f) – that the steps required are excessive and lesser steps would overcome the objections*

The requirements of the enforcement notice (the Notice) sought the demolition of the unauthorised two storey rear extension and flat roof dormer extension, and the removal of any resulting waste materials from the land.

In their grounds of appeal, the appellant had proposed compliance with a previous planning permission ref. 2021/00893/FUL, as an alternative 'lesser step'. However, both parties had accepted that there were discrepancies in the approved plans which rendered it impossible to implement with any certainty and the same issue also affected another extant permission 2023/00889/FUL, due to similar discrepancies in the approved plans. The Inspector considered that the requirements of an enforcement notice must allow the recipient to tell with reasonable certainty what steps they have to take and requiring compliance with either of those permissions would not provide the appellant with that reasonable certainty.

A planning application for another scheme had been submitted to the Council (2025/00903/FUL) but had not yet been determined. Whilst the Council had indicated it may exercise its powers under s173A of the Act to relax the requirements of the Notice by incorporating compliance with that permission as an alternative, as that application was undetermined, the Inspector had therefore not considered it.

The Inspector considered that they were unable to vary the Notice to require compliance with either extant permission without introducing significant uncertainty and causing injustice to the appellant. No other alternative lesser steps had been put forward. The appeal on ground (f) therefore failed.

*The appeal on Ground (g) – that the time given to comply with the notice is too short*

The appellant had sought an extended compliance period of 24 months, to allow them to appoint a builder to undertake the works required by the Notice and to find and occupy alternative accommodation and storage whilst those works were carried out. The Inspector acknowledged that complying with the requirements of the Notice would result in a degree of interference with the appellant's enjoyment of their home. However, there was no cogent evidence to suggest that suitable temporary accommodation could not be readily obtained, or to suggest any difficulty or delay in obtaining the services of appropriate contractors within the necessary timeframe. It was therefore considered that the 12-month period for compliance represented an appropriate and proportionate balance between the relevant public and private interests in the case and the appeal on ground (g) failed.

## ***Conclusion***

It was concluded that the appeal should be dismissed and the enforcement notice upheld.

### Comment

As identified above, a further planning application was submitted on 2<sup>nd</sup> September 2025 seeking the removal of the first-floor flat roof from the rear extension, lowering the eaves, and replacing it with a pitched roof and setting in the extension at the first floor from the neighbouring boundary (2025/000903/FUL). If the application is approved, then the Council will be able to amend the existing enforcement notice to require compliance with the amended scheme however, if it is refused, then the applicant will need to comply with the notice by demolishing the two-storey extension and dormer extension by 15<sup>th</sup> December 2026.

### (e) April 2025 – March 2026 Appeal Statistics

		Determined Appeals			Appeals withdrawn /Invalid
		Dismissed	Allowed	Total	
<b>Planning Appeals</b> (to measure performance)	<b>W</b>	18	6	24	1
	<b>H</b>	-	-	-	-
	<b>PI</b>	-	-	-	2
<b>Planning Total</b>		(75%)	(25%)	24	3
<b>Committee Determination</b>		2	-	-	-
<b>Other Planning appeals (inc. appeal against a condition)</b>		-	-	-	1
<b>Enforcement Appeals</b>	<b>W</b>	1	-	1	2
	<b>H</b>	-	-	-	-
	<b>PI</b>	-	-	-	-
<b>Enforcement Total</b>		1	-	1	2
<b>All Appeals</b>	<b>W</b>	19	6	25	6
	<b>H</b>	-	-	-	-
	<b>PI</b>	-	-	-	-
<b>Combined Total</b>		(76%)	(24%)	25	6

### Background Papers

Relevant appeal decision notices and application files (as detailed above).

Contact Officer:

Sarah Feist- Tel: 01446 704690

Officers Consulted:

HEAD OF SUSTAINABLE DEVELOPMENT

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **15 JANUARY 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

3. TREES

(a) Delegated Powers

If Members have any queries on the details of these applications please contact the Department.

**Decision Codes**

A - Approved

E Split Decision

R - Refused

2025/00963/TPO	A	86 Plymouth Road, Penarth	Work to Tree covered by TPO No.02 of 2016: T2 Yew (TPO tree) minor prune to achieve 1.5 metre cleanse from house.
2025/01040/TCA	A	20 Archer Road, Penarth	T1 Lime rear garden west boundary - re-pollard as previously carried out under notification 2020/01314/TCA
2025/01041/TCA	A	18 Archer Road, Penarth	T2 Holly rear garden East boundary - Reduce height by 3m
2025/01044/TCA	A	St Illtyd's Church, Llantrithyd	Work to trees as per the submitted arboricultural report- T1: Sycamore, T2: Ash, T4: Ash, T9: Sycamore, T10: Cherry, T11: Cherry , T12: Lawson cypress, G1: Ash/Sycamore (x3)/Yew and G2: Sycamore (x4).

2025/01081/TCA

A Bolston House, Bonvilston

T1 Sweet Bay, T3 Cypress  
and G2 Group of 4  
Sycamore / Portuguese  
Laurel: Remove / Fell trees

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **15 JANUARY 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. TREES

(b) General

TO CONFIRM TREE PRESERVATION ORDER NO. 7, 2025  
FOR TREE AT BOVERTON CASTLE

2025/00007/TREE Received on

**APPLICANT:** Civic Offices, Holton Road, Barry

**AGENT:**

**Boverton Castle, Eagleswell Road, Boverton, Llantwit Major**

Large Sycamore Tree in good condition, located within a boundary wall (in response to 2025/00892/TCA

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because objections have been received following the Tree Preservation Order being made.

EXECUTIVE SUMMARY

In September, application 2025/00892/TCA was submitted to notify the Council of intended works to an individual Sycamore Tree in the front carpark of The Boverton Castle pub, on the boundary line with neighbouring property Hazel Bungalow, owing to its location within the Boverton Conservation Area. The request was made to fell the tree due to damage to the boundary wall, claimed to be caused by the sycamore Tree.

The tree was found by officers to be in good condition, whilst the tree's visibility and contribution to the wider public realm was found to be significant, and the tree is highly visible due to the corner location of the site, facing a cross roads. As such, the TCA application was refused and the tree considered worthy of protection by way of Tree Preservation Order, and the Council's Legal Department were informed to progress this matter. As such the notice of the TPO was served on interested parties

and the tree put under interim protection to allow sufficient time for any consultation responses.

Objections have subsequently been received from neighbouring properties Hazel Bungalow and Penllwy Cottage due to the tree being specified as posing a risk and danger to the boundary wall and the public.

The concerns raised by the neighbouring objections are noted, however, noting the officer's original assessment and the additional information submitted including a structural survey, the matters noted in the objection are not considered to provide sufficient justification to prevent the confirmation of the Tree Preservation Order.

It is therefore recommended the Tree Preservation Order is confirmed without modification.

### SITE AND CONTEXT

The site is The Boerton Castle, Eagleswell Road, Boerton, Llantwit Major, which sits within the Boerton conservation area. The application related to a Sycamore tree located between the boundary wall of The Boerton Castle pub and Hazel Bungalow. consequently, a notification of the proposed works to the tree has been submitted. A marked map identifying the trees' location can be found below:

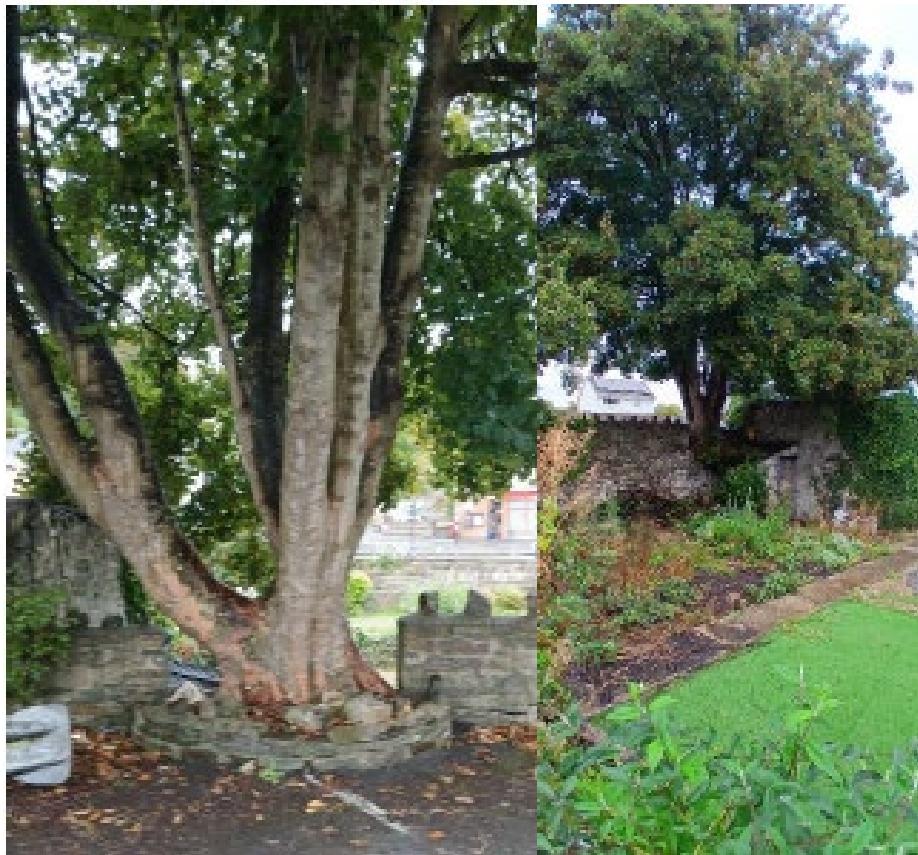


### DESCRIPTION

A request is made from the Vale of Glamorgan Council Planning Department to place a sycamore under a protection of a Tree Preservation Order.

The request is pursuant to application 2025/00892/TCA which sought permission to fell the large Sycamore. Photographs of the tree can be seen below:





Following consideration of the matter, the application for the removal of the tree was refused owing to the lack of suitable justification for removal of its tree and its positive contribution to the character of the Boerton Conservation Area. As such Tree Preservation Order was made on the 1<sup>st</sup> October 2025 for the individual Sycamore tree. Representation has subsequently been received from an interested party with regard to the order and as such the matter is before members to allow confirmation of the preservation order.

#### PLANNING HISTORY

2025/00892/TCA Address: Boerton Castle, Eagleswell Road, Boerton, Llantwit Major, Proposal: Removal of one multi stem Sycamore growing on top/within boundary wall. Decision: Refuse

*The Local Planning Authority object to the felling of the sycamore at Boerton Castle, Boerton, as the tree make an important and positive contribution to the character of the Boerton Conservation area and there is insufficient justification to support the felling of the tree.*

#### CONSULTATIONS

Due to the type of application submitted, representations are not a statutory requirement and were therefore not carried out.

## REPRESENTATIONS

Objection to the TPO was submitted from the neighbouring properties Hazel Bungalow and Penllwy Cottage. Their objections detailed the following concerns:

- Damage to the stone wall boundary
- Movement of the tree and loss of branches during high winds
- Invasive roots causing damage to the foundations at Hazel Bungalow
- Perceived danger to residents and customers of The Boerton Castle pub

The concerns raised from the objections received will be addressed within the report.

## REPORT

### Planning Policies and Guidance

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

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

#### **Strategic Policies:**

POLICY SP1 – Delivering the Strategy

POLICY SP10 – Built and Natural Environment

#### **Managing Development Policies:**

POLICY MD7 - Environmental Protection

POLICY MD8 - Historic Environment

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

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

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

### Chapter 3: Setting and achieving our ambitions

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

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

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

### Chapter 5 – The Regions

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

### **Planning Policy Wales:**

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

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

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

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

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

#### Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places

## Chapter 6 - Distinctive and Natural Places

- Recognising the Special Characteristics of Places (The Historic Environment, Green Infrastructure, Landscape, Biodiversity and Ecological Networks, Coastal Areas)

### **Technical Advice Notes:**

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

- Technical Advice Note 10 – Tree Preservation Orders (1997)
- Technical Advice Note 24 – The Historic Environment (2017)

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

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

### **Supplementary Planning Guidance:**

The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Biodiversity and Development (2018)
- Trees, Woodlands, Hedgerows and Development (2025)
- Boverton Conservation Area Appraisal and Management Plan

### **Other relevant evidence or policy guidance:**

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Town and Country Planning (Trees) Regulations 1999
- BS5837: 2012 Trees in relation to design, demolition, and construction – Recommendations
- Tree Evaluation Method for Preservation Orders

- Section 198(1) of the Town and Country Planning Act 1990 empowers a local planning authority, where it appears to them that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order.

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

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

### Issues

The main consideration is whether it is in the interest of amenity to confirm the tree preservation order, in accordance with Section 198 of the Town and Country Planning Act 1990. The Sycamore was assessed for the purpose of making the tree preservation order using the Tree Evaluation Method for Preservation Orders (TEMPO).

The Sycamore is located on the boundary line between The Boerton Castle pub and Hazel Bungalow, it is therefore highly visible from both properties and the wider conservation area, including clear views from Eagleswell Road and Boerton Road. The tree has a mature form and appears healthy and in positive condition. Given the nature/size/form of the tree, and its prominent position, it is considered to contribute significantly and positively to the character of this part of the conservation area.

Sycamores can have a lifespan of 100+ years. Whilst it is not possible to determine exactly how old the tree is, it is reasonable to conclude that it can have a significant remaining healthy lifespan noting its condition and form. It is considered that the tree makes a pleasing, verdant contribution, and the tree also has ecological and climate benefits. As such a TEMPO assessment was undertaken that concluded that the TPO is defensible and suitable to ensure its health and condition are preserved as per below:

SURVEY DATA SHEET & DECISION GUIDE			
Surveyor:	Katlyn Davies-Shaw	Date:	10-Sep-25
Tree details			
TPO ref:	2025/00007/TREE	Tree/Group No.	Sycamore
Location:	Boverton Castle, Eagleswell Road, Boverton	Owner:	n/a
Part 1:	<b>Amenity Assessment</b>		
a)	Condition and suitability for a TPO	Good	
b)	Retention span (in years) and suitability for a TPO	100 +	
c)	Relative public visibility & suitability for TPO	Large trees, or medium trees clearly visible to the public	
d)	Other Factors	Trees with none of the above additional redeeming features	
Part 2:	<b>Expediency Assessment</b>		
	Foreseeable threat to tree		
Part 3:	<b>Decision</b>		
Notes:	Definitely merits TPO		

As such, the TCA application was refused and a TPO was placed on the tree. However, pursuant to this representations have been received that raise concerns regarding the safety of the tree and the level of damaged claimed to be caused by the tree.

Within the original application it was stated that the removal of the tree is required due to the suggestion that the tree is causing damage to the boundary wall which it sits between. Images of the damage to the boundary wall were both submitted and taken upon a site visit. However, it was officers view that whilst some damage was evident to the wall, this did not appear to be significant or indeed directly linked to the tree itself. In the absence of an arborist or structural report or other supporting documents to determine otherwise, it was considered in determination of the TCA application, that it had not been established that the tree needed to be removed for imminent health and safety reasons. Furthermore, whilst the stone wall is an attractive feature, any associated damage or need for remediation/replacement would not result in a degree of harm to the character of the conservation area to warrant the removal of the tree.

Since the refusal of the application, a professional structural survey submitted by the applicant does note that in its current form, the wall is at risk of local collapse, which creates a health and safety risk to users of the public house and neighbouring property. However, their recommendation states that '*a number of options have been assessed and we consider the most appropriate one to include retaining the tree, demolishing the damaged section of stonework wall and rebuild as per the existing stonework construction and along the boundary wall / line*'. The survey does not detail any issues regarding damage to the foundations of Hazel Bungalow and no further evidence was submitted to support this claim.

Having considered the details submitted it is considered that the information does not demonstrate that any suggested damage is substantial enough to warrant the removal of the tree and that an option exists that would allow for the retention of the tree whilst removing any indicated risk. As such, while it is acknowledged that the tree growth has caused a degree of damage to the boundary wall, there appears to be a suitable means of safeguarding health and safety and retaining the tree. The information provided is therefore not considered to provide a compelling overriding reason as to why the tree needs to be removed and that health and safety issues can be addressed by rebuilding the wall for a length of circa 5m. As such there does not appear to be any particular constraint or fundamental reason why the tree cannot be retained through imposition of a tree preservation order.

Whilst it is noted that the owner discusses the risk of safety it is acknowledged that due to its location bordering a domestic garden and a commercial car park, some works are likely to be required to the tree going forward to ensure its growth and condition are appropriately managed, such as dead wooding the tree or by reducing its canopy, which in turn may assist in removing any associated load to the wall. However, an application can be made to carry out such works to a tree protected by a tree preservation order and the TPO would enable the Council to control the nature of these works.

Therefore, having considered all of the above, following a TEMPO assessment as well as a site visit and assessed the merits of representations and the submitted structural survey, the tree does benefit from redeeming features which would merit formal protection through a Tree Protection Order.

It is considered the plotting of the tree within Schedule 1 of the Tree Preservation Order is sufficient to identify the tree to be protected. The concerns raised are not considered to outweigh the amenity merits of the Sycamore. As such, it is considered the Tree

Preservation Order should be confirmed without modification.

#### RECOMMENDATION

Confirm Tree Preservation Order No. 3 of 2025 relating to Boverton Castle, Eagleswell Road, Boverton, Llantwit Major.

#### REASON FOR RECOMMENDATION

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

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

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

**NOTE:**

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

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

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

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

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **15 January 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

8. PLANNING APPLICATIONS

Background Papers

The following reports are based upon the contents of the Planning Application files up to the date of dispatch of the agenda and reports.

**APPLICANT:** South West Wood Products Limited Clifton Moor, Clifton, Penrith, CA10 2EY  
**AGENT:** Lesley Loane Roundhouse Cottages, Bridge Street, Frome, BA11 1BB

### **Berth 31, Port of Barry, Wimborne Road, Barry**

A change of use to a wood processing facility.

#### REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application has been called in for determination by Cllr Ian Johnson, citing public interest following a previous application for a Lawful Development Certificate and public concerns about working hours and environmental impacts.

#### SITE AND CONTEXT

The application site is land comprising a dockside berth at Berth 31, Wimborne Road, Barry. The site area is shown edged red below:



It is part of the developed coastal area of Barry Docks, which is accessible to shipping with vehicular access being directly from Wimborne Road, a private road that marks the northeast boundary. Access to Wimborne Road is via the Ffordd-y-Milleniwm junction to the north. The site is occupied by the applicant and has a lawful use as a dockside berth and contains several demountable structures and open hardstanding that can be used for the unloading, sorting and storage of shipped goods.

The scheduled monument GM310 Round Barrow 612m N of Bendrick Rock is located c.600m to the southwest.

Cadoxton wetlands is located on the opposite site of Wimborne Road and is identified as a Site of Importance for Nature Conservation (SINC) as a reedbed habitat.

The site is within DAM Flood Zone B, with a small part of it in Zone C2. Part of the site is also within FMfP Flood Zones 2 & 3.

The site is identified as an existing employment site under Local Development Plan (LDP) Policy MD16 (01) and is part of Sand and Gravel Wharf Safeguarding Area. Land immediately to the north is identified as an allocated employment site under LDP Policy MG 9 (5).

### DESCRIPTION OF DEVELOPMENT

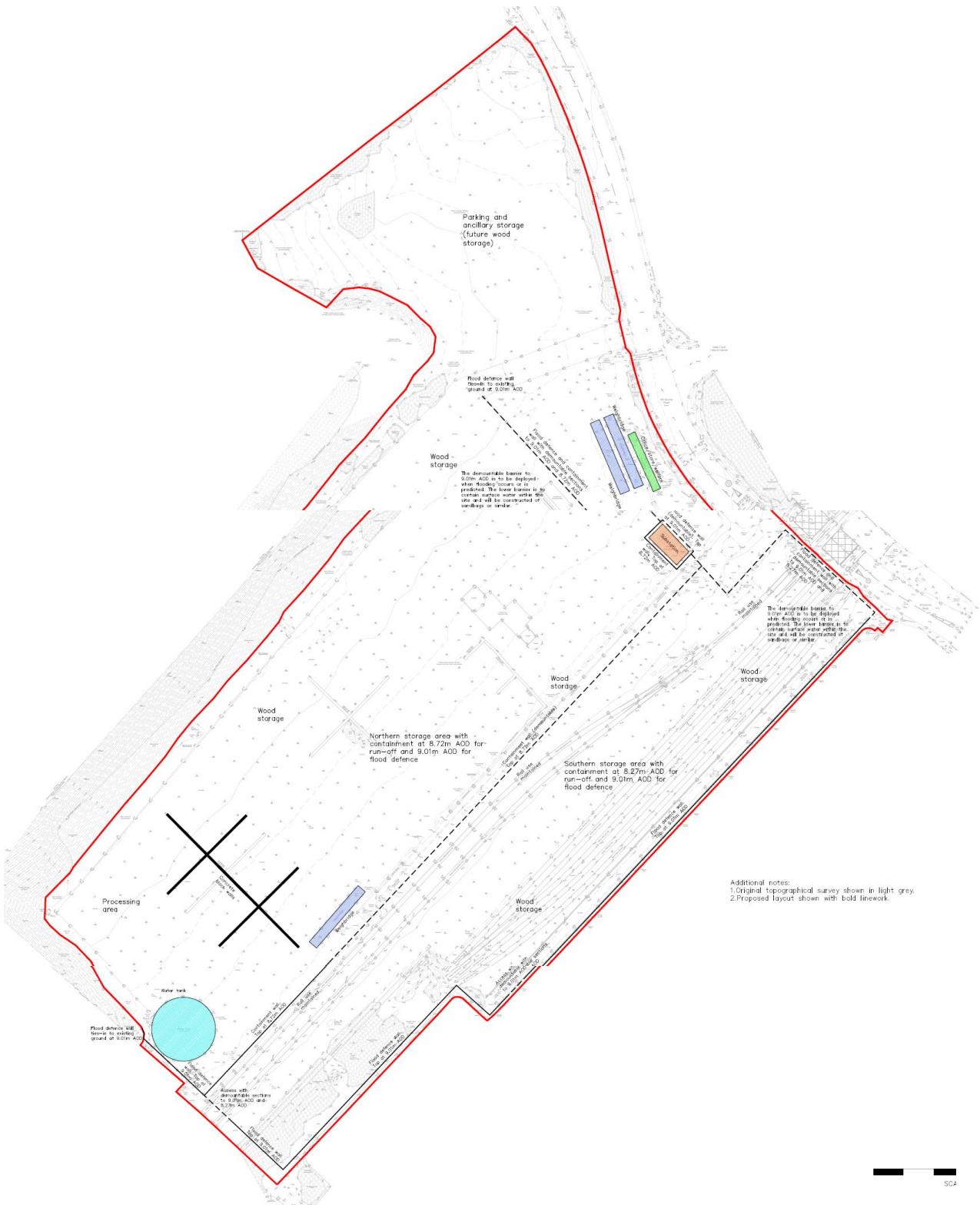
Planning permission is sought for a change of use of the site to a wood processing facility.

It is stated within the submitted documentation that the site would receive both virgin timber and end-of-life timber. It is nevertheless anticipated that most wood received would be waste wood, noting that the operator holds contracts with municipal authorities to receive waste wood from household recycling centres, as well as from other commercial providers (such as manufacturing offcuts). The wood is then processed, sorted, and stored on-site pending transportation to other locations, where it is either recycled into a new product(s), such as chipboard, or used as fuel in energy in waste plants (depending on the grade of the product).

The processing operations involve sizing of the waste wood to meet set specifications dependant on the product being made. Mobile machinery and plant are utilised, including loading shovels, excavators, screeners, shredders, trommels and eddy currents (magnets). The latter is used to separate any metals from the wood for separate collection and recycling.

The plans indicate that the existing demountable site offices, water tank, and other existing site infrastructure would be retained and used, with no new buildings proposed. It is proposed to erect a flood defence wall parallel to the dockside and rail track, and whilst its height would vary dependent on the adjacent ground level, most of it would be c.1.1m tall. The existing 'maltese crosses' (made up of freestanding blocks and used to store and separate wood piles) on site would also be moved.

The proposed site layout is shown in the below plan extracts: -



## BACKGROUND

Members will recall that this application was first considered at the Planning Committee Meeting on 11<sup>th</sup> September 2025. A copy of the report presented at that committee, which includes consideration of material considerations and relevant policies, is attached **at APPENDIX A** (inc. the matters arising notes). That information is therefore not repeated here.

At the September meeting members voted against Officers' recommendation for approval. This was principally owing to concerns about dust generation and its associated amenity and environmental impacts.

Following the deferral of the application at the December meeting, further information has been received by the applicant, comprising of a Dust and Emissions Management Plan and a Dust Monitoring Scheme. In turn, the application has been subject of further public consultation.

## CONSULTATIONS

Additional responses have been received from the following consultees:

**Natural Resources Wales** – no further comments.

**Shared Regulatory Services (Environment – Land Quality)** – no further comments.

**South Wales Fire and Rescue Service** stated no objection and advised that the developer consider the need for adequate water supplies on site and access for firefighting appliances.

**CADW** – no further comments.

**Shared Regulatory Services (Environment – Land Quality)** stated, further to their previous comments, that the submitted Dust Emissions Management Plan and Dust Monitoring Scheme were considered acceptable, and recommended that monitoring data and records of complaints were made available the Local Authority on request.

## REPRESENTATIONS

3.no further representations have been received; these are summarised below:

- No source location mentioned for the waste wood
- No mention of traffic routes and the frequency rates of the vehicles, traffic congestion.
- Concern about ability to effectively implement the dust management plan, noting the land is flat and winds can be blustery.
- The location is not appropriate for an industrial use with such significant environmental effects, given the proximity to existing residential areas. The proposal conflicts with Policies MD2, MD7 of the LDP and 6.7 of PPW12.
- Real world evidence contradicts the assumptions of the Air Quality Assessment, and dust is regularly seen in the air on Wilfried Street in significant quantities, enters homes, and settles on vehicles. This location is a named receptor, and local experience and tangible evidence demonstrates the report conclusions are incorrect. Planning decisions must be based on actual harm, not theoretical predictions.
- Questioned whether there are enough resources, with the fire station quite distant and with inadequate infrastructure.
- When loading ships occurs the air is filled with fine wood fibers and no effort appears to have been made to contain the dust, leaving a film of this product on the dock and other surfaces. This causes health issues from breathing fibers, itchy eyes, contamination of clothing, disamenity (dirty vehicles, surfaces).
- Questioned the type of waste wood, past chemical treatment, and extent of testing for contaminants.
- Specific personal health concerns/ vulnerabilities (respiratory).

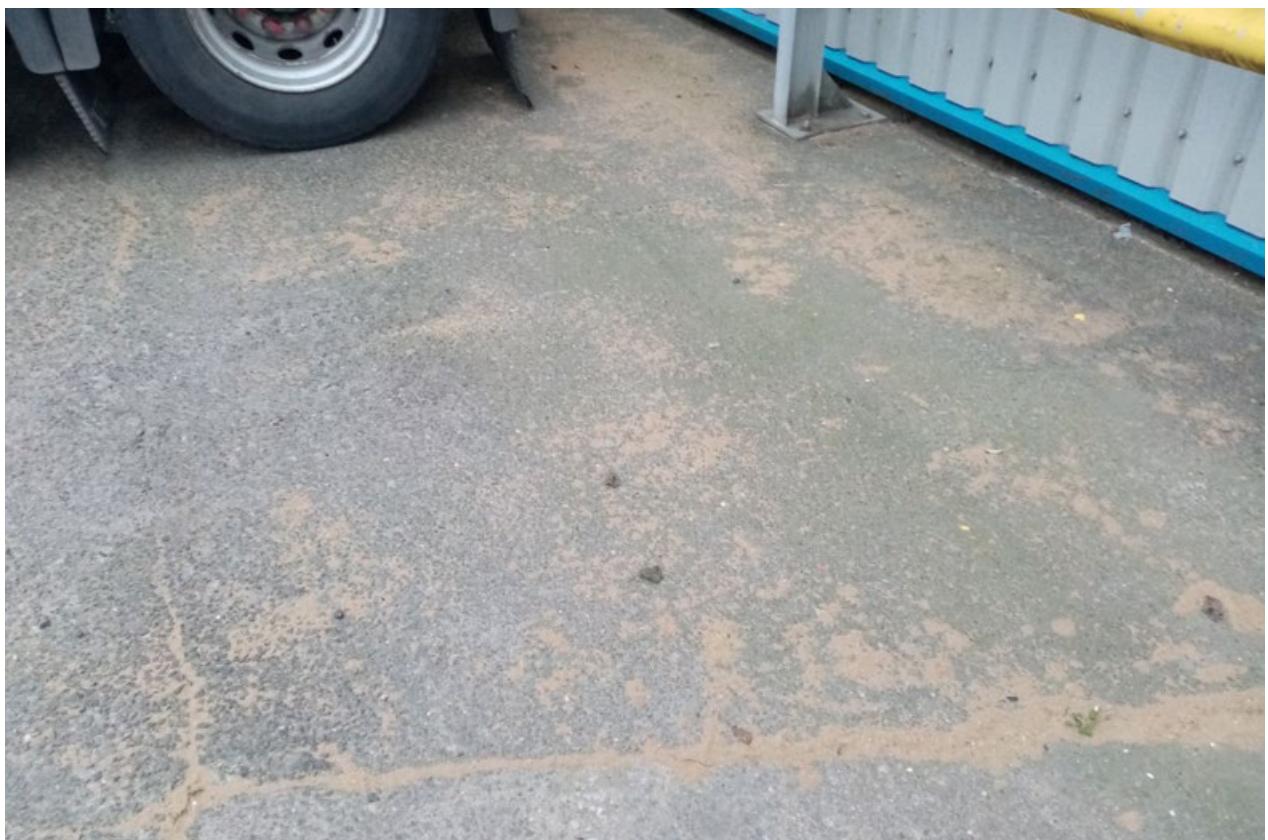
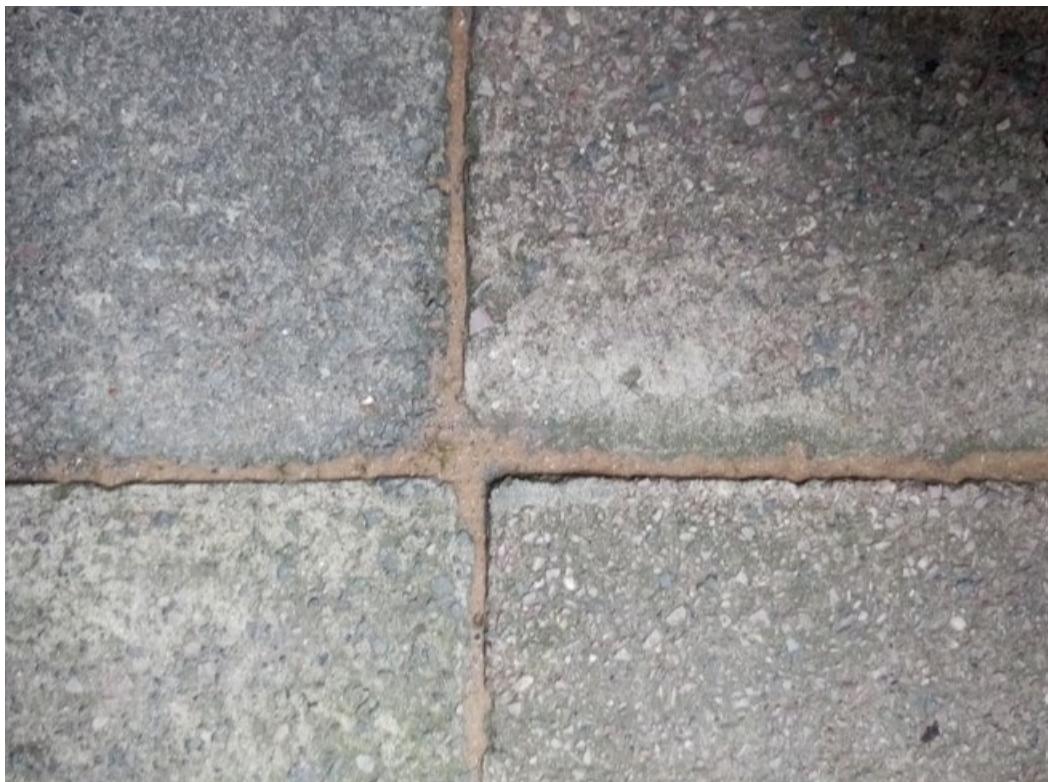
- Noise disturbance is experienced (Wilfried Street), comprising of sharp and intrusive noises from the shredding and loading processes, and is clearly audible indoors, and happens early morning and late at night – contrary to the Noise Assessment assumptions. The modelling assumes controlled, predictable operations, but in practice the noise is disruptive, persistent, and harmful to residential amenity.
- Excessive operating hours - the facility appears to operate from 07:00 to 23:00 every day, including weekends. These hours are completely inappropriate for an industrial use so close to residential areas. The 24hour operations for shipping would worsen the situation further.
- Loss of ability to use outdoor space (loss of amenity) due to dust and noise impacts.

These have included complaints about on-site operations:

- Incidents of dust release in October during ship loading operations resulted in surfaces outside the site on adjacent employment premises becoming covered in wood dust. Photographs were provided (sizes of images below reflects the files received), as shown below.







- Photographs were also provided showing a dust-covered vehicle. This was undated but was alleged to be a regular occurrence, despite regular cleaning.



Correspondence has also been received from Friends of the Earth (Barry and Vale) requesting to view certain documents (suggesting concerns were held about) the following matters:

- Compliance with EIA Schedule 4 criteria and TAN 21 waste planning requirements.
- Material about the habitat value of Cadoxton Ponds.
- Documentary response of VoGC Ecologist.
- Consultation with owners of the reserve.
- Ability of on-site water tank to cope with storage for contaminated run-off from storage areas in winter rainstorms, supplying water for dust suppression, reserving sufficient water for firefighting purposes.
- Questioned what checks have been made that the Dock no longer is salt-water from tidal flushing, given it is stated as a source of fresh water, and have SWWP documented proposed alternative sources of water for fire-fighting and dust suppression.
- Material related to health concerns, including details of public complaints, case notes, determination as to the source of the dust, and documents relating to investigations by third-party organisations.
- Questioned whether the environmental permit (bespoke permit) application should be made in parallel with the planning application.
- Material relating to biodiversity net benefit, including additional details for proposed measures, justification, and VoG planning guidance.

## REPORT

The consideration of all material planning matters, including but not limited to the need for the development; location of the site; access and highway safety, fire risk, flood risk and drainage, biodiversity and green infrastructure, and the visual and landscape impacts are detailed within the original committee report in consultation with relevant consultees. It is not considered necessary to revisit the merits of the proposals within this report.

In regard to procedural queries raised in recent representations, Officers would advise as follows:

Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 sets out terms of reference for the EIA and the assessment of direct and indirect significant effects of the proposed development, in light of the circumstances of each particular case. These are embodied in the original report to committee, supplemented by this report.

Whilst TAN 21 recommends that planning and environmental permit applications are made in parallel, this is not a regulatory requirement. Planning permission and environmental permits are different statutory regimes, independent of each other. The site is understood to operate under a 'standard rules' permit, however, a bespoke permit would be required to process the amount of material proposed under this planning application. It is understood that a bespoke permit application has recently been submitted to Natural Resources Wales, but no decision has been made.

The application has been publicised in accordance with regulatory requirements, including site notices, press notices, and direct letters to addresses in the local area.

## Planning Policy

In relation to planning policy, the attention of members is drawn to the following national guidance relating to waste development and air quality and dust, specifically:

Planning Policy Wales (PPW12):

*6.7.2 National air quality objectives are not 'safe' levels of air pollution. Rather they represent a pragmatic threshold above which government considers the health risks associated with air pollution are unacceptable. Air just barely compliant with these objectives is not 'clean' and still carries long-term population health risks. Nitrogen dioxide and particulate matter, which are the pollutants of primary national concern from a public health perspective, currently have no safe threshold defined and therefore the lower the concentration of those pollutants the lower the risks of adverse health effects. It is desirable to keep levels of pollution as low as possible.*

*6.7.5 ...The agent of change principle says that a business or person responsible for introducing a change is responsible for managing that change. In practice, for example, this means a developer would have to ensure that solutions to address air quality or noise from nearby pre-existing infrastructure, businesses or venues can be found and implemented as part of ensuring development is acceptable.*

*6.7.14 Proposed development should be designed wherever possible to prevent adverse effects to amenity, health and the environment but as a minimum to limit or constrain any effects that do occur. In circumstances where impacts are unacceptable, for example where adequate mitigation is unlikely to be sufficient to safeguard local amenity in terms of air quality and the acoustic environment it will be appropriate to refuse permission.*

*6.7.17 The location of potentially polluting development adjacent to sensitive receptors will be unacceptable where health and amenity impacts cannot be minimised through appropriate design and mitigation measures. It is the overall expectation that levels of pollution should be reduced as far as possible and for this reason the location of potentially polluting development should be taken into account as part of overall strategies in development plans to ensure it can be appropriately located and maximum environmental benefits can be gained through measures such as green infrastructure.*

TAN 21 – Waste:

*1.1. Air emissions and the potential emission of pathogens and/ or toxins are a material planning consideration and may represent a significant public concern. Such matters are controlled through environmental permitting conditions for facilities permitted under the Environmental Permitting (England and Wales) Regulations 2010, or through other relevant pollution control legislation for facilities exempt from permitting (ie. the 'Statutory Nuisance Provisions' of the Environmental Protection Act 1990). For permitted facilities, the regulator is Natural Resources Wales, with local authorities having responsibility in respect of statutory nuisance issues where these apply. However, air quality issues can be a material planning consideration as well as a pollution control issue.*

*3.2 Particulate emissions from waste management facilities will depend on the type of facility. Dust production can be minimised through careful design of a facility, use of appropriate and well-maintained abatement equipment, and good industrial housekeeping. Air quality issues will normally be raised at the planning stage and can be a material planning consideration as well as a pollution control issue.*

*3.4 Dust emissions should be controlled, for instance by dust suppression techniques such as water spraying, by adequate covering of waste storage areas or deposited wastes in landfill sites, by the sheeting of vehicles carrying wastes and by air abatement plant to capture particulates from local exhaust ventilation from in-building facilities, and from combustion activities. It may be appropriate to impose a planning condition that requires waste operators to prepare a scheme, or to indicate what measures will be undertaken, to suppress dust on site. Care should be taken, however, that any planning condition does not duplicate a condition imposed through a waste management licence or Pollution Prevention and Control Permit.*

This guidance sets out how air quality and dust impacts can be a material planning consideration and development should be located and designed to prevent adverse impacts to amenity, health and the environment.

Paragraph 6.7.2 of PPW12 explains that nitrogen dioxide and particulate matter are the pollutants of primary national concern from a public health perspective. These are fine suspended particulates that are of a greater concern to health than heavier dust particles, which tend to settle under their own weight.

#### Additional proposed dust mitigation

The applicant has submitted additional documents for the consideration of Members, comprising of a Dust and Emissions Management Plan (DEMP) and a Dust Monitoring Scheme (DMS). Members will note that a dust management plan was recommended to be submitted under planning conditions (was recommended as condition 4 – Appendix A). This is now presented upfront, together with supplementary details of dust monitoring.

The additional measures in the form of mitigation and monitoring are summarised as follows:

#### DEMP

- The number of mobile dust cannons on the site boundaries increased from 2 to 5.
- 3 dust cannons will be available for a designated tipping area.
- A second water bowser will be deployed to site
- A dedicated sweeper will be supplied to site, keeping the engineered surfaced areas clean (rather than hiring in when needed).
- A member of staff will be designated “dust warden”.

#### DMS

The monitoring scheme proposed comprises of the installation of suspended particulate sensors at four locations around the site perimeter. Inspections for dust would take place according to the provisions in the DEMP, whereas the DMS would offer close and real-time monitoring of particulate levels and provide instant results and alerts to the site operatives, designed to allow for a proactive response. The proposal is to monitor the site for six months, with cessation to be discussed with the LPA based on at least 5 months of data.

If high concentrations (190 $\mu\text{g}/\text{m}^3$ ) of particulate matter (PM<sub>10</sub>) are recorded over an hourly interval, it would trigger actions by the site operator to switch off any processing plant, inspect the site, identify the likely source, and if required, deploy further dust mitigation measures.

### Assessment

The additional measures set out above have been proposed by the applicant in response to concerns raised during the previous meeting. These include measures intended to provide more robust dust mitigation and monitoring, as well as the temporary monitoring of particulate levels at the site perimeter.

Since the previous meeting, additional monitoring has also been undertaken by Officers. No live dust releases (such as dust clouds) have been witnessed by Officers, however, there was evidence of dust deposit (matted fibres) seen on David Davies Road, near to the site perimeter on one inspection in September. Members will have noted that dust complaints had been received (inc. photographs appended to the matters arising note) in the lead-up to that meeting, and that dust issues have been cited in more recent representations, as detailed previously in this report. Officers are now also aware that during an NRW inspection on 4<sup>th</sup> September, a minor compliance breach was found due to dust emissions, and a failure to complete dust checks on a regular basis was noted. The applicant's agent has also indicated that a failure to maintain high enough moisture levels in the waste material is likely to have contributed to these issues. No further evidence of dust release beyond the site perimeter have been observed by Officers, albeit prevailing weather has been favourable (i.e. wet) for most of this time.

The DEMP proposes a suite of mitigation and management measures, including regular checks and ensuring the waste material maintains a minimum moisture content prior to processing, among other things such as increased availability of dust cannons and bowsers.

The DMS proposes temporary monitoring of particulate matter levels at the site boundary, which would ensure mitigation actions are triggered at an alert level of 190  $\mu\text{g}/\text{m}^3$ . Although this figure may seem high in comparison to the annual objective limit of 40 $\mu\text{g}/\text{m}^3$ , and the 24-hour average limit of 50 $\mu\text{g}/\text{m}^3$  (not being breached more than 35 times per year), it is a one-hour average which is intended to account for the sensor location being 'at source', short term fluctuations, and dispersal effects. This threshold is a recommended threshold for construction sites but is also considered to be a suitable action point for monitoring of emissions from this site, to trigger intervention if breached.

In regard to health, as has been noted, the Council's SRS actively monitor suspended particulates (those of greatest concern to health) in the area via a sensor on Dock View Road. The sensor has indicated that particulate levels have remained well within legal limits throughout.

Officers consider that the key issue for members to consider is, is whether the additional mitigation and monitoring measures proposed are sufficient to prevent an unacceptable adverse effect on amenity, health and the environment, whilst having regard to all material considerations as set out in this and the prior report to the September meeting, and all the submitted environmental information in accordance with Section 25(1) of the 2017 EIA Regulations.

Having regard to the above, Officers' recommendation remains for approval, noting that the additional mitigation and monitoring provide further assurance that acceptable and enforceable mitigation measures can be deployed to protect amenity during more high-risk periods of dry and windy weather. This includes the deployment of additional dust cannons, a bowser, sweeper, and enhanced checks at the site perimeter, as well as temporary real-time particulate monitoring.

It is therefore recommended that the application be APPROVED having regard to all the submitted environmental information in accordance with Section 25(1) of the 2017 EIA Regulations, and subject to the updated conditions as set out below, that include monitoring provisions.

However, should members decide to refuse the application having regard to the concerns raised during the discussion at the September 2025 meeting, Officers would recommend the following reason for refusal is adopted:

*The continued use of the site for the receipt, processing, and storage of waste material is considered to have an unacceptable effect on the environment from the dust deposits of waste wood material, causing a harmful effect on residential amenity in the locality and an unacceptable impact on the adjacent areas and uses of land adjoining the site. Accordingly, the development is considered to conflict with criterion 8 of Policy MD2 (Design of New Developments), criterion 1 of Policy MD7 (Environmental Protection), and criterion 3 of Policy MD20 (Assessment of Waste Management Proposals) of the Local Development Plan 2011 – 2026, as well as guidance provided by Planning Policy Wales (Edition 12), and Technical Advice Note 21 - Waste (2014).*

## RECOMMENDATION

APPROVE subject to the following condition(s):

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

LMM 072 05: Location Plan  
LMM 072 02b: Site Layout

Reason:

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

2. Notwithstanding the plans and details submitted and within six months of the date of this permission, revised details of the junction of the site access to Wimborne Road shall be submitted to and approved in writing by the Local Planning Authority. The details shall illustrate how visibility splays of 4.5m x 48m in both directions measured from the centre line of the proposed access are achieved, together with details of the revised scheme of enclosures, gates, and details of the timings of these works. The approved access shall be implemented in accordance with the approved details within six months of the approval of those details, and the visibility envelope shall thereafter be kept free of any obstructions greater than 900mm in height.

Reason:

In the interest of highway safety and to ensure a satisfactory form of access to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

3. Within three months of the date of this permission, a Biodiversity Enhancement Strategy addressing enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be carried out in accordance with the approved strategy and timings set out within, and thereafter retained in accordance with the approved details whilst the development remains in existence.

Reason:

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

4. Site operations shall be carried out in full accordance with the approved document Dust & Emissions Management Plan v2.1.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD2 (Design of New Development), MD7 (Environmental Protection), and MD20 (Assessment of Waste Management Proposals) of the Local Development Plan.

5. Within three months of the date of this consent, dust sensors shall be installed in accordance with details and locations indicated in the Dust Monitoring Scheme (v4). The dust sensors shall be retained in operation and the monitoring scheme implemented for a minimum period of six months from the installation of the sensors, and thereafter the sensors shall only be removed and monitoring discontinued with the prior written agreement of the Local Planning Authority. The monitoring data is also to be made available to the Local Planning Authority on request.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD2 (Design of New Development), MD7 (Environmental Protection), and MD20 (Assessment of Waste Management Proposals) of the Local Development Plan.

6. The site operations shall be carried out in accordance with the Noise Management Plan ref: R10025-3 contained in Appendix 6b of the Environmental Statement.

Reason:

In the interests of local amenity, and to ensure compliance with the terms of Policy MD2 (Design of New Development) and MD7 (Environmental Protection) of the Local Development Plan.

7. Within six months of the date of this permission, a further noise survey of the site in full operating conditions shall be conducted at the nearest residential receptors (as shown on Table 4 of the Noise Impact Assessment ref: R10025 October 2024), to demonstrate that the rating level at each of the locations is no more than 4dB above the prevailing background noise levels. The noise survey should be undertaken in accordance with BS4142:2014 +A1 2019. The Survey, with a validated certificate of compliance by an approved acoustic assessor, shall be submitted to the Local Planning Authority to demonstrate this has been achieved. In the event that the identified rating level has not been achieved, suitable mitigation should be identified and be undertaken to achieve compliance, with further details of mitigation and updated acoustic measurements submitted to the Local Planning Authority for approval in writing within one month of the date of submission of the initial results.

Reason:

In the interest of residential amenity, and to ensure compliance with the terms of Policies MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

8. No wood processing shall take place on the premises outside the hours of 07:00 and 23:00.

Reason:

To ensure accordance with the terms of the application, to limit the impact of activities on the immediate area, and to ensure compliance with Policies MD2 (Design of New Development) and MD7 (Environmental Protection) of the Local Development Plan.

9. Within six months of the date of this permission, a Flood Mitigation and Management Plan shall be submitted to and approved by the Local Planning Authority. The plan shall include measures to reduce the risk of the site flooding, details of the timings of such works, as well as safety and evacuation measures to be deployed in the event of a flood. The management and operation of the site shall thereafter be carried out in accordance with the approved details and timings set out therein.

Reason:

To ensure that the risks associated with flooding are mitigated to an acceptable degree, and in the interests of public safety and prevention of the pollution of the environment, and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

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

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

11. The total tonnage of wood received at the site shall not exceed 250,000 dry tonnes per annum, and records of the amount of wood received and transported off the site shall be retained and made available to the Local Planning Authority on request.

Reason:

To ensure accordance with the terms of the application, to limit the impact of activities on the immediate area, in the interest of highway safety, and to ensure compliance with Policies MD2 (Design of New Development), MD7 (Environmental Protection), and MD20 (Waste Management Facilities) of the Local Development Plan.

12. Notwithstanding the submitted plans and prior to the erection of the flood defence wall, details of its construction and appearance shall be submitted to and approved in writing by the Local Planning Authority. The flood defence wall shall thereafter be completed in accordance with the approved details and retained as such thereafter.

Reason:

To safeguard visual amenity, as required by Policies MD2 (Design of New Development), and SP10 (Built and Natural Environment) of the Local Development Plan.

## REASON FOR RECOMMENDATION

Having regard to Policies SP1 – Delivering the Strategy, SP5 – Employment Requirements, SP7 – Transportation, SP8 – Sustainable Waste Management, SP9 – Minerals, SP10 – Built and Natural Environment, MG9 – Employment Allocations, MG19 – Sites and Species of European Importance, MG20 – Nationally Protected Sites and Species, Policy MG21 - Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, MD2 – Design of New Development, MD3 – Provision of Open Space, MD4 - Community Infrastructure and Planning Obligations, MD7 – Environmental Protection, MD8 – Historic Environment, MD9 – Promoting Biodiversity, MD14 – New Employment Proposals, MD15 - Protection of Allocated Employment Sites, MD16 – Protection of Existing Employment Sites and Premises, MD19 – Low Carbon and Renewable Energy Generation, MD20 – Assessment of Waste Management Proposals of the Local Development Plan 2011-2026 and its associated supplementary planning guidance on Biodiversity and Development, Economic Development, Employment Land and Premises, Minerals Safeguarding, Parking Standards, Public Art, and Planning Obligations, Future Wales, Planning Policy Wales (12<sup>th</sup> Ed. February 2024), TAN 5, TAN 11, TAN 12, TAN 14, TAN 15, TAN 18, TAN 21, TAN 23, TAN 24, the development is considered acceptable in relation to air quality and dust impacts, human health, noise and vibration, major accidents and disasters, climate change, landscape, culture and heritage, ecology and green infrastructure, waste, transportation and highway safety, flood risk, drainage, contamination and residential amenity.

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

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

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

## NOTE:

1. **In accordance with Regulation 25(1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, the Local Planning Authority took into account all environmental information submitted with this application.**

2. The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are reminded that the responsibilities below rest with the developer:-
  - (i) determining the extent and effects of such constraints;
  - (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;
    - Unprocessed / unsorted demolition wastes.
    - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
    - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
  - (iii) the safe development and secure occupancy of the site.
3. The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water Industries Act 1991. The proposed development is crossed by a trunk/distribution watermain. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access their apparatus at all times. The applicant is also advised that some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal.
4. The applicants are advised that all necessary consents / licences must be obtained from Natural Resources Wales (formerly Environment Agency Wales) prior to commencing any site works. The Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP General enquiries: telephone 0300 065 3000 (Mon-Fri, 8am - 6pm).
5. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.

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

6. In order to comply with Section 71ZB(5) of the Town and Country Planning Act 1990 (as amended), the applicant/developer must complete a 'Notification of initiation of development' form, which can be found in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. The notification shall be submitted in the form specified to the Local Planning Authority.

**At all times when the development is being carried out, a notice shall be firmly affixed and displayed in a prominent place at or near the place where the development is being carried out. The notice shall be legible and easily visible to the public without having to enter the site and printed on a durable material. The notice shall be in the form specified in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.**

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

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

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

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

**APPLICANT:** Mrs Lorraine Garrad-Jones Gileston Manor, Gileston Road, Gileston, CF62 4HX

**AGENT:** Keiron Lediard Office 16 (House 1, 2nd Floor), The Maltings, East Tyndall Street, Cardiff, CF24 5EA

### **Gileston Manor, Gileston Road, Gileston**

Application for the dual use of the Manor House (use as guest accommodation and ceremony venue, whilst remaining a permanent residence dwellinghouse) and the expansion of the site area permitted in association with the use of the venue

#### **REASON FOR COMMITTEE DETERMINATION**

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because:

- the application has been called in for determination by former Councillor John Thomas due to public interest and because "*local residents are already suffering disruption from the activities at the Manor, the applicants appear to be doing nothing to address the issues*".

#### **EXECUTIVE SUMMARY**

Gileston Manor, a Grade II\* listed building west of Gileston village, sits within the Gileston Conservation Area and Glamorgan Heritage Coast. The site includes listed outbuildings and structures and has separate vehicular access adjacent to St Giles Church.

Nine objections were received, mainly citing noise and disturbance from weddings and events. St Athan Community Council opposed the proposal due to noise complaints and concerns that expanding the site would worsen these issues. Former Cllr J Thomas called in the application over neighbour disturbance, while Cllr S Haines objected, questioning the Manor's residential use, raising concerns about unauthorised works, retrospective applications, noise impacts, and the effectiveness of the proposed management plan.

The site's use for rural tourism and leisure is established, with no increase in venue capacity proposed. Key considerations are the impact on neighbouring amenity and on heritage assets, including the setting of Gileston Manor and the character and appearance of the Gileston Conservation Area.

The application is recommended for REFUSAL because the proposal would permit the wedding use to happen closer to neighbouring dwellings, creating an unacceptable risk of noise and disturbance that would harm residential amenity during unsociable hours.

## SITE AND CONTEXT

The application site is at Gileston Manor, which has expansive grounds to the west of the village of Gileston. The manor is Grade II\* listed with separate vehicular access, located adjacent to St Giles Church. It has several outbuildings, including the Coach House, Cheese House and pigsty, which are Grade II listed, and the former have also been converted to holiday lets. The perimeter wall and summerhouse are also listed. There are also several trees on the site protected by Tree Preservation Orders.

The northern access has been widened and improved, with a gravel surface laid down beyond it. A public right of way crosses the site access, connecting the adjacent field with Gileston Road.

The application site is shown in the below plan extract:



The site is also located within the Gileston Conservation Area and within the designated Glamorgan Heritage Coast. Neither the site nor Gileston village are in a settlement boundary as defined by the Local Development Plan (LDP).

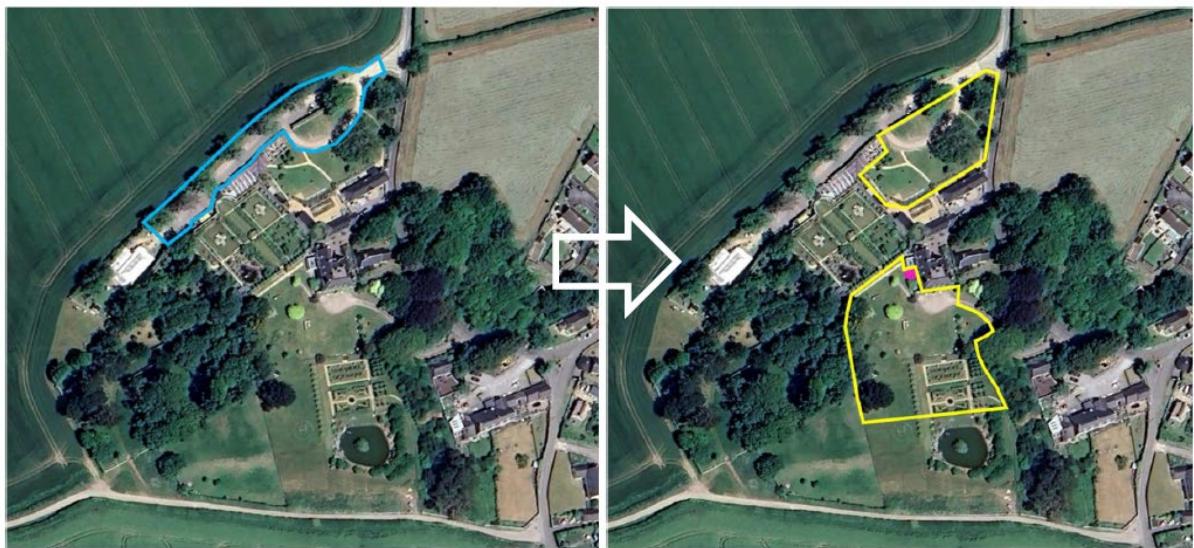
## DESCRIPTION OF DEVELOPMENT

The application seeks planning permission for the use of the Manor House as guest accommodation and a wedding ceremony venue, whilst remaining a permanent residence dwellinghouse, as well as the expansion of the site area permitted in association with the use of the wedding and event venue as established by planning permission 2018/00382/FUL.

The site maps accompanying the Noise Management Plan submitted with this application illustrate in more detail how different areas of the site are proposed to be used:-

Extract 1:

### **ZONE 1: Pre-Ceremony**



#### *a) Guest arrival (blue)*

- Guests park in the area outlined in blue, and move to those marked yellow (see above):

Extract 2:

a) *Wedding ceremony*

- Following welcome drinks, guests will be ushered to one of the following areas for the wedding ceremony:



KEY	
Church (red)	Rookery (purple)
Walled Garden (yellow)	Vista (purple)
Marquee (green)	Temple (blue)
Secret Garden (light blue)	Front Lawn (pink)

Extract 3:

**ZONE 3 – Post Ceremony**



There is no operational development proposed as part of this application.

## PLANNING HISTORY

2021/00345/FUL, Address: Gileston Manor, Gileston Road, Gileston, Proposal: Retention of a marquee, kitchen / toilet marquee and garden temple for use as wedding and conference venue and creation of a secret garden room, change of use of land to wedding and conference venue, alterations to access, creation of car parking areas, ancillary works and landscaping, Decision: Approved.

2018/00382/1/CD, Address: Gileston Manor, Gileston Road, Gileston, Proposal: Discharge of Condition 3-Junction Details Planning Application 2018/00382/FUL: Retention of a marquee, kitchen / toilet marquee and garden temple for use as wedding and conference venue and creation of a secret garden room, change of use of land to wedding and conference venue, alterations to access, creation of car parking areas, ancillary works and landscaping at Gileston Manor, Gileston, Decision:

2018/00382/2/CD, Address: Gileston Manor, Gileston Road, Gileston, Proposal: Retention of a marquee, kitchen / toilet marquee and garden temple for use as wedding and conference venue and creation of a secret garden room, change of use of land to wedding and conference venue, alterations to access, creation of car parking areas, ancillary works and landscaping, Decision: ,Case Officer: ,Decision Date: ;

2018/00382/3/CD, Address: Gileston Manor, Gileston Road, Gileston, Proposal: Discharge Condition 10 of Planning Permission 2018/00382/FUL-Retention of a marquee, kitchen / toilet marquee and garden temple for use as wedding and conference venue and creation of a secret garden room, change of use of land to wedding and conference venue, alterations to access, creation of car parking areas, ancillary works and landscaping at Gileston Manor, Gileston, Decision: ,Case Officer: ,Decision Date: ;

2018/00382/FUL, Address: Gileston Manor, Gileston Road, Gileston, Proposal: Retention of a marquee, kitchen / toilet marquee and garden temple for use as wedding and conference venue and creation of a secret garden room, change of use of land to wedding and conference venue, alterations to access, creation of car parking areas, ancillary works and landscaping, Decision: Approved,

2019/00276/LBC, Address: Gileston Manor, Gileston Road, Gileston, Proposal: Proposed alterations to listed wall and summerhouse, Decision: Approved

2016/01425/FUL: Change of use of coach house and cheese house into 4 no. additional holiday accommodation units, demolition of single storey lean-to attached to coach house and replacement with single storey conservatory, and internal and external alterations and associated works – Approved

2016/01434/LBC - Change of use of coach house and cheese house into 4 no. additional holiday accommodation units, demolition of single storey lean-to attached to coach house and replacement with single storey conservatory, and internal and external alterations and associated works – Approved

2015/00794/FUL, Address: Gileston Manor, Gileston Road, Gileston, Proposal: Conservation repairs, reconfiguration, services renewal and extension of a Grade II\* listed house, to include minor demolition works to boiler house and part demolition of pantry, Decision: Approved

2015/00706/LBC, Address: Gileston Manor, Gileston Road, Gileston, Proposal: Conservation repairs, reconfiguration, services renewal and extension of a Grade II\* listed house, to include minor demolition works to boiler house and part demolition of pantry, Decision: Approved

2014/00450/FUL, Address: Gileston Manor, Gileston, Proposal: The creation of a new pond, Decision: Approved

2013/00404/LBC, Address: Gileston Manor, Gileston, Barry, Proposal: Proposed replacement of main entrance gates, proposed installation of new rear courtyard gates and restorative work to existing greenhouse, Decision: Approved

2013/00439/FUL, Address: Gileston Manor, Gileston, Barry, Proposal: Proposed replacement of main entrance gates, proposed installation of new rear courtyard gates and restorative work to existing greenhouse, Decision: Approved

2014/00450/FUL, Address: Gileston Manor, Gileston, Proposal: The creation of a new pond, Decision: Approved

## CONSULTATIONS

**St. Athan Community Council** strongly objected because:

1. complaints made by local residents due to recent noise.
2. increasing the area of the site available to revellers will only make the noise issues worse and cause greater disruption to the surrounding area.
3. Gileston residents constantly suffer with sleep deprivation due to loud music, slamming of vehicles doors and shouting when events are held at Gileston Manor.

**VoGC Highway Authority** stated no objection.

**Shared Regulatory Services (Neighbourhood Services)** have provided a detailed response, which encompasses the background, and details complaints which have been investigated by their department, as well as the outcomes of site monitoring. This culminated in the service of two Abatement Notices in August 2024, in relation to loud music, and loud voices, including shouting and singing.

In relation to these proposals, they stated that there has been a record of nuisance and detriment to amenity from the site, that the proposed Noise Management Plan is not adequate, and recommends that the proposal for the dual use of the manor house and expansion of the permitted site area is refused.

The response is appended to this report at Appendix A.

**Gwent Glamorgan Archaeological Trust** stated no objection.

**Former Cllr John Thomas** called the application to Planning Committee citing disturbances to neighbours.

**Cllr S Haines** stated: -

*“Please see below my comments on the above application:*

1. *I do not believe this premises is used as permanent dwelling residence. I believe neither the business owners or any other residents live on site.*
2. *I have concerns that works are carried out on this site without planning and retrospective notices are applied for after the fact.*
3. *The Noise Management plan will be ineffective. I believe this fact as the existing noise management plan is ineffective, and the business has had Noise Abatement Notices served.*

*The residents of Gileston and the surrounding area have a right to live without excessive disturbance. Since this business has been operational the local people have experienced amplified music, late at night, regularly. This happens especially in the summer months (wedding season). The expansion of the usable area for events will increase noise disturbance to local community. Because of this fact and the previous breaches of both planning and the noise management plan I object to this application.”*

**Dwr Cymru / Welsh Water** stated no comment.

**Ecology Officer** – no comments received to date.

**VoGC Estates** – no comments received to date.

The applicant conducted additional consultations with public bodies during the pre-application consultation (PAC) stage, and the relevant responses are also set out below:-

**CADW (PAC)** – stated no comment.

**Fire and Rescue Authority (PAC)** stated that a comprehensive fire strategy should be provided which indicates the package of fire safety measures that are proposed to satisfy The Building Regulations and the developer should consider the need for the provision of:  
a. adequate water supplies on the site for firefighting purposes; and  
b. access for emergency firefighting appliances.

**GGAT (PAC)** stated that the development was unlikely to affect significant archaeological remains and therefore further works or planning conditions were unlikely to be recommended.

**Natural Resources Wales (PAC)** stated no objections.

#### REPRESENTATIONS

The neighbouring properties were consulted on 13 April 2022.

A site notice was also displayed on 1<sup>st</sup> May 2022.

The application was also advertised in the press on 21<sup>st</sup> April 2022.

Objections have been received from 9 respondents.

The grounds of objection and associated comments have been summarised below:

- Increased traffic

- Increased noise pollution and disturbance, including from the use of the front lawn for wedding activities, alcohol sale, drunken guests wandering, and playing of music, noise monitoring apparatus should be installed.
- Two Abatement Notices have been served on the Manor due to excessive noise.
- Concern over hiring out of site for private events by other organisers
- Disturbance to visitors to the nearby graveyard.
- Lack of regard by the operator toward/ continued breaches of planning control
- Lack of security deployed during events
- Questioned the ability/ effectiveness of planning controls and/or the operator and their security to control events and their impacts on the community
- Lack of neighbourhood signage
- The complaints system is not being adhered to/ going unanswered
- Concern with presence of helipad and advertised clay shooting events
- The temple, columns and castle folly, which are of detriment to the character of the site, local area and setting of the listed buildings, should be removed
- The front gardens should be returned to agricultural use due to harm to important views in the conservation area – no planning permission has ever been granted for other uses, and the land is outside of the curtilage of the Manor.
- The pond elevation should be lowered due to harm to important views in the conservation area
- The railings around the graveyard should be reinstated
- No new parking should be built
- Lack of ecology surveys and potential impact on protected species such as bats
- Potential harm to nocturnal species from site illumination / floodlighting
- Contrary to planning policies and guidance
- Harmful impact to conservation area
- Queried whether fast food mobile vans/ catering would be allowed.
- Queried whether perimeter wall buttresses had been re-built, in compliance with conditions on the original application.
- Manor house is not being used as a permanent residence.
- Inaccuracies in the submitted documentation and pre-application consultation process
- Errors in reports for previous planning applications

## REPORT

### Planning Policies and Guidance

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

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

#### **Strategic Policies:**

POLICY SP1 – Delivering the Strategy

POLICY SP9 – Minerals

POLICY SP10 – Built and Natural Environment

## POLICY SP11 – Tourism and Leisure

### **Managing Growth Policies:**

POLICY MG19 – Sites and Species of European Importance

POLICY MG20 – Nationally Protected Sites and Species

POLICY MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species

POLICY MG22 – Development in Minerals Safeguarding Areas

POLICY MG27 – Glamorgan Heritage Coast

POLICY MG29 – Tourism and Leisure Facilities

### **Managing Development Policies:**

POLICY MD1 - Location of New Development

POLICY MD2 - Design of New Development

POLICY MD4 – Community Infrastructure and Planning Obligations

POLICY MD7 - Environmental Protection

POLICY MD8 - Historic Environment

POLICY MD9 - Promoting Biodiversity

POLICY MD13 - Tourism and Leisure

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

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

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

### **Planning Policy Wales:**

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places

- Promoting Healthier Places
- Sustainable Management of Natural Resources
- Placemaking in Rural Areas
- Accessibility
- Development in the Countryside

## Chapter 4 - Active and Social Places

- Transport
- Living in a Place (housing, affordable housing and gypsies and travellers and rural enterprise dwellings)
- Activities in Places (retail and commercial development)

**4.3.43** *Retail and commercial centres often include activities which contribute to a vibrant and viable evening and night time economy. Such uses may include, for example, bars, restaurants, pubs, theatres, music, arts and other entertainment venues which provide for social and cultural experience and spaces in which creativity can be fostered. Such activities are likely to be characterised by increased levels of noise, large gatherings of people, later operating hours and greater movements in traffic.*

## Chapter 6 - Distinctive and Natural Places

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

**6.7.3** *Certain sounds, such as those created by trees, birds or water features, can contribute to a sense of tranquillity whilst others can be reassuring as a consequence of their association with the normality of everyday activities. Problematic forms of sound are generally experienced as noise pollution and can affect amenity and be prejudicial to health or a nuisance. Noise action plans drawn up by public bodies aim to prevent and reduce noise levels where necessary and preserve soundscape quality where it is good. Noise levels used to identify priority areas contained in noise action plans are usually set quite high in order to focus resources on the most polluted areas and noise must meet a number of tests before it qualifies as a statutory nuisance. Lower levels of noise, however, can still be annoying or disruptive and impact on amenity and as such should be protected through the planning process wherever necessary. The planning system must protect amenity and it is not acceptable to rely on statutory nuisance under the Environmental Protection Act 1990 to do so.*

**6.7.6** *In proposing new development, planning authorities and developers must, therefore:*

- address any implication arising as a result of its association with, or location within, air quality management areas, noise action planning priority areas or areas where there are sensitive receptors;
- not create areas of poor air quality or inappropriate soundscape; and
- seek to incorporate measures which reduce overall exposure to air and noise pollution and create appropriate soundscapes.

## **Technical Advice Notes:**

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

- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)
- Technical Advice Note 10 – Tree Preservation Orders (1997)
- Technical Advice Note 11 – Noise (1997)

*8. Local planning authorities must ensure that noise generating development does not cause an unacceptable degree of disturbance. They should also bear in mind that if subsequent intensification or change of use results in greater intrusion, consideration should be given to the use of appropriate conditions.*

*B18. Commercial developments such as fast-food restaurants, discos, night clubs and public houses pose particular difficulties, not least because associated activities are often at their peak in the evening and late at night. Local planning authorities will wish to bear in mind not only the noise that is generated within the premises but also the attendant problems of noise that may be made by customers in the vicinity. Disturbance that can be caused by traffic and associated car parking should not be underestimated.*

- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 13 – Tourism (1997)
- Technical Advice Note 14 – Coastal Planning (1998)
- Technical Advice Note 18 – Transport (2007)
- Technical Advice Note 24 – The Historic Environment (2017)

## **Welsh National Marine Plan:**

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

## **Supplementary Planning Guidance:**

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

- Biodiversity and Development (2018)
- Conservation Areas in the Rural Vale
- Design in the Landscape
- Minerals Safeguarding (2018)

- Parking Standards (2019)
- Planning Obligations (2018)
- Public Art in New Development (2018)
- Tourism and Leisure Development (2019)
- Travel Plan (2018)
- Trees, Woodlands, Hedgerows and Development (2025)

### **Historic Environment (Wales) Act 2023**

- Schedule 13 paragraph 90: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- Section 160 of the Historic Environment (Wales) Act 2023, imposes a duty on the Council with respect to any buildings or other land in a conservation area, where *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

### **Other relevant evidence or policy guidance:**

- Manual for Streets (Welsh Assembly Government, DCLG and DfT - March 2007)
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Welsh Office Circular 13/97 - Planning Obligations
- Section 160 of the Historic Environment (Wales) Act 2023, imposes a duty on the Council with respect to any buildings or other land in a conservation area, where *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- Section 58 (1) of the Marine and Coastal Access Act places a requirement on the Council to take authorisation decisions in accordance with the appropriate marine policy documents unless relevant consideration indicates otherwise.

### **Equality Act 2010**

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

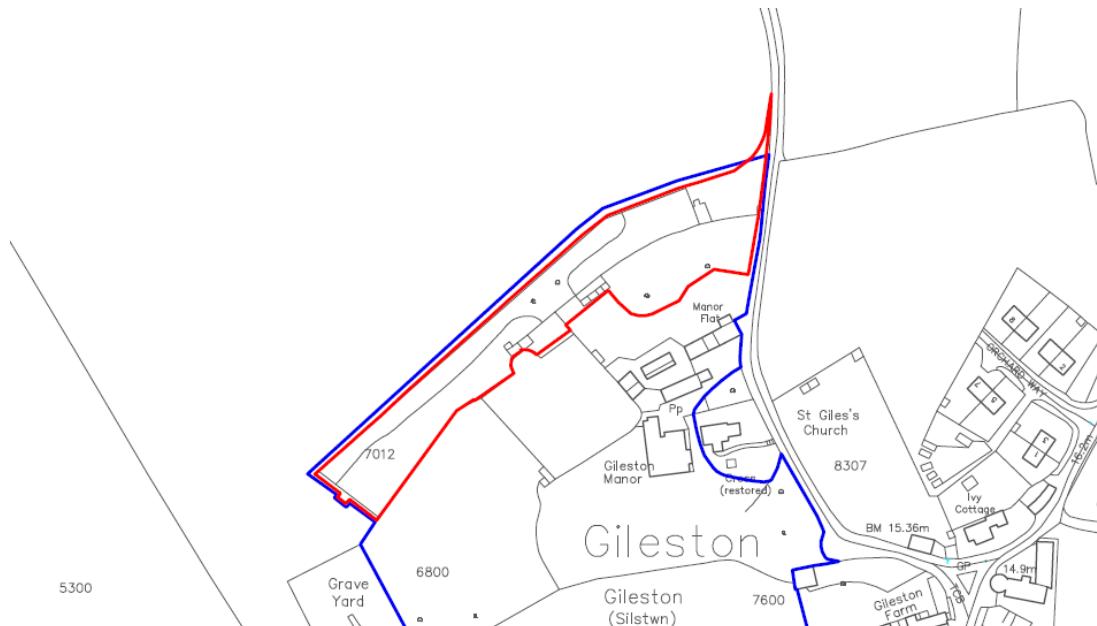
## Well-being of Future Generations (Wales) Act 2015

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

### Issues

#### Background

The use of part of the Gileston Manor grounds as a wedding and conference venue was approved by planning permission reference 2018/00382/FUL, varied by application 2021/00345/FUL, subject to several conditions. The approved site area is shown edged red on the plan extract below:



It is noted that wedding activities have taken place on the site outside of the land edged red in the intervening period. The wedding related activities outside of the approved area are understood to have primarily been the arrival/ reception drinks, and any associated afternoon activities, with the walled garden adjacent to the Manor House also used during the afternoon. A choice of wedding ceremony locations are understood to have been on offer, and the breakfast and evening celebrations take place in the marquee. This is broadly as set out in the applicant's Noise Management Plan (March 2025).

There are rooms within the Manor House that have also been converted for use as guest accommodation, and it is understood these have been occupied on occasion by the hosts or guests of the weddings concerned. Rooms within the Manor House have been observed as available on their website, advertising rooms on a B&B basis, while the whole Manor House also appeared to be available to hire out on this platform. No details of works to the Manor House were initially included as part of this application, noting that internal works do not normally require planning permission. However, it is understood that existing rooms have been converted to use as guest bedrooms, and it would appear as though this has, in a very broad sense, been the case. In addition, discrepancies in the configuration of some rooms were observed in comparison to the approved floor plans for Listed Building Consent 2015/00706/LBC, including the wider use and location of en-suite facilities, and the provision of additional free-standing bathtubs. A separate application for listed building consent reference 2025/00396/LBC has been submitted in reference to these works and has not yet been determined.

Whilst other breaches of planning control have been alleged or are known to exist, this assessment relates to the proposals as put forward in the application only, namely, the dual use of the Manor House for guest accommodation and ceremonies, and as a permanent residence. It also seeks to expand the site area concerned, and in effect regularise the activities that take place outside of the site edged red, as described in the Noise Management Plan (V3) document.

### Assessment

The wedding and event use is established, and while this proposal seeks to expand the permitted site area, it is considered that the key issues relate to matters outside the broad principle of the use. Neither does the proposal explicitly seek to expand the likely number of wedding guests or exceed the total number of attendees permitted for other events at the venue. However, the capacity for overnight accommodation would be expanded by virtue of accommodating additional guests in the Manor House. There are also no operational development or physical alterations sought, directly, as part of this application.

### Neighbouring amenity

The benefit of food and drink establishments to the night-time economy is noted within Planning Policy Wales (PPW) (Ed.12) at Paragraph 4.3.43, although here it is with specific reference to retail and commercial centres, where they can contribute positively to footfall and the local economy. It is also noted, however, that *“such activities are likely to be characterised by increased levels of noise, large gatherings of people, later operating hours and greater movements in traffic”*. In addition, it is stated at Paragraph 6.7.3 that while some sounds (such as trees, birds etc.) can become normalised and a pleasant part of the soundscape, other problematic sounds are generally experienced as noise pollution.

This is a rural location and, therefore, can be expected to have a reasonably high degree of tranquillity during the evening. This is despite some audible noise from industrial operations at the (now non-operational) Aberthaw Power Station, as well as its on-going demolition, and from road and natural sources, likely to be heard.

Criterion 8 of Policy MD2 (Design of New Development) of the LDP states that development proposals should “*safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance*”. Policy MD7 (Environmental Protection) of the LDP also states that “*Development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from*” (among other criteria) 4. *Noise, vibration, odour nuisance and light pollution*”

The capacity of non-wedding events is currently capped at 200 attendees by planning condition, and this is not proposed to be changed. The capacity of weddings is not expressly controlled by condition but the (private, invite only) nature of a wedding, together with the size of the site and permitted marquee, provide inherent control over the scale of this use. The venue has advertised a wedding capacity of up to 140 guests. The Noise Management Plan indicates that the marquee would continue to be used in similar fashion for weddings, and it is accepted that the number of attendees would likely remain the same in future. The key considerations relate to the expansion of the site area associated with the wedding and event use to incorporate the manor house and grounds, including the front lawns.

The original application (2018/00382/FUL) for the wedding and conference venue was approved on condition that amplified music was played via an approved directional array system (Condition 11) and an approved Noise Management Plan was implemented (Condition 12). This permission has been varied since, but the requirements relating to noise remain unchanged. It is not proposed to alter these requirements in this application, insofar as they relate to amplified music or other amplified sounds, as it is proposed to continue using the marquee and array system for these activities. The use of amplification would therefore continue to be subject to the present control system, which can be (and has been observed accordingly) as being effective at limiting sound dispersal from the marquee as per extant planning permission at the site.

The playing of amplified sounds is, however, not the sole potential source of noise and disturbance. The proposed amendment would alter the site area to encompass the whole of the Gileston Manor grounds. This includes areas of the grounds that border on to neighbouring residential properties at the southeastern corner. The approved area of the wedding venue is constrained to the northern parts of the site and there are many features and physical barriers which would act to muffle or reflect noise experienced from the closest dwellings (those in Gileston village), such as topography, vegetation, and buildings and tall enclosures. There is far greater potential noise exposure between the closest residences from the front lawn, which is nearer, elevated in comparison, and has fewer intervening barriers to noise.

It is accepted that the area immediately adjacent to these residences is at the peripheries of the front lawn, however, there would also be no reasonable method of limiting the movements of guests in the lawn area or their general ability to roam the site during the day. It is proposed in the Noise Management Plan that guests are moved into the marquee area of the site by 6pm (albeit the venue website has advertised this as being restricted from 9pm instead).

It is recognised that the holding of the wedding breakfast in the marquee and playing of (controlled) music in this area is likely to draw and retain most of the wedding crowd within the northern area of the site. However, it would likely be difficult to limit or prohibit guests from accessing the wider site when the guest accommodation, including in the Manor House, is scattered around the site. The proposal would also permit the wedding and event

use across the whole site during the day, when there would be little control over the noise experienced from large numbers of guests, possibly consuming alcohol, throughout the day.

The application has been subject of consultation with Shared Regulatory Services who stated it should not be granted, owing to the inevitable detriment to residential amenity. They have advised that the site has been subject of several complaints over the course of several years. These have included disturbance due to (non- array system) amplified and unamplified music during the day, amplified voices (such as speeches), and crowd noise due to guests singing along to music, cheering and general merry making. There have also been complaints in relation to guests' behaviour on and off site outside of weddings, when staying in the on-site and other off-site (in Gileston) accommodation.

It is understood that the venue already operates using the front lawn areas as described in this application, in breach of the terms of the extant permissions. It is therefore difficult to establish definitively, on each occasion, whether the complaints relate to the permitted activities or to use of the additional areas of the site. However, SRS report that the use of the Manor House and front lawn have also resulted in complaints and noise from the site has been audible in the centre of Gileston, at distances of c.250m from the marquee.

Latterly, SRS have also raised concerns about the operation of the array system and a lack of effective site management. These include observations of audible loud music heard in neighbouring residents' houses, which suggest the system was not being operated in compliance with the approved Noise Management Plan. This culminated in the service of two Abatement Notices by SRS in August 2024, one targeting the loud music and the other loud voices, including shouting and singing. Whilst the operation of the array system is related to the existing permissions and use, the volume of complaints and monitoring efforts emphasise some of the difficulties experienced in ensuring that the site is operated in accordance with the Management Plan, and ensuring that staff are actively aware, engaged, and responsive to issues or complaints, as they occur.

Moreover, the to-date unauthorised expansion of the wedding and event use of the site across the whole site has resulted in audible disturbance and several complaints to the Council concerning noise. Whilst management measures are proposed in the Noise Management Plan, many of these would require very precise control over individual behaviour as well as limitations on free movement across the site, and without established boundaries (on the front lawn in particular). It would introduce additional complexity and imprecision, leading to concern that it would be impossible to enforce and monitor effectively. The advertisement of the availability of the whole site being available to paying guests, will also bring with it an expectation they can use it during the day. To date, this has resulted in complaints from non-amplified music and instruments, some of which (e.g. saxophone) are designed to generate loud noises without amplification.

The use of the manor house as guest or visitor accommodation, in isolation, is not likely to cause inherently high levels of noise or disturbance. However, both uses appear to be operating in tandem, in this case, and likewise the proposal at hand is for both the use of the manor as guest accommodation (dual use) and for the expansion of the wedding and event use across the whole site. It is unclear which parts of the building would be retained as residential, noting all the bedrooms are capable of occupation by guests, and as noted, it also appears to have been offered for short-term letting on a 'whole building' basis in the past.

This proposal would fully incorporate the manor house into the wedding venue use, allowing

it to be used for all wedding-related activities during the day, and exacerbating the potential harms to amenity from comings and goings, or party activity late into the night, as described above. This risk would be exacerbated if let out on a 'whole house' basis during weddings, whereby guests would have the reasonable expectation of making use of it throughout their stay, and to entertain guests outside of the core wedding hours.

It is noted that a premises licence has been granted for the site and this allows for consumption of alcohol in all areas. However, the licencing regime operates under a different legislative framework, with consideration focused on the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm. In consideration of the planning application, Members must also take into consideration the impact to residential amenity in accordance with the aforementioned planning policies and guidance.

PPW12 states in similar regard, at paragraph 6.7.3, that noise must meet several tests to qualify as a 'statutory nuisance'. It goes on to state that "*Lower levels of noise, however, can still be annoying or disruptive and impact on amenity and as such should be protected through the planning process wherever necessary. The planning system must protect amenity, and it is not acceptable to rely on statutory nuisance under the Environmental Protection Act 1990 to do so*".

The expansion of the use to encompass the whole site would authorise this use taking place closer to neighbouring dwellings, at a distance where noise from non-amplified sources is likely to be more audible. Noise such as from shouting or loud voices are also more likely to give rise to annoyance, due to the tone, nature, and how it is experienced. The distracting nature of it will mean it is generally experienced as noise pollution and need not be at a very high decibel level to cause harm to amenity.

In conclusion, it is considered that the approval of this proposal would result in an unacceptable risk of excessive noise and disturbance occurring, causing harm to neighbouring amenity during unsociable hours, which has also been evidenced during the operation of the existing wedding venue in apparent breach of the terms of their planning permission.

For the reasons outlined above, the proposal is considered contrary to Criterion 8 of Policy MD2, and Criterion 4 of Policy MD7 of the LDP, which seek to ensure new development has no unacceptable impact to residential amenity, health and wellbeing through noise and disturbance. The proposal is also considered contrary to the advice contained within Paragraph 8 and B.18 of Technical Advice Note 11- Noise and the advice and guidance within Planning Policy Wales (12<sup>th</sup> Edition), at Paragraph 6.7.3 and 6.7.6, in particular.

#### Heritage, Landscape and Glamorgan Heritage Coast

It is noted that some wedding-related paraphernalia might be placed around the grounds, however, these would be of a temporary nature and would not have a significant impact upon the landscape and heritage value of the Glamorgan Heritage Coast or the setting and appearance of the Gileston Conservation Area. It is also noted that other unauthorised works may have taken place on the site. However, such matters are under separate investigation and this application does not include, or seek to regularise, any operational development requiring planning permission.

Nonetheless, the proposal involves a change of use to a listed building. It also became

apparent that the internal conversion works did not fully accord with those approved for the renovation of the manor, subject of consent ref: 2015/00706/LBC. The internal alterations are under separate consideration, having been applied for retrospectively under reference 2025/00396/LBC. The proposed use is very similar to the lawful residential use, in terms of the layout and configuration of the rooms, and the acceptability of the internal works will rest upon on the precise details of the work opposed to any matters of principle concerning the use of the building. In summary, the unauthorised internal works require listed building consent, and not planning permission, and the change of use is not inherently unacceptable or resulted in harm to the character of the listed building, or its setting.

The development is therefore considered acceptable in relation to the requirements of Policy MG27 – Glamorgan Heritage Coast. Likewise, the development would preserve the character and appearance of the setting of the listed buildings on the Gileston Manor site, as well as that of the wider Gileston Conservation Area, in accordance with Policy MD8 (Historic Environment) of the LDP, and having regard to the Council's duties under the Historic Environment (Wales) Act 2023.

### Access and Transportation

The original application for the wedding and conference venue was approved on condition that proposed improvements to the vehicular access, to aid visibility, and to provide additional parking were implemented. The alterations to the access have been carried out satisfactorily. The approved parking layout illustrates that 48 spaces can be provided on the site and, although these do not appear to have been fully implemented, there is no alternative proposal put forward as part of this application. There have been no significant problems relating to parking overspill observed from weddings and events held at the site to date.

The permitted weddings are, by definition, likely to be infrequent occasions which are organised around the couple and their family. They aren't open to the public and although indefinite, numbers will generally be limited by the organisers, given how the day is structured. The permitted events are already capped at 200 and there is no proposal to change this requirement as part of this application. It is considered that sufficient space exists on the site to accommodate parking demand from visitors and guests using the additional overnight accommodation in the Manor House and that the proposal is acceptable from an access, parking and transportation perspective. The Highway Authority were also consulted and stated no objection.

### Fire Safety

The application also proposes no change to the existing access arrangements at the site, and these are considered adequate to provide access to firefighting appliances and/o equipment to all parts of the site. It is not known whether adequate water supply exists, and applicant has not addressed this point within their application documents. However, noting the wedding venue use is already permitted on part of the site, the capacity is not proposed to change, and no new buildings are proposed; it is considered that the proposal would not materially increase fire risk or the ability of the service to respond to an emergency.

## Ecology and Green Infrastructure

The proposal is for a change of use and involves no operational development or landscape clearance etc. and, therefore, it has a negligible direct effect on ecological interests and green infrastructure. There is no new lighting specified in the application, and such details could be controlled by planning condition in the event the application was approved.

The proposals therefore accord with the stepwise approach (avoidance) advocated in PPW12 Chapter 6. In addition, all new development proposals must provide biodiversity enhancement. No details have been put forward by the applicant, however, there is ample scope to provide for commensurate biodiversity enhancement on this site. This could involve, for example, additional landscaping/ tree planting, or other means of habitat creation, such as refugia, bat boxes etc. Further details could feasibly be secured by planning condition in the event the application was approved.

## Planning Obligations

The proposal would bring the total site area subject to a change of use to over 1. ha / 100sq.m in total, and therefore, is classified as a 'major' development. The Council is more likely to seek planning obligations on major developments, and on commercial developments these may comprise of obligations relating to training and development, sustainable transport, and public open space. However, this is an existing site/ building, and the proposals involve no new operational development.

The proposals are unlikely to generate or sustain significant additional employment or result in significant amounts of additional traffic, over and above the permitted situation. There is also substantial open space on the site that could serve the needs of any employees based there.

Regulation 122 of the Community Infrastructure Regulations 2010 provides the legal basis for securing planning obligations, and states that an obligation may only legally constitute a reason for granting planning permission if it is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

Having regard to the above, it is not considered necessary to secure planning obligations.

## Other matters

Catering vans are not prohibited to operate from the site.

This assessment is related only to the impact arising from the proposals. The existence of other breaches (and investigations thereto) of planning control is a separate matter and not a determining factor in this assessment. The number of occasions which planning permission has been sought retrospectively, or otherwise breached, is noted but again not a material consideration in the assessment of the planning merits of this proposal.

## RECOMMENDATION

## REFUSE (W.R.)

1. The expansion of the wedding and event use to encompass the whole site would authorise it to take place closer to neighbouring residences, resulting in an unacceptable risk of excessive noise and disturbances that would cause regular harm to neighbouring amenity during unsociable hours. The proposal is therefore contrary to Criterion 8 of Policy MD2, and Criterion 4 of Policy MD7 of the Local Development Plan, which seek to ensure new development has no unacceptable impact to residential amenity, health and wellbeing through noise and disturbance. The proposal is also considered contrary to the advice contained within Paragraph 8 and B.18 of Technical Advice Note 11- Noise and the advice and guidance within Planning Policy Wales (12th Edition), at Paragraph 6.7.3 and 6.7.6, in particular.

## REASON FOR RECOMMENDATION

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

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

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

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

## NOTE:

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

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

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

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

**APPLICANT:** Mr and Mrs A W Morgan and Newydd Housing Association c/o Agent  
**AGENT:** Mr Pete Sulley Asbri Planning Ltd., Unit 9, Oak Tree Court, Cardiff Gate Business Park, Cardiff, CF23 8RS

### **Land to the South West of Sigingstone**

Proposed residential development of 10 dwellings and associated infrastructure works

### **REASON FOR COMMITTEE DETERMINATION**

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application has been called in for determination by Cllr Cave owing to the level of public interest and also constitutes major development as such is of a scale that is not covered by the Council's scheme of delegation.

### **EXECUTIVE SUMMARY**

The application is for a residential development of 10 social rented affordable dwellings and ancillary development including landscaping, open space, drainage works, car parking and a new vehicular access.

The site refers to an area of agricultural land to the southwest of Sigingstone. The site is located adjacent to, but outside of, the Sigingstone settlement boundary and is therefore located in the countryside, as prescribed in the Local Development Plan 2011-2026.

The proposals were originally for 15 affordable dwellings. However, this has now been amended to 10 affordable dwellinghouses and includes the addition of a Local Area of Play. In response to further discussions with the Council, the scheme has also been amended to address matters relating to biodiversity, arboriculture and green infrastructure.

The main issues in assessing this application relate to the principle of residential redevelopment in this location, the acceptability of the proposals in terms of their layout, scale, design and use of materials, and the potential impact upon visual amenity, highway safety and parking, amenity of neighbouring residential properties, ecological and archaeological constraints and planning obligations based upon the specific need arising from the development.

In summary of the original scheme, objections received raised concerns that the proposal for 15 units to be disproportionate in scale, unsustainable in location and harmful to the character, appearance and environmental quality of Sigingstone and its surroundings. Concerns were also expressed that approval would set a precedent for further expansion of the village into the open countryside. The objections to the scheme consisting of ten units, reiterate the community's view that the site represents an unsustainable, unsuitable, and environmentally sensitive location for new residential development. The objections consider the scheme would cause significant harm to the landscape, biodiversity and character of Sigingstone, would exacerbate existing infrastructure and access deficiencies, and would conflict with adopted planning policy aimed at directing growth to sustainable locations.

Welsh Government have advised that they may wish to 'call in' the planning application. As such they advise that as per Article 18 of the Town and Country Planning (Development Management Procedure (Wales) Order 2012, the Council should not grant planning permission for application 2021/00209/FUL or any development of the same kind which is the subject of the application, without the prior authorisation of the Welsh Ministers.

Members should note that the recommendation is to approve planning permission subject to the conditions set out in the report. Should members agree and resolve to grant planning permission, this could only be issued following confirmation from the Welsh Ministers that they do wish to call in the application.

## SITE AND CONTEXT

The proposed development would be located on the main highway approaching Sigingstone from the south. The site is situated outside the settlement boundary (within the countryside) but adjoins the Sigingstone settlement on the eastern boundary of the site. The site fronts onto the main rural lane (un-named), which is just beyond the defined settlement. The land is approximately 0.7Ha of agricultural land. There is an existing agricultural gate access into the site from the northern boundary.

The site has a levels difference from north to the south and to some degree from west to east. The site is adjoined by agricultural fields to the south and west while the northern and eastern boundaries adjoin the adopted highway.

The site has two groups of protected trees, covered by Tree Preservation Orders, ref 326 - 2007 - 19 - G05, protecting Sycamore and Ash trees along the eastern and northern boundaries of the site. The site is also identified as falling within a Mineral Safeguarding area (Limestone).

The application site is shown below:



## DESCRIPTION OF DEVELOPMENT

Full planning permission is sought for the erection of 10 residential units on site, incorporating one six-person, four bedroom house; four two-bedroom houses, each accommodating up to four persons; two three-bedroom, five person houses; two one-bedroom flats for two persons each; and one single-storey, three-bedroom bungalow designed for five occupants.

## schedule of accommodations

6 person 4 bedroom house (6P4B) - 1 no.

4 person 2 bedroom house (4P2B) - 4 no.

5 person 3 bedroom house (5P3B) - 2 no.

2 person 1 bedroom flat (2P1B) - 2 no.

5 person 3 bedroom bungalow (5P3B) - 1 no.

total accommodations - 10 no.

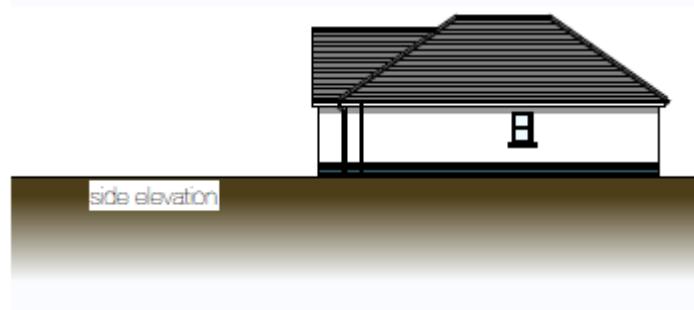
The proposed layout of the site is included in the diagram below:



The proposed units are predominantly two storey dwellings with the exception of the bungalow unit proposed at plot no.6. Plot no's. 09-10 are proposed to be the flats. The dwellings are fairly traditional in terms of their design incorporating simple elevations and traditional roof pitches, broken up with stone porches and canopies, which are proposed to be finished in a mixture of cembrit jutland blue black slates with clay angled ridge tiles to the roof, white upvc fascias, soffit, rainwater goods, smooth colour render mixture of white, buff, cream and light grey, reconstituted stone window sills and timber roof to porch with blue black slate to match main house

- Typical elevations of the proposed unit type are shown below:







front elevation



side 1 elevation



rear elevation



side 2 elevation

It is acknowledged that the current proposals will result in the loss of TPO (Tree Preservation Order) plots G1 and, T9 which are category B trees.

## PLANNING HISTORY

None.

## CONSULTATIONS

**Llandow Community Council** were consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and 27<sup>th</sup> August 2025 and object to the proposal, due to the site being outside of the settlement boundary and “contrary to the adopted Vale of Glamorgan LDP”. They also state that the affordable housing need evidence has not been demonstrated at “local” scale and consultation with the Community Council and local residents on that evidence has not occurred. They also contend that the scale of the scheme is disproportionate to the size and character of Sigingstone. They raise concerns around sustainability (absence of public transport/reliance on cars), adequacy of foul drainage and surface water proposals, and potential impact on landscape features (including TPO trees and hedgerows). They also refer to process concerns in relation to the currency of submitted documents and transparency of community engagement. They indicate an intention to request Welsh Government call in the application should the Local Authority be minded to approve.

**The Council’s Highway Authority** were consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and on 27<sup>th</sup> August 2025. The latest Highway Authority observations on the current layout outline design requirements and safety measures. They confirm that the latest layout includes a 7m-wide shared surface access road, 2m footways at the entrance, turning heads for refuse vehicles, and visitor parking. The authority raises no objection subject to conditions: submission of full engineering details, a Construction Traffic Management Plan, unobstructed vision splays, proper drainage, and compliance with Welsh SuDS standards. Advisory notes require legal agreements for highway works, condition surveys of haulage routes, and remedial actions to maintain highway safety and construction standards.

It is acknowledged that concerns were raised by the Highway Authority following the submission of an amended site layout plan in October 2025. The amended site layout plan saw the loss of the northern 2m footway serving the proposed entrance to the site. This loss was owing to preserving the root protection area of T8. Following discussion with the Highway authority, it was agreed that a grass verge serving this section of the entrance, instead of the hardstanding footway would be appropriate to align highway and pedestrian safety with ecological impacts. The updated site layout plan received on 5<sup>th</sup> December 2025 is assessed within the report below.

**The Council's Drainage Section** were consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and on 27<sup>th</sup> August 2025. Comments received on 19 November 2025 identify that the site is at very low risk of surface water flooding, with a small area on the northern boundary at low to medium risk within Flood Zones 2 and 3. While the main development and primary access lie outside these zones, a secondary footpath and access to the foul water treatment plant are within them, that drainage colleagues indicate would require a Flood Consequences Assessment to confirm compliance with TAN 15 and ensure mitigation and operational resilience. Infiltration is not viable; attenuated discharge to the adjacent watercourse is acceptable if restricted to greenfield runoff rates and relevant consents are obtained. The drainage strategy includes SuDS features such as swales and rain gardens, subject to SAB approval under Schedule 3 of the Flood and Water Management Act 2010. Works to watercourses require Land Drainage Consent, and developments over one dwelling or 100 m<sup>2</sup> must secure SAB approval before construction.

**Shared Regulatory Services (Pollution)** were consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and on 27<sup>th</sup> August 2025. Initial comments received following 2022 consultation requested a CEMP condition and noise condition. Re-consultation during 2025 confirmed no objection.

**GGAT (Glamorgan Gwent Archaeological Trust - now HNEB)** were consulted on 4 March 2021 and re-consulted on 16<sup>th</sup> February 2022 and on 27<sup>th</sup> August 2025. During the 2021 consultation period, comments were received noting no known archaeological sites within the proposed development area. No archaeological structures or features and confirmed no objections. No objections were further confirmed following 2022 and 2025 re-consultation periods.

**Dwr Cymru Welsh Water** were consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and 27<sup>th</sup> August 2025, comments were also received on 4<sup>th</sup> September 2025. Comments were received during the 2021, 2022 and 2025 consultation period. Welsh Water advised that a hydraulic modelling assessment would be required to confirm water supply requirements, and the developer would need to fund this work. Comments received in 2022 acknowledged that the current application appears not to propose connection to the public sewer and concluded that Welsh Water have no comments in respect of foul drainage at this time. Following 2025 re-consultation, Dwr Cymru confirmed that the development proposes an alternative foul drainage solution rather than mains connection; therefore, the applicant should consult Natural Resources Wales and Building Regulations. If a public sewer connection is later sought, Welsh Water must be re-consulted. For surface water, the scheme is subject to Schedule 3 of the Flood and Water Management Act 2010, requiring SuDS approval from the SuDS Approval Body. Welsh Water raises no objection in principle to sustainable drainage proposals, subject to agreement with the relevant authority. A condition is recommended to prevent any surface water or land drainage from connecting to the public sewer, protecting system capacity +and environmental safety. Advisory notes highlight the need for statutory agreements (Sections 106 and 104 of the Water Industry Act 1991), compliance with design standards, and consultation with the SAB and Welsh Water regarding SuDS features.

Further correspondence with DCWW during December 2025 confirmed that no HMA is required for the site, notwithstanding the previous requests in 2021/2022 for a potable water HMA.

**Ecology Officer** was consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and on 27<sup>th</sup> August 2025. A holding objection was made in relation to the original proposal of 15 units until a flight survey (bats) was undertaken. A condition for a lighting plan was also requested and condition for a reptile management strategy. The comments also acknowledged that no detailed landscape plans or planting schedules had been submitted at the time and more detail regarding type and location of proposed bird and bat boxes was requested. Following the submission of the requested additional information, updated Ecology comments confirmed that trees were not used by bats on 10/08/2023 and low roost suitability. However, comments confirmed that the report did not show how bats were using the field or boundaries.

Following the 2025 re-consultation period, comments received from the Council's Ecologist via email correspondence with Case Officer, confirmed that, in relation to Great Crested Newts, further survey were unlikely to reveal anything than potential presence well beyond the boundary of the site. Therefore, comments noted that the issue becomes one of managing the development and protecting the hedges through the timing and management of the work, through a planning condition either as a standalone GCN Management Plan or within a CEMP.

**Housing Strategy (Public Sector Housing)** were consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and on 27<sup>th</sup> August 2025. Comments received during the 2021 consultation period were fully supportive of affordable rural housing. During the 2022 re-consultation period, comments were again received noting full support. During the 2025 re-consultation period, comments were received noting support in principle subject to funding and agree with mix. Following email correspondence between the Case Officer and the Housing Strategy Coordinator, it was confirmed that the proposal is supported in principle and there is no objection, given the identified need. It was also noted that small schemes of up to ten units in rural areas, while recognised as strategic priorities for affordable housing over the next five years, remain a lower priority for Social Housing Grant funding and may not receive funding for some time. Notwithstanding the above, there remains no objection to the proposed development. Correspondence with Housing also confirmed 4 bed housing need within neighbouring wards, St Brides Major, Llantiwit Major and Cowbridge. Notably, the comments received during the 2025, re-consultation period provided recent figures from the Council's Homes4U waiting list assists in demonstrating need within the Llandow ward:

<b>Llandow</b>	
<b>1 BED</b>	13
<b>2 BED</b>	10
<b>3 BED</b>	5
<b>TOTAL</b>	28

The table below presents the need for four bed properties within the neighbouring wards:

Llantwit Major		COWBRIDGE		ST BRIDES MAJOR		Total
1 bed	231	1 bed	214	1 bed	55	500
2 bed	133	2 bed	97	2 bed	14	244
3 bed	74	3 bed	42	3 bed	8	124
4 +bed	20	4+ bed	14	4 bed+	13	47
	459		367		90	916

**Natural Resources Wales**, were consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and on 27<sup>th</sup> August 2025. Following the most recent consultation, NRW maintains concerns, but confirm that – subject to the inclusion of specified submitted documents in the approved plans list and the securing of two conditions (Dormouse Conservation Plan and CEMP) – they would not object. They welcome the updated ecological survey information. However, they acknowledge that the Great Crested Newt survey is now approximately four years old and advise that the LPA's internal ecologist should advise on the need for updated GCN surveys. Their previous advise on Dormouse and Bats remains: mitigation to be secured by condition, and a pre-construction bat survey of tree T9 is recommended given the age of the previously submitted 2020 tree survey.

Previous comments received 15/03/2022 advise on pollution prevention and foul drainage, summarised as follows: The site lies approximately 35 metres from Nant Llanhiahgel, a tributary of the River Thaw, which is currently failing to meet Water Framework Directive objectives. Given the presence of small watercourses throughout Singingstone and highway drains discharging directly into them, measures are required to prevent sediment and material ingress during construction. A site-wide Construction Environmental Management Plan (CEMP) must be submitted and approved prior to any development or site clearance. The CEMP should detail general site management, including construction programme, drainage, containment areas, and buffer zones; pollution prevention measures in line with best practice and emergency spill procedures; and soil management through phased development to minimise exposed ground. These measures are essential to protect the environment during construction. Regarding foul drainage, the development is not connected to a public sewer and will discharge to a private sewerage system via a drainage mound. In line with Welsh Government Circular 008/2018, this approach has been assessed and agreed with Natural Resources Wales as the most suitable option, given the absence of permanent watercourses and public sewer provision in the area.

2025 comments confirm their previous advice on pollution prevention and foul drainage as set out within the response received 15<sup>th</sup> March 2022 remain, with a CEMP required prior to commencement. Comments received 17<sup>th</sup> September 2025 request an update to the suggested CEMP condition to reflect the amended bat advice. They remind the applicant that any necessary EPS licence(s) remain the applicant's responsibility to obtain.

**Contaminated Land, Air & Water Quality** were consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and on 27<sup>th</sup> August 2025. During the 2021 consultation period, comments received requested a complete Site Investigation Report. Following the submission of a SIR (site investigation report), confirmed no objection and requested the following conditions:

- Unforeseen contamination

- Imported Soil
- Imported Aggregates
- Use of Site won materials
- Contamination and unstable land advisory notice

**Ward Members** were consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and on 27<sup>th</sup> August 2025. Email correspondence has been received from Cllr Cave to be kept involved in the progress of the application. No formal comments have been received to date.

### REPRESENTATIONS

The neighbouring properties were consulted on 4<sup>th</sup> March 2021 and re-consulted on 16<sup>th</sup> February 2022 and on 27<sup>th</sup> August 2025. A site notice was also displayed on 18<sup>th</sup> March 2021, 22<sup>nd</sup> February 2022 and 30<sup>th</sup> July 2025. The application was also advertised in the press on 12<sup>th</sup> March 2021 and 16<sup>th</sup> October 2025.

A total of 17 comments were received in support of the application during the 2021 consultation period. No further comments in support of the original or amended application were received to date.

A total of approximately 120 comments were received in objection to the proposals throughout the original consultation and re-consultation periods.

The following comments have been made in respect of the proposals and are summarised below. The concerns raised have been fully considered and are acknowledged as material planning considerations.

#### **Summary of Support to Initial Proposal for 15 Units:**

- Village is currently “out of reach” in terms of affordability
- Proposal would bring community together
- Natural progression for survival of village
- Villagers and their families can live where they were brought up
- Long-term social prosperity
- Affordable housing to secure housing for future generations
- Distinct relationship to the heart of the village
- Size of development is in-keeping with size of the village
- Add to the future of villages sustainability
- Logical extension to the village
- Nice that there is commitment to diversity type of housing being proposed
- Village currently has no council/affordable housing
- Close to the Vale Industrial Estate for employment opportunities
- Well proportioned and will not overpower the village
- Compliments what is already there
- Well positioned – could become established part of rural Vale community, similar to developments in other locations
- Logical position for rounding off the settlement boundary
- May encourage public transport
- Community benefit
- Revitalise the community

- Mixed demographic

### **Summary of Objections to Initial Proposal for 15 Units:**

#### ***Scale and Location***

- Development considered inappropriate for a small rural hamlet.
- Seen as an urban form in open countryside, conflicting with Sigingstone's character and settlement pattern.
- Lies outside the defined settlement boundary, contrary to local and national planning policies.

#### ***Infrastructure and Accessibility***

- Lack of mains drainage, mains gas, and public transport.
- Nearest bus stop over two miles away; access only via narrow country lanes.
- Reliance on private vehicles, contrary to sustainable transport objectives and Active Travel agenda.
- Highway safety concerns: sharp bend, steep incline, limited visibility, and no passing places.

#### ***Drainage and Flood Risk***

- Site lies on a natural soakway; risk of displacing surface water and increasing flooding.
- Existing lanes already flood several times a year.
- Questions over adequacy and long-term management of private sewerage system.

#### ***Environmental and Landscape Impact***

- Removal of trees with Tree Preservation Orders.
- Loss of greenfield land and wildlife habitats (including bats).
- Elevated site highly visible, harming visual amenity and rural character.
- Increased light and noise pollution from street lighting and air-source heat pumps.

#### ***Overall Concerns***

- Proposal considered disproportionate, unsustainable, and harmful to character and environment.
- Fear of setting a precedent for further expansion into open countryside.

### **Summary of Objections to Amended Scheme Proposal for 10 Units:**

#### ***Scale and Character***

- Reduction from 15 to 10 units does not address main objections.
- Still a major development for a small hamlet.
- Would increase dwellings by ~20% and population by over 50%, fundamentally altering settlement character.

#### ***Infrastructure and Sustainability***

- No mains gas, sewerage, or public transport; reliance on septic systems and oil deliveries.
- Increased traffic on unsuitable roads; exacerbates safety hazards.
- No pavements or safe pedestrian routes.

### ***Drainage and Flooding***

- Land comprises heavy, silty clay loam with drainage problems.
- “Rain gardens” seen as unproven and unsustainable for site conditions.
- Continued concerns over private sewage plant: maintenance, odour, and environmental impact.

### ***Landscape and Design***

- Development would appear as a detached, linear estate, out of keeping with village form.
- Height and uniform design considered inappropriate; potential overlooking and privacy loss.
- Removal of trees and hedgerows; harm to habitats (bats, otters) and natural springs.

### ***Consultation and Need***

- Minimal community engagement.
- Claimed need for affordable housing not substantiated; nearby developments already provide such housing with better access to services.

### ***Overall Concerns***

- Site remains unsuitable and environmentally sensitive.
- Development would harm landscape, biodiversity, and character.
- Conflicts with planning policy directing growth to sustainable locations

## **REPORT**

### **Planning Policies and Guidance**

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

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

#### **Strategic Policies:**

POLICY SP1 – Delivering the Strategy

POLICY SP3 – Residential Requirement  
POLICY SP4 – Affordable Housing Provision  
POLICY SP9 – Minerals  
POLICY SP10 – Built and Natural Environment

### **Managing Growth Policies:**

POLICY MG1 – Housing Supply in the Vale of Glamorgan  
POLICY MG4 – Affordable Housing  
POLICY MG19 – Sites and Species of European Importance  
POLICY MG20 – Nationally Protected Sites and Species  
POLICY MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species  
POLICY MG22 – Development in Minerals Safeguarding Areas

### **Managing Development Policies:**

POLICY MD1 - Location of New Development  
POLICY MD2 - Design of New Development  
POLICY MD3 - Provision for Open Space  
POLICY MD4 - Community Infrastructure and Planning Obligations  
POLICY MD6 - Housing Densities  
POLICY MD7 - Environmental Protection  
POLICY MD8 - Historic Environment  
POLICY MD9 - Promoting Biodiversity  
POLICY MD10 - Affordable Housing Developments outside Settlement Boundaries

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

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

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

### **Planning Policy Wales:**

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

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

Chapter 4 - Active and Social Places

- Transport
- Living in a Place (housing, affordable housing and gypsies and travellers and rural enterprise dwellings)
- Community Facilities
- Recreational Spaces

The following guidance is given on rural affordable housing:

*4.2.35 The provision of affordable housing exception sites must be considered to help meet identified requirements and ensure the viability of the local community. Where such policies are considered appropriate it should be made clear that the release of housing sites within or adjoining existing settlements for the provision of affordable housing to meet local needs which would not otherwise be allocated in the development plan, is an exception to the policies for general housing provision. Such policies must be fully justified, setting out the type of need and the kind of development which fall within their terms. The affordable housing provided on exception sites should meet the needs of local people in perpetuity. Sites must meet all the other criteria against which a housing development would be judged, such as the national sustainable placemaking outcomes. Affordable housing exception sites are not appropriate for market housing.*

Chapter 6 - Distinctive and Natural Places

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

**Technical Advice Notes:**

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

- Technical Advice Note 2 – Planning and Affordable Housing (2006)
- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)
- Technical Advice Note 10 – Tree Preservation Orders (1997)
- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 15 - Flooding (2004)

A revised edition of TAN15 was published on 31st March 2025. However, the Minister's written statement issued on its publication said:

*“Planning applications which were submitted and registered before the publication of the new TAN will continue to be assessed against the previous version, however any development proposal, including those at pre-application stage not yet registered with the LPA will need to use the newly published version of the TAN.”*

This application is therefore assessed against the requirements of TAN15 (2004).

- Technical Advice Note 16 - Sport, Recreation and Open Space (2009)
- Technical Advice Note 18 – Transport (2007)
- Technical Advice Note 24 – The Historic Environment (2017)

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

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

### **Supplementary Planning Guidance:**

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

- Affordable Housing (2018)
- Biodiversity and Development (2018)
- County Treasures
- Design in the Landscape
- Minerals Safeguarding (2018)
- Parking Standards (2019)
- Planning Obligations (2018)

- Renewable Energy (2019)
- Residential and Householder Development (2018)
- Sustainable Development - A Developer's Guide
- Trees, Woodlands, Hedgerows and Development (2018)

#### **Other relevant evidence or policy guidance:**

- Manual for Streets (Welsh Assembly Government, DCLG and DfT - March 2007)
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Section 160 (1) of the Historic Environment (Wales) Act 2023, imposes a duty on the Council with respect to any buildings or other land in a conservation area, where special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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

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

#### Issues

The main issues in assessing this application relate to the principle of residential development in this location, the acceptability of the proposals in terms of their layout, scale, design and use of materials, and the potential impact upon visual amenity, highway safety and parking, amenity of neighbouring residential properties, ecological and archaeological constraints and planning obligations based upon the specific need arising from the development.

#### Principle of Development

The proposal seeks full planning permission for the proposed development of ten residential units, situated to the southwest of Sgingstone. The site is positioned outside of the defined settlement boundary and is therefore considered as being in the countryside in planning policy terms.

The scheme comprises a balanced mix of dwelling types and sizes, including one six-person, four bedroom house; four two-bedroom houses, each accommodating up to four persons; two three-bedroom, five person houses; two one-bedroom flats for two persons each; and one single-storey, three-bedroom bungalow designed for five occupants. This housing mix aligns with local and national policy objectives that encourage diverse, inclusive and sustainable rural housing provision.

Planning Policy Wales (PPW) acknowledges that affordable housing may be acceptable in rural areas however it is important that “*the provision of affordable housing exception sites must be considered to help meet identified requirements and ensure the viability of the local community. Where such policies are considered appropriate it should be made clear that the release of housing sites within or adjoining existing settlements for the provision of affordable housing to meet local needs which would not otherwise be allocated in the development plan, is an exception to the policies for general housing provision. Such policies must be fully justified, setting out the type of need and the kind of development which fall within their terms. The affordable housing provided on exception sites should meet the needs of local people in perpetuity.*” (para.4.2.34). PPW points out the need for affordable housing exception sites to help ensure the viability of the local community and clearly identifies that sites that adjoin existing settlements, such as Siginstone, can facilitate affordable housing, where a need is identified.

Technical Advice Note (TAN) 2 supports the above by stating “*affordable housing provision in rural areas must be supported by a rural exception policy. Rural exception sites should be small (as locally defined in the development plan)*” (TAN 2, para.10.13). While the site is located outside of the defined settlement boundary of Siginstone, Policy MD1 – Location of New Development, allows for exceptions where development meets a clearly evidenced local need and can be justified in sustainability and design terms:

*Policy MD1 – Location of New Development - New development on unallocated sites should:*

*4. In the case of residential development, support the delivery of affordable housing in areas of identified need;*

The supporting text to this policy further states:

*7.3 Within rural locations development will be managed carefully to ensure that it contributes positively to the rural economy and the viability and sustainability of rural communities, whilst ensuring the distinctive character of the Vale of Glamorgan is protected.*

Further to this the Local Development Plan contains an ‘exceptions’ policy which provides support for the development of affordable housing schemes which lie outside existing settlement boundaries subject to criteria. Policy MD10 states that small scale affordable housing developments ‘will be permitted outside settlement boundaries’ where they have a distinct physical or visual relationship with an existing settlement and where it is demonstrated that:

- 1. The proposal meets an identified local need which cannot be satisfied within identified settlement boundaries;*
- 2. The number of dwellings is in proportion to the size of the settlement;*
- 3. The proposed dwelling(s) will be of a size, tenure and design which is commensurate with the affordable housing need;*

4. *In cases where the dwelling is to be provided by either a private landlord or the intended occupier, secure mechanisms are in place to ensure the property shall remain affordable in perpetuity; and*
5. *The development has reasonable access to the availability and proximity of local community services and facilities.*

In regards to local housing need, the Council's local housing market assessment (LHMA) 2023 contains detailed information relating to the affordable housing need in the Vale of Glamorgan split by ward. The assessment identified an annual need for 1,275 affordable housing units. More recent figures from the Council's Homes4U waiting list assists in demonstrating need within the Llandow ward, comprising of a total of 28 residential units:

<b>Llandow</b>	
<b>1 BED</b>	13
<b>2 BED</b>	10
<b>3 BED</b>	5
<b>TOTAL</b>	28

The relationship between the site and the existing settlement of Sgingstone is shown on the plan below:



The proposal seeks to deliver ten affordable dwellings within the Vale of Glamorgan, seeking to contributing to the Council's strategic objective of addressing the shortfall in affordable housing. As this proposal is for 100% affordable housing located outside a defined settlement boundary, it is required to satisfy criteria 1–5 of Policy MD10, outlined above. An assessment against these criteria is set out within the remainder of the section and the supporting text of the policy including that

7.58 *"The integration of new development within the existing settlement pattern is*

*imperative so as not to adversely impact upon their rural character or setting. Accordingly, any affordable housing scheme will need to be of a scale proportionate to the size of the existing settlement and generally comply with Policies MD1 and MD2 in order to ensure the appropriate integration of new affordable housing within the existing smaller settlements of the Vale of Glamorgan. Small scale for the purpose of Policy MD10 will generally mean 10 or fewer dwellings, however, in or adjoining some of the larger settlements, proposals for more than 10 dwellings may be acceptable if required to meet specific need and where the number of dwellings is proportionate to the size of the settlement and satisfies all the other criteria against which a housing development would be judged.”*

In terms of Criterion 1, comments received from the Council's Planning Policy Team note that: The 2023 Local Housing Market Assessment (LHMA) identifies an annual need for three dwellings in the Llandow Ward and 50 dwellings over the 15-year period. Since March 2021, only one application has been approved in the ward, delivering seven affordable units. The Housing team confirms a significant unmet need, with the LHMA estimating 1,075 affordable units required annually across the Vale and the Homes4U waiting list showing 28 households in need within Llandow. All allocated sites in the ward have been developed, and no suitable land exists within the Sgingstone settlement boundary. Furthermore, the consultee comments received from the Council's Housing Strategy Department, demonstrate that there is demand for smaller affordable units in the local area, which cannot be met within existing settlements. The development would contribute positively to the village's housing stock by offering a range of homes suitable for families, couples and smaller households, thereby supporting the vitality and long-term sustainability of the local community.

Therefore, the proposals would meet a local need that cannot be met within existing boundaries, and the proposal is therefore considered to satisfy Criterion 1.

In relation to Criterion 2, it is acknowledged that the village of Sgingstone currently contains around 50 dwellings, and the addition of 10 more units would represent an approximately 20% increase. This is not considered to be disproportionate and, as noted above, the site is considered to provide a natural extension to the settlement. Notably, comments received from the Council's Planning Policy department confirm that the Rural Housing Enabler has worked with the applicant to agree dwelling size and tenure. As such, it is considered that it would be unreasonable to object on this basis and therefore the proposal is in compliance with Criterion 3.

Furthermore, in compliance with Criterion 4, the development will be delivered in partnership with Newydd Housing Association, a Registered Social Landlord, and secured as affordable housing in perpetuity through condition and in terms of Criterion 5, as the site adjoins Sgingstone, a Minor Rural Settlement identified in the LDP as supporting sustainable rural communities, future residents would have access to local facilities, including a community hall, hotel, and pub. This demonstrates a reasonable level of connectivity and service provision.

Overall, the proposed residential development of 10 affordable units is considered to be in compliance with Policy MD10. The site would comprise 10 residential units, placing it at the upper end of Policy MD10's supporting text description of a “small site.” Nevertheless, the site has a clear physical and visual connection to Sgingstone and offers a logical opportunity for rounding off the settlement. On this basis, the scheme aligns with the overarching intent of the policy.

Moreover, the proposal seeks to deliver ten affordable dwellings within the Vale of Glamorgan, contributing to the Council's strategic objective of addressing the shortfall in affordable housing. Policy SP4 – Affordable Housing Provision, of the Local Development Plan (LDP) identifies the provision of affordable housing as a key priority: *5.50 The delivery of affordable housing is a key objective of the LDP Strategy, with the relative strength of the Vale of Glamorgan's housing market over the last 10 years having resulted in many local people experiencing difficulties purchasing suitable housing on the open market.* This scheme would make a meaningful contribution towards meeting that need.

On this basis, the principle of development is considered acceptable. The other principal planning considerations are discussed within the remainder of the report.

### Density of the development

Policy MD6 (Housing Density) of the Local Development Plan, in recognition that land is a finite resource, seeks to ensure that all new residential development makes efficient use of land. The policy states that a minimum net residential density of 25 dwellings per hectare should be achieved for minor rural settlements unless a lower density can be justified due to site constraints. The area of the proposed site is 0.7Ha, as such, the site would be expected to provide at least 18 new dwellings to comply with the provisions of this policy; therefore, the proposed 10 units would not strictly meet the minimum net residential density requirement.

However, Policy MD6 notes: Lower density levels will only be permitted where it can be demonstrated that:

- 1. Development at the prescribed densities would have an unacceptable impact on the character of the surrounding area;*
- 2. Reduced densities are required as a result of significant site constraints or to preserve a feature that would contribute to existing or future local amenity; or*
- 3. The proposal is for a mixed use development where a residential use is the subordinate element of the proposal.*

In this instance, taking into account the objections received in relation to the original proposal for 15 dwellings on the site, whereby significant concerns were raised regarding the potential impact on the character of the existing village and surrounding area, it is considered that justification for a lower density is acceptable in order to respect the character of the area in line with criterion 1 of Policy MD6, outlined above. Notably, the existing site adjoins Sgingstone and denotes a change from countryside to the rural settlement. The proposed development would undoubtedly change the character of the site, albeit this is unavoidable in the case of most rural affordable housing sites, and the proposal should not necessarily be deemed unacceptable for that reason in principle, the lower density proposal helps to mitigate this impact, ensuring that adequate housing is provided to meet local need, whilst retaining the rural character of the existing settlement.

In terms of criterion 2, retaining a number of TPO (tree preservation order) trees, existing hedgerows and drainage/highways requirements all represent significant constraints on achievable residential development density. TPO-trees and established hedgerows limit the developable footprint of the site, owing to the requirement for root protection areas which can limit opportunities for layout optimisation. Similarly, drainage requirements, such as sustainable drainage systems can limit layout space, lowering the net area available for housing. Highways standards further constrain density owing to road layout and width requirements, parking provision and visibility splays and turning space.

Notwithstanding the constraints outlined above, the proposed site layout would also allow for the provision of an area of Public Open Space (POS). Whilst the proposed POS would further limit the provision of site available for residential development, it is acknowledged that the proposed POS would be beneficial to the site and wider village, noting that Sgingstone does not currently benefit from a play area. Therefore, it is considered that the reduced density of the site would be considered appropriate on balance, owing to the proposed beneficial area of local amenity space.

Overall, with regard to the above, the proposed density is considered acceptable, especially given the benefits associated with rural affordable dwellings being provided and therefore in compliance with Policy MD6.

#### Design and Visual Impact

In design and layout terms, the proposal has been amended to reduce the number of proposed dwellings from 15 to 10 and to introduce a more varied building form that better reflects the surrounding development. The layout has been revised to follow the natural contours of the site, providing improved integration with the existing village edge. The proposed site layout plan is attached below:



The properties will feature Cembrit Jutland blue-black slate roofing with clay angle ridge tiles and a timber porch roof finished to match. Fascias, soffits, and rainwater goods will be white UPVC, while windows and the rear door will be grey UPVC, complemented by a colour composite front door as shown on elevations. External finishes include a blue-black engineering brick plinth and feature areas, smooth render in white, buff, cream, and light grey, and reconstituted stone window sills. Notably, the wider village exhibits a varied and non-uniform character, with buildings constructed from a range of materials and styles that collectively define its eclectic appearance. Furthermore, the proposed single storey bungalow and varied building heights would ensure visual interest and prevent a uniform appearance, creating a well-considered and visually cohesive residential environment. Therefore, the proposed materials are considered to read within the broader, mixed context.

In consideration of the above, the proposed scheme, together with the retention and enhancement of boundary vegetation, will help to assimilate the scheme into its rural setting and read comfortably within the existing fabric. Front gardens would be laid to turf, contributing to an attractive street frontage and softening the appearance of the built form. New tree planting, open space and comprehensive landscaping would enhance visual amenity and help the development blend naturally into its rural setting, whilst many of the existing landscaping features such as the majority of the trees and hedgerow on the site would be retained, maintaining a green enclosure and sense of verdancy to the adjacent field. As such, the proposed development would not detract from the character or quality of the village; instead reflecting and reinforcing the varied architectural landscape that already exists, ensuring no negative impact on the area's overall appearance.

Notwithstanding the above, it is acknowledged that the proposed development would clearly have some impact upon the local countryside at this local scale, however, given the surrounding context where there are no landscape designations, the coherent visual relationship with the existing settlement, and the clear and identified need for affordable housing in the locality and policy support for rural exception sites, the residential development of the site is considered acceptable in relation to the landscape impact and upon the local countryside. Moreover, permitted development rights relating to enclosures will be removed via condition (**condition 20**), in order to preserve the character of the proposed dwellings and rural character of the village. On balance the proposal is considered to respect the scale, form and character of Siginstone in accordance with Policies MD1 and MD2 of the Local Development Plan.

### Trees, Hedgerows and Landscaping

When considering the development layout, the proposal presents that the majority of trees and hedgerow can be retained. Although, G1 and T9 will require removal to facilitate the main access road into the site. A small portion of H1 (hedgerow of the site) will require removal to allow pedestrian access to the public open space provided to the northeast of site. The smaller vehicular access within the northern boundary of the site will look to make use of a current gap within the hedgerow as indicated on the tree constraints plan.

Notably, the dominant habitat is grassland with hedgerows forming the northern, western and south-eastern boundaries; the northern boundary lies adjacent to a lane, the southern boundary lies adjacent to the adjoining field. The proposed development would result in the loss of hedgerow to the north-east, to facilitate the new vehicular access and visibility splay. This loss is unavoidable but compensated for via integrated bat and bird boxes, supplement 20% native hedge planting, native landscaping and wildlife-friendly fencing. It is also acknowledged that whilst a section of hedgerow to the north of the new vehicular access is proposed to be removed to allow for visibility splay, the amended site plan indicates the translocation of this hedgerow behind the proposed visibility splay, thereby retaining the ecological benefits of the hedgerow.

In terms of the proposed TPO loss, trees G1 and T9 would be removed. These consist of Category B trees. Category B trees are trees which are large and prominent in the locality and in general good health and condition with some minor defects, or groups which cohesively provide screening of views into or out of the site (or between parts of it). Category B trees are typically healthy but of lesser significance than the highest-value Category A trees. It is acknowledged that no Category A trees were identified on site, as outlined within the submitted Tree Survey, Categorisation & Constraints Report.

Overall, whilst the loss of the loss of T9 and G1 is regrettable, it is acknowledged that within the context of the site's constraints, the retention of these trees would significantly restrict the delivery of an efficient site layout. Category B trees are not considered as having exceptional or irreplaceable merit and their loss can be appropriately mitigated through comprehensive replacement planting and biodiversity enhancements, as proposed. In terms of G1 and T9, owing to their positioning, they provide a localised amenity, whereby their removal would not be detrimentally harmful to the character of Siginstone, and is considered to be mitigated through the appropriate use of replacement tree planting and biodiversity enhancements.

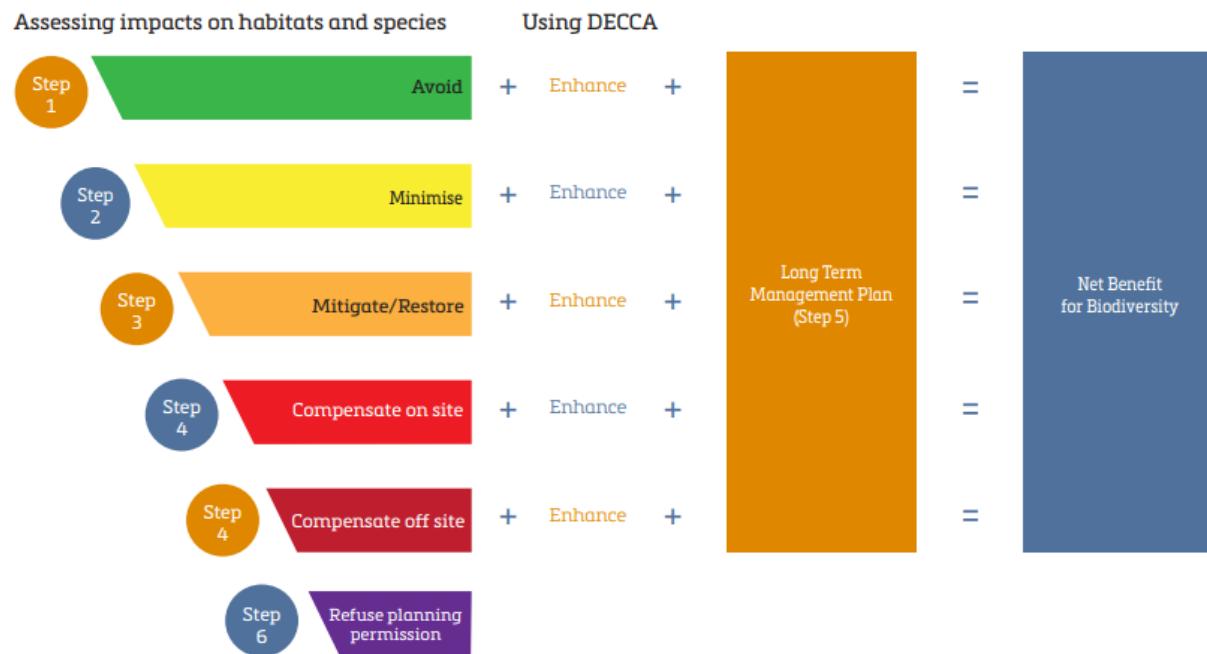
Planning Policy Wales Edition 12 (PPW12) Chapter 6, places increased emphasis on the protection and enhancement of the natural environment. It states that all developments must achieve a biodiversity benefit and also that Green Infrastructure Statements should accompany all planning applications albeit that this will be proportionate to the scale and nature of the development proposal.

Furthermore Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated.

PPW Edition 12 also outlines: *(6.4.42) Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits. Where individual or groups of trees and hedgerows are removed as part of a proposed scheme, planning authorities must first follow the step-wise approach as set out in paragraph 6.4.15. Where loss is unavoidable developers will be required to provide compensatory planting (which is proportionate to the proposed loss as identified through an assessment of green infrastructure value including biodiversity, landscape value and carbon capture). Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost.*

The step-wise approach outlined below is the means of demonstrating the steps which have been taken towards securing a net benefit for biodiversity (PPW12, 6.4.5):

Figure 12: Summary of the Step-Wise Approach



The application has been supported by the submission of a Green Infrastructure Statement, as well as a Plant Schedules and Specification (July 2025) and an Ecological Impact Assessment (March 2025). It is acknowledged that G1 and T9 are proposed to be removed, however, native tree planting is proposed within the public open space to the northeast of the site and along the new access road. In terms of the above noted step-wise approach regarding the trees, the removal of G1 and T9 cannot be avoided in this instance being the appropriate area for the proposed access to the site. In terms of minimising the impact of the loss, the submitted Landscape Planting Plan (May 2025) identified below, presents a specimen tree schedule detailing approximately 30 trees:



Furthermore, in addition to the provision of native trees, the Ecological Impact Assessment (March 2025) notes: Hedgerow habitat will be created along the western boundary of the site. A native hedgerow will be created to the rear of the new houses which will connect to the northern hedgerow boundary. Farm access is required via a new access gate off the road to the south of the site which prevents direct hedgerow connectivity in this area. Hedgerow will be planted outside of the boundary of each plot to ensure it can be retained and managed as a habitat enhancement.

The benefit of the supplementary hedgerow and trees are considered compensatory to the proposed removals, in line with the step-wise approach. Furthermore, justification to the initial loss can be acknowledged given that the site is a logical site for affordable housing, as assessed earlier within this report. As such, the provision of affordable housing in this instance is afforded significant weight for the loss of the TPO trees.

In terms of additional enhancements, the submitted Ecological Impact Assessment (March 2025) confirms six integrated bat boxes will be provided within the development site. The boxes will be fitted no lower than eaves level on the buildings. No windows or external light sources will be provided within 2m of any bat box. Furthermore, the supporting Plant Schedules and Specification document confirms that the landscape proposals are capable of delivering a high quality, biodiverse scheme, implemented to recognised standards and incorporating peat-free soils. The specification demonstrates native hedgerow creation, species rich meadow mixes and rain-garden planting, with clear standards for tree/hedgerow establishment, mulching and long-term soil structure. These measures are consistent with delivering the enhanced outcomes identified within the aforementioned Ecological Impact Assessment, and can be controlled via Condition, within the approved plans.

## Ecology

Policy MD9 – Promoting Biodiversity outlines: *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.*

The most recent Ecological Impact Assessment (March, 2025) sets out that the site has a dominant habitat of grassland bounded by hedgerows and trees of low ecological value. A small number of trees have potential bat roost features, but no roosts were confirmed. The updated survey has confirmed no bat roosts within trees are to be removed, although, hedgerows suitable for dormouse and other small mammals and reptiles and amphibians will continue to function as foraging/commuting corridors along boundaries.

Whilst some hedgerow loss is required for access, most linear features and boundary habitat are retained, with buffers and lighting design to protect community corridors. Mitigation and precautionary methods are specified for bats, nesting birds, dormouse, reptiles, amphibians and hedgehogs, such as phased vegetation clearance and ecological supervision. The scheme also sets out to provide enhancements via integrated bat and bird boxes, new hedgerow planting to include that to the western boundary of the site and supplementary 20% native hedge planting to the north and eastern boundaries of the site, native landscaping and wildlife-friendly fencing. It is acknowledged that the proposed rain garden would further enhance biodiversity through the inclusion of wet-tolerant planting species. Collectively, these measures would deliver a net gain in biodiversity, consistent with current environmental policy requirements. Notably, the provision of the hedgerow would facilitate movements for wildlife noted above and would thereby be secured by condition.

Furthermore policy MG21 'Sites of importance for nature conservation, regionally important geological and geomorphological sites and priority habitats and species' of the LDP requires that Development proposals likely to have an adverse impact on 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... can be avoided*
- 3. Appropriate and proportionate mitigation and compensation measures can be provided;*
- 4. The development conserves and where possible enhances biodiversity interests*

This is supported by the Council's SPG on Biodiversity and Development and is in line with national guidance including the most recent Conservation of Habitats and Species Regulations 2010 ('habitat regulations').

It is acknowledged that following the most recent consultation in September 2025, NRW confirmed that – subject to the inclusion of specified submitted documents in the approved plans list and the securing of two conditions (Dormouse Conservation Plan and CEMP) – they would not object to the proposed development. They acknowledged that the Great Crested Newt survey is now approximately four years old and advised that the LPA's internal ecologist should advise on the need for updated GCN surveys. Their previous advise on Dormouse and Bats also remains: mitigation to be secured by condition, and a pre-construction bat survey of tree T9 is recommended given the age of the previously submitted 2020 tree survey. They also remind the applicant that any necessary EPS licence(s) remain the applicant's responsibility to obtain.

Regarding Great Crested Newts, the most recent Great Crested Newt (GCN) survey for the locality was undertaken approximately four years ago (May, 2021). The survey concluded that no GCN were present in ponds within 250m of the site, and the Council's internal ecologist has confirmed that nothing material has changed which would reasonably alter that conclusion. There are no ponds within the red line boundary; the only potentially suitable GCN features within the site are the hedgerows which could function as movement corridors or hibernation opportunities. The two nearest ponds were both assessed previously; Pond 1 supported no GCN and Pond 2 was assessed as poor for GCN. It was also acknowledged that any new survey effort would therefore only be capable of identifying presence in off-site land. Therefore, GCN can be fully and proportionality managed through securing retention and protection of boundary hedgerows via a Great Crested Newt Conservation Plan condition (**see condition 11**).

In regard to the Dormouse Conservation Plan requested by NRW, there is the assumption that dormice are present on the site. In assessing the application, the Council must have regard to the Habitats Directive's requirement to establish a system of strict protection and to the fact that derogations are allowed only where the three conditions under Article 16 of the EC Habitats Directive are met (the 'three tests') (TAN5, 6.3.6). It is essential that planning permission is only granted when the LPA is satisfied that all three tests are likely to be met as noted below.

*Test i) - The derogation is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.*

The development would provide ten units of affordable housing and therefore, the proposed development would be considered within the public interest. The development would incorporate several design measures that promote biodiversity and ecological connectivity. Proposed boundary fencing includes hedgehog gaps to enable the free movement of small mammals, while native tree planting and soft landscaping provide habitat opportunities for local wildlife, including provision of hedgerow to the western side of the site. The provision of supplementary hedgerow is considered to benefit habitat connectivity and it is acknowledged that the submitted Ecological Impact Assessment (March 2025) notes: "Hedgerow will be managed as per the initial landscape recommendations but once established it will be managed to benefit biodiversity. Once established hedgerow will be cut once every 2 years between the months of November - February inclusive. The overall aim of management will be to create a dense vegetated 'A' shape structure. Hedgerow will be laid once every 10 years." Notably, the provision of a hedgerow along the western side would provide a betterment to the site by facilitating habitat movement.

Noting the provision and planned maintenance of the hedgerow, betterment of the site in terms of habitat movement and with weight given to the provision of affordable housing in the public interest, Test i is considered to be met.

*Test ii) - There is no satisfactory alternative*

As previously noted, all allocated sites in the ward have been developed, and no suitable land exists within the Siginstone settlement boundary. As such, Test ii is considered to be met.

*Test iii) - The derogation is not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.*

Natural Resources Wales have advised that there is no objection subject to the Dormouse Conservation Plan condition and, therefore, it is considered that the development would not be detrimental to the maintenance of the population of the protected species. Overall, it is considered that the works would comply with the above tests and as such the proposals would not cause undue harm to protected species identified within the accompanying documentation and as such, it is considered that the proposal would comply with policies SP10, MG20 and MD7 of the LDP.

Public Open Space

Policy MD3 of the LDP states that where there is an identified need for public open space, new residential development with a net gain of 5 or more dwellings will be required to provide public open space in accordance with the following standards:

1. *Outdoor sports provision 1.6 hectares per 1,000 population*
2. *Children's equipped play space 0.25 hectares per 1,000 population*
3. *Informal play space 0.55 hectares per 1,000 population*

Although modest in scale, the development proposed includes meaningful soft landscaping and private amenity spaces for each dwelling, as well as a children's play area to the north of the site. The inclusion of a rain garden also contributes both as an attractive landscaping feature and as an informal area of ecological value to the site.

The equipped play area shown on the proposed layout plan would be approximately 122.69m<sup>2</sup> in size and the remainder of the open space around it would measure approximately 1252.6m<sup>2</sup>. This would satisfy the area requirements of Policy MD3 and the Council's SPG and the open space would be appropriately located in a part of the site that is well overlooked and easily accessible to all units. It is, therefore, considered that the proposed development is acceptable in terms of open space provision and a condition is proposed requiring further detail of the layout and any equipment to be agreed (**see condition 5**).

Moreover, as previously noted, it is acknowledged that the proposed POS would be beneficial to the site and wider village, noting that Siginstone does not currently benefit from a play area.

## Highway Impacts

The Council's Highway Authority has assessed the proposal in relation to access, traffic impact, parking provision, and pedestrian connectivity. Having considered these matters, the Authority confirms that the development can be safely accommodated on the local highway network, subject to appropriate conditions.

### *Access and Traffic Impact*

Prior to commencement, detailed engineering plans for all traffic arrangements and site access must be submitted to and approved by the Local Planning Authority (LPA). The development shall not be occupied until these works are completed as approved. While the absence of public transport is acknowledged, the scale of development is modest, and rural settlements such as Singtonstone inevitably exhibit a degree of car dependency. The proposal is not considered to result in a material increase in traffic that would compromise highway safety or the amenity of existing residents.

### *Construction Management*

A Construction Traffic Management Plan (CTMP) will be required prior to development, setting out operating times, haulage routes, on-site parking, material storage, and measures to prevent debris on highways. (**see Condition 18**)

### *Site Layout and Parking*

The development incorporates appropriate vehicular and pedestrian access arrangements, ensuring safe and efficient movement throughout the site. Each dwelling benefits from adequate off-street parking provision, with permeable paving to assist drainage and reduce surface water run-off. Public footpaths will be finished in tarmac for durability and accessibility. The layout allows for safe manoeuvring and turning of vehicles, including service and emergency vehicles, and provides convenient pedestrian links to existing accesses.

### *Other Requirements*

The developer will need to enter into a legal agreement for highway improvement works, ensure vision splays remain unobstructed, and prevent any surface or roof water from discharging onto the adopted highway, all in the interest of highway safety and public protection.

### *Conclusion*

Having considered all of the above, the Highway Authority raises no objection to the proposal, subject to the following conditions:

- Submission and approval of detailed engineering plans for access and traffic arrangements prior to commencement.
- Completion of approved highway works prior to occupation.
- Agreement of a Construction Traffic Management Plan before development begins.
- Maintenance of vision splays and prevention of water discharge onto the highway.
- Entering into a legal agreement for any necessary highway improvements.

As such it is considered that there is not a material reason for refusal relating to highway safety impacts and the proposals are therefore considered to be in compliance with the provisions of Policies MD2 and MD5 of the adopted Local Development Plan.

### Drainage

Policy MD7- Environmental Protection outlines: *Development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from either:*

1. *Pollution of land, surface water, ground water and the air;*
2. *Land contamination;*
3. *Hazardous substances;*
4. *Noise, vibration, odour nuisance and light pollution;*
5. *Flood risk and consequences;*
6. *Coastal erosion or land stability;*
7. *The loss of the best and most versatile agricultural land; or*
8. *Any other identified risk to public health and safety.*

*Where impacts are identified the Council will require applicants to demonstrate that appropriate measures can be taken to minimise the impact identified to an acceptable level. Planning conditions may be imposed or legal obligation entered into, to secure any necessary mitigation and monitoring processes.*

*In respect of flood risk, new developments will be expected to avoid unnecessary flood risk and meet the requirements of TAN15. No highly vulnerable development will be permitted within Development Advice Map (DAM) zone C2. Development will only be permitted in areas at risk of flooding where it can be demonstrated that the site can comply with the justification and assessment requirements set out in TAN15.*

The applicant has submitted details for a private treatment plant and a sustainable drainage system incorporating rain gardens and permeable paving to manage surface water on site.

In regard to MD7 – Environmental Protection, as outlined within the consultee comments section, the comments received from NRW confirm that subject to the condition of a CEMP, the proposal would not have an adverse impact in terms of pollution. A site-wide Construction Environmental Management Plan (CEMP) must be submitted and approved prior to any development or site clearance. The CEMP should detail general site management, including construction programme, drainage, containment areas, and buffer zones; pollution prevention measures in line with best practice and emergency spill procedures; and soil management through phased development to minimise exposed ground. These measures are essential to protect the environment during construction and have been proposed to be secured under Condition 13. Regarding foul drainage, NRW comments confirm the development is not connected to a public sewer and will discharge to a private sewerage system via a drainage mound. In line with Welsh Government Circular 008/2018, this approach has been assessed and agreed with Natural Resources Wales as the most suitable option, given the absence of permanent watercourses and public sewer provision in the area.

Noting the above, the LPA are satisfied with the proposed pollution prevention and foul arrangements at the site.

Furthermore, the proposed rain garden offers multiple benefits, including flood risk reduction, habitat creation and aesthetic enhancement of public areas. However, it is acknowledged that concerns have been raised regarding the site's topography and drainage characteristics. Objectors state that the land comprises heavy, silty clay loam with known drainage problems. Flooding concerns also persist, along with objections to the proposed private sewage treatment plant and uncertainty regarding its long-term maintenance, potential odour issues and environmental impacts. Regarding the concerns outlined above, whilst concerns have been noted about ground conditions, no objections have been raised in principle to the utilisation of SUDs by relevant consultees, including the Councils Drainage section.

Regarding the above, the site lies outside of any flood zone for seas and rivers on the Flood Map for Planning (TAN 2025). The Council's Drainage Section have been consulted noting: *"With reference to the Flood Risk Assessment Wales (FRAW) map published by Natural Resources Wales, the site is generally identified as being at very low risk of surface water flooding. A small area encroaching on the northern boundary is identified as being at low to medium risk of surface water flooding and represents Flood Zones 2 and 3 as defined in Flood Maps for Planning. While the development footprint and primary means of access are identified as being outside of the flood zone, a secondary footpath and access to the foul water treatment plant are identified within the flood zone. The applicant should demonstrate, through a proportionate Flood Consequences Assessment, that the proposed development complies with the requirements of TAN 15 by confirming that the risk to these access routes are appropriately assessed, that suitable mitigation measures are incorporated, and that access to the sewerage infrastructure is maintained during flood events to avoid delays in remediation and ensure operational resilience."*

A revised edition of TAN15 was published on 31st March 2025. However, the Minister's written statement issued on its publication said:

*"Planning applications which were submitted and registered before the publication of the new TAN will continue to be assessed against the previous version, however any development proposal, including those at pre-application stage not yet registered with the LPA will need to use the newly published version of the TAN."*

This application is therefore assessed against the requirements of TAN15 (2004). In terms of the Drainage comments outlined above, reference to the Flood Risk Assessment Wales (FRAW) map published by Natural Resources Wales confirms that the site is predominantly at very low risk of surface water flooding, with only a small area along the northern boundary identified as low to medium risk and falling within Flood Zones 2 and 3. Importantly, the proposed development footprint and primary access are located entirely outside these flood zones, with only a secondary footpath and access to the foul water treatment plant encroaching within them.

As the application is assessed against TAN15 (2004), the development satisfies the key tests of the guidance by avoiding highly vulnerable uses within flood zones, ensuring that the main access remains flood-free, and maintaining operational resilience. Any residual risk to secondary access routes is considered acceptable under TAN15, provided that it does not compromise the safety of occupants or the functionality of essential infrastructure. Given that this risk is minimal and can be managed through standard design measures, a full Flood Consequences Assessment is not considered necessary.

Welsh Water have also been consulted and confirmed no objection to the scheme, however following an informative regarding SAB the proposal is considered acceptable in this respect. Final confirmation would be separate to SAB approval, which is separate process to planning.

Subject to those advisory notes and conditions, and subject to the site being drained in accordance with an approved 'SAB' design, the proposed development is considered acceptable in respect of drainage, as required by policies MD2 and MD7 of the LDP.

#### Agricultural land quality

Policy MD1 (Location of New Development) of the LDP states development should "have no unacceptable impact on the best and most versatile agricultural land". Best and most versatile (BMV) agricultural land is defined in PPW as "*land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC)*" (para. 3.58). To aid in the assessment of agricultural land the Welsh Government has undertaken a broad level study of Wales and created the predicative ALC map.

The agricultural land quality of the site has been assessed through a desktop study, soil sampling and a geological assessment. The report concludes that the site falls within grade 3b, which is not classed as Best and Most Versatile agricultural land. Consequently, the development satisfies criterion 9 of Policy MD1 of the LDP.

Furthermore, the modest size of the site and proximity to existing residential development means that any potential loss for agricultural purposes would have a negligible impact on overall agricultural land resources in the area.

#### Minerals safeguarding

The site is also situated within a limestone mineral safeguarding location. Policies SP9 and MG22 of the LDP relate to minerals safeguarding areas and significant weight are given to safeguarding these resources. However, given the location of the development within close proximity to residential dwellings it is considered that the extraction of the resource on the application site would have a significant impact on the amenity of the nearest occupiers.

Therefore, it is considered that the extraction of the limestone at this location would impact on amenity, complying with the requirements Policies SP9 and MG22 of the Adopted LDP.

#### Heritage and Archaeology

Comments received from GGAT (Glamorgan Gwent Archaeological Trust – now HNEB) confirm that there are no known archaeological features or findspots noted within the proposed development area. A review of historic mapping sequences indicates no archaeological structures or features. As such, it is not considered that the proposed residential development would have adverse impacts on the wider historic environment and can therefore be considered in compliance with Policy SP10 – Built and Natural Environment.

## Neighbouring amenity

Policy MD2 Design of New Development of the Vale of Glamorgan Local Development Plan states, in order to create high quality, healthy, sustainable and locally distinct places development proposals should:

*8. Safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;*

Policy MD7 is also of relevance in that it requires that development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and/or the natural environment from either....

*4. Noise, vibration, odour nuisance and light pollution.*

The Residential and Householder Development Supplementary Planning Guidance states, development can have a negative impact on a neighbour's amenity, depending on the size of it and its location in relation to the principal outlook of a neighbour's garden or rooms.

A Construction Environmental Management Plan (Condition 13) would minimise the temporary construction impacts and would ensure that construction activities are only undertaken during appropriate hours.

The potential impacts on residential amenity have been split into "on site" and "off-site" and are assessed below-.

### Residential Amenity (on site)

The Residential and Householder Development SPG states that proposed dwellings should be served by an adequate area of useable amenity space, equating to at least 20sq.m per person. This would typically equate to 60sq.m for two to three-bedroom dwellings. It is acknowledged all of the proposed units are served by sufficient amenity space in terms of private rear gardens, which would meet the standards outlined above.

Furthermore, It is considered that the relationship of the proposed buildings is such that they would not appear as overbearing or unneighbourly to each other. The dwellings also accord with the privacy standards of the SPG in relation to distances between windows serving habitable rooms, except for some windows that oppose each other over areas of public realm, as is common to many urban environments and considered acceptable in this instance.

### Residential Amenity (off site)

The site is surrounded by agricultural fields to the south and west of the site, as such, the primary impacts to consider would be those properties sited to the north and east of the site, divorced from the proposed development by the existing road (un-named). The proposed residential development has been assessed in relation to its potential impact on neighbouring properties, particularly the existing dwellings situated opposite the site. While the scheme would introduce new built form within the immediate street-scene, the layout, scale and orientation of the dwellings have been designed to ensure that any impacts on residential amenity are appropriately mitigated, and the proposed heights and roof profiles of the dwellings would avoid undue overshadowing. Separation distances exceed the 21m guidance between habitable windows, as set out in the Council's Residential and Householder Development SPG, preventing any harmful overlooking or loss of privacy.

As a result, the development is not expected to give rise to unacceptable impacts on neighbouring properties and is considered compatible with the amenity of the surrounding neighbouring residential area.

### Section 106 Planning Obligations

The Council's Planning Obligations Supplementary Planning Guidance (SPG) provides the local policy basis for seeking planning obligations through Section 106 Agreements in the Vale of Glamorgan. It sets thresholds for when obligations will be sought and indicates how they may be calculated.

At the Council's Cabinet meeting of the 5<sup>th</sup> September 2016, there was a resolution approved to waive the requirement to seek financial obligations on 100% affordable housing sites of twenty-five units or less, where the development is made by the Council or the four housing associations zoned by Welsh Government to develop in the Vale. Accordingly, subject to an appropriate partner the Council would not seek financial planning contributions for this particular development. It is however, noted that in-kind open space provisions are being met within the development.

### Conclusion

While it is acknowledged that local residents have raised substantial concerns regarding the sustainability and character of the proposed development, it is considered that the proposal, as amended, represents a balanced and proportionate response to local housing needs. The scale of the scheme has been reduced from initially proposed 15 dwellings to a more appropriate scheme of 10 dwellings, the design has been refined, and appropriate technical solutions have been provided to address drainage, access, and ecological issues. The residual impacts are not considered to outweigh the significant social benefit derived from the delivery of affordable housing in the Vale of Glamorgan.

Accordingly, it is recommended that planning permission be granted, subject to relevant conditions.

### RECOMMENDATION

#### APPROVE subject to the following condition(s):

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

Reason:

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

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

s.7740-P-03 A Suds Details (received 17/02/2021)  
AMENDED - 2103-000 Site Survey (received 16/02/2022)  
Site Location Plan (received 16/02/2022)  
783.01 reva Landscape Proposals 16.06.25 (received 02/07/2025)  
783/02 reva Landscape Planting Plan 23/06/2025 (received 02/07/2025)  
2103-002ZD site plan.pdf (received 08/10/2025)  
2103-010F flat plans + elevations.pdf (received 08/10/2025)  
2103-011D house plans (6P4B + 5P3B).pdf (received 08/10/2025)  
2103-012D house elevations.pdf (received 08/10/2025)  
2103-013G bungalow plan + elevations.pdf (recevied 08/10/2025)  
2103-014A house plans (4P2B).pdf (received 08/10/2025)  
2103-015 street elevation.pdf  
2103-002ZE site plan.pdf (received 05/12/2025)  
Ecological Impact Assessment, Project: Siginstone, Cowbridge, Vale of Glamorgan, V1, Dated March 2025 by Ecological Services Ltd. – Sections 4 and 5. Tree Survey, Project: Siginstone, Cowbridge, Vale of Glamorgan, V1.0, dated July 2020, by Ecological Services Ltd. – Sections 10 and 11.  
783.03 Plant Schedules and Specification (received 02/07/2025)

Reason:

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

3. This permission relates specifically to the provision of 10 affordable housing units. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of the Welsh Government Technical Advice Note 2 on Affordable Housing or any future guidance that replaces it.

Reason:

In order to ensure that the site delivers appropriate provision of affordable housing to meet the identified need and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), SP4 (Affordable Housing Provision), MG4 (Affordable Housing), MD4 (Community Infrastructure and Planning Obligations), and MD10 (Affordable Housing Settlements Outside of Settlement Boundaries) of the Local Development Plan.

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

Reason:

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

5. Notwithstanding the submitted plans and details, prior to the beneficial occupation of any unit, full details of the local area of play (LAP) including equipment and details of a schedule of maintenance, shall be submitted to and approved in writing by the Local Planning Authority. The local area of play (LAP) shall be completed in accordance with the approved details prior to beneficial occupation of any of the residential units hereby approved and shall thereafter be maintained in accordance with the approved details.

Reason:

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

6. All means of enclosure associated with the development hereby approved shall be completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority and include hedgehog friendly (130 mm square) gaps. The means of enclosure shall be completed in accordance with the approved details prior to the first beneficial use of the development.

Reason:

To safeguard local visual amenities and secure biodiversity enhancement, and to ensure compliance with Policies SP1 (Delivering the Strategy), MD2 (Design of New Development) and MD9 (Promoting Biodiversity) of the Local Development Plan.

7. The biodiversity enhancement measures set out in plan ref:783.01 reva Landscape Proposals 16.06.25 (received 02/07/2025) and 783/02 reva Landscape Planting Plan 23/06/2025 (received 02/07/2025 and document ref: GI Statement June 2025 and 2025 03 Ecological Impact Assessment shall be carried out in full prior to the first beneficial occupation or use of the development and thereafter retained and maintained in accordance with the approved details whilst the development remains in existence.

Reason:

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

8. Any vegetation clearance must be undertaken outside the nesting season, which is generally recognised to be from March to August inclusive, unless it can be first demonstrated that nesting birds are absent.

Reason:

In order to ensure that no protected species are adversely affected by the development and to ensure compliance with In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD9 (Promoting Biodiversity) of the Local Development Plan.

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

Reason:

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

10. Notwithstanding the submitted details, no development shall take place, including site clearance, until a site wide dormouse Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should include:

- i) An assessment of the impacts of the proposals upon dormice. This should consider direct and indirect impacts and address the construction and operational phases. Clarification of the extent and distribution of existing habitat; habitat lost, habitat to be retained, enhanced, and any habitat to be created; and an assessment of their condition and value for dormice.
- ii) Details of the desired conditions of features (present and to be created) at the site.
- iii) A site clearance strategy which details the protective measures and procedures to be taken to avoid or minimise the impacts of works on dormice. This should include measures to prevent or reduce incidental capture or killing and actions to be taken in the event dormice are found.
- iv) Details of timing, phasing and duration of construction activities and conservation measures.

v) Details of short and long-term management, monitoring and maintenance of new and existing landscape, environmental and ecological features at the site to deliver and maintain the desired condition.

The protection and management plan shall then be completed in accordance with the timings approved by the local planning authority.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy), MD9 (Promoting Biodiversity), MG19 (Sites and Species of European Importance) and MG20 (Nationally Protected Sites and Species)] of the Local Development Plan.

11. No development shall take place until a Great Crested Newt protection plan has been submitted to and approved in writing by the Local Planning Authority. The Great Crested Newt protection plan shall include:

- i) A plan showing Great Crested Newt protection zones;
- ii) Details of development and construction methods within Great Crested Newt protection zones and measures to be taken to minimise the impact of any works; and
- iii) Details of phasing of completion of the protection plan.

The Great Crested Newt protection plan shall be completed in accordance with the approved phasing and shall be retained at all times in accordance with the approved details.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) MG19 (Sites and Species of European Importance) / MG20 (Nationally Protected Sites and Species) of the Local Development Plan.

12. If within a period of 5 years from the date of the planting of any tree proposed as part of the landscaping scheme, or any tree planted in replacement of it, is removed, uprooted or destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place during the next planting season immediately following the death/removal/destruction of that tree.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

13. No development shall commence, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- viii) hours of construction;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) diesel and oil tank storage areas and bunds;
- xiii) how the developer proposes to accord with the Considerate Constructors Scheme ([www.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)) during the course of the construction of the development; and
- xiii) a system for the management of complaints from local residents which will incorporate a reporting system.
- xv) General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- xvi) Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- xvii) Soil management: phasing of the development to minimise exposed ground. The CEMP shall be implemented as approved during the site preparation and construction phases of the development.
- xviii) Preconstruction bat survey is undertaken of tree T9.
- xix) Details of any generators or piling activities (including timings)

The construction of the development shall be undertaken in accordance with the approved CEMP.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

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

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

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

Reason:

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

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

Reason:

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

17. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason:

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

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

Reason:

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

19. Prior to the commencement of any works, full engineering details of all traffic arrangements (including carriageways, footways, kerb radii, means of surfacing, materials, crossing points, street lighting, drainage etc.), associated with the means of access to and within the site shall be submitted to and approved in writing by the LPA. Thereafter, the development shall not be occupied until all works have been undertaken in accordance with the approved details and thereafter the access and associated visibility splays shall be maintained in accordance with the approved details.

Reason: To ensure the internal access within the site is provided and constructed in accordance with the Council's standard details for adoption, in the interests of highway safety, in compliance with the provisions of Policy MD2 of the adopted Development Plan.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of the principle elevation of that dwelling house.

Reason:

To safeguard local visual amenities, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

## REASON FOR RECOMMENDATION

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

Having regard to Policies SP1 'Delivering the Strategy'; SP3 'Residential Requirement'; SP4 – Affordable Housing Provision; SP9 'Minerals'; SP10 'Built and Natural Environment'; MG1 'Housing Supply in the Vale of Glamorgan'; MG2 'Housing Allocations'; MG4 'Affordable Housing'; MG18 'Green Wedges'; MG19 'Sites and Species of European Importance'; MG20 'Nationally Protected Sites and Species'; MG21 'Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species'; MG22 'Development in Minerals Safeguarding Areas'; MG28 'Public Open Space Allocations'; MD1 'Location of New Development'; MD2 'Design of New Development'; MD3 'Provision for Open Space'; MD4 'Community Infrastructure and Planning Obligations'; MD5 'Development within Settlement Boundaries'; MD6 'Housing Densities'; MD7 'Environmental Protection'; MD8 'Historic Environment'; MD9 'Promoting Biodiversity'; it is considered that the proposals are considered to be acceptable with regard to principle; density; visual and landscape impact; design and layout; highways issues; impact upon residential amenity of residents of existing neighbouring properties; amenity of future occupiers of the site; drainage and flood risk; ecological impacts (including trees and hedgerow); and mineral safeguarding.

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

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

## NOTE:

- 1. The drainage scheme for the site shall ensure that all surface water discharges separately from the site and that land drainage run-off shall not discharge, either directly or indirectly, into the public sewerage system.**

**Reason:**

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

2. **Surface water run-off from the proposed development must not connect either directly or indirectly (i.e. via any existing or proposed private drainage system) to the public foul sewer under any circumstances.**
3. **Any works to watercourses, including ditches and streams where defined by the Land Drainage Act 1991, require Land Drainage Consent by the relevant drainage body (Lead Local Flood Authority – Vale of Glamorgan Council). Works include permanent and temporary works, including temporary crossings during construction phases.**
4. **Provision must be made to ensure that no polluting discharge from haul roads and disturbed areas enter any watercourse. Contact Natural Resources Wales, Cambria House, 29, Newport Road, Cardiff. CF24 0TP; telephone number 02920 772400 for more information.**
5. **The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are reminded that the responsibilities below rest with the developer:-**
  - (i) determining the extent and effects of such constraints;**
  - (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;**
    - Unprocessed / unsorted demolition wastes.**
    - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.**
    - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and**
  - (iii) the safe development and secure occupancy of the site.**

6. **New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.**

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

7. **The applicants are advised that all necessary consents / licences must be obtained from Natural Resources Wales (formerly Environment Agency Wales) prior to commencing any site works. The Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP General enquiries: telephone 0300 065 3000 (Mon-Fri, 8am - 6pm).**
8. **Bats must not be disturbed or destroyed during tree work. A full visual inspection of the trees to be worked on must be carried out prior to intended work to check for the presence of bats. Advice on bats and trees may be obtained from the Natural Resources Wales (Countryside Council for Wales as was). Bats may be present in cracks, cavities, under flaps of bark, in dense Ivy and so forth. Should bats be identified, please contact either Natural Resources Wales on 0845 1306229 or the Council's Ecology Section on 01446 704627.**
9. **The Highway Authority will require the developer to enter into a legally binding agreement to secure the proper implementation of the Highway Improvement Works and proposed highway works servicing developments greater than 5 dwellings which shall incorporate the appropriate bond.**

**Reason :- To ensure the minimum Design and Construction Standards are achieved in the interests of Highway / Public Safety.**
10. **There shall be no obstructions inclusive planting whatsoever within the areas required for vision splays. All proposed boundary walls, hedgerows or planting shall be located to the rear of the required vision splays in the interest of highway / public safety.**

**Reason :- In the interest of Highway / Public Safety.**
11. **This consent does not convey any authorisation that may be required to gain access onto land not within your ownership or control.**
12. **Before work is commenced the applicant must ensure that, where necessary, the appropriate Building Regulation consent has been obtained.**

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

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

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

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

**APPLICANT:** BSW Holdings Units 60-62, Dyffryn Business Park,, Llantwit Major Road, Llandow, CF71 7PY

**AGENT:** Mr James Scarborough Office 16 (House 1, 2nd Floor), The Maltings, East Tyndall Street, Cardiff, CF24 5EA

**BSW Holdings Ltd., Units 60-62, Dyffryn Business Park, Llantwit Major Road, Llandow**

The proposed erection of 1no. building to provide 3no. commercial units with associated parking and other works

**REASON FOR COMMITTEE DETERMINATION**

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

**EXECUTIVE SUMMARY**

The proposed development is for the erection of a new building within the grounds of the Dyffryn Business Park adjacent to the existing hangar. The building would contain 3no. Commercial units alongside associated parking and EV charging points. The building itself will measure 1900sqm in floor space and will contain units for B2 and B8 uses as well as a small office ancillary to the main uses. The proposal seeks to reconfigure the internal road layout to provide direct access to hanger 61 on the eastern side of the site. It is however worth noting that works on site have commenced without the benefit of planning permission, and are nearing completion. This has been subject to a separate investigation by the enforcement team.

This development constitutes 'Phase 2' of the redevelopment of the Business Park, whereby 'Phase 1' (ref. 2022/00677/FUL) comprised upgrading works to the fascia of the hangars within the park which was approved.

Insofar as consultees, no responses have been received by neighbouring properties, and no objections have been received following amendments, additional details and subject to suitable conditions and informatics by the Councils Highway Authority, Drainage Section, Shared Regulatory Services, Welsh Water, HENEBC, Landscape officers, Transport and Road Safety section, Natural Resources Wales, South Wales Police, local ward members nor the Llandow Community Council.

Following consideration of the proposed development and potential impacts and needs arising from the development, the Council are also seeking S106 planning obligations by way of a £40,940 contribution towards Sustainable Transport, 720sqm of public open space on site, a £5,020 contribution towards Training and Development, and Public Art is to be incorporated into the design. The applicant has agreed to provide for this financial contributions through a Section 106 Agreement.

The application is recommended for approval, subject to conditions and a S106 agreement to provide for the above mentioned obligations.

## SITE AND CONTEXT

The application site is located within Dyffryn Business Park, adjacent to 3no. air hangars located within the park. The site lies approximately 600m from the nearest settlement boundary of Sgingstone to the South East, within the countryside. The site does however lie within the Dyffryn Business Park Employment Site as identified by the Vale of Glamorgan adopted Local Development Plan 2011 – 2026.

The site is located within close proximity to the Llandow Industrial Estate and the Vale Business Park to the Northwest. Access is provided to the site via an existing road, which connects the Business Park to Llantwit Major Road to the west. This road provides travel to the A48 in the north, and Llantwit Major to the south.



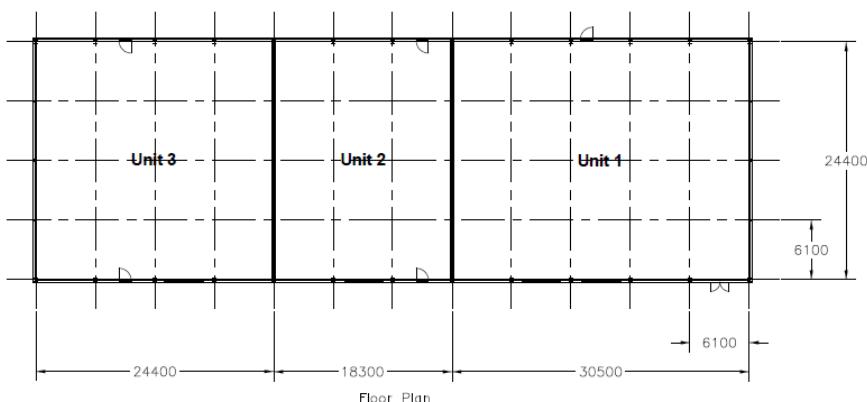
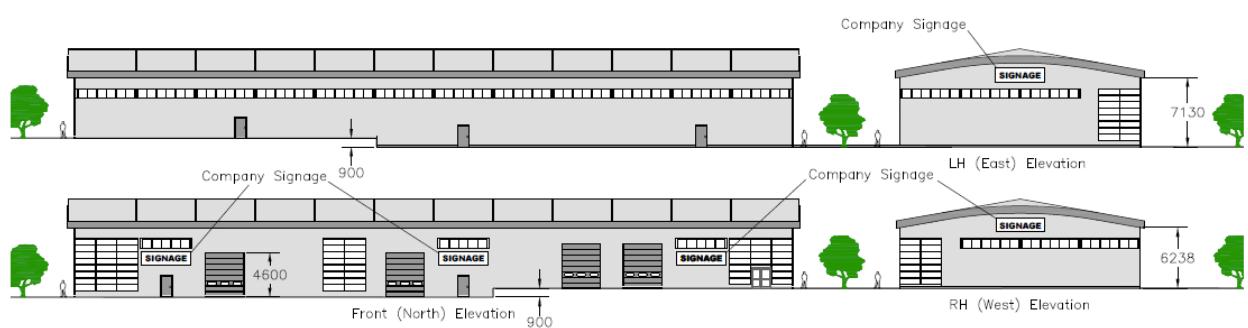
## DESCRIPTION OF DEVELOPMENT

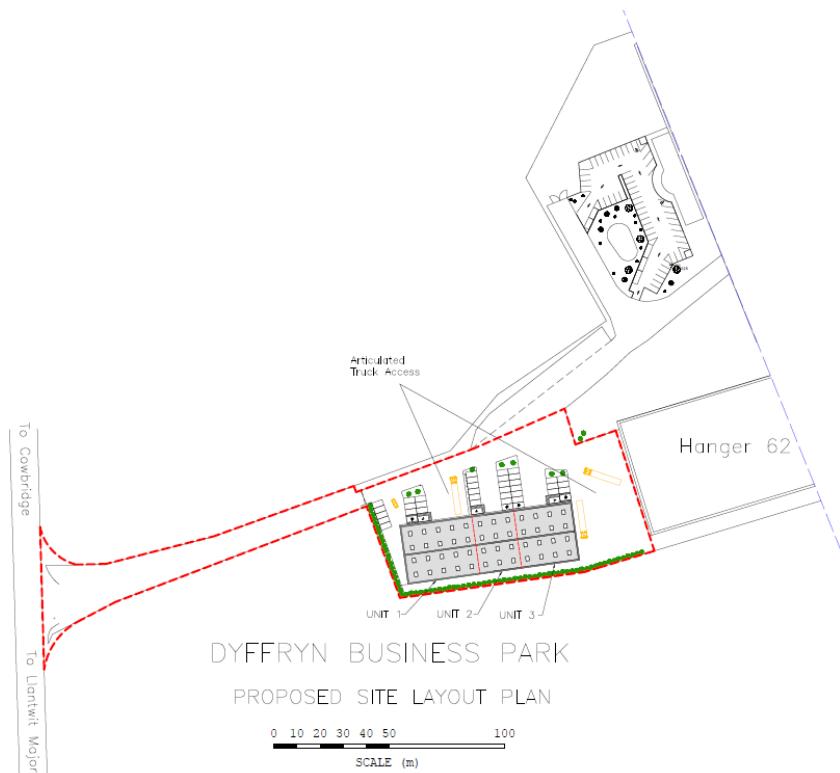
The application seeks full planning permission for the erection of a new building within the grounds of the Dyffryn Business Park adjacent to the existing hangar. The building would contain 3no. Commercial units alongside associated parking and EV charging points. The building itself will measure 1900sqm in floor space and will contain units for B2 and B8 uses as well as a small office ancillary to the main uses. The proposal seeks to reconfigure the internal road layout to provide direct access to hanger 61 on the eastern side of the site.

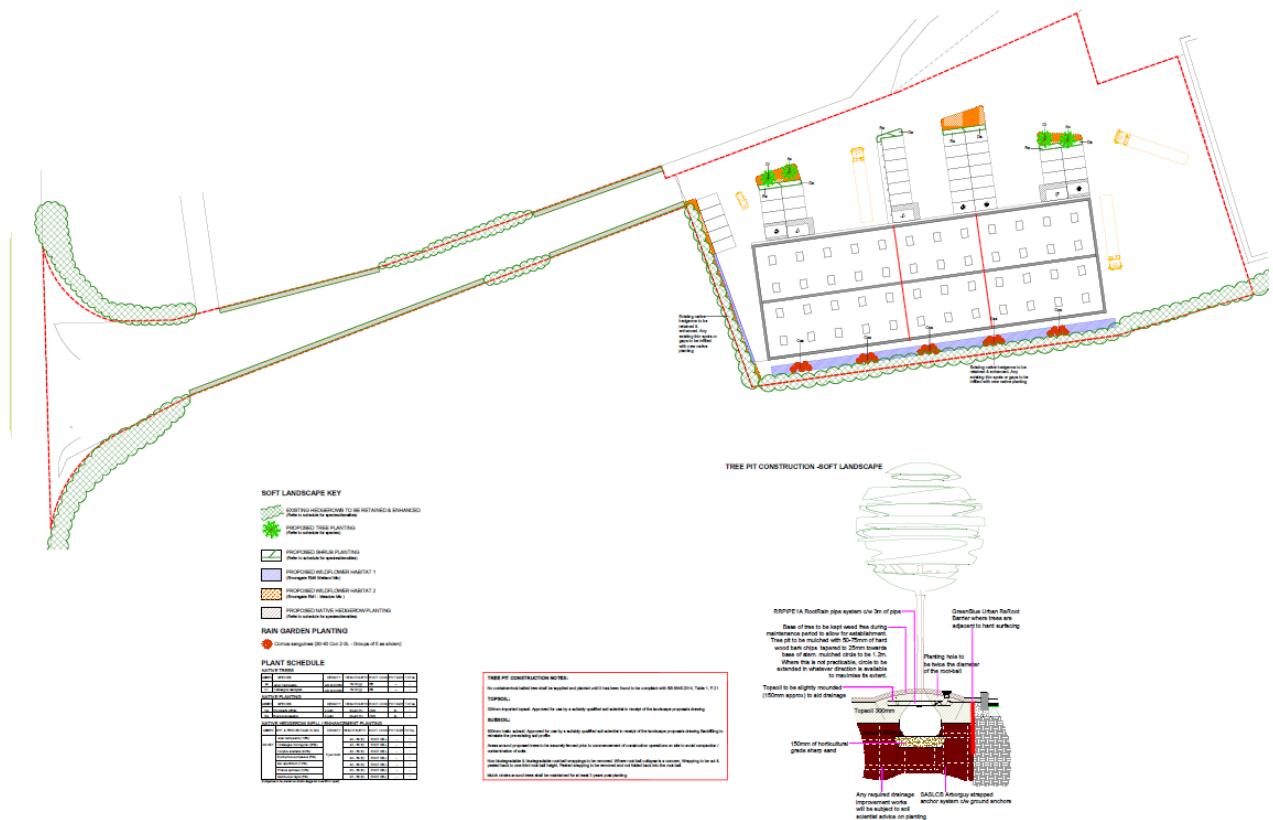
The proposed building is to be rectangular in form, covered by a pitched roof measuring a ridge height of 6.9m, half of which will be a green roof, and the other half to contain a significant number of solar panels.

The development constitutes 'Phase 2' of the redevelopment of the Business Park, whereby 'Phase 1' (ref. 2022/00677/FUL) comprised upgrading works to the fascia of the hangars within the park.

Proposed plans are attached.







## PLANNING HISTORY

1998/00674/FUL, Address: Dyffryn Business Park, Llandow, Proposal: Demolition of existing office block adjacent to hangar 60 and construction of new together with replacement car park and landscaping, also entrance sign, Decision: Refused

1998/00770/ADV, Address: Dyffryn Business Park, Llandow, Proposal: 10m high two sided sign, Decision: Refused

1998/01092/FUL, Address: Dyffryn Business Park, Llandow, Proposal: Retention of portakabin type office block 18.2 X 4.2m single storey and adjacent parking, Decision: Approved

2000/00151/FUL, Address: Dyffryn Business Park, Llandow, Proposal: Demolish existing office block adjacent to hanger 60 and construct new, together with replacement car park and landscaping, Decision: Approved

2022/00677/FUL, Address: Bsw Holdings Ltd., Units 60-62, Dyffryn Business Park, Llantwit Major Road, Llandow, Proposal: a) To remove concrete facias above steel Doors to edge of roof at each end of each of the 3 no. hangers on the site, i.e. 6 no. elevations in total. The whole elevation at each end of each of the 3 no. hangers will be clad in a mix of composite aluminium cladding and glazed glass units attached to proprietary powder coated aluminium curtain walling system. Replace current 1940's steel doors with up and over panel doors at each elevation, some elevations will have a single up and over door fitted and some will have two up and over doors fitted to suit material access requirements. b) To also overclad the existing roof of Hanger 61, with Plastisol coated proprietary steel sheeting onto galvanised steel purlins fixed to existing roof structure to match Hangers 60 and 62 which have previously been over sheeted in the same manner, Decision: Approved

## CONSULTATIONS

1. **Llandow Community Council** was consulted and stated that whilst the Community Council do not object to this proposal, raised concerns as the intensity of business use in the Llandow area continues to increase, in accordance with the LDP, more serious consideration must be given to improving the adequacy and resilience of the north-south highway links through the rural vale.
2. **The Council's Highway Authority** were consulted, and following amendments and further to the original highway observations it is the opinion of the Highway Authority that the site layout could be improved to better access and reduce the impact on other users of the site based on vehicles needing to turn and reverse to access the units.

However, it is noted that the Highway Authority does not object to the proposals as they currently stand subject to conditions relating to the submission of a signage strategy. An additional CTMP condition was also requested however noting the works on site are nearing completion, and as such it is not considered reasonable to request the CTMP.

3. **Chief Fire Officer** was consulted and stated no objection.
4. **Council's Drainage Section** were consulted and stated that the application is subject to SAB approval prior to any commencement of work. As such a detailed design for the surface water drainage will be required to be submitted through the SAB process.
5. **Shared Regulatory Services (Pollution)** were consulted, no comments have been received to date.
6. **Heneb, the Trust for Welsh Archaeology (GGAT)** were consulted, and raised no archaeological objection to the proposals.
7. **Dwr Cymru** were consulted and stated that it appears the application does not propose to connect to the public sewer, and therefore Dwr Cymru has no further comments. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred, Dwr Cymru must be re-consulted on this application.
8. **The Council's Ecology Officer** was consulted and initially raised concerns relating to the lack of biodiversity benefits and lighting on the southern boundary of the site, in addition to the existing hedgerow removal. However following the submission of additional details, no objection is raised subject to conditions.
9. **The Council's Landscape Section** were consulted, no comments have been received to date.
10. **The Council's Transport and Road Safety section** were consulted, no comments have been received to date.

11. **Natural Resources Wales** were consulted and raised concerns regarding potential impacts on Great Crested Newts. A further submission of a Mitigation Method Statement was received which satisfied the original concerns raised subject to conditions.
12. **The Council's Shared Regulatory Services (Contaminated Land, Air & Water Quality)** were consulted and raised no objection subject to suitable conditions and informatics.
13. **South Wales Police** were consulted, no comments have been received to date.
14. **Llandow Ward members** were consulted, no comments have been received to date.

## REPRESENTATIONS

The neighbouring properties were consulted on 16 August 2023.

A site notice was also displayed on 24 August 2023.

To date, no comments have been received.

## REPORT

### Planning Policies and Guidance

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

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

#### **Strategic Policies:**

POLICY SP1 – Delivering the Strategy  
POLICY SP5 – Employment Requirements  
POLICY SP10 – Built and Natural Environment

#### **Managing Growth Policies:**

POLICY MG9 – Employment Allocations

#### **Managing Development Policies:**

POLICY MD1 - Location of New Development  
POLICY MD2 - Design of New Development  
POLICY MD7 - Environmental Protection  
POLICY MD9 - Promoting Biodiversity  
POLICY MD14 - New Employment Proposals  
POLICY MD16 - Protection of Existing Employment Sites and Premises

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

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

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

Chapter 3: Setting and achieving our ambitions

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

### **Planning Policy Wales:**

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places

Chapter 4 - Active and Social Places

- Activities in Places (retail and commercial development)

### **Technical Advice Notes:**

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

- Technical Advice Note 12 – Design (2016)

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

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

### **Supplementary Planning Guidance:**

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

- Biodiversity and Development (2018)
- Design in the Landscape
- Parking Standards (2019)

### **Other relevant evidence or policy guidance:**

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

### **Equality Act 2010**

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

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

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

### **Issues**

The primary issues to consider in assessing the proposals against the policies and guidance listed above are the Principle of Development, the Design and Visual Impact of the proposals upon the character of the site and wider setting. Consideration will also be given to potential impacts on Residential Amenity, Ecology, Highway Safety, Green Infrastructure and Biodiversity Enhancement.

### **Principle of Development**

The site is identified as an existing employment site as per Policy MD16 of the Local Development Plan 2011 – 2026. The land has been allocated to ensure that an appropriate range and choice of land is available throughout the Authority to meet future employment needs of B1, B2 and B8 uses. Policy MD14 (New Employment Proposals)

states that on existing and allocated employment sites, development proposals for B1, B2 and B8 employment uses, and complementary ancillary uses will be supported.

The site is located within close proximity to the Llandow Industrial Estate and the Vale Business Park to the Northwest. Both sites have a mixture of B1, B2 and B8 employment uses along with complementary or ancillary uses that can regularly be found within such employment sites. Therefore, the site is located within a predominantly commercial / employment area in this region of the Vale.

The proposed development seeks planning approval for a new building comprising of 3 commercial units for the purpose of B2 and B8 uses which, as per policy MD14, will be supported on existing and allocated employment sites. Policy MD14 specifically outlines that: *Proposals for new B1, B2 and B8 employment uses, including complementary ancillary uses where appropriate, on existing and allocated employment sites (will be supported) in order to support economic growth and the long term viability of existing employment areas.*

Given that the site is located within Dyffryn Business Park, which is identified as an existing employment site within the LDP Proposals Map, it is considered that the principle of development is acceptable at this location, subject to compliance with the general criteria set out within policies MD1, MD2, MD7, and MD9.

## **Design and Visual Impact**

Policy MD2 of the Local Development Plan 2011 – 2026 states that in order to create high quality, healthy, sustainable and locally distinct places, development proposals should:

1. *Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest;*
2. *Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density;*
3. *Where appropriate, provide new or enhanced areas of public realm particularly in key locations such as town centres, major routes and junctions;*
4. *Promote the creation of healthy and active environments and reduce the opportunity for crime and anti-social behaviour. In the case of retail centres, developments should provide active street frontages to create attractive and safe urban environments;*
5. *Provide a safe and accessible environment for all users, giving priority to pedestrians, cyclists and public transport users;*
6. *Have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree;*
7. *Where appropriate, conserve and enhance the quality of, and access to, existing open spaces and community facilities;*
8. *Safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;*

9. *Provide public open space, private amenity space and car parking in accordance with the council's standards;*
10. *Incorporate sensitive landscaping, including the retention and enhancement where appropriate of existing landscape features and biodiversity interests;*
11. *Provide adequate facilities and space for the collection, composting and recycling of waste materials and explore opportunities to incorporate re-used or recyclable materials or products into new buildings or structures; and*
12. *Mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with their design, construction, use and eventual demolition, and include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.*

Criteria 1 and 2 of policy MD2 (Design of New Development) requires proposals to be of a high standard of design that positively contributes to the context and character of the surrounding built environment and respond appropriately to the local context and character.

The proposed facility is to be located within the southeastern part of the site, immediately adjacent to the access point to the wider commercial development. This area currently comprises of a hardstanding and currently serves no particular purpose or beneficial use for the site. The neighbouring hangar (Hangar 62) directly faces the proposal and therefore would have an established relationship in terms of siting and layout. The proposed 1780sqm unit would be sited adjacent to three WWII hangars and a more modern building which is used as an office space for BSW systems and other companies. The proposed building would be rectangular in form, with a shallow pitched roof measuring a height of 6.9m. The design of the building with regards to the scale, appearance and materials as well as general form would be consistent with the existing hangar buildings as demonstrated within the illustration attached below and would be typical of an industrial context. Whilst glimpses of the building may be available from the B4270 (Llantwit Major Road) to the west, these would be viewed against the industrial backdrop of the existing hangars and therefore would not be at odds within its surroundings. Given the industrial nature of the site, and the scale of the surrounding buildings, the building would appear in-keeping within its context and would not detrimentally impact the appearance of the site nor wider setting.



The proposed palette of materials also complements the general character of the site with steel profile sheeting used on the exterior of the building. The south facing roof slope would include solar panels whilst the north facing roof slope would include a green roof which is deemed to also complement the rural nature of the wider context beyond the site.

The proposal also includes layout provisions for 42 parking spaces and two commercial spaces, along with appropriate hard and soft landscaping as seen above. This arrangement is considered acceptable in relation to visual amenity.

Consequently, the proposal complies with policies MD1 and MD2 with regards to its design and its impact upon visual amenity and therefore the works are deemed to be acceptable.

### **Impact on Residential Amenity**

Criterion 8 of policy MD2 states that in order to create high quality, healthy, sustainable and locally distinct places, development proposals should *Safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance;*

Policy MD7 (Environmental Protection) states that development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from either:

#### *4. Noise, vibration, odour nuisance and light pollution;*

The development would be sited circa 600m west from the settlement boundary of Singtonstone, however the nearest residential dwelling would be Crosslands which is circa 220m to the North West of the proposed development. The development would be viewed within a context which includes three WWII hangars currently used for commercial purposes, and therefore the proposed building along with its uses would not adversely impact or curtail the other industrial uses in the vicinity. Given that the site is located on an established industrial site where other units benefit from similar uses to the proposed, coupled with the considerable distance to neighbouring residential properties, the proposal

is not considered to result in any significant additional harm upon these neighbours to warrant refusal with regards to overbearing, overlooking, noise nor disturbance.

It is therefore considered that there would not be an unacceptable impact on residential amenity complying with the requirements of policies MD1, MD2 and MD7 of the Adopted LDP 2011-2026.

## **Highway Safety and Parking Provision**

Criterion 6 of policy MD2 states that in order to create high quality, healthy, sustainable and locally distinct places, development proposals should: have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree.

The council's Highway Authority were consulted, and further to the original highway observations advised that the site layout could be improved to provide better access and reduce the impact on other users of the site based on vehicles needing to turn and reverse to access the units. However, it is noted that the Highway Authority does not object to the proposals as they currently stand.

Visibility splays have been provided along the adjacent highway network of the B4270 which are acceptable based on the observed speeds of the road which are contained in the Transport Statement.

The highway officer has, however, raised concerns regarding the site signage, particularly from the adopted highway and the signage at the entrance of the site which will need to be relocated to avoid potential safety issues in future. An application for the erection of two totem signs was refused under application 2023/00819/ADV on the grounds of highway safety. Therefore, on the basis that concerns are raised regarding the signage to the entrance, conditions have been requested on any subsequent consent for these details to be submitted and approved in writing by the Local Planning Authority prior to their erection/use. The strategy shall include new highway signage along the B4270 informing traffic of the business park and the relocation of the signage from the site entrance into the development boundary. All costs associated with the design and implementation of the signage shall be payable by the applicant or developer

Whilst the highway officers also requested a Construction Traffic Management Plan ('CTMP') as noted by their latest comments, given that development has commenced on site and is nearing completion, a Construction Traffic Management Plan has not been conditioned as being necessary in this instance.

## **Ecology**

The application is accompanied by a Preliminary Ecological Appraisal Report prepared by Wildwood Ecology which identified that Dyffryn Business Park Pond SINC is within 250m of the proposed development and supports good breeding populations of great crested newt and it was concluded that advice should be sought from NRW and the council's ecologist as to whether it is sufficiently well separated to avoid impacts on its designated features, including GCN, as a result of the proposed development.

Firstly, it is noted that the Council's ecologist was consulted, and raised no overall objection to the development on the grounds of its impact on biodiversity however requested additional information regarding the lighting strategy on the southern side of the building and boundary, lighting on the southern side of the building and the boundary, a scheme of mitigation for Great-crested Newts bearing in mind the migration periods outlined within the PEA and highlighted that consideration should be made to improve the wider hedgerow network.

Further to the submission of a Landscape Specification & Management Plan, the council's ecologist raised no concerns, welcoming the bollard lighting, the relocation of the SUDS feature to enable the retention of the hedge, the additional planting of new hedgerows and the strengthening of the existing hedgerows. As such, no objection is raised from the council's ecologist subject to suitable conditions.

Natural Resources Wales were also consulted, and initially raised concerns that the PEA identifies that suitable terrestrial great crested newt (GCN) habitats bordering the site may be impacted. In addition, land within the red line boundary would appear to support terrestrial habitats for GCN. As such, a request was made for an assessment of the potential impacts of the scheme and suitable mitigation / compensation details within a GCN conservation plan.

Further to the NRW request, a Great Crested Newt Method Statement was submitted to the Council and sent onto NRW officers for review. The Method Statement outlines the measures to avoid or minimize the risk of harming any GCN during the construction process. It includes the installation of a temporary exclusion fence along the retained hedgerow to direct GCN away from the construction zone, as well as the provision of alternative refugia such as stone-piles, log-piles, and hibernacula within the retained habitat. The hedgerow will also be enhanced through additional planting and long-term management to improve its ecological value. The proposed works are expected to have no impact on aquatic breeding habitats, and the measures outlined in the Method Statement will ensure the protection of the local GCN population and maintain / enhance terrestrial habitats as part of the proposed development.

The mitigation strategy stated within the submitted Method Statement includes 6 key principles which will apply over the duration of the development. These include the installation of a semi-permanent amphibian exclusion fence around the southern and western boundary of the site. This will be tied into the existing building at the south-east corner of the application site as illustrated in the attached map and will be regularly inspected a minimum of once a week and maintained by site staff and project ecologist, it will remain in place for the duration of site construction work.



### *Great Crested Newt method statement plan*

The existing native hedgerow is to be retained and enhanced and any gaps will be infilled with new native planting as discussed within the Green Infrastructure Statement. Furthermore, it is proposed to create 1 log pile, 1 stone pile and 2 hibernacula features within the retained area around the existing pond to the north-west outside the site boundary. Features will be created using material from the local area (Dyffryn Business Park) with additional material brought in if required under the direction of the project ecologist.

Following completion of all works and new planting within the development area the exclusion fencing around the boundary of the completed construction will be removed.

NRW were reconsulted following the receipt of the GCN Method Statement Submission received 22/04/25 and following review and continued to have concerns with the application as submitted, although were satisfied that these concerns could be satisfied if the submitted method statement is included in the approved plans and documents condition on the decision notice.

As such, subject to conditions relating to the management and mitigation of the proposal on European Protected Species, the proposal is considered acceptable in this regard.

### **Green Infrastructure and Biodiversity Enhancement**

Policy MD9 'Promoting Biodiversity' of the Adopted LDP requires new development to conserve and where appropriate, enhance biodiversity interests unless it can demonstrate that:

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

Furthermore, Planning Policy Wales Edition 12 (PPW12) Chapter 6, places increased emphasis on the protection and enhancement of the natural environment. It states that all developments must achieve a biodiversity benefit and also that Green Infrastructure

Statements should accompany all planning applications albeit that this will be proportionate to the scale and nature of the development proposal. A Green Infrastructure Statement has been submitted outlining the proposed provisions put in place. No significant green infrastructure would be lost as a consequence of development, however the submitted GIS outlines provisions to enhance the existing green infrastructure on site. These include the addition of 4 new native trees, infilling thin spots and gaps within the existing hedgerows with native planting, new hedgerow planting along the access road links to the existing hedgerows around the site, a new wildflower meadow habitat and native shrubs to break up the massing of hard landscaping. Accordingly, the proposed development will enhance the existing level of Green Infrastructure onsite.

Furthermore Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. The proposal would include the two wildflower meadows which along with the additional hedgerows and tree planting are deemed appropriate. This is also in addition to the 1 log pile, 1 stone pile and 2 hibernacula features within the retained area around the existing pond to the north-west outside the site boundary outlined in the ecology section of the report. These are deemed acceptable and will be secured by condition if acceptable in all other regards.

### **Planning Obligations**

Policy MD4 seeks to ensure that all new developments in the Vale of Glamorgan are supported by appropriate services and facilities to meet their needs and the needs of the existing community, to create safe, sustainable, liveable, healthy and mixed communities. This may be through improvements to existing facilities or the provision of new infrastructure.

Having regard to the requirement of the Local Development Plan 2011-2026 and Planning Obligations Supplementary Planning Guidance, consideration of the proposed development and potential impacts and needs arising from the development, it was advised that the Council would be entitled to seek planning obligations for the following:

- Sustainable Transport
- Public Open Space
- Training and Development
- Public Art

Financial contributions for sustainable transport and training and development have been requested, amounting to a total of £45,960. In accordance with the Council's Supplementary Planning Guidance on Planning Obligations, the Council required a financial contribution of £40,940 (on the basis of £2,300 per 100sqm of additional commercial space) given the proposed development would compromise of 1780sqm of new commercial floorspace floorspace. Given the number of potential vehicular trips this development will generate and the need to encourage a modal shift, access to sustainable transport will be essential, and the contribution could be utilised to improve active travel and bus services serving the site.

Part of the justification for permitting new commercial developments is the employment opportunities they present. Training local residents to be able to apply for some of the new job opportunities helps to create sustainable communities. Therefore, on major developments the Council looks for opportunities to maximise training and development for the Vale of Glamorgan's resident population. This training may be provided by the developer on site or provided in the form of a financial contribution to the Council to facilitate skills training to boost local economic development.

In this case, it is considered reasonable to expect training (on a recognised training course) to be provided for at least 4 employees on site based upon 1 trainee per 500sqm of new floor space created, or alternatively pay the Council a contribution of £5,020 (£1255 per trainee) as an in-lieu contribution, which was agreed as the preferred option. The financial contribution would be used to remove the barriers to work by providing assistance such as training, skills development, childcare etc.

The above planning obligations have been discussed with and agreed by the applicant, via their planning agent. The proposal is considered acceptable in relation to planning obligations and provides policy compliant obligations that will meet the needs arising from the development in the areas concerned.

In addition to the financial contributions above, commercial developments would usually be expected to provide public open space and/or recreational facilities to meet the needs of employees. The application form states that the proposal would attract 45 new full-time employees on site. As such, based on 16sqm per staff member, a total of 720sqm of public open space would be required. The applicant has identified areas within the red line shown on plan ref (BSW742\_B - Public Open Space P2) that would cater for open space, and the total area would amount to the required 720sqm. Within these areas, the plan illustrates that benches and picnic tables would be provided, and these would be accessible for the new employees. Noting the 'in kind' nature of contribution it is considered that this element could be suitably controlled by way of condition attached to any consent granted.

With regards to public art, the Council introduced a 'percent for art' policy in July 2003, which is supported by the Council's adopted SPG on Public Art. It states that on major developments, developers should set aside a minimum of 1% of their project budget specifically for the commissioning of art and, as a rule, public art should be provided on site integral to the development proposal. The public art scheme must incorporate sufficient measures for the appropriate future maintenance of the works. Confirmation was received via email dated 21/10/2025 that the development costs are estimated at £800,000.00. Therefore, it is proposed to set aside £8 to £10k for a public art installation on an area they have defined as public open space. The applicant would like this to reflect the history of the site in relation to this being ex MOD and the site being used for fitout of Spitfire aircraft prior to then being flown onto Biggin Hill. They would plan to engage with a local history society, the Council's Art Development Officer and come up with a laser cut Corten sculpture/ mural to depict the previous life of this site which will be secured as part of the legal agreement.

To summarise the planning obligations set out above have been discussed and agreed with the applicant and are considered to meet the statutory tests under Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). They are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind.

## RECOMMENDATION

APPROVE, subject to the below conditions and subject to a Section 106 Agreement to provide for the following:

- £5,020 for training and development
- £40,940 towards sustainable transport contributions
- 1% of build costs towards public art

APPROVE subject to the following condition(s):

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

Reason:

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

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

BSW732\_E - Site Layout and Location Plan (Phase 2)

Bsw726\_E Pre1 - Phase 2 - Plan View

Bsw729\_C - Phase 2 - Drainage Concept

28646 Hyd Xx Xx Dr C 7000 P02 Drainage Strategy

49275c - Kingfisher lighting

49275/PJ/F Kingfisher Lighting Map

C23034 Atp Dr Tp 004 - Site access general arrangement and visibility plan

C23034 Ts01 Iss4 Transport Statement Compressed

BSW723\_H Phase 2 - Corner unit (triple)

BSW731\_H Site layout proposal - Phase 2 new road

C23034.TS01 Traffic Survey

Landscape Specification & Management Plan

Detailed Soft Landscape Proposals (Rev B)

BSW742\_B - Public Open Space P2

Cechowicz, D. (2025). 'Dyffryn Business Park, Llandow, CF71 7PY Mitigation Method Statement – Great Crested Newt', prepared by Soltys Brewster Ecology, dated 17 April 2025

Reason:

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

3. The biodiversity enhancement measures set out in 'Landscape Specification & Management Plan', 'Green Infrastructure Statement' and 'Detailed Soft Landscape Proposals (Rev B)' shall be carried out in full prior to the first beneficial occupation or use of the development and thereafter retained in accordance with the approved details whilst the development remains in existence.

Reason:

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

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

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan.

5. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan.

6. Notwithstanding the submitted details shown in plan titled 'BSW742\_B - Public Open Space P2)' and prior to the commencement of the development, a scheme for the provision and maintenance of on site open space to serve site employees shall be submitted to and approved in writing by the Local Planning Authority, and shall include details of the timing of its provision, furniture, landscaping, and future maintenance. The open space shall be provided in accordance with the approved details and so retained and maintained at all times thereafter.

Reason:

To ensure the timely provision of the public open space and to ensure compliance with Policies MD2 Design of New Development and MD4 Community Infrastructure and Planning Obligations of the Local Development Plan.

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

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD9 (Promoting Biodiversity) of the Local Development Plan.

8. A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas as shown in plan titled 'Detailed Soft Landscape Proposals (Rev B)' shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the dwellings on the site. The landscape management plan shall be carried out as approved.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

9. Prior to beneficial occupation of the development, a signage strategy shall be submitted to and approved in writing by the Local planning authority and implemented on site. The strategy shall include new highway signage along the B4270 informing traffic of the business park and the relocation of the signage from the site entrance into the development boundary. All costs associated with the design and implementation of the signage shall be payable by the applicant or developer.

Reason:

In the interest of highway safety and to ensure a satisfactory form of signage to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

10. The development shall at all times be carried out in accordance with the recommendations and mitigation methods contained within documents titled 'Doc Ref E25131401 - 08 April 2025 Mitigation Method Statement - Great Crested Newts').

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy), MG19 (Sites and Species of European Importance) & MD9 - Promoting Biodiversity of the Local Development Plan & the Council's adopted Supplementary Planning Guidance on Biodiversity.

## REASON FOR RECOMMENDATION

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

Having regard to Policies SP1 (Delivering the Strategy), SP5 (Employment Requirements), SP10 (Built and Natural Environment), MG9 (Employment Requirements), Policy MG20 (Nationally Protected Sites and Species), MD1 (Location of New Development), MD2 (Design of New Development), MD7 (Environmental Protection), MD9 (Promoting Biodiversity), MD14 (New Employment Proposals) and MD16 (Protection of Existing Employment Sites and Premises) of the adopted Local Development Plan 2011 – 2026, Future Wales: The National Plan 2040, the relevant chapters of Planning Policy Wales (12<sup>th</sup> Edition), Technical Advice Note 12 – Design (2016), and the Council's supplementary planning guidance for Biodiversity and Development (2018), Design in the Landscape, Parking Standards (2019), the proposal is considered acceptable with regards to the principle of development, design and visual impact, impact on residential amenity, highway safety and parking provision, ecology, green infrastructure and biodiversity enhancement.

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

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

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

**NOTE:**

1. **New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.**

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

2. **Warning: An European protected species (EPS) Licence is required for this development.**

**This planning permission does not provide consent to undertake works that require an EPS licence.**

**It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.**

**To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/?lang=en>**

3. **Please note that a legal agreement/planning obligation has been entered into in respect of the site referred to in this planning consent. Should you require clarification of any particular aspect of the legal agreement/planning obligation please do not hesitate to contact the Local Planning Authority.**

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

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

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

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