

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **21 MAY 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:

2026/0002/PO	AC	49, South Road, Porthcawl. CF36 3DL	Two storey extension to the rear of the property with a single storey extension to the side
2026/0003/PO	AC	362, Western Avenue, Cardiff. CF5 2BH	Single storey rear infill extension
2026/0091/BN	A	75, Westbourne Road, Penarth. CF64 3HD	like for like replacement of double doors (no new structural openings/lintels) and replacement of 16 timber sash windows
2026/0098/BR	AC	48, Pontypridd Road, Barry. CF62 7LS	Single storey side rear extension, internal alterations to form new bathroom and hallway. Re roof to main house and new bay window
2026/0102/BN	A	5, Primrose Close, Cowbridge. CF71 7DZ	Single storey rear extension
2026/0107/BN	A	The White House, Flanders Road, Llantwit Major. CF61 1RL	Demolition of wall with new supporting steel, new kitchen to former dining room

2026/0109/BR	AC	123, St David's Crescent, Penarth, CF64 3NB	Single storey rear extension
2026/0110/BR	AC	34, St. Andrews Road, Barry. CF62 8BR	Single storey front porch extension
2026/0112/BN	A	Chiltern, Bridge Road, Llanblethian, Cowbridge. CF71 7JG	New front porch, new structural opening for new sliding doors and modifications to some of the current back windows and doors. Addition of in-roof solar panels on the first single storey roof. Replacement windows, replacement render.
2026/0114/BN	A	The Bunaglow, Milllands Caravan Park, Llanmaes. CF61 2XY	Single storey extension x2 and ensuite to ground floor
2026/0116/BN	A	Richmond House, Stalling Down, Cowbridge. CF71 7DT	Garage conversion to day room & single storey rear extension (10-40m2)
2026/0117/BN	A	20, Heol Collen, Culverhouse Cross. CF5 6TX	Loft conversion with dormer
2026/0118/BN	A	21, The Heathers, Barry. CF62 7FL	Single storey extension at rear of property to fill in between kitchen & garage
2026/0119/BN	A	32, Forrest Road, Penarth. CF64 5DP	Rear and front extension
2026/0120/BR	AC	Alps Depot, Quarry Road, Wenvoe. CF5 6AA	Proposed internal alteration works to existing Council Offices
2026/0122/BN	A	27, Westgate, Cowbridge, CF71 7AQ	Proposed single storey flat roof extension and internal alterations to include replacement of the existing ground floor slab, replacement of the suspended first floor structure, replacement of the existing flat roof and repairs to the existing pitched roof

2026/0123/BN	A	79, Tennyson Road, Penarth. CF64 2SA	Single storey extension
2026/0124/BN	A	5, Wenvoe Close, Wenvoe. CF5 6AY	Demolition of existing garage and utility room. Erection of 2 storey extension to the left side of the house
2026/0125/BN	A	Woodlands, St. Brides Road, Ewenny. CF35 5AD	Conversion of integral garage into a living space
2026/0126/BN	A W	5, Longmeadow Drive, Dinas Powys. CF64 4TA	Proposed single storey side / rear extension
2026/0127/BN	A	25, Marine Drive, Barry. CF62 6QP	Re roof
2026/0128/BN	A	8, Knowbury Avenue, Penarth. CF64 5RX	Re roof
2026/0129/BN	A	138, Redlands Road, Penarth. CF64 2QR	Knock Through
2026/0130/BN	A	Inglenook, Sully Road, Penarth. CF64 2TQ	2 storey side extension
2026/0131/BN	A	Heybrook, Nash, CF71 7NS	Replacement roof with new steel and timbers
2026/0132/BN	A	Springfield, 8, Fontygary Road, Rhoose. CF62 3DR	Re roof
2026/0134/BN	A	4, Beryl Place, Barry. CF62 8DL	Re roof
2026/0135/BR	AC	177, Plymouth Road, Penarth. CF64 5DG	New detached dwelling
2026/0136/BN	A	The Mill, Peterston Super Ely, CF5 6LH	Realignment of main central staircase including fire door to basement
2026/0137/BN	A W	Cwrt Y Gan, 5, St. Quentins Close, Llanblethian, Cowbridge. CF71 7EZ	Single storey extension
2026/0138/BN	A	1A, Bromfield Place, Penarth. CF64 1HR	Relocation of kitchen, fitting new steel between old kitchen and middle area.

2026/0139/BR	AC	Min Y Don, 50, South Road, Sully, Penarth, CF64 5TG	Single storey rear extension
2026/0141/BR	AC	Mill Stream Cottage, Llandow, CF71 7NT	Two storey extension to front with single storey extension to rear
2026/0142/BN	A	7, King Street, Penarth. CF64 1HQ	Full refurbishment of house to include bathroom relocation upstairs, removal of load bearing walls to create open plan living
2026/0144/BN	A	97, Tynewydd Road, Barry. CF62 8BB	Knock Through
2026/0145/BN	A	29, Coronation Street, Barry. CF63 4JW	Re roof
2026/0146/BN	A	31, John Batchelor Way, Penarth. CF64 1SD	Balcony to rear elevation at first floor
2026/0147/BN	A W	10, Merthyr Dyfan Road, Barry. CF62 9TG	Single Storey Extension
2026/0148/BN	A W	5, White Farm, Barry. CF62 9EU	Single storey rear and side extension to form kitchen, sitting area and workshop
2026/0150/BN	A	64, Greenmeadow Way, Rhoose. CF62 3FJ	Replacement of rear patio doors with bi-folds and increase opening by 1 metre. Brick up small window
2026/0151/BN	A	Castle Edge, St. Quentins Hill, Llanblethian, Cowbridge. CF71 7JT	Removal of internal load bearing wall between living and dining room and installation of steel beam
2026/0152/BN	A	Hilston, St Andrews Road, Dinas Powys. CF64 4HB	Knock through between kitchen and dining room
2026/0153/BN	A	20, Orchard Crescent, Dinas Powys. CF64 4JZ	Two knock throughs, new roof opening and part garage conversion to utility room
2026/0155/BN	A	10, Heol Dewi Sant, Barry. CF62 7BY	Single storey first floor extension above existing ground floor extension

2026/0156/BN	A	35, The Parade, Barry. CF62 6SE	Full roof replacement & removal of a internal load bearing wall
2026/0157/BN	A	38, King Street, Penarth. CF64 1HQ	Rear extension into side return
2026/0159/BN	A	1, Porlock Drive, Sully, Penarth. CF64 5QA	Rear extension, alteration of back window into patio doors and installation of 1 steel between kitchen & living space
2026/0163/BN	A	Melita, 106 Port Road East, Barry, CF62 9PW	Re roof
2026/0168/BN	A	8, College Place, Barry. CF62 7BX	New wc to ground floor
2026/0029/RG	A	72, Ffordd Y Spitfire, St Athan, CF62 4HN	Integral garage conversion into office and cloak room.
2026/0140/BR	AC	9, Maes Slowes Leyes, Rhoose. CF62 3LT	Rear dormer loft conversion
2026/0149/BN	A	124, Westbourne Road, Penarth. CF64 3HH	Demolition of wall between the existing kitchen and rear lean to with supporting steels. New windows and doors to the lean to. New insulated roof to the lean to. Re sitting of downstairs WC
2026/0158/BN	A	30, Slade Close, Sully, CF64 5UU	Bifolds to existing house
2026/0162/BN	A W	2, Greenbanks Drive, Barry. CF62 8HZ	Single storey extension to rear
2026/0164/BN	A	5, The Orchard, Aberthin, Cowbridge. CF71 7HU	Knock through of 2 load bearing walls and installing 2 steel beams. Installation of new kitchen and moving utility to garage

2026/0165/BR	AC	45, Castle Avenue, Penarth. CF64 3QT	Demolish existing detached outbuilding structure. Proposed part two storey, part single storey rear extension(s) with fenestration alterations on side and rear elevations, internal alterations to ground floor all with the associated external works
2026/0166/BR	AC	28, Marine Drive, Ogmore By Sea. CF32 0PJ	Single storey extension with balcony above and internal alterations
2026/0167/BN	A	4, Bryn-y-mor, West Aberthaw. CF62 4HZ	Single storey ground floor orangery extension
2026/0170/BN	A	St. Annes, 20, Victoria Road, Penarth. CF64 3HX	Re roof of existing listed building with re design of turret to original design.
2026/0171/BN	A	5, Southesk Place, Barry. CF62 6SL	Re roof
2026/0172/BN	A W	50, Greenacres, Barry. CF63 2PL	Proposed front & side single storey extension
2026/0173/BN	A	102, Plassey Street, Penarth. CF64 1EL	Replacement of 10 windows and doors, internal alterations to form new layout & installation of bathroom and kitchen
2026/0174/BR	AC	St. Athan Primary School, Rock Road, St Athan. CF62 4PG	Single storey extension to existing school block on footprint of previous extension. Consisting of three teaching spaces, male and female toilets, accessible WC, small store rooms and associated external works limited to building perimeter and SAB approved rainwater drainage
2026/0175/BN	A	Bryn Awel, Buttrills Road, Barry, CF62 8EG	Single storey side & rear extensions with internal alterations to domestic property

2026/0176/BR	AC	Chris Williams Optometrist, Newton House, East Street, Llantwit Major, CF61 1XY	Single storey rear extension
2026/0177/BR	AC	Christ Church Presbyterian, Tynewydd Road, Barry, CF62 8HB	Proposed change of use to retail and restaurant with first floor rear extension.
2026/0178/BN	A	32, West Walk, Barry. CF62 8BY	Re roof
2026/0179/BN	A	6, Lee Road, Barry. CF63 1DA	Rebuild rear elevation, change rear extension roofs to flat, knock through between rear living room and extension
2026/0181/BN	A	49, Fairfield Rise, Llantwit Major. CF61 2XT	Conversion of garage into office space
2026/0182/BN	A	6, Tennyson Road, Penarth. CF64 2RY	Removal of load bearing wall and installation of steel beam on padstones
2026/0183/BN	A	7, Mallard Way, Penarth. CF64 5FG	Remove existing internal wall between kitchen and dining room and support with steel beam. Create new external opening for Bi fold doors and fixed pane window supported with appropriate catnic lintels.
2026/0184/BN	A	Lon Yr Ysgol, St Cyres Road, Penarth. CF64 2AS	Installation of vents in external walls, installation of vents and dampers in internal lobbies, removal of OH door closers to keep locked fire doors and associated fire stopping works
2026/0185/BR	AC	62, Norwood Crescent, Barry. CF63 2AR	Single storey pitched roof side extension
2026/0186/BN	A W	23, Conway Drive, Barry. CF62 7EZ	Conversion of attached garage to habitable room and knock through
2026/0187/BN	A	15, Clos Ogney, Llantwit Major. CF61 2SN	Garage conversion into living space

2026/0188/BN	A	36, Seaview Drive, Ogmore By Sea. CF32 0PB	Structural opening, 2 steel beams
2026/0190/BR	AC	114, Andrew Road, Cogan, Penarth. CF64 2NW	Proposed loft conversion to include rear dormer
2026/0191/BN	A	Holly Cottage, Michaelston Le Pit. CF64 4HE	Single storey extension
2026/0192/BR	AC	Whitewells Farm, Peterston Super Ely. CF5 6NE	Proposed dormer extensions to front and rear elevation(s), façade changes to chimney stack and insertion of rooflight to front elevation; all with the associated internal and external works.
2026/0194/BN	A	23, Milward Road, Barry. CF63 3QD	Re roof
2026/0195/BN	A	58, Heol Ty Draw, Barry. CF62 5DU	Integral garage conversion to bedroom with en suite shower room
2026/0197/BR	AC	1, Hensol Villas, Hensol. CF72 8JZ	Proposed rear 2 storey extension and shower room to ground floor
2026/0198/BN	A	Farm Villa, Llantwit Road, Wick, Cowbridge. CF71 7QD	2 storey extension
2026/0199/BN	A	Fairlawn, Meadow Lane, Penarth. CF64 3QH	first floor extension and internal alterations to ground floor
2026/0201/BN	A	164, Jenner Road, Barry. CF62 7HR	Re roof
2026/0202/BN	A	42 Burdons Close, Wenvoe. CF5 6FE	Single storey extension to rear elevation
2026/0203/BR	AC	Hawthorns, Highlight Lane, Barry. CF62 8AA	Detached single storey ancillary accommodation
2026/0205/BN	A	9, Upper Cosmeston Farm, Penarth. CF64 5UB	Knock through between utility room and kitchen area
2026/0206/BN	A W	Siop Newydd, Heol Las, Monknash. CF71 7QQ	Barn conversion to new dwelling

2026/0207/BN	A	St. Epaulus, 11, Broughton Road, Wick, Cowbridge. CF71 7QH	Single storey extension
2026/0208/BN	A	Chy Avallon, Church Road, Llanblethian, Cowbridge. CF71 7JF	Construction of 2 storey detached building - ground floor garage with toilet, workshop and store and office to first floor. (Domestic use)
2026/0209/BR	AC	3, The Cottages, Pen-y-turnpike Road, Dinas Powys. CF64 4HR	Single storey extensions to side & rear
2026/0210/BR	AC	Pencoedtre High School, Merthyr Dyfan Road, Barry, CF62 9YQ	Detached timber cabin for outdoor learning area
2026/0211/BN	A	68, Porth-Y-Castell, Barry. CF62 6QE	Re roof
2026/0212/BN	A W	5, Middlegate Court, Cowbridge. CF71 7EF	Double storey extension and single storey extension to rear of property
2026/0213/BN	A	3, Nurston Close, Fontygary, Rhoose, CF62 3EF	Single storey rear extension and new detached outbuilding
2026/0214/BN	A	Fairhaven, 67, Cog Road, Sully, Penarth. CF64 5TE	Rear Single Storey Extension
2026/0215/BN	A W	48, Bryn Y Gloyn, Rhoose. CF62 3LD	Single storey extension & garage conversion
2026/0216/BN	A	25, Rectory Close, Wenvoe, Cardiff. CF5 6AQ	Demolition of existing single storey extension with replacement 2 storey extension
2026/0217/BN	A	7, Woodland Place, Penarth. CF64 2EX	Dormer loft conversion
2026/0221/BN	A	42, Greenfield Avenue, Dinas Powys. CF64 4BX	Knock through wall between kitchen and living room, install an RSJ & re position window in same kitchen space
2026/0222/BN	A	80, Greenacres, Barry. CF63 2PL	Integral garage conversion

2026/0223/BN	A	Grelrosa, Flanders Road, Llantwit Major. CF61 1RL	Replace structurally unsound 'Cornish build' prefabricated concrete bungalow part of house with structurally sound single story on a marginally larger footprint. Timber frame construction. Dual pitched roof.
2026/0224/BN	A	130, Windsor Road, Penarth. CF64 1JN	Small single storey extension & internal knock throughs
2026/0225/BN	A	22, Harding Close, Boverton, Llantwit Major. CF61 1GX	Knock down load bearing wall between kitchen and dining room and install beam
2026/0226/BN	A W	9, Venwood Close, Wenvoe. CF5 6BZ	Single storey extension
2026/0229/BN	A	72, Heol Collen, Wenvoe. CF5 5TX	Single storey rear extension

(b) Building Regulation Applications - Reject

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

2026/0121/BN	R	REFUSED - 77, Heol Collen, Culverhouse Cross. CF5 5TY	REFUSED - Garage conversion & attic conversion (no dormer)
2026/0133/BN	R	REFUSED - 58, Wordsworth Avenue, Penarth. CF64 2RN	REFUSED - Single storey extension to rear of property
2026/0154/BN	R	REFUSED - Whitton Lodge, Walterston, CF62 3AS	REFUSED - 2 knock throughs
2026/0161/BN	R	REFUSED - 11, Nurston Close, Fontygary, Rhoose, Barry. CF62 3EF	REFUSED - Change of conservatory roof from glass to flat roof only
2026/0193/BN	R	REFUSED - 44, Lewis Road, Llandough, Penarth. CF64 2LX	REFUSED - Loft conversion with dormer

2026/0196/BN	R	REFUSED - 5, Plasnewydd Walk, Llantwit Major. CF61 2YW	REFUSED - Single storey ground floor extension to rear
2026/0200/BN	R	REFUSED - 44, Partridge Road, St Athan. CF62 4NF	REFUSED - Creation of 2 external door openings to front and rear
2026/0204/BN	R	REFUSED - Land Adjacent to 44, Partridge Road, St. Athan. CF62 4NF	REFUSED - New dwelling
2026/0218/BN	R	REFUSED - 32, Coronation Terrace, Penarth. CF64 1HN	REFUSED - Single storey extension & loft conversion with dormer
2026/0219/BN	R	REFUSED - 129, Wordsworth Avenue, Penarth. CF64 2RQ	REFUSED - First floor side extension for en-suite
2026/0220/BN	R	REFUSED - 17, Slade Close, Sully, Penarth. CF64 5UU	REFUSED - Knock down old conservatory and build new timber frame on top of dwarf wall

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

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

2026/0039/AI	A	7, St. Joesph's Mews, Penarth. CF64 1NP	Roof replacement scheme and all associated works
2026/0040/AI	A	1, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0041/AI	A	6, Wain Close, Penarth. CF64 1TJ	Roof replacement scheme and all associated works.
2026/0042/AI	A	18, Wain Close, Penarth. CF64 1TJ	Roof replacement scheme and all associated works.
2026/0043/AI	A	2, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0044/AI	A	39, Pearse Close, Penarth. CF64 1TH	Roof replacement scheme and all associated works.

2026/0045/AI	A	4, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0046/AI	A	5, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0047/AI	A	71, Pearse Close, Penarth. CF64 1TH	Roof replacement scheme and all associated works.
2026/0048/AI	A	6, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0049/AI	A	7, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0050/AI	A	8, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0051/AI	A	17, Trem Elai, Penarth. CF64 1TB	Roof replacement scheme and all associated works.
2026/0052/AI	A	9, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0053/AI	A	10, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0054/AI	A	24, Trem Elai, Penarth. CF64 1TB	Roof replacement scheme and all associated works.
2026/0055/AI	A	11, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0056/AI	A	12, Gibson Way, Penarth.	Roof replacement scheme

		CF64 1TA	and all associated works.
2026/0057/AI	A	13, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0058/AI	A	29, Trem Elai, Penarth. CF64 1TB	Roof replacement scheme and all associated works.
2026/0059/AI	A	14, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0060/AI	A	15, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0061/AI	A	16, Gibson Way, Penarth. CF64 1TA	Roof replacement scheme and all associated works.
2026/0062/AI	A	40, Trem Elai, Penarth. CF64 1TB	Roof replacement scheme and all associated works.
2026/0063/AI	A	30, Collard Crescent, Barry. CF62 9AN	Dormer loft conversion to bungalow and associated works
2026/0064/AI	A	Cobbles Kitchen, Tymaen Farm Buildings, Ogmere By Sea. CF32 0QP	Proposed replacement cabin
2026/0065/AI	A	62, Burdons Close, Wenvoe. CF5 6FE	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0066/AI	A	2, Button Ride, St. Nicholas. CF5 6ST	Single storey rear extension (works to incorporate material alterations to structure, controlled

			services, fittings and thermal elements)
2026/0067/AI	A	Lyndhurst, Llantwit Road, Wick, Cowbridge. CF71 7QD	Single storey side extension to existing conservatory and installation of new warm type roof (works to incorporate material alterations to structure, fittings and thermal elements)
2026/0068/AI	A	Ivy Cottage, Prisk, Cowbridge. CF71 7TJ	First floor front extension and internal alterations (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0069/AI	A	Bron Y Garn, St. Hilary, Cowbridge. CF71 7DP	Two storey extension, internal and external structural alterations and openings, upgrade thermal elements (new windows throughout, walls and roof) (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0070/AI	A	Benacre, Cowbridge Road, St. Nicholas. CF5 6SH	New detached home fitness / pool building (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0071/AI	A	26, Wynd Street, Barry. CF63 3PZ	Material alterations to form shared dwelling (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0073/AI	A	34, Wordsworth Avenue, Penarth. CF64 2RL	Loft conversion / dormer

2026/0072/AI	A	5, Orchard Walk, St. Athan. CF62 4NW	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0074/AI	A	65, St. Johns View, St. Athan. CF62 4NZ	Proposed freestanding motorbike garage to front of dwelling and loft conversion, including dormer to rear and velux and circular window to front elevation
2026/0075/AI	A	16, Archer Road, Penarth. CF64 3HW	Velux loft conversion
2026/0076/AI	A	35, Palmerston Road, Barry. CF63 2NR	Proposed loft conversion, internal structural alterations, rear extension and rear detached studio room extension with associated works
2026/0077/AI	A	30, Geraints Way, Cowbridge. CF71 7AY	Complete re roof to include new pvc soffit, fascia, guttering & downpipes
2026/0078/AI	A	Unit B2, West Point Industrial Estate, Penarth Road, Cardiff. CF11 8JQ	Installation of a mezzanine floor
2026/0079/AI	A	25, Badgers Brook Drive, Ystradowen, Cowbridge. CF717TX	Removal of load bearing wall and insertion of new structural steelwork (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0080/AI	A	The Chestnuts, Llysworney, Cowbridge. CF71 7NQ	Single storey side / rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0081/AI	A	Whitewebbs, Penllyn, Cowbridge. CF71 7RQ	Construction of rear extension

2026/0082/AI	A	22, Evenlode Avenue, Penarth. CF64 3PD	New flat roof with internal refurbishment
2026/0083/AI	A	Archives, Mill Lay Lane, Llantwit Major. CF61 1QE	Two storey side / rear extension, single storey rear extension, single storey side extension and internal remodelling works (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0084/AI	A	12, Stacey Road, Dinas Powys. CF64 4AE	Dormer loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0085/AI	A	65, Tennyson Road, Penarth. CF64 2SA	Rear dormer loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **21 MAY 2026**

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

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| 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 |

2000/00677/1/NMA	A	Glan Y Mor, Y Rhodfa, Barry	Non-material amendment (NMA) to 2000/00677/FUL under Section 96A of the Town and Country Planning Act 1990 - Apartment development comprising 92 no. units and associated car parking, roads and sewers
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2023/00316/1/NMA	A	52 Castle Avenue, Penarth	<p>Non Material Amendment to the ground floor element, it has been reduced to align with the first floor rear elevation. For planning ref 2023/00316/FUL - Proposed two storey rear extension and new front porch. Finishes: New white smooth render finish, grey windows, black fascia and rainwater goods, new concrete roof tiles</p>
2023/00984/1/NMA	R	1 Kestrel Way, Penarth	<p>Non Material Amendment - An amendment to Remove the step in the wall, smaller footprint overall. 1 no. Kitchen window relocated to side elevation. Bathroom window relocated to side elevation).</p> <p>Amendment to the finishes on extension.</p> <p>Alterations to the size of the glazing to the rear. For planning ref 2023/00984/FUL - Single and two storey side and rear extension to existing detached dwelling.</p>
2024/00012/FUL	A	East Hall, Fonmon	<p>Proposed two storey rear extension with single storey link and associated works, double garage, ground mounted solar panels, retention of pergola and retaining wall with alterations, and relocation of greenhouses</p>

2024/00067/LBC	A	East Hall, Fonmon	Demolish existing flat roof rear extension and build new two storey rear extension
2024/00607/6/CD	A	Sant Y Nyll House, Heol Sant Y Nyll, St Brides Super Ely	Discharge of Condition 9 (No Lighting, alarms etc). Listed Building Permission Ref: 2024/00607/LBC - Revised scheme to recently approved extensions and garage at Sant Y Nyll House, Heol Sant Y Nyll, St Brides Super Ely
2024/00625/2/NMA	A	25 Gelyn Y Cler, Barry	Non Material Amendment to amend the wording of Condition 4 of Planning Approval 2024/00625/FUL to approve the dormer tiles
2024/00991/FUL	A	St Nicholas, Romilly Park Road, Barry	Demolish existing front garage and construct new front one and two storey extension with associated works
2024/01104/1/CD	A	Land south of The Westra, Dinas Powys	Discharge of Conditions 7 (Archaeology) and 8 (CEMP) of Planning Approval 2024/01104/FUL: Proposed erection of stables and creation of manege

2024/01106/1/CD	A	98 Stanwell Road, Penarth	Discharge of Conditions 3 (Details/Additional Details windows) and 4 (Details/Additional Details external finishes) of Planning Permission 2024/01106/FUL: Proposed single-story rear extension to replace the existing annexe, with new photovoltaic panels on the roof. Installation of a new air source heat pump and replacement of all external windows and doors with double/triple glazing
2025/00439/FUL	O	Sycamore Farm, A48 Bonvilston, Bonvilston	The proposal comprises of 6no. four bedroom dwellings and 3no. two bedroom affordable dwellings with associated parking and external amenity space. The proposal also includes the revision to the vehicular access to Sycamore Farm.
2025/00468/FUL	R	Unit 21, Llandow Trading Estate, Llandow	Erection of a surface-mounted storage building (B8) ancillary to existing builders' merchant on existing hardstanding at Unit 21, Llandow Trading Estate, Cowbridge"
2025/00732/FUL	A	Lanlay Meadows, Peterston-super-Ely Chapel Lane, Peterston-super-Ely	Creation of a wildlife pond, including the removal of invasive plant species. The excavated material is to be retained on-site and formed into a low level banking around the north part of the pond perimeter.

2025/00755/FUL	A	3, Ringwood Crescent, St Athan, Barry	Conversion of existing ground floor leisure space into a reception area, consultation rooms and clinic. Extending the existing first floor clinic - (Previous Approval 2023/00812/FUL)
2025/00792/FUL	A	78 Stanwell Road, Penarth	Replacing of wooden window sash frames and surrounds with more energy efficient UPVC box sash windows and frames to front and side of the property bay windows on ground and first floors.
2025/00878/FUL	A	Brynawel, 231 Redlands Road, Penarth	Single storey replacement extension to side of existing dwelling to create home office and garden room, creation of decking area.
2025/00951/FUL	R	28 Ewenny Road, Wick	Proposed chalet providing accessible living accommodation in the rear garden.
2025/01007/FUL	A	Rose Cottage, Tredodridge	Proposed single storey extension, removal of first floor flat roof, replacement with a pitched roof to the rear and change to boundary.
2025/01008/1/CD	A	Land East of Dunraven Close, Cowbridge	Discharge of Condition 5 (CEMP) Planning Permission ref 2025/01008/RG3. Proposed new school - Ysgol Iolo Morganwg

2025/01008/2/CD	A	Land East of Dunraven Close, Cowbridge	Discharge of Condition 21 (First Highway Condition Survey). Planning Permission ref: 2025/01008/RG3 - Proposed new school - Ysgol Iolo Morganwg
2025/01050/FUL	A	89 Porth-y-Castell, Barry	Proposed second storey side extension over existing single storey garage and rear two storey infill extension and internal remodelling all finished to match existing.
2025/01063/LAW	R	47 Arcot Street, Penarth	Certificate of Lawfulness for the use of the building to the rear of 47 Arcot Street, aka as the Coach House, as a single dwelling.
2025/01174/CAC	A	Llysworney Garage, Church Street, Llysworney, Cowbridge	Proposed demolition of redundant garage and replacement with detached dwelling and detached garage, including retention of existing garage steps
2025/01199/FUL	A	Brynhyfryd, Llanquian Road, Aberthin	Extending and reroofing of existing rear extension. Partial demolition and extension of existing double garage.
2025/01203/FUL	A	The Wrenn's Nest, Lavernock Road, Penarth	Increase the height of the log cabin by approximately 0.6m in previously approved location under planning consent 2024/00981/FUL.
2025/01214/FUL	A	Sheepcourt Farm, A48 Bonvilston, Bonvilston	Single storey rear extension and installation of PV panels to front roof

2025/01235/FUL	A	Graig Ddu, 93 Main Road, Ogmore By Sea	Alteration to an existing house with a new flat roof balcony area, open plan layout and re-thermalisation of an out-building to become a 1 bed annexe and a storage room attached.
2025/01253/FUL	A	7 Fairfield Road, Penarth	Installation of a pre cast concrete garage within the curtilage of the property
2025/01267/FUL	A	Berwyn House, Church Close, Ogmore By Sea	Replacement and enlargement of existing window
2025/01299/FUL	A	Bonvilston East Sewerage Treatment Works, A48 Bonvilston	New vehicle turning area and associated works
2025/01304/FUL	A	7, Pyke Street, Barry	Retrospective change of use from Use Class C3 to Use Class C4
2026/00007/FUL	A	34 Somerset View, Ogmore By Sea	Renewal of existing dormer and create new additional dormer to existing roof with Juliet balconies.
2026/00013/FUL	A	3 Ffordd Cwm Cidi, Barry	Erect a storm porch to the front elevation
2026/00016/FUL	A	Hawthorns, Highlight Lane, Barry	Assisted living for applicants parents in an ancillary accommodation chalet in the rear garden
2026/00018/FUL	A	Rose Cottage, Drope Road, Drope, St Georges Super Ely	Retrospective planning application to regularise the location of an existing heating oil tank and a timber garden shed.
2026/00025/FUL	A	21 Montgomery Road, Barry	Erection of a single-storey rear extension.

2026/00038/FUL	A	83 South Road, Sully	Proposed Rear Extension
2026/00039/FUL	A	83 South Road, Sully	Proposed front porch and creation of first floor terrace with glazed balustrading to the front elevation. Alterations to fenestration.
2026/00063/LAW	R	2 Rhodfar Morwydd, Penarth	We are proposing to build a chimney stack on the right hand side of the house. It will be for an inglenook fireplace.
2026/00064/FUL	A	33, Churchfields, Barry	Erection of vertical timber fencing
2026/00073/FUL	A	Oddfellows Lodge, Monkash	Installation of wood burner and associated flue.
2026/00086/FUL	A	3 Uppercliff Drive, Penarth	Single storey kitchen, utility and porch extension with flat roof.
2026/00089/FUL	O	Treetops, Duffryn Lane, St Nicholas	New two-storey dwelling in the grounds of Treetops and landscape work. Existing outbuilding to be demolished, two new garages to serve existing and new dwelling.
2026/00102/LAW	R	42 Burdons Close, Wenvoe	Proposed single storey rear extension
2026/00106/FUL	A	Pant y Lladron, St Hilary	Variation of Condition 2 (Plan Specification) of Planning Approval 2022/01085/FUL: Replacement dwelling and improved driveway access

2026/00115/FUL	A	13 Marine Drive, Ogmore By Sea	Modular ramp at the side (main) entrance of the property. Change front door to level access on top platform ramp
2026/00117/FUL	A	Lower House Farm, Rhoose Road, Rhoose	Alterations to garage, gates and boundary wall. The addition of an open single storey carriage house to south side of garage, single storey lean to wood store to the east side of the garage, and repaving of the entranceway
2026/00125/FUL	A	Delta Cottage, Llancarfan	Take down existing double garage and replace with new double garage. New garage to be linked to existing house via flat roofed area over existing pathway
2026/00128/FUL	A	19 Boverton Court, Boverton, Llantwit Major	Single storey front porch extension
2026/00135/FUL	A	14 Hawthorn Close, Dinas Powys	Single storey rear extension, heat pump, removal of existing garage and building of new garage/outbuilding
2026/00136/FUL	A	1 Powys Close, Dinas Powys	Proposed single storey side extension and other internal alterations to existing property
2026/00142/FUL	A	Old Cogan Hall, Sully Road, Penarth	Demolition of existing outbuilding and the erection of a new single storey detached structure garden room to be used as a home gym

2026/00143/FUL	A	38 Rhodfa Felin, Barry	Conversion of existing integral garage to a habitable room, including removal of garage door, installation of a 2.30m wide window, and internal alterations including formation of a utility room.
2026/00146/LAW	R	28 Court Close, Aberthin, Cowbridge	Removal of existing fence and erection of new 1.8m high fence within domestic curtilage
2026/00147/FUL	A	3 Ffordd Y Dociau, Barry	Lean to conservatory to the rear of the dwelling
2026/00148/ADV	A	Penarth Railway Station, Station Approach, Penarth	Replacement of No.1 Sheet advert with No.1. 65" Wall mounted Digital poster (D6 SCREEN)
2026/00149/FUL	A	4 Bryn-y-mor, West Aberthaw	First floor rear extension above existing ground floor extension to create a wet room
2026/00160/FUL	A	43 Castle Avenue, Penarth	Take down structure to side, new front porch, new two storey extension to gable end. two storey and single storey extension to rear
2026/00169/RG3	A	Llantwit Major Comprehensive School, Ham Lane East, Llantwit Major	Proposed new Additional Learning Needs (ALN) Building located within the existing Llantwit Major Comprehensive School site.

2026/00175/FUL	A	3 Southern Motors, Sully Place, Penarth	Conversion of existing vehicle workshop to a single dwelling, including demolition of later 1970s addition with associated courtyard and external alterations.
2026/00184/LAW	R	The Mount, Windmill Lane, Llantwit Major	To remove the existing prefabricated concrete garage and construct a new single skin, double garage with pitched roof.
2026/00204/LAW	A	Cliff Lea, 3, Cliff Parade, Penarth	Proposal to build a rear extension in replacement of an existing conservatory to the side of the property
2026/00223/LAW	R	Glyn Ddawan, City	Wish to gain a certificate of lawful use to confirm my eligibility, and that I therefore meet the requirements for both myself (and my family) to occupy this property if purchased.
2026/00251/CD	A	Orchard Dene, Welsh St Donats	Discharge of Conditions 1 (External Materials) and 3 (Biodiversity Enhancement) of Planning Permission Ref. 2024/00382/FUL - Retrospective Planning consent for the refurbishment of dilapidated/ and storm damaged lambing/cow shed and hay barn, including part demolition and adjustment of roof lines

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 21 MAY 2026

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. APPEALS

(a) Planning Appeals Received

LPA Reference No: 2025/00880/FUL
Appeal Method: Written Representations
Appeal Reference No: CAS-04761-R6K6Q9
Appellant: Miss C Maddocks
Location: Ty-ffynnon, Drope Road, St Georges Super Ely, Cardiff, CF5 6EW
Proposal: Outbuilding in garden
Start Date: 2 March 2026

LPA Reference No: 2025/00474/FUL
Appeal Method: Written Representations
Appeal Reference No: CAS-04753-G3H0L9
Appellant: Mr A Donnelly
Location: Homri Barn, Well Lane, St Nicholas, CF5 6SG
Proposal: Domestic garage and green house
Start Date: 16 March 2026

LPA Reference No: 2024/00454/FUL
Appeal Method: Written Representations
Appeal Reference No: CAS-04748-J6Z7X9
Appellant: Mr Matthew Barker
Location: 1, The Verlands, Cowbridge
Proposal: The construction of a new 2 bedroom dwelling within the existing garden of 1 The Verlands
Start Date: 7 April 2026

(b) Enforcement Appeals Received

LPA Reference No: ENF/2023/0196/PC
Appeal Method: Written Representations
Appeal Reference No: CAS-04371-V4F3F6
Appellant: John and Lyndsey Threadgill
Location: 12, Chapel Close, Dinas Powys, CF64 4LE

Proposal: Without planning permission, the carrying out of operational development comprising the construction of a raised platform more than 30cm above the surface of the ground directly below it.

Start Date: 9 March 2026

LPA Reference No: ENF/2023/0081/PRO
Appeal Method: Written Representations
Appeal Reference No: CAS-04780-L9T3M5
Appellant: Mr Tim Vaughan
Location: Land at Pant Wilkin Stables, Aberthin
Proposal: Without planning permission, the construction of an unauthorised commercial building, and the construction of a tarmac hardstanding / car park area.

Start Date: 13 April 2026

(c) Planning Appeal Decisions

LPA Reference No: 2024/00382/FUL
Appeal Method: Written Representations
Appeal Reference No: CAS-03835-B4Y2H4
Appellant: Ms Lisa Gates
Location: Orchard Dene, Welsh St Donats, Cowbridge, CF71 7SS
Proposal: Retrospective Planning consent for the refurbishment of dilapidated/ and storm damaged lambing/cow shed and hay barn, including part demolition and adjustment of roof lines

Decision: Dismissed
Date: 25 February 2026
Inspector: Martin Allen
Council Determination: Delegated

(d) Enforcement Appeal Decisions

LPA Reference No: ENF/2023/0370/CCC
Appeal Method: Written Representations
Appeal Reference No: CAS-04105-L8N6J1
Appellant: Ms Lisa Gates
Location: Orchard Dene, Welsh St Donats, CF71 7SS

Proposal: Orchard Dene, Welsh St Donats, CF71 7SS
Without planning permission, the erection of an unauthorised new building.

Decision: Allowed

Date: 25 February 2026

Inspector: Martin Allen

Council Determination: Committee

Summary

The appeal against the refusal of planning permission was dismissed, however the enforcement appeal was allowed and planning permission was granted subject to conditions.

Appeal A - Ground (b) - that the alleged breach of planning control has not occurred as a matter of fact

The notice had alleged the construction of a new building and whilst the appellant had contended that the works undertaken comprised the renovation of an existing structure, the Inspector expressed his doubts regarding how much of the building was original. It was considered that wing A had been substantially altered in that the entirety of the roof had been altered and the appellant accepted that wing B had been subject to more substantial alterations. The Inspector concluded that the alterations undertaken had resulted in a stark, obvious, and substantial change to the form and appearance of the building and therefore found that the development amounted to the rebuilding of the structure and thus resulted in the erection of a new building. Accordingly, the breach as alleged in the notice had occurred and the appeal on ground (b) therefore failed.

Appeal A - Ground (a) - that planning permission should be granted

The main issue was whether a new building was acceptable at this location, with particular regard to the effect of the development on the character and appearance of the area, and whether sufficient justification existed for the building.

Character and appearance

The appeal site occupied a location within a cluster of buildings and there were limited views of the existing structure from the nearby highway. The Inspector considered that in comparison to the previous structure that existed, the new building was lower in overall height and occupied a reduced footprint and there was no reason why the scale of the existing structure was unacceptable at this location. The Council had raised concerns that the pattern of window and door openings imparted a residential appearance to the building. However, the appellant had suggested that the building could be finished with shuttered timber features to convey a much more agricultural appearance and the Inspector considered that this could be satisfactorily controlled by appropriate planning conditions.

The Inspector considered that the landscape surrounding the appeal site had a

distinctly rural character with pockets of built development scattered along country lanes and that the appeal building would not have an unacceptable visual effect within its setting and would integrate acceptably with the surrounding built features, as well as the rural character of the locality. Therefore, the Inspector concluded that the building would not result in any detrimental effect on the Special Landscape Area.

Justification

The Council had contended that there was no evidence that the land associated with the holding was used extensively for agricultural purposes, although it was accepted that the land was used for the keeping of horses, as well as sheep grazing. The Inspector agreed that the land surrounding the appeal site did not appear to be in any intensive agricultural use, however there were sheep grazing in the surrounding fields and the appellant had confirmed that the land was used for the production of hay. Therefore, the Inspector was satisfied that there were agricultural operations taking place.

It was noted that there was an existing building adjacent to the appeal building utilised by the appellant, which was described as primarily for the storage of machinery associated with the day to day running on the agricultural holding. The northern part of the barn was used for stabling for the appellants' horses and the appellant had stated that there was no surplus space in the existing barn for lambing or hay storage, hence the need for the appeal building. The number of sheep on the land required using Wing A for lambing pens, and Wing B for hay storage.

The Inspector found nothing unreasonable in the explanation of the use of the barn that previously existed or the intended use of the appeal building and was mindful of the fact that the previous building was rebuilt in short order once it was damaged. It was therefore concluded that there was sufficient justification for the appeal building.

Overall Finding on Ground (a)

The Inspector concluded that a new building was acceptable at this location, as there would be no harmful effect on the character and appearance of the area, and sufficient justification existed for the building. The development was therefore considered to accord with policies SP1, SP10, MG17, MD1, and MD2 of the LDP, TAN 6: Planning for Sustainable Rural Communities and TAN 12: Design. It was therefore concluded that Appeal A should succeed on ground (a) and planning permission was granted for the erection of a new building as described in the notice subject to conditions to control external materials, its future use and the submission of a Biodiversity Enhancement Strategy.

Appeal B - the appeal against the refusal of planning permission.

The main issue was whether or not the development accorded with development plan policies in respect of the conversion or renovation of existing rural buildings.

Reasons

It was identified that Policy MD11 of the LDP sets out where the conversion and renovation of rural buildings would be acceptable, with criterion 2 of the policy

requiring that “reuse can be achieved without substantial reconstruction”. The Inspector considered that the development involved the rebuilding of the structure, and not a conversion or renovation. Therefore, the development as applied for, which specifically sought the refurbishment of an existing structure, had required substantial reconstruction and was not in accord with the requirements of the policy. Whilst the Inspector had found that there would be no unacceptable visual or landscape effects from the development, the lack of harm in respect of these matters did not outweigh the conflict with policy MD11 and the appeal was therefore dismissed.

Other Matters

Whilst there had been mention of the possibility that the building could be used for residential purposes, the Inspector had considered the appeals on the basis of what was applied for in the planning application; that being an agricultural building. In respect of concern over a possible future residential use, the Council had stated that this would be contrary to both national and local planning policy, and the Inspector considered it unlikely that this would be permitted.

Formal Decisions

Appeal A was allowed and planning permission was granted on the application deemed to have been made under section 177(5) of the 1990 Act subject to conditions. Appeal B was dismissed.

Costs Decision

The appellant had also submitted an application for an award of costs, contending that the Council had behaved unreasonably in serving the enforcement notice despite there being an appeal lodged against the refusal of planning permission, resulting in the need for the fee to be paid for the appeal under ground (a). It was also contended that the Council had failed to engage in constructive discussions regarding regularising the appeal building and had maintained an objection to the building on character and appearance grounds, together with being inconsistent in its approach to other nearby developments.

The Inspector noted that it was always the Council’s intention to serve an enforcement notice following the refusal of planning permission. Whilst this had necessitated the submission of two appeals, the Inspector did not find it unreasonable that the Council had chosen to serve the notice. The two schemes were not for identical proposals as one was for a new building and one for a refurbishment. Moreover, it was the choice of the appellant to appeal under ground (a), which required the payment of a fee, when there was a planning appeal against the refusal of planning permission for the building.

In relation to the Council’s standpoint on the effect on character and appearance, it was clear from the submitted information that the Council considered that the development was unacceptable. The conclusions arrived at by the Council involved a degree of planning judgement and the Inspector did not consider its conclusions to be irrational or unreasonable. The Inspector noted the reference to other developments by the applicant, however the circumstances of that case were not sufficiently comparable to the appeal and the granting of permission on that site did not demonstrate an inconsistent

approach by the Council.

Conclusion

The Inspector found that unreasonable behaviour resulting in unnecessary or wasted expense had not been demonstrated and the application for an award of costs was therefore refused.

(e) April 2025 – March 2026 Appeal Statistics

		Determined Appeals			Appeals withdrawn /Invalid
		Dismissed	Allowed	Total	
Planning Appeals (to measure performance)	W	22	7	29	1
	H	-	-	-	-
	PI	-	-	-	2
Planning Total		(76%)	(24%)	29	3
Committee Determination		3	-	-	-
Other Planning appeals (inc. appeal against a condition)		-	-	-	1
Enforcement Appeals	W	1	1	2	3
	H	-	-	-	-
	PI	-	-	-	-
Enforcement Total		1	1	2	3
All Appeals	W	23	8	31	7
	H	-	-	-	-
	PI	-	-	-	-
Combined Total		(74%)	(26%)	31	7

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 : **21 MAY 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. TREES

(a) Delegated Powers

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

Decision Codes

A - Approved

R - Refused

E Split Decision

2026/00077/TPO	A	1 Goldsland Walk, Wenvoe	Work to Trees covered by TPO No.04 of 1951: T1 Mature Oak and T2 Mature Oak - Crown reduction and safety/nuisance management work of trees on the boundary. 1951/00004/TREE
2026/00126/TPO	A	1 Mariner's Heights, Penarth	Work to Tree(s) covered by Tree Preservation Order No 1 of 1985. T5 Holm Oak remove basal growth, 3-4 metre crown reduction.
2026/00145/TPO	A	20 Nailsea Court, Sully	Work to Tree(s) covered by a Tree Preservation Order No 06 of 1952. Crown lifting by 1.5m (to just above the fence height)
2026/00155/TCA	A	Castle Bungalow, Peterston Super Ely	Work to Trees in a Conservation Area: Fell 2 trees in rear garden
2026/00179/TCA	A	Grelrosa, Flanders Road, Llantwit Major	Removal of 3 Leylandi trees that have overgrown

2026/00186/TCA

A 10 Church Avenue,
Penarth

Reduction to tree within the
front garden to the extent
shown on the supplied
image

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **21 May 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.

2022/00197/FUL Received on 8 September 2022

APPLICANT: R. A. England Pwll Y Darren Farm, Whitefields Farm Lane, Vale of Glamorgan, Welsh St Donats, CF71 7SS

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

Pwll Y Darren Farm, Whitefields Farm Lane, Welsh St. Donats

Retrospective and proposed reprofiling of land, the proposed erection of farm buildings and associated works (Site 1), and rationalisation of associated yard (Site 6)

REASON FOR COMMITTEE DETERMINATION

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

EXECUTIVE SUMMARY

The application relates to two parcels of land, situated at Pwll y Darren Farm on the A48. The sites are located outside a defined settlement boundary, in an area of mineral safeguarding and with a mixed predictive agricultural grade of both 3a and 3b.

Planning permission is sought for: Retrospective and proposed reprofiling of land, the proposed erection of farm buildings and associated works (Site 1), and rationalisation of associated yard (Site 6). Site 6 is proposed for returning to agricultural land, whilst site 1 proposes reprofiling of the land and the erection of buildings and associated hardstandings / concrete pads.

Following consultation, responses have been received from a number of internal and external consultees. A number of conditions have been requested on issues such as contamination, importation of soils etc. It should be noted that the Woodland Trust have objected to the proposals given the proximity of site 1 to ancient woodland.

No neighbouring representations have been received.

In assessing the proposals, the application is considered acceptable in terms of its principle, impact on neighbours and trees etc. subject to the addition of conditions. In addition, given the nature of the proposals and the history of the site, the proposals are only considered acceptable on the basis that the applicant first enters into a legal agreement. Further information is included below.

SITE AND CONTEXT

The application site relates to two parcels of land, situated at Pwll y Darren Farm on the A48. The site is situated outside a defined settlement boundary and as such, for the purpose of the adopted Local Development Plan is considered as countryside.

Both sites have a mixed predictive agricultural grade of both 3a (good to moderate quality) and 3b (moderate quality).

There are also areas of ancient woodland in close proximity to the application sites.

Both sites are located within a safeguarding zone for Limestone (category 1) whilst zone 6 is also located in category 2.

There are references to archaeological finds and historic event records located nearby.

Site 1 has a small pocket of surface water flooding as per the flood maps for planning.

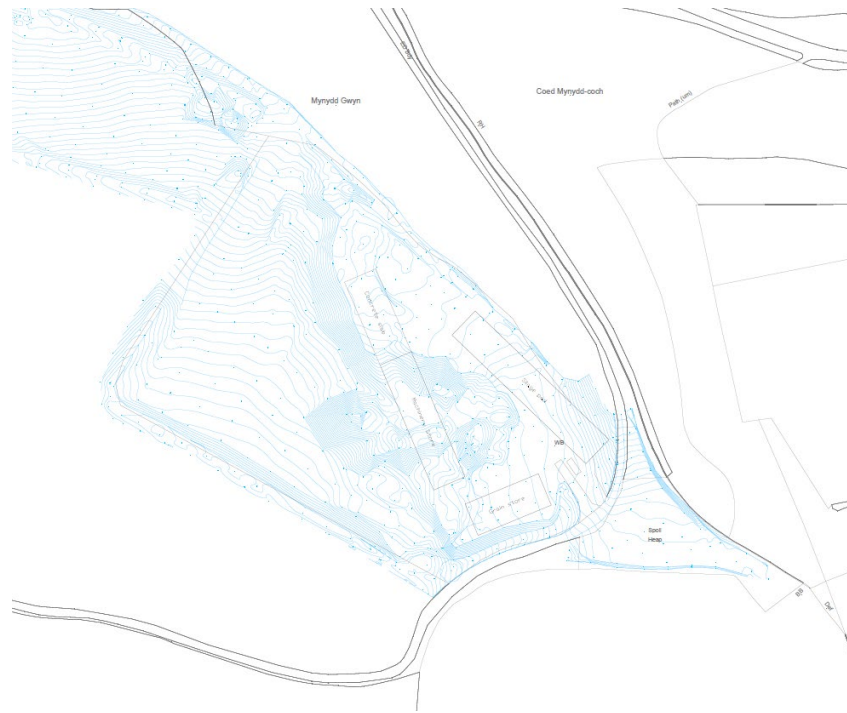
DESCRIPTION OF DEVELOPMENT

Planning permission is sought for: Retrospective and proposed reprofiling of land, the proposed erection of farm buildings and associated works (Site 1), and rationalisation of associated yard (Site 6)

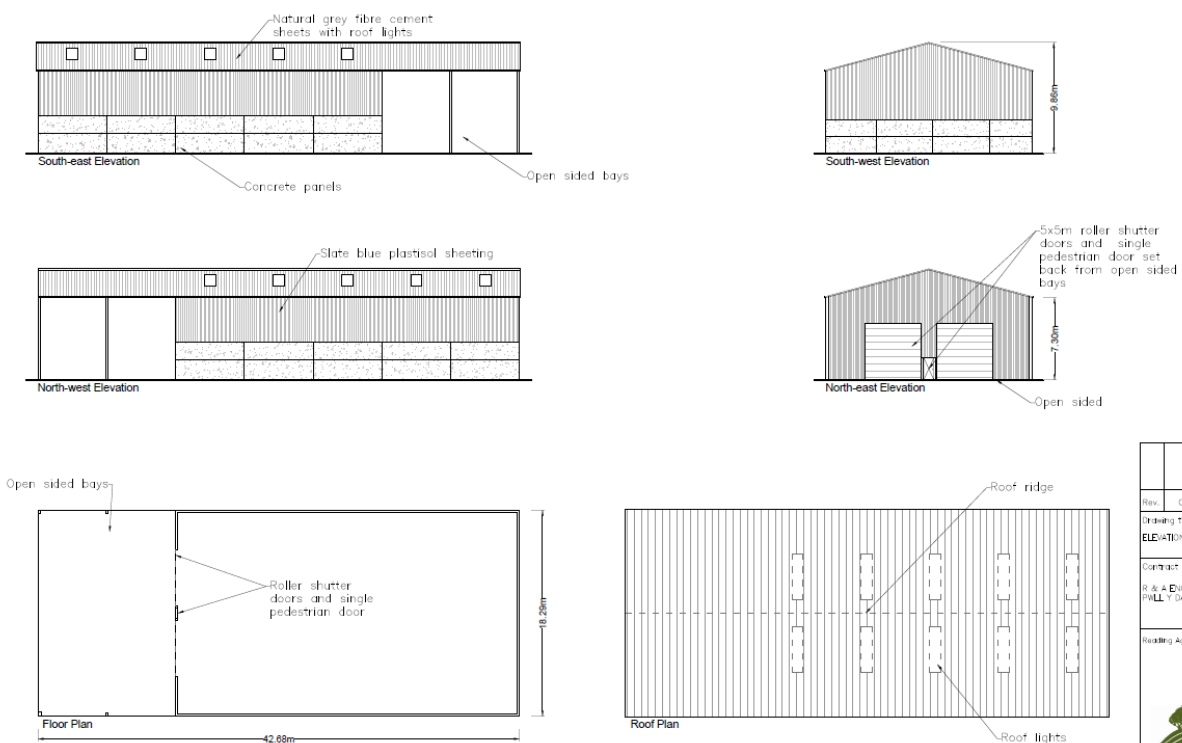
The application is situated over two different areas of the farm. Site 1 is the proposed location for the erection of farm buildings. A site plan of this area is shown below:



The proposals on site 1 include the erection of a grain store, a machinery store and silage pad. The locations of these are shown below:

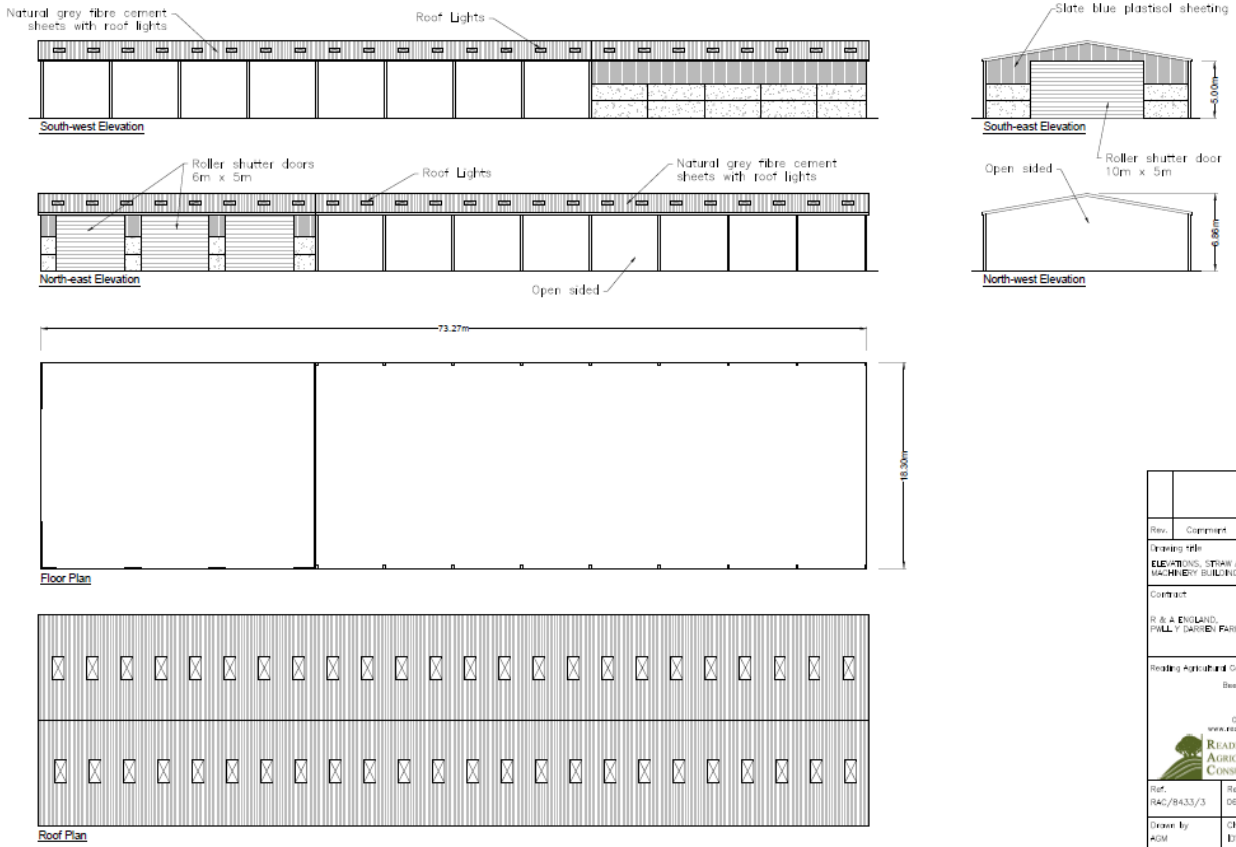


The proposed grain store would be approximately 42.68m x 18.29m and would be approximately 9.86m to the ridge. This would be finished in natural grey fibre cement sheets for the roof, concrete panels and slate blue plastisol sheeting for the walls. An extract of the plans is included below:



Rev.	Comment
Drawing title	
ELEVATIONS, GRAIN STORE	
Contract	
R & J ENLAND, PALLY GARDEN FARM	
Reading Agricultural Consult Date Sheet no. LC No. PC 01481 4 www.racac.co.uk	
 READING AGRICULTURAL CONSULTA	
Ref.	Rev.
RAC/8433/4	

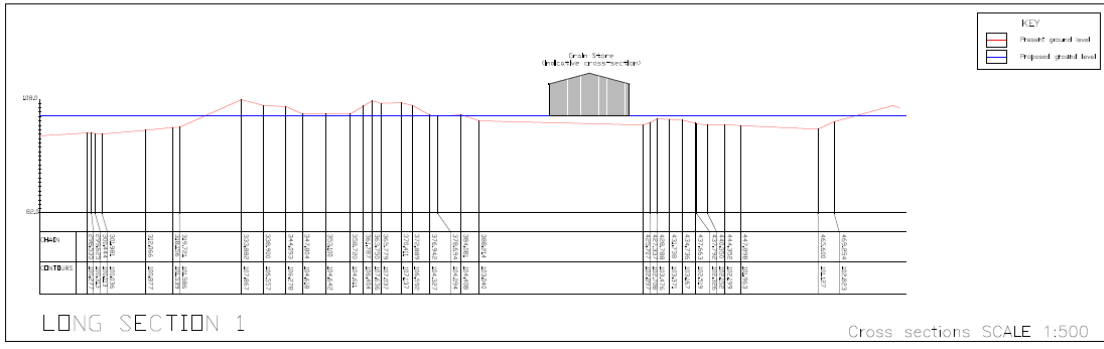
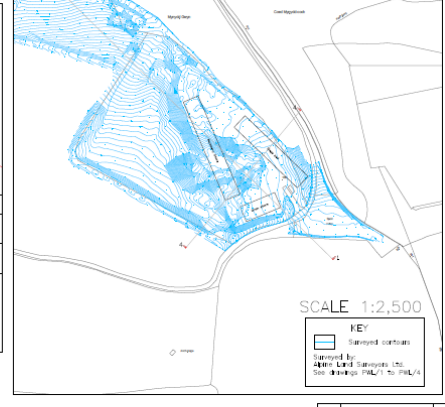
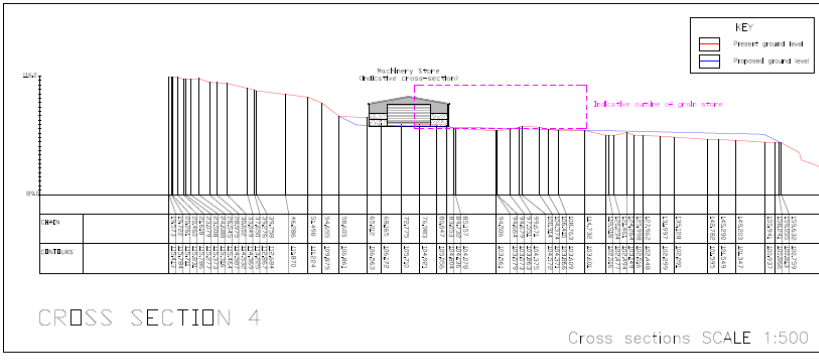
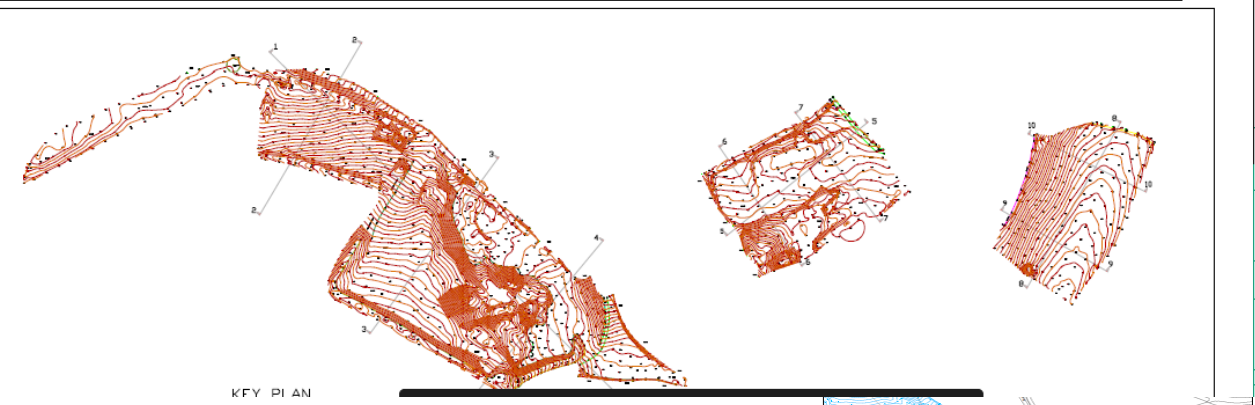
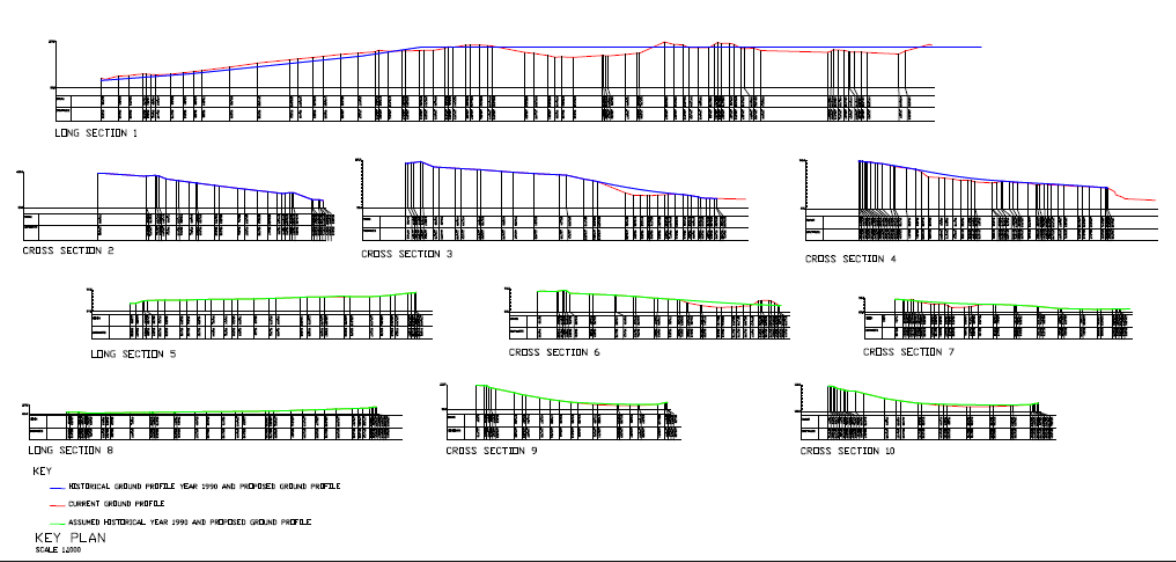
The proposed machinery store would be approximately 73.27m x 18.3m and approximately 6.86m tall to the ridge. This would be finished in natural grey fibre cement sheets for the roof and slate blue plastisol sheeting for the walls. A concrete slab would be positioned adjacent to the machinery store as indicated on the above proposed site plan.



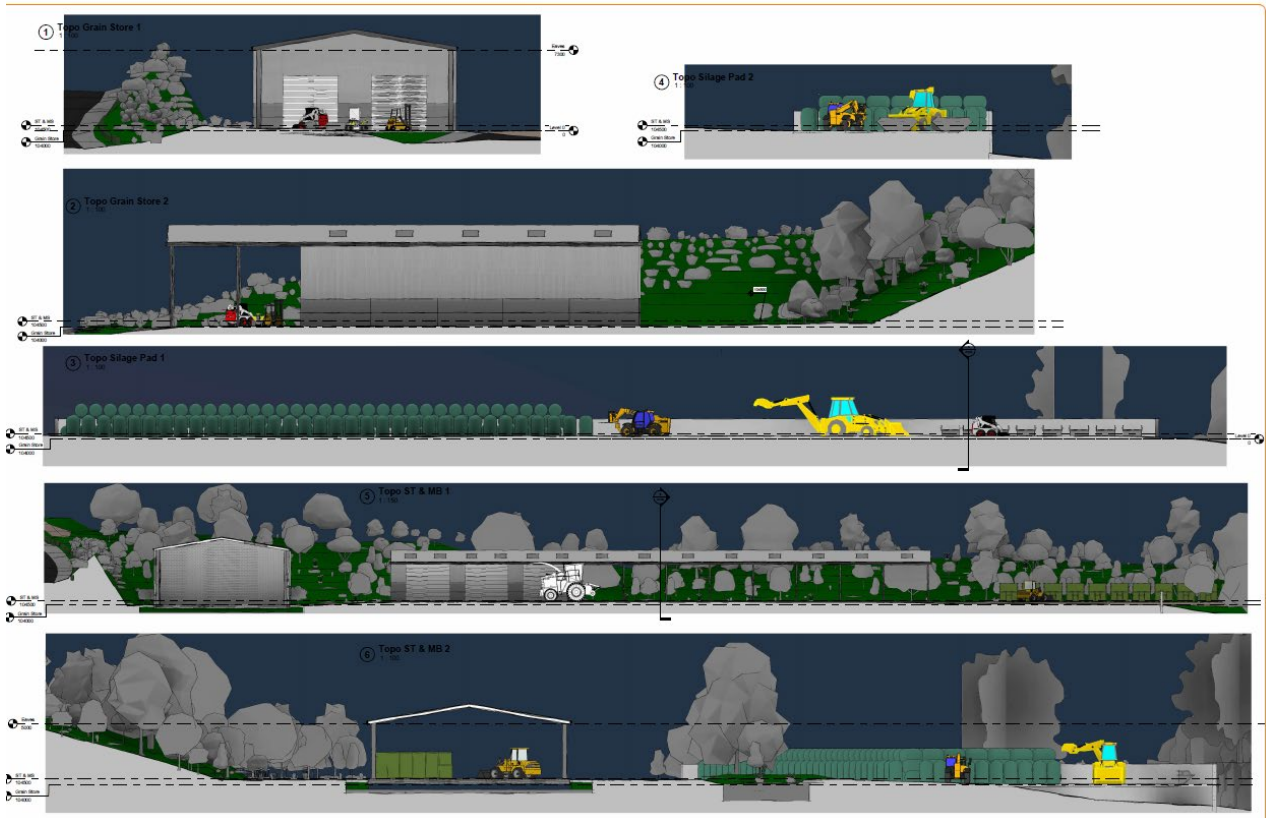
Rev.	Comment
Drawing title	
ELEVATIONS, STRAW AND MACHINERY BUILDING	
Contract	
R & A ENGLAND, PHILLY DARRIDY FARM	
Reading Agricultural Consult Gd Business	
01491 www.reading	
READING AGRICULTURE CONSULT	
Ref. RAC/8433/3	Rev. 06/20
Drawn by EOW	Checked EOW

A silage pad would also be positioned within the application site, measuring approximately 17.8m x 99.8m.

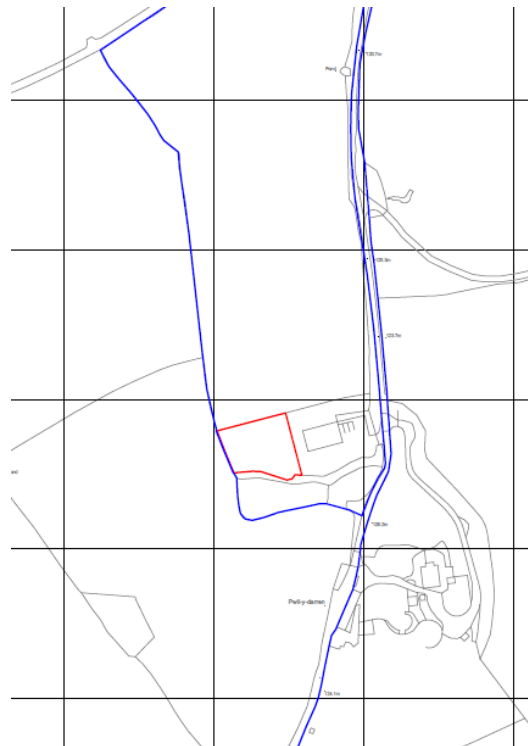
This application also seeks to retrospectively approve and also proposes re-profiling of the land, as shown in the following extracts:

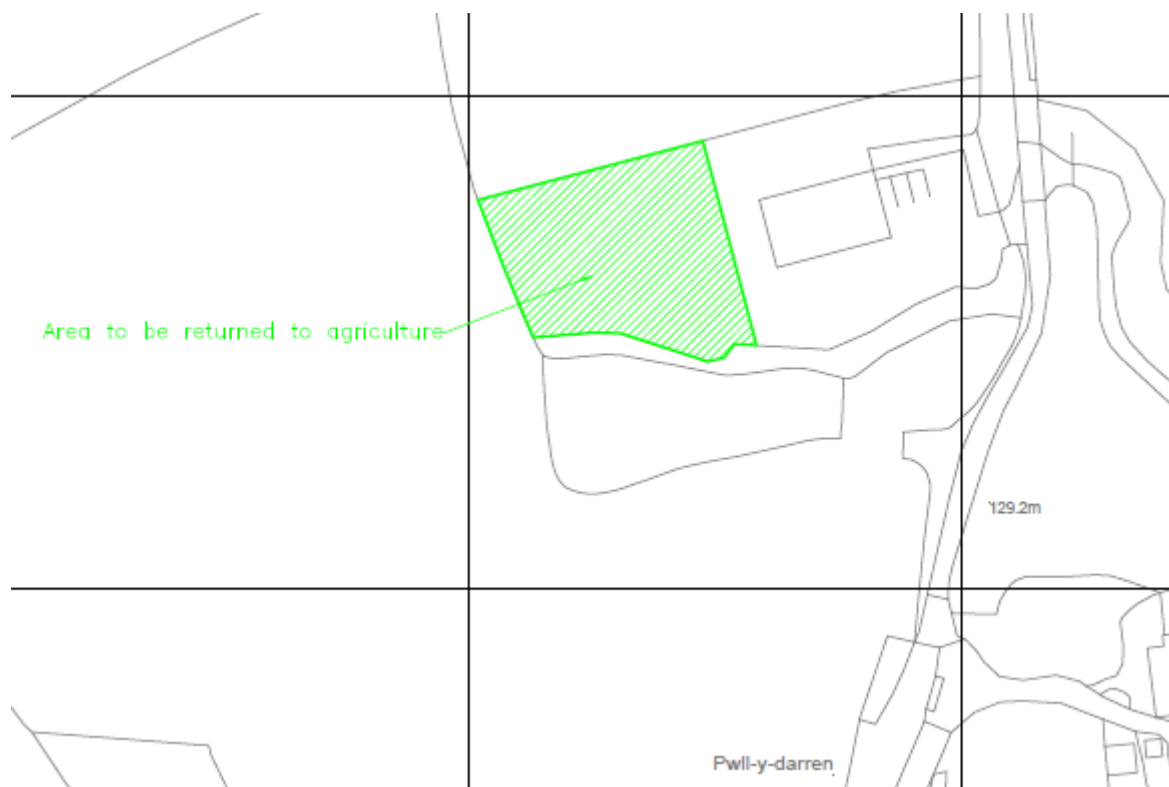


Rev.	Comment	Date
1	Drawings title	
2	MACHINE AND GRAB	
3	STRIKE TOPOGRAPHIC	
4	SETUP	
5	Contract	
6	R & A ENGLAND	
7	PULLY GARMENT FARM	
8	Reading Agricultural Consultants Ltd	
9	Gate House	
10	Beechwood Court	
11	Langley	
12	Woodstock	
13	OX10 0D	
14	01491 68423	
15	www.rac-agr.co.uk	
16	READING AGRICULTURAL CONSULTANTS	
17	Ref: RAC/8433/5	
18	Rev: A	
19	Drawn by: ASM	
20	Checked by: EDW	
21	Scale:	Date:



Site 6 represents an area of an existing yard, which is proposed to be returned to agricultural land. A site plan and proposed plan is shown below:





PLANNING HISTORY

The planning history of relevance for site 1 are as follows:

2007/01059/FUL – Pwll y Darren, Welsh St Donats. Proposed 2 x beef cattle housing, a machine store and straw / hay storage building. Approved.

2006/00763/FUL – Pwll y Darren Farm, Welsh St Donats. Removal of high spot in 40 acre field to improve level for agricultural use / continuation 01/01171/PNA. Refused.

2005/00769/FUL – Pwll y Darren Farm, Welsh St Donats. Erect a new barn for farm crops – straw barn. Approved.

2001/01171/PNA – Pwll y Darren Farm, Welsh St Donats. Removal of high spot by spreading over area to achieve an improved level. Further prior approval required.

2000/00925/FUL – Pwll y Darren Farm, Welsh St Donats. Infill Mynyddgwyn Woodland Quarry and level with top soil, infill rectangular area and level with top soil. Approved.

1992/00009/FUL – Land north of St Hilary Transmitting Station, Cowbridge. Golf course and club house. Approved.

The planning history of relevance for site 6 are as follows:

1982/01618/FUL, Address: Pwll y Darren Farm, Welsh St. Donats, Proposal: Change of location for present planning permission to new site, together with permission for erection of certain temporary building, Decision: Appeal Allowed

CONSULTATIONS

Cowbridge with Llanblethian Town Council were consulted and commented 29 April 2026 to state that they have no objection and support the comments from Welsh St Donats May 2022.

Welsh St. Donats Community Council commented 13 October 2022 to state that only site 6 was in their area and they welcomed the proposals to restore agricultural land. They also raised observations relating to both sites. These comments were repeated and expanded upon 23 April 2026 and the comments are as follows:

Site 6

1. The design access and planning statement refers several times to an existing planning permission for mixed use on the site, including plant hire. We note that the planning permission was limited to no more than 8 items of plant at a time. We trust this condition is acknowledged and will continue to be adhered to.

2. The access to Site 6 is by a private road. This is actually adopted highway. Maps published by the Vale Council indicate that the lane is adopted highway as far as Pwll y Darren farmhouse. This enables public footpaths 56 and 56a to join up via a short stretch of public road. It has been a consistent issue in recent years that residents have sometimes been challenged when walking on this road to access the footpaths. It is therefore important for the purposes of keeping the public footpaths open and walkable that there should be no treatment of this road as private or as not accessible to the public.

Site 1

1. In relation to the proposals for large scale agricultural buildings on Site 1, although these are not within our area, we note that the lapsed planning permission for cattle sheds (which is referred to extensively in support of the new proposal) included some quite stringent conditions requiring the buildings being put to use for the stated purpose and for specific numbers of cattle within a certain time. That perhaps reflected some doubt about the need/justification for the development on the scale proposed. We would welcome similar conditions being attached to any permission granted for grain, straw and machinery stores on Site 1 to ensure that they are indeed used for agricultural purposes, including materials brought to and from the site, and that the sheds are not larger than required for the farm.

2. The site notice recently put up in Tair Onen mentions an impact on footpaths but does not specify which footpaths are affected and how they are affected. We feel there needs to be more transparency about which footpaths are affected and how, so these can be protected. This area is used frequently by walkers and with the establishment of the new Glamorgan Way, the footpaths need to be maintained and free to access.

3. We would also like to highlight the previous response of the Woodland Trust to the application which states that there should be no reprofiling of the land within the ancient woodland and that a buffer zone of at least 15 m should be established to protect tree roots and allow for the effects of pollution. We have approached the Woodland Trust again regarding this current application and await their response.

In general, we are concerned that there has been a significant increase in the number of applications around Pwll Y Darren farm for further developments- these are a proposed lake (2025/00656) and now a pre-planning application for a digestate plant. We are concerned that this essentially changes the agricultural nature of the area and makes it more likely that there is ongoing disruption from the movement of haulage trucks, tankers and trailers with significant impact on local amenities and the rights of residents to reasonable peace and quiet. The increase in noise pollution for residents and vehicle use of the lanes is now year- round as a result of the constant activity, rather than more restricted to the summer and early autumn seasons. We feel it is very important that the Vale Council consider this application in the context of all the other ongoing applications at the site, and taking into account ongoing enforcement activities.

The Community Council also shared comments received from a resident in Tair Onen:

I am writing as a long-term local resident to express my concerns about planning application 2022/00197/FUL and more broadly the England site and potential implications of its continued or expanded use.

Over many years, as a local resident, I have been uneasy about the level and nature of activity at the site, particularly in relation to landfill operations. At times, there have been very strong and unpleasant odours, which raise concerns about what materials may be being deposited. From a resident's perspective, it is not clear what level of monitoring or oversight is in place, and this lack of transparency is worrying given the potential environmental and health implications.

I also understand that local operator, Pritchards, previously operated at the site, with permission later withdrawn, prior to acquiring the nearby Seth Hill quarry. It is unclear whether the current proposals could enable a continuation of similar activities or a renewed arrangement, and I believe this should be clarified.

In terms of the surrounding area, I have not personally observed any direct encroachment into the adjacent woodland, which is reassuring. However, the site sits very close to Tair Onen woodland, a significant part of which is designated as ancient woodland. The presence of ramsons (wild garlic) along the boundary is a clear indicator of this. This woodland is of great personal and ecological value, supporting a range of wildlife and plant species, some of which are rare.

I have lived in the area for over 40 years and have seen the woodland develop and mature. It is a special place for the local community, and I have always tried to support its protection. Any change in land use nearby has the potential to introduce new risks. My concern is simply that we do not overlook the need to properly safeguard this environment for the future.

I would therefore ask that any decisions relating to this site fully take into account its proximity to ancient woodland, the need for clear and effective monitoring for environmental, and local amenity, and the importance of protecting the character and ecological value of the area for residents and future generations.

The Council's **Highway Development** department stated 15 November 2022 that they had no objection, subject to the addition of a condition relating to wheel washing facilities.

The **Public Rights of Way Officer** was consulted and commented 20 April 2026 to state in summary that although neither site is directly crossed or abutted by a public right of way, the lane leading between Welsh St Donats and Pwll y Darren Farm is used by walkers to access public footpaths 56 and 56a. They stated that builders and delivery drivers should be aware that members of the public might be walking in the area.

The Council's **Drainage Section** commented 29 September 2022 to state that the site is not located in DAM zones at risk of tidal or fluvial flooding and NRW maps indicate that in general there is a very low risk of surface water flooding to both application sites. However, the application is subject to SAB approval and an informative was requesting advising of this.

Shared Regulatory Services (Pollution) were consulted and to date, no comments have been received.

Heneb, The Trust for Welsh Archaeology (GGAT) commented 14 October 2022 and 28 April 2026 to state that no registered landscapes, or archaeological assets were located within the farm. Whilst they do not condone development without consent, *"Given our understanding of the historic environment in the immediate area, it is our opinion that the retention of the proposal would be unlikely to adversely impact any archaeological features, we therefore we do not propose any archaeological mitigation. As the archaeological advisors to your Members, we have no objection to the positive determination of this application."*

Cadw, Ancient Monuments were consulted and to date, no comments have been received.

The Council's **Ecology Officer** was consulted and to date, no comments have been received.

The Council's **Contaminated Land, Air & Water Quality** department commented 28 September 2022 to request the addition of conditions and informatives relating to unforeseen contamination, imported soil and imported aggregate. They stated the following:

"Site 6 has been used for the storage of farm equipment and machinery and plant hire. Activities associated with this use may have caused the land to become contaminated and therefore may give rise to potential risks to human health and the environment for the proposed end use. Whilst there is no record of contamination at the site, the potential for this cannot be ruled out and the 'unforeseen contamination' condition is requested.

Site 1 comprises of stockpiles of stone and excess material excavated. The applicant seeks to return the land at the top half of the site for agricultural use and utilise the 'cut' land by levelling out a 'yard area' to locate the proposed farm buildings at a screened, lower ground level. The proposed earthworks to return the top half of the field involve the reprofiling and regrading of the land, through the use of in situ stockpiles of material. The applicant is minded of the need to ensure that site won recycled material suitable is for agricultural use and should incorporate an appropriate strategy for management of site won materials and dealing with any unusual materials or suspected contamination. In the event that soils or aggregates are required in addition to site won materials, with the need for importation of materials, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

Shared Regulatory Services requests the inclusion of the following conditions and informative statement in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan."

Peterston Super Ely Ward Member was consulted and to date, no comments have been received.

Cowbridge Ward Members were consulted and to date, no comments have been received.

Natural Resources Wales commented 20 September 2024 and raised no objection but provided advice on the following:

- Foul drainage – no details shown for foul drainage. If foul drainage needed, they would need to be re-consulted on a private treatment system.
- Protected species – advised to liaise with Authority's ecologist for advice as to whether any ecological information is needed to support the application.
- Ancient woodland – one of the sites neighbours Ancient Woodland. Should the Authority consider the proposal to affect Ancient Woodland they refer us to advice on their website.

These comments were repeated 13 April 2026.

Woodland Trust commented 17 October 2022, in summary, to state that the application includes re-profiling of land adjacent to ancient woodland in addition to the erection of three agricultural buildings. They were particularly concerned with the following impacts on the ancient woodland:

- Root encroachment of ancient woodland boundary trees.
- Noise and light pollution continuing after quarrying operations have ceased due to the siting the agricultural buildings in close proximity to ancient woodland.
- Any effect of development can impact cumulatively on ancient woodland - this is much more damaging than individual effects.

Woodland Trust stated that mitigation measures should be considered, such as:

- Adhering to BS 5837:2012 to provide adequate tree and root protection.

- Non-invasive root investigation for ancient trees and protection beyond the limit of the usual investigative tools.
- Sympathetic design and use of appropriate lighting to avoid light pollution.
- Enhancing the habitat around the ancient woodland to improve connectivity with the surrounding landscape.

They stated that the development should allow for a buffer zone of at least 15m to avoid root damage and to allow for the effect of pollution. The Trust stated that if the application is approved, an arboricultural impact assessment should be conditioned. In concluding, the Trust noted their objection unless a 15m buffer is provided to protect the ancient woodland from deterioration.

REPRESENTATIONS

The neighbouring properties were consulted on 26 September 2022 and 2 April 2026 and a site notice was also displayed on 25 October 2022 and 1 April 2026. The application was also advertised in the press on 2 April 2026.

To date, no representations 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 SP9 – Minerals

Managing Growth Policies:

POLICY MG22 – Development in Minerals Safeguarding Areas

Managing Development Policies:

POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
POLICY MD7 - Environmental Protection
POLICY MD9 - Promoting Biodiversity
POLICY MD17 - Rural Enterprise

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

Future Wales: The National Plan 2040:

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

Chapter 3: Setting and achieving our ambitions

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

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

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

Chapter 5 – The Regions

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

Policy 1 – Where Wales will grow

- Supports sustainable growth in all parts of Wales.
- Development in towns and villages in rural areas should be of an appropriate scale and support local aspirations and need.

Policy 4 – Supporting Rural Communities

- Supports sustainable and vibrant rural communities.

Policy 5 – Supporting the Rural Economy

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

Policy 8 – Flooding

- Focus on nature-based schemes and enhancing existing defences to improve protection to developed areas.
- Maximise opportunities for social, economic and environmental benefits when investing in flood risk management infrastructure.

Policy 9 – Resilient Ecological Networks and Green Infrastructure

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

Planning Policy Wales:

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

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

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)
- Community Facilities
- Recreational Spaces

Chapter 5 - Productive and Enterprising Places

- Economic Infrastructure (electronic communications, transportation Infrastructure, economic development, tourism and the Rural Economy)
- Energy (reduce energy demand and use of energy efficiency, renewable and low carbon energy, energy minerals)
- Making Best Use of Material Resources and Promoting the Circular Economy (design choices to prevent waste, sustainable Waste Management Facilities and Minerals)

Chapter 6 - Distinctive and Natural Places

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

Technical Advice Notes:

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

- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)
- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 15 – Development, Flooding and Coastal Erosion (2025)
- Technical Advice Note 23 – Economic Development (2014)

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). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. 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)
- Design in the Landscape
- Economic Development, Employment Land and Premises (2023)
- Minerals Safeguarding (2018)
- Model Design Guide for Wales
- Parking Standards (2019)
- Planning Obligations (2018)
- Trees, Woodlands, Hedgerows and Development (2025)

Other relevant evidence or policy guidance:

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

Equality Act 2010

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

Well-being of Future Generations (Wales) Act 2015

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

Issues

The main issues to consider in the determination of this planning application relate to the principle of the development, its impact on the countryside, impact on neighbouring amenities and ancient woodland, in addition to highway safety.

Principle of development and impact on countryside

As aforementioned, the application site is located within the countryside, as defined by the Local Development Plan (LDP). Policy MD1 (Location of New Development) is therefore considered of relevance, which states that new development on unallocated sites should (inter alia):

- 1. Have no unacceptable impact on the countryside;*
- 9. Have no unacceptable impact on the best and most versatile agricultural land.*

Criterion 8 of 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 the loss of the best and most versatile agricultural land.

The application has been supported by an agricultural justification statement from Reading Agricultural Consultants. The report states that the farm extends to 123.3 hectares and “*unusually for a farm of this size there are no associated farm buildings of any appreciable size, including no grain or straw facilities. Machinery is currently stored in industrial buildings owned by the applicant at Llandow, some 7 miles distant*” (pa. 2.1). The other buildings located within site 6 are listed as “*diminutive compared to the size of buildings required to meet the farm’s needs*” (pa. 2.2).

Paragraph 2.7 of the report states that approximately 500 tonnes of wheat and 400 tonnes of barley are harvested each year, with the straw baled and sold off the field. Given the lack of storage and drying facilities on site, grains are difficult to dry and as a result, the window for harvesting the crop is narrow.

Given that the site does not benefit from a grain and straw storage, it states that the applicant has to sell the produce at harvest, rather than being able to sell it at a time later in the year when the prices are higher and at a time to suit. As a result of this, the report states that *“the absence of storage is limiting the farm’s profitability”* (pa. 2.3).

With regards to the machinery, as previously mentioned, it is stored off site and as such, it needs to be transported back and forth and as such, it is stated that for efficiency, this should be stored on site. The existing building at site 6 is noted as too small to accommodate all the machinery that needs undercover or secure storage.

The proposal forming the basis of this application proposes two buildings, one is for grain storage and the other is for straw storage, to include a machinery store for machines such as a combine harvester and header, two tractors, loading shovel, grain drill and sprayer, fertiliser spreader, mobile grain driver, quad bike and attachments etc. Whilst the report recognises that some machinery can be kept outdoors, some are vulnerable to damage and as such, deterioration can result in financial impacts.

The report also provides detail as to the proposed height of the grain store, which needs to meet the needs of tipping a grain trailer within the building and the following image from the report demonstrates the height of the trailers when tipping:



There is a requirement for storage of 900 tonnes of grain. The report states the following:

3.7 If loaded to 3m high there is a theoretical floor space requirement for grain storage of 400m². An allowance of 10% should be made for slumping of the grain at an angle of 45°, resulting in a theoretical floor area of 440m². However, the need to segregate the grains increases the space requirement.

3.8 The remaining 120m² of floor area would be required for manoeuvring tractors and grain trailers while tipping at harvest, manoeuvring the loading shovel for loading the grain lorry and space for the grain segregation.

The straw building would enable the storage of round bales harvested from the arable land. This would then enable the straw to be sold during the winter and spring when prices can be double those achieved at harvest. The 100ha of cereals would produce approximately 400 tonnes of straw.

In addition to the aforementioned buildings, the proposal includes the provision of a hardstanding area for the storage of silage bales. Each year it is stated that there will be approximately 30ha of grass, which will be cut and baled for haylage three times a year. It is stated that the fields will produce some 1,800 wrapped bales per annum which will be stacked on the hardstanding area.

Firstly, with regards to impact on the countryside and close ranged views, the site is located a sufficient distance away from the adopted highway and the levels of the site would restrict most views. It is recognised that there are topographical variations within the landscape and as such, views of the buildings may be offered from further afield and from nearby public rights of way. However, the appearance of the buildings are typical of those you would expect to find in the countryside and in agricultural settings and as such, they would not appear out of context when viewed from distant vantage points. In addition, the buildings and hardstanding areas are clustered together as opposed to staggered throughout the landscape, which assists with ensuring the impact on the wider landscape is minimalised.

In terms of site 6, it is recognised that the yard has been extended beyond its previously permitted limits. This area is proposed to be returned to agricultural land and given the nature of this, provided a condition is imposed seeking a landscape plan and that this is implemented, the visual impact and impact upon the character of the countryside would result in an improvement. A condition will be required to ensure that no works of restoration shall take place in relation to site no. 6, until full details of landscaping (to include existing and proposed levels and sections through the site) have been submitted for written approval by the Local Planning Authority. **(Condition 3 refers).**

With regards to agricultural land, it is recognised that both application sites include predictive agricultural classifications of both 3a and 3b, with grade 3a being a grade that should be protected, in line with national and local policy. A section of Site 6 is proposed to be restored to agricultural land and as such, given that this element of the proposal would increase the provision of agricultural land, it is considered that overall the proposal would not detrimentally impact upon the best and most versatile agricultural land, subject to this being imposed by means of a condition, as referenced above.

It is recognised that the provision of buildings and hardstanding etc. on site 1 would result in the loss of good quality agricultural land. However, the supporting documentation has demonstrated the requirement for the proposed buildings, which in this instance is accepted. A site visit has also been carried out which has confirmed that there are no other buildings on site (other than those referenced) which, on a farm of this scale, is considered unusual. It is therefore recognised that in order to ensure that the farm is able to fully benefit from its operations and to assist with ensuring a viable financial farm, buildings such as those proposed are considered acceptable in principle. Therefore, given the nature of the proposals as agricultural buildings / storage etc. and their justification, it is considered that in this instance, the loss of agricultural land is acceptable. The proposal is therefore considered to comply with criterion 9 of policy MD1 and also criterion 7 of policy MD7.

Taking the above into consideration, it is considered that the supporting documentation has sufficiently justified the need of the buildings and associated development and the proposal would not detrimentally impact upon the character of the countryside. The proposal is therefore considered to comply with criterion 1 and 9 of policy MD1 (Location of New Development) of the LDP.

Notwithstanding the above, planning application 2007/01059/FUL granted consent for cattle buildings within site 1. In the Officer's report for this application, the following is stated:

“Notwithstanding whether the proposal is considered to be generally consistent with planning policy however, given that in effect, this is a wholly new farming enterprise, concerns have been raised over the possibility of granting a planning permission for the whole development, when there is as yet, neither any proven prospect that the venture into beef cattle or possible at some later date, intensive dairy farming, would succeed, and the fact that to even implement the scheme, clearly requires first that major additional and extensive engineering (quarrying) operations be undertaken.

The concerns are that firstly, given there is normally no requirement of an applicant to implement, or fully implement an approval, the situation could arise that only the engineering/quarrying operations are undertaken, and as stated previously, there is already some evidence that such operations have been taking place well outside the boundary of this application, and not the full scheme. Secondly, there is also the prospect that the intended farming enterprise could fail, leaving not only a large quarried void, but also several very large agricultural buildings.

Given the above therefore, the applicant was asked and has agreed to enter a Unilateral Undertaken wherein he has agreed too, in brief:

(i) As a first phase and within 6 months of any consent issued, commence and complete, one cattle shed and the straw barn.

(ii) Within 6 months of completion of the first cattle shed, that building shall have been occupied by no fewer than 80 cattle and any failure to do so, then both first phase buildings shall be demolished within 3 months.

(iii) As a second phase and on occupation of the first phase cattle shed by no less than 160 cattle, the second cattle shed and machinery store buildings shall be erected and completed within 6 months.

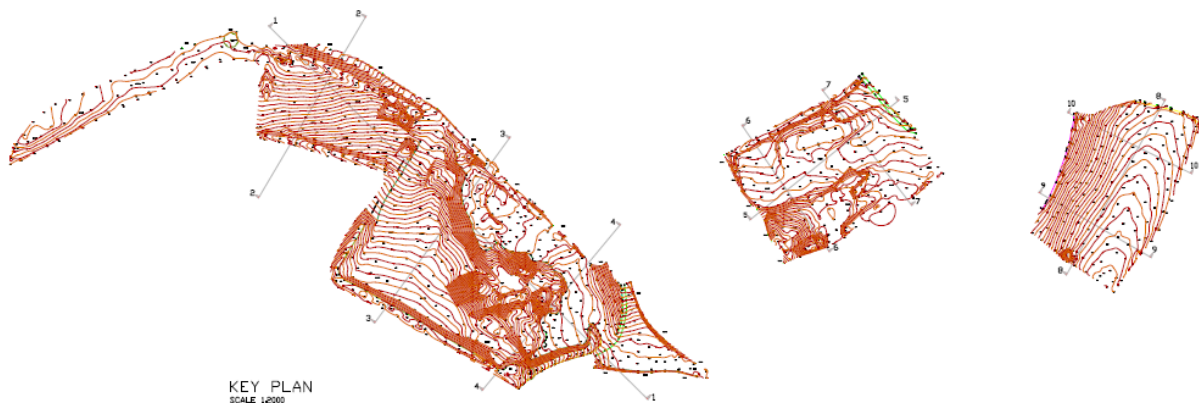
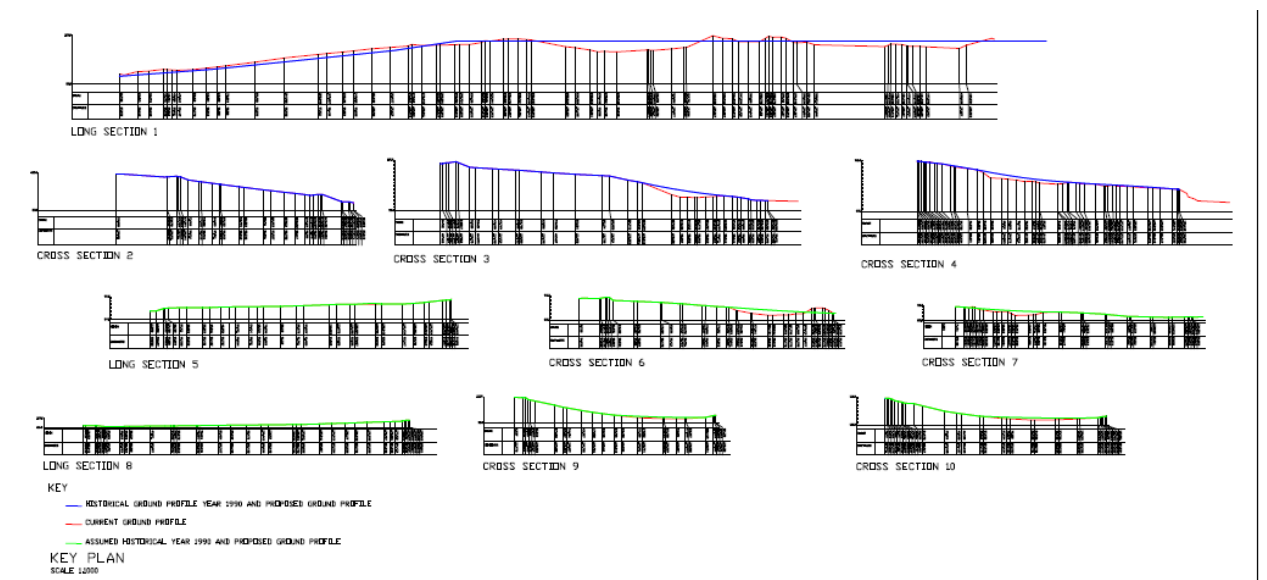
(iv) Unless within 6 months of the date of the completion of the second cattle shed building, it is occupied by no fewer than 88 cattle, then both that building and the machinery store shall be demolished within 3 months.

(v) If either the red or green buildings remain unused for their stated or subsequently agreed agricultural purpose for more than 12 months, the whole complex shall be removed within 3 months thereafter.

(vi) That the Council be notified in writing of the commencement of construction of all buildings.

(vii) No separation of the holding (the application land from the title property).”

In this instance, the proposal will once again require the need to carry out excavations in order to achieve the desired ground levels. Cross section drawings have been received with this application and are shown as following:



The above section plans indicate the existing and proposed ground levels , with red indicating the existing and the blue indicating the proposed levels. As indicated within the plans, there have been extensive quarrying operations already, albeit there is no formal consent in place for such works. As aforementioned, the 2007 application was approved, subject to the applicant entering into a legal agreement, given that there are no controls to enforce an applicant to implement a consent / or in particular to implement it fully. Whilst the section plans would indicate that the majority of the excavations have already been carried out, there are still nonetheless ground variations proposed throughout the site and with a consent in place, given the history on site with enforcement and unlawful quarrying activities, there are concerns that an approval could provide an open agreement for further ground excavations.

In light of the above, a legal agreement is considered necessary to require the applicant to complete the development of each phase within a specified timeframe, as well as the restoration of the site, should the buildings not be used for their intended use within a specified timeframe. Whilst the nature of the application differs slightly from the previous approval (in that the previous approval essentially approved a new venture which was unproven), as aforementioned, there remains a long history on site of quarrying activities. The legal agreement is therefore considered necessary in order to ensure that any approval does not provide the opportunity for an open ended consent or for further excavations / quarrying activity. In addition, the proposed buildings are only considered acceptable in principle on the basis that they are used for the agricultural purposes as indicated and justified within the supporting documentation. Taking the above into consideration, provided a legal agreement is entered into, the proposal is considered acceptable in principle. Furthermore, it should be noted that without a legal agreement and the certainty in respect of securing the timings of the works, the application would be refused.

The applicant and agent have agreed to the principle of an agreement to secure the above requirements.

It should be noted that whilst the supporting documentation provides justification for both buildings, it is considered that both buildings are required as justification to each other i.e. the machinery is required for farming of the land and the grain store is required to store the bi-product of that land. The Unilateral Undertaking, in addition to restricting the applicant to tight timescales, will require both buildings to be occupied and used as proposed and should either not be used as approved, all buildings on the application site will need to be removed.

Comments have been received in relation to other applications within the wider site and these comments have been noted. However, each application is considered on its own merits and notwithstanding this, it is considered that the nature of the proposals and their distance from the outstanding applications would ensure no detrimental cumulative impact.

Contamination

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

- 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*
8. *Any other identified risk to public health and safety*

The Council's SRS Officer for Contaminated Land has commented to state that given the use of site 6 by farm equipment, this may have resulted in the land becoming contaminated and thus could result in potential risks to human health and the environment for the proposed end use. An 'unforeseen contamination' condition is therefore requested **(Condition 8 refers)**.

With regards to site 1, the proposal includes excavation and infill in order to acquire the proposed finished ground levels. Whilst it is stated that the reprofiling of the land will be done using site won materials, in the event that soils or aggregates are required in addition to site won materials, conditions relating to each are also requested in order to ensure the prevention of introducing materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the end use **(Conditions 9 and 10 refer)**.

In light of the above, provided the conditions and informatives requested by the Contaminated Land Officer is added to any decision notice, it is considered that the proposals would comply with policy MD7 of the Council's LDP.

Impact on residential amenities

Criterion 8 of policy MD2 (Design of New Development) states that development proposals should "*safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance*".

In addition, criterion 4 of policy MD7 (Environmental Protection) states that development proposals will be required to demonstrate that they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from noise, vibration, odour nuisance and light pollution.

The proposed buildings would be located a sufficient distance from neighbouring properties to ensure no harmful overbearing or overshadowing impacts.

The planning statement states that localised noise would be generated by the proposals due to the need to re-profile and re-engineer the land, however, it suggests that given the distance to neighbouring properties, such impacts would be minimal and would not have an adverse bearing on the acceptability of the proposals. However, the nature of the site at a lower level than some neighbouring properties has previously resulted in many complaints to the planning enforcement team in respect of noise levels. As such, this also forms another reason as to why it is considered necessary to impose a legal agreement ensuring that the consent does not essentially provide an open quarrying consent.

In some instances, a condition requesting a Construction Environmental Management Plan (CEMP) is added to decision notices in order to approve details such as construction hours and details to mitigate dust etc. In this instance, the application site is positioned a sufficient distance from neighbouring properties to ensure no unacceptable impact from dust or other construction impacts and the addition of a legal agreement (as referenced above) would also assist with alleviating such impacts. However, it is considered necessary to impose a condition stating construction hours (**condition 4 refers**). Provided this condition is imposed, in addition to the legal agreement which restricts the overall period in which works can be carried out, it is considered that a CEMP is not required in this instance and that the proposal would not have a detrimental impact on neighbouring occupiers in terms of construction noise / disturbance etc.

In terms of the operation of the site once complete, the consent would result in increased activity with farm vehicles etc. however, given the nature of the site as a farm, there are no restrictions on the use of the site at present by farm vehicles. Notwithstanding this, the proposal is considered to be located a sufficient distance from neighbouring properties to ensure no harmful impact on amenities.

Provided the aforementioned conditions are imposed on any consent, the proposal is considered acceptable in terms of its impact on residential amenities and as such, would comply with criterion 8 of policy MD2 and criterion 4 of policy MD7.

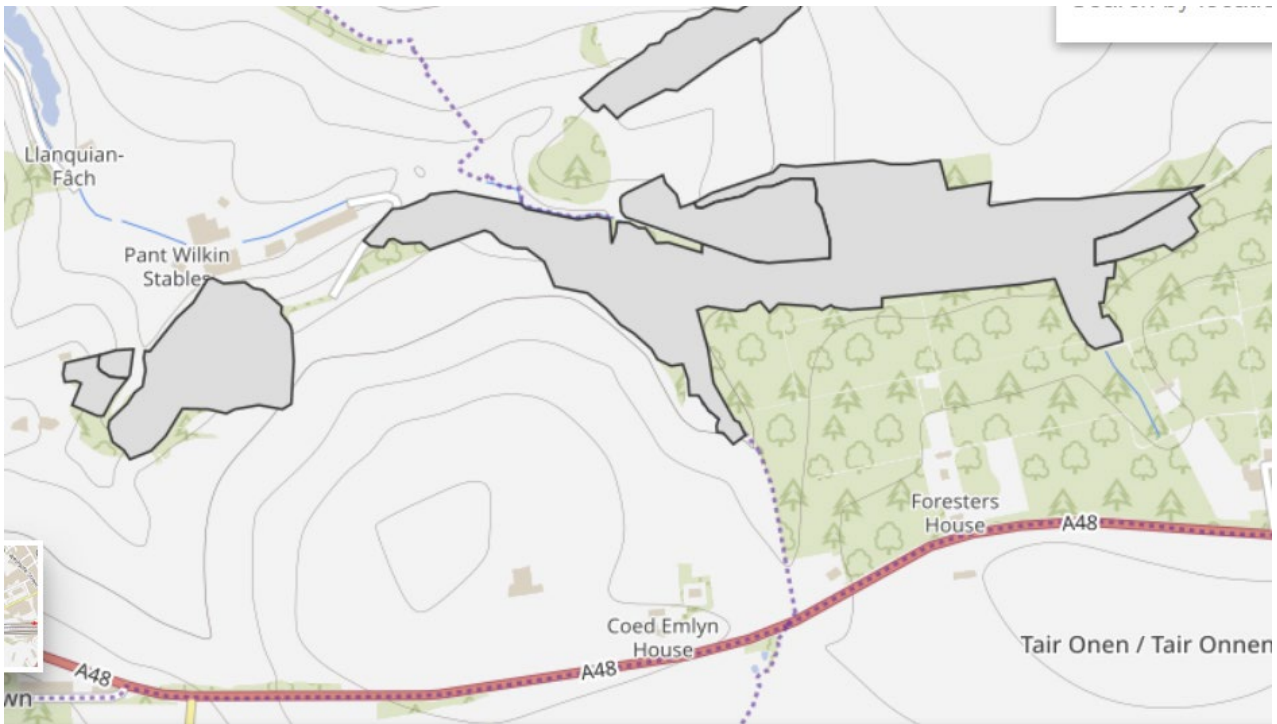
Parking and Highway Safety

Given the nature of the proposals and their distance from the adopted highway, issues relating to parking are not considered relevant in this instance.

The application site is located a sufficient distance from the adopted highway. The Highways Authority has requested a condition for wheel washing, stating a potential for material to be deposited onto the highway. However, whilst this request is noted, the application site is located a generous distance from the adopted highway, which is accessed via a tarmac road. In this instance therefore, the proposed condition for wheel washing is not considered necessary.

Ancient woodland

As aforementioned, the application site for the proposed agricultural buildings is located in close proximity to ancient woodland. The ancient woodland is shown on the following plan:

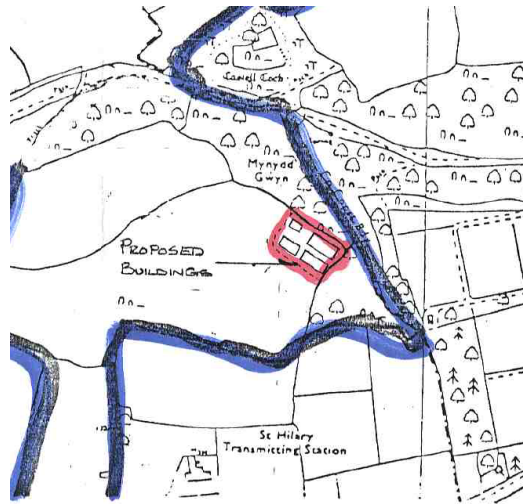


Ancient Woodland Inventory 2021, Source: DataMapWales

It is noted that NRW have not objected to the proposals and have advised the Authority to make an assessment on impact to ancient woodland. Woodland Trust have objected to the proposals.

Whilst the comments from Woodland Trust are noted, the majority of the ground works with regards to excavation have already taken place, with the exception of some as shown on the proposed section plans. For the most part, the proposal includes the raising of the ground levels to provide a more level plateau. The application can only be considered based on the proposed plans and in this instance, given that a large degree of excavation has already been carried out, a refusal on this basis would be unreasonable.

Moving to the proposed buildings, it is noted that the Woodland Trust have requested a buffer of 15m between the proposals and the woodland. In this instance, as per our own records, it is estimated that there is approximately 8-9m of a buffer at the closest point between the silage pad and the woodland and approximately 20-22m between the machinery / straw store concrete pad and the woodland. Whilst some of these distances fall short of the 15m requested by Woodland Trust, it is noted that a large proportion of the excavations on site have already taken place and consent was previously granted for large buildings in similar positions. The following extract indicates the position of the previously approved buildings on site:



Taking this into consideration, it is considered that a refusal on this basis would be unreasonable. Notwithstanding this, it is considered that provided a condition is imposed for protective fencing to be installed around the perimeter of the site, the proposal would not have a detrimental impact on the ancient woodland (**condition 5 refers**).

In addition, it is recognised that runoff and fumes etc. can detrimentally impact upon the habitats within the woodland. Paragraph 4.1 of the justification statement states that the hardstanding area would be used for the storage of wrapped silage bails and as such, in order to protect nearby habitats, a condition is imposed to state that only wrapped silage bails can be stored on the silage pad (**condition 6 refers**).

Green Infrastructure

On 18 October 2023, Welsh Government announced changes to Planning Policy Wales (PPW) by way of a Dear CPO letter entitled 'Addressing the nature emergency through the planning system: update to Chapter 6 of Planning Policy Wales'. The main policy changes which are of relevance relate to green infrastructure, net benefit for biodiversity and the protection afforded to trees.

Firstly, with regards to site number 6, the site is proposed to be returned to agricultural land. Therefore, the restoration of the land would return it to its previous state and provided this is conditioned (**condition 3 refers**), it would not unacceptably impact upon green infrastructure.

With regards to site number one, again, it is noted that a large proportion of the excavation works have already been carried out and as such, the land at present does not contribute to green infrastructure. However, prior to works commencing, this site would have been a grassy field, albeit there are historic consents in place for buildings. A proportion of the site would be utilised for buildings and hardstandings and as such, the green infrastructure on these areas will be permanently lost. The agent has indicated that planting will be carried out on site and the plans submitted indicate an incorrect position for the buildings and as such, this cannot form an approved document. Whilst it is often considered necessary to impose conditions on landscaping, in this instance, the application site is not highly visible and it is the Authority's desire that any land surrounding the buildings is allowed to re-wild. Therefore, given the nature of the site adjacent to agricultural field parcels, a highly engineered landscaping scheme would not, in principle, be supported here. As such, conditions for landscaping of site one will not be imposed.

Biodiversity enhancements

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.

Para. 6.4.5 of Planning Policy Wales (Edition 12, 2024) states that:

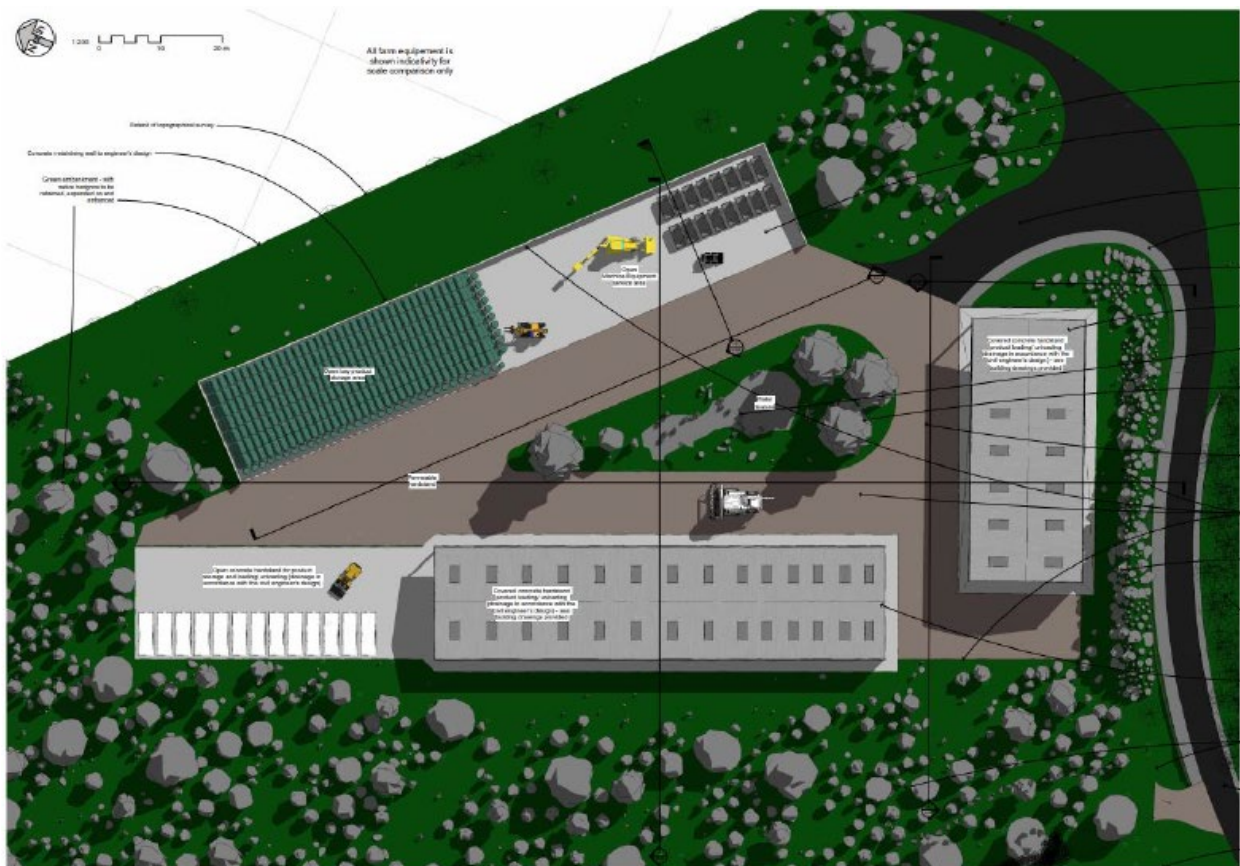
“Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity..... “

The agent has indicated that tree planting will be carried out to the north of the application site, which would also provide a biodiversity enhancement. The following extract has been provided:



However, it is noted that the area indicated appears to be located outside the red line boundary and as such, the planning authority would have no control over the restoration of this land. In addition, this is ancient woodland and as such, the introduction of planting could detrimentally impact upon the species within.

In addition, the GI statement and recent submission includes the following site plan:



Site Plan Visualisation Aid

It should be noted that this plan includes incorrect positions for the buildings and as such, does not form part of the approved details.

However, in line with policy, a condition is imposed (**condition 7 refers**) seeking detail of biodiversity enhancements. Whilst a planting scheme is welcomed for biodiversity enhancements, it is also considered that there is opportunity for further additions, such as bird boxes etc., the details of which would be secured by means of condition.

Minerals

Policy SP9 seeks to ensure a continuous supply of minerals by safeguarding known resources from permanent development that would unnecessarily sterilise them or hinder their future extraction. In addition, policy MG22 states that new development will only be permitted in an area of known mineral resource where it has first been demonstrated that:

1. Any reserves of minerals can be economically extracted prior to the commencement of the development;
2. Or extraction would have an unacceptable impact on environmental or amenity considerations; or
3. The development would have no significant impact on the possible working of the resource by reason of its nature or size; or
4. The resource in question is of poor quality / quantity

Given the proximity of the proposals to residential properties and ancient woodland, the extraction of the resource would have an unacceptable impact on residential amenities. The proposal is therefore considered acceptable and would not detrimentally impact upon the extraction of the safeguarded minerals.

Public Right of Way

It is noted that a site and press advert stated that there may be an impact on a public right of way. It is noted that whilst there are some footpaths in proximity to the application sites, the proposals are not considered to directly impact upon a footpath.

Flooding and drainage

It should be noted that a small section of site number 1 is located within a surface water flood zone (level 2 and 3) in the Flood Maps for Planning. However, the application was received prior to the update to the maps and also prior to the update to TAN15. As such, no further information is required in this instance on flooding.

It is also noted that the proposal is subject to a separate SAB approval for sustainable drainage and as such, an informative is recommended.

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, SP9 – Minerals, MG22 – Development in Minerals Safeguarding Areas, MD1 – Location of New Development, MD2 – Design of New Development, MD7 – Environmental Protection, MD9 – Promoting Biodiversity and MD17 – Rural Enterprise of the Vale of Glamorgan Adopted Local Development Plan 2011- 2026, and the advice contained within the Council’s Supplementary Planning Guidance on Biodiversity and Development (2018), Design in the Landscape, Economic Development, Employment Land and Premises (2023), Minerals Safeguarding (2018), Model Design Guide for Wales, Parking Standards (2019), Planning Obligations (2018) and Trees, Woodlands, Hedgerows and Development (2018), Future Wales: The National Plan 2040, Chapter 3 – Strategic and Spatial Choices Planning Policy Wales 12th Edition (2024), and Technical Advice Note 5 – Nature Conservation and Planning (2009), 6 – Planning for Sustainable Rural Communities (2010), 12 – Design (2016) and 23 – Economic Development (2014), the development is considered acceptable in terms of its principle, scale, design and visual impact, as well as its impact on neighbours, highway safety, green infrastructure impact and biodiversity enhancement provision.

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

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

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

RECOMMENDATION

Subject to the applicant entering into a Unilateral Undertaking /S106 Agreement in relation to:

- (i) As a first phase and within x months of the date of decision, commence and complete, building (a or b *)
- (ii) Within x months of completion of the first building (a or b), that building shall have been occupied and used as specified within the application. In the event that the building is not occupied under these terms, then building (a or b) shall be demolished within 3 months and the materials removed from the land.
- (iii) As a second phase, the second building (a or b*) shall be erected and completed within x months of the date of decision.
- (iv) Unless within x months of the date of the completion of the second building, it is occupied and used as specified within the application, then the building shall be demolished within x months.
- (v) If at any point in time either of the buildings remain unused for their stated or subsequently agreed agricultural purpose for more than x months, all buildings and structures shall be removed within x months thereafter.
- (vi) The site shall be fully completed within x months from the date of consent and following this date, there shall be no further ground works / excavations.
- (vii) That the Council be notified within one week in writing of the commencement of construction of all buildings.
- (viii) That the Council be notified in writing within one week of the occupation of all buildings.
- (ix) No separation of the holding (the application land from the title property).
- (x) There shall be no importation or exportation of any materials or soils, other than those required for the construction of the buildings, unless otherwise agreed in writing by the Local Planning Authority.
- (xi) Complete / completion is defined as being capable of being used for its intended use.

* Applicant / agent to confirm the order of the buildings, i.e. building a and building b to be defined

Note - X denotes exact number of months which will be agreed with applicant during drafting of the legal agreement

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

Reason:

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

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

Planning Statement (excluding extracts of the proposed site plan and proposed machinery / straw storage building plans) received 21 February 2022

RAC/8433/1 - Location Plan

RAC/8433/4 – Elevations, Grain Store

PWL/07 - Topographical Survey

RAC/8433/5 Rev A - Machine & Grain Stores Topographic Setting

RAC/8433/6 - Restoration Plan

RAC/8433/7 - Location Plan

RAC Erection of Grain, Straw & Machinery Storage Buildings with Associated Hardstanding for Bale Storage

Received 28 February 2022

Planning, Design and Access Statement (excluding extracts of the proposed site plan and proposed machinery / straw storage building plans) received 28 June 2022

Amended- RAC/8433/3 Rev 06/2023 Elevations, Straw and Machinery Building received 20 June 2023

Green Infrastructure Statement (excluding extracts of the 'Site Plan Visualisation Aid' received 29 January 2025)

RAC/8433/2 Rev 2026 Site Plan received 27 March 2026

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. No works of restoration shall take place in relation to site no. 6, until full details of landscaping (to include existing and proposed levels and sections through the site) have been submitted for written approval by the Local Planning Authority. Works shall only commence following the written approval of the scheme of landscaping. 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 approval of details; 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 the acceptable restoration of the site and to comply with policy SP1 (Delivering the Strategy) of the adopted Local Development Plan.

4. All construction works, landscaping and restoration required in relation to the development hereby approved shall be restricted to the following operating hours:
- 08:00 to 17:00 Monday to Friday
 - 08:00 to 13:00 Saturday

No operations are to take place on Sundays or Bank Holidays.

Reason:

To protect neighbouring occupiers and to ensure compliance with policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the adopted Local Development Plan.

5. Prior to the commencement of development within site number 1, protective fencing, compliant with the BS5837:2012 regulations shall be erected along the northern boundary of site number 1 (identified by plan number RAC/8433/1).

Reason:

To protect the trees and ancient woodland located in close proximity to the application site and to comply with policy SP1 (Delivering the Strategy) of the adopted Local Development Plan.

6. The silage pad shall only be used for the storage of wrapped silage bails. All silage shall be wrapped prior to its delivery to the development hereby approved.

Reason:

To ensure no detrimental impact to nearby habitats, watercourses and the balance of species within them and to comply with policy SP1 (Delivering the Strategy) of the adopted Local Development Plan.

7. Prior to the first beneficial use of the development, a Biodiversity Enhancement Strategy addressing enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The development 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. The Strategy shall include the following:
- a) Details of any bird/bat box provision
 - b) Details of any landscaping features
 - c) Details of any additional ecological enhancements

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. 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 and to comply with policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the adopted Local Development Plan.

9. 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 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 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 and to comply with policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the adopted Local Development Plan.

10. 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 and to comply with policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the adopted Local Development Plan.

NOTE:

1. **The contamination assessments and the affects 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 minded that the responsibility for**
 - (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 rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

2. 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

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.

2025/00973/FUL Received on 29 September 2025

APPLICANT: c/o Agent c/o Agent, CF23 9FP

AGENT: Mr Rhys Jones 22 Cathedral Road, Cardiff, CF11 9LJ

Vale Car Sales, Leckwith Road, Llandough, Penarth

Proposed development of 30 affordable flats, access, parking, landscape planting, and associated works.

REASON FOR COMMITTEE DETERMINATION

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

EXECUTIVE SUMMARY

The application relates to Vale Car Sales, a triangular plot of land, located adjacent to Leckwith Road. The site is located within the Llandough Settlement Boundary, as defined by the Local Development Plan (LDP).

Planning permission is sought for 30 affordable flats, access, parking, landscape planting and associated works. The proposals would reduce the existing two access points from Leckwith Road to one and would introduce four no. blocks within the site, one fronting Leckwith Road and the other three positioned adjacent to the track to the east. Parking and amenity provision are proposed internally.

Comments have been received by many consultees, both external and internal recommending the addition of conditions and informatives to any decision notice. A summary of comments received is included below.

A total of 62 objections have been received, in addition to 7 further comments neither in support or objection. The issues raised, in summary, include concerns regarding highway safety; parking provision and the impact on existing parking issues; comments and concerns regarding scale and design and the impact on neighbouring amenities; concerns of impact on drainage and flooding; concerns of impact on wildlife; comments regarding lack of services / infrastructure etc.

An assessment of the proposals is included below and the recommendation is to approve, subject to conditions and subject also to a Section 106 agreement.

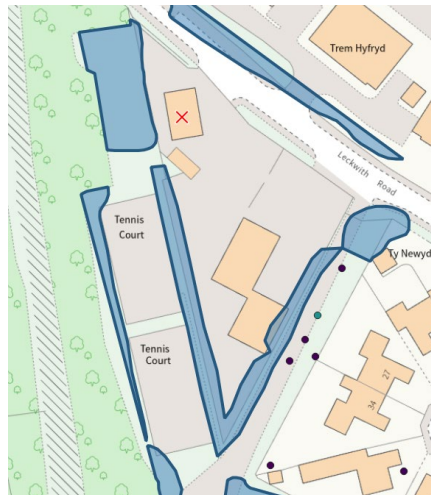
SITE AND CONTEXT

The application relates to Vale Car Sales, a triangular plot of land, located adjacent to Leckwith Road. The site is located within the Llandough Settlement Boundary, at the northern end of the village, as defined by the Local Development Plan (LDP). Leckwith Road is identified by policy MG16 (10) of the LDP as a transport proposal for bus lines.

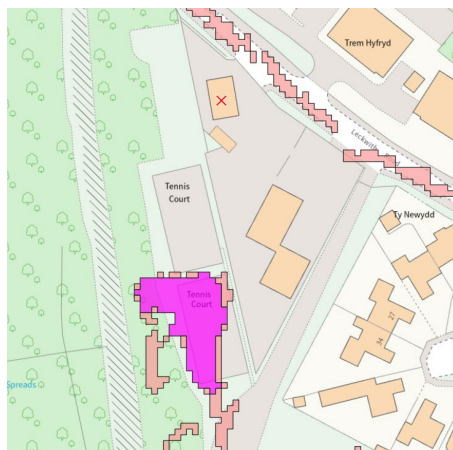
The site has a mixed predictive agricultural land classification, with some predicted as unclassified, some as n/a and a section in the south is predicted as grade 4. The application site is located within a mineral safeguarding area for Limestone.

The site is located adjacent to but not within the Cwrt yr Ala Basin Special Landscape Area (SLA), the Reservoir Wood SINIC (Site of Importance for Nature Conservation). Reservoir Wood is also listed within the national inventory of woodland and trees and was recently protected by means of a Tree Preservation Order (TPO no. 2025-04-W1).

The trees along the perimeters of the site are listed as urban trees, as shown in the following extract:



The application site is partially located within an area of surface water flooding. To the front of the site, Leckwith Road, including a partial section of the entrance is located within flood zone 2 for surface water flooding, whilst both zones 2 and 3 are located to the rear of the site on the tennis courts, as shown in the following extract:



The land to the rear and access road to the east is Council owned land.

An extract of the site location plan is included below:



DESCRIPTION OF DEVELOPMENT

Planning permission is sought for *“Proposed development of 30 affordable flats, access, parking, landscape planting, and associated works.”*

The 30 no. affordable units consist of 2 no. 2b3p apartments and 28 no. 1b2p apartments. The proposal relates to four no. blocks. Block 1 would be positioned in the north / north-west of the site, adjacent and parallel to Leckwith Road. Blocks 2, 3 and 4 would be positioned along the eastern boundary, adjacent to the access road that serves the playing fields.

The existing site has two access points from Leckwith Road and these would be reduced to one amended access point from Leckwith Road, positioned between blocks 1 and 2.

Pockets of amenity space are proposed throughout the site and also to the side of block 1, adjacent to the woodland and Leckwith Road.

The proposal includes provision of 26 no. parking spaces and 20 no. cycle parking.

An extract of the proposed site plan is included below:



All blocks would be finished in facing brick, with concrete plain roof tiles, RAL 7038 UPVC fascias and windows, black UPVC rainwater goods, composite external doors with glazed panels and smooth white render surrounds. Blocks 3 and 4 would have 'Canopia Sophia' door canopies, whilst blocks 1 and 2 would have an aluminium canopy with a side panel. Blocks 1 and 2 would also have an alternating course brick panel along sections of the front elevations.

Block 1 would be approximately 36.5m x 14.2m. It is noted that the height steps up towards the centre of the block (when viewed from Leckwith Road) and the height to the eaves would be approximately 5.2m and height to the ridge would be approximately 9.4m. Given the aforementioned step, the tallest eaves and ridge height (taken at the point prior to the step-up) would be approximately 5.7m and 9.9m respectively.

An extract of the elevation and floor plans for block 1 are included below:



Block 1 - Front elevation
1:100

- Material Schedule - Block 1 and 2**
1. Concrete Pitch Roof Tile to roofs
 2. Black UPVC Drainage goods
 3. RA 7008 aluminium
 4. Fencing lock to external walls - exact spec to be agreed
 5. Alternating course brick panel as shown
 6. RA 7008 aluminium window with smooth white render surrounds
 7. Composite entrance doors with smooth white render surrounds
 8. GARD Kensington Aluminium Canopy
 9. Threshold Aluminium Canopy with Side Panel



Block 1 - Side elevation 2
1:100



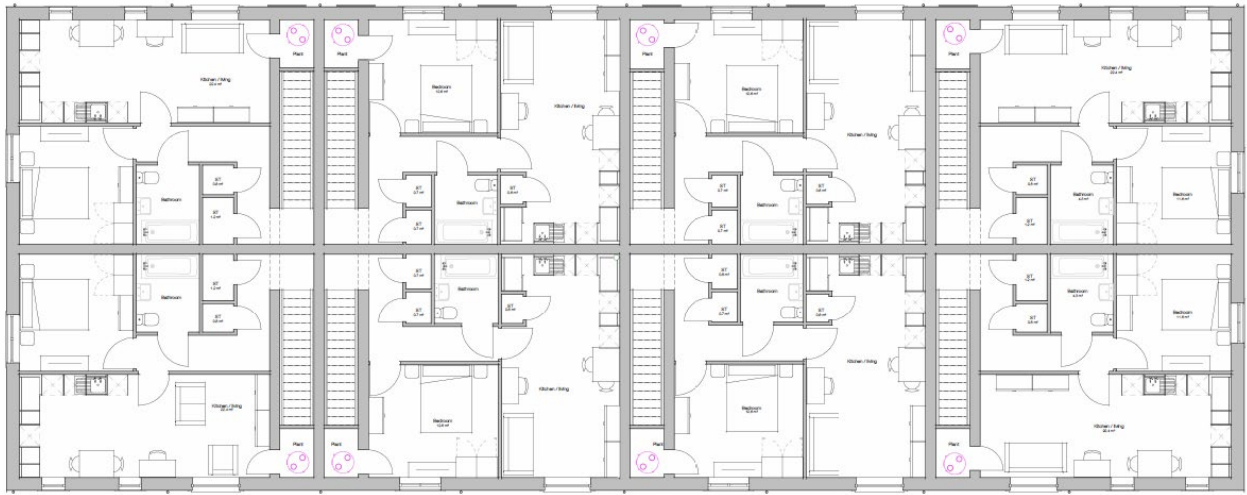
Block 1 - Rear elevation
1:100



Block 1 - Side elevation 1
1:100



Block 1 - Ground floor plan
1:50



Block 1 - First floor plan
1:50

Block 2 is located adjacent to the entrance and its side (gable) elevation faces Leckwith Road. This block is proposed as approximately 16.5m x 8.3m and would be approximately 5.2m tall to the eaves and approximately 8.3m tall to the ridge.

An extract of the proposed elevation and floor plans for block 2 are included below:



Block 2 - Front elevation
1:100



Block 2 - Side elevation 1
1:100

Material Schedule - Block 1 and 2

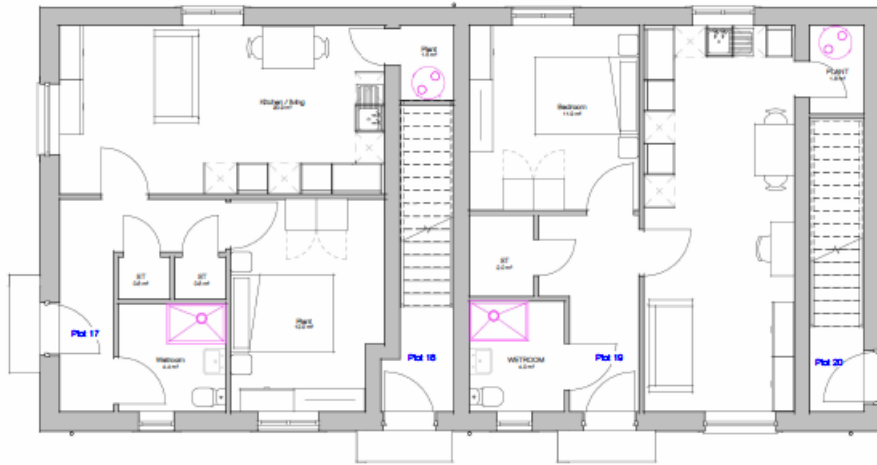
1. Concrete Plain Roof Tile to eaves
2. Black UPVC Rainwater goods
3. RAL 7038 upvc fascias
4. Facing brick to external walls - exact spec to be agreed
5. Alternating course brick 'panel' as shown
6. RAL 7038 upvc windows with smooth white render surrounds
7. Composite external doors with smooth white render surrounds
8. CAG0 Kensington Aluminium Canopy
9. 'Rainclear' Aluminium Canopy with Side Panel



Block 2 - Rear elevation
1:100



Block 2 - Side elevation 2
1:100



Block 2 - Ground floor plan
1 : 50



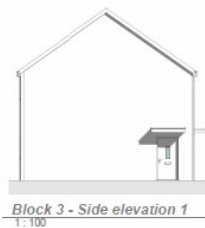
Block 2 - First floor plan
1 : 50

Block 3 would be positioned adjacent to block 2 and would be approximately 24.6m x 8.3m and would be approximately 5.2m tall to the eaves and approximately 8.3m tall to the ridge.

An extract of the proposed elevations and floor plans for block 3 are included below:



Block 3 - Front elevation 1
1:100



Block 3 - Side elevation 1
1:100

Material Schedule - Block 3 and 4

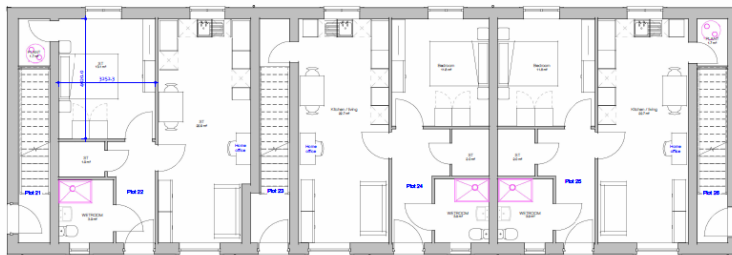
1. Concrete Plain Roof Tile to roof
2. Black UPVC Rainwater goods
- 3.RAL 7028 grey fascias
4. White colour Roughcast through colour render finish to external walls
5. RAL 7028 grey window with smooth white render surrounds
6. Composite external doors with glazed panels & smooth white render surrounds
7. 'Cemdex Super' 1000mm wide Door canopy's



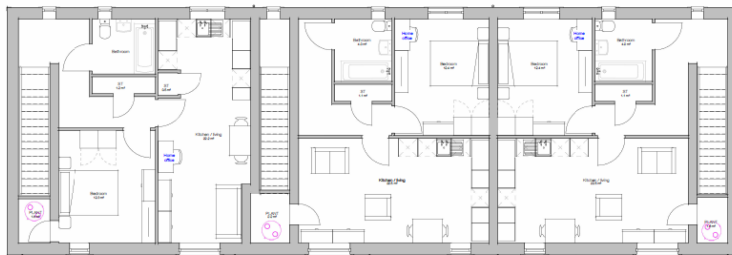
Block 3 - Rear elevation
1:100



Block 3 - Side elevation 2
1:100



Block 3 - Ground floor plan
1:50



Block 3 - First floor plan
1:50

Block 4 is located in the southern corner of the triangular site and is approximately 17.8m x 8.3m and would be approximately 5.2m tall to the eaves and approximately 8.3m tall to the ridge.

An extract of the proposed elevations and floor plans for block 4 are included below:



Block 4 - Front elevation
1 : 100



Block 4 - Side elevation 1
1 : 100

Material Schedule - Block 3 and 4

1. Concrete Plain Roof Tile to roof
2. Black UPVC Rainwater goods
3. RAL 7035 upvc fasciae
4. White colour Roughcast through colour render finish to external walls
5. RAL 7038 upvc windows with smooth white render surrounds
6. Composite external doors with glazed panels & smooth white render surrounds
7. 'Genopie Sophia' 1600mm wide Door Canopy's



Block 4 - Rear elevation2
1 : 100



Block 4 - Side elevation 2
1 : 100



Block 4 - Ground floor plan

1:50



Block 4 - First floor plan

1:50

A boundary plan accompanies the application and proposes to remove the existing palisade fence around the perimeter of the site. A 2.1m high close board timber fence is proposed along the majority of the rear boundary (shown in purple) and 2.1m high black painted metal railings (shown in orange) in the north-west section of the site and also between blocks 2-3, 3-4 and between block 4 and the rear boundary. A 1.1m high black painted metal ball top railings are proposed along the frontage between block 1 and the northern point of the site. The boundaries are indicated in the following extract:



PLANNING HISTORY

1984/00162/FUL, Address: Leckwith Service Station, Leckwith Road, Llandough, Penarth, Proposal: The removal of that part of Condition 2 of the previous planning references 346/26/73/9732 in order that cars can be displayed for sale, Decision: Approved

1986/00596/FUL, Address: Leckwith Service Station, Leckwith Road, Llandough, Proposal: To retain 3 no. customer parking spaces, Decision: Approved

1986/01061/FUL, Address: Leckwith Service Station, Leckwith Road, Cardiff, Proposal: Redevelopment of existing filling station including new sales building, tank, car-wash, car vac and canopy extension, Decision: Approved

1991/00227/FUL, Address: Leckwith Service Station, Leckwith Road, Llandough, Proposal: Build new sales kiosk etc and carwash, also extend canopy, Decision: Approved

1991/00933/FUL, Address: Leckwith Service Station, Llandough, Nr. Cardiff, Proposal: Canopy renewed/extended, Decision: Approved

1999/00177/FUL, Address: Leckwith Motor Company, Leckwith Road, Llandough, Penarth, Proposal: Change use of petrol station and pay kiosk into car display and sales office, Decision: Approved

2000/00876/FUL, Address: Leckwith Motor Company, Leckwith Road, Llandough, Proposal: Cleaning area - retention, Decision: Approved

2001/01199/PNT, Address: Leckwith Motor Company, Leckwith Road, Llandough, Proposal: 12.5m high street furniture column with integrated antenna together with two equipment cabinets, Decision: Further prior approval (PNA/PND/PNT/PNQ)

2006/00407/FUL, Address: Leckwith Motor Company, Leckwith Road, Llandough, Penarth, Proposal: Erection of new security fencing to site boundaries, Decision: Approved

2014/01401/OUT, Address: Leckwith Motor Company, Leckwith Road, Llandough, Proposal: Proposed residential development of 21 dwellings on land to the north and south of Leckwith Road, (including land at Leckwith Motor Company) and associated ancillary works, Decision: Finally Disposed of

2021/00024/PND, Address: J P Motor Company, Leckwith Road, Llandough, Proposal: Demolition of storage building, Decision: Approved

2024/01007/PND, Address: Vale Car Sales, Leckwith Road, Llandough, Proposal: To enable future housing development, Decision: Approved

The following applications near to the site are also of relevance:

2018/01023/FUL – Land North of Leckwith Road, Llandough. Proposed residential development comprising 40 affordable units (comprising a mix of 1 and 2 bed apartments) along with associated parking, highway and ancillary works. Approved.

1980/00294/REG4, Address: Lewis Road Playing Fields, Llandough, Penarth. Pursuant of Reg. 4 of the T & C P A, Gen. Regs 1976 for the construction of changing accommodation and associated car parks. Approved.

1987/00457/REG4, Address: King George V Playing Fields, Llandough. Provision of 2 no. public hard tennis courts (Minute No. 109 (1)(ii) - 22/6/87 refers). Approved.

CONSULTATIONS

Llandough Community Council commented 25 October 2025 to state:

The application is not opposed in principle but the following comments be submitted to the Vale of Glamorgan Council: a) Having regard to the nature of the flats development on the opposite side of Leckwith Road, there is a preference for a larger share of the development to be focussed on two-bedroom as well as a limited number of three-bedroom flats. b) Such a change in the nature of the development would represent and acknowledge the need to provide homes for families at an ideal location being so close to recreational and play facilities. c) The site could potentially be impacted by flooding issues and it is considered that a flood risk assessment should be undertaken and a flood mitigation plan be prepared in accordance with Para 10.2 of the technical advisory note No. 15 on Development, Flooding and Coastal Erosion. It is the view of the Community Council that this site is highly vulnerable in relation to potential flood risks and these should be fully assessed before any planning permission is granted.

They commented 22 February 2026 to state:

RESOLVED that: The application is not opposed in principle but the following comments be submitted to the Vale of Glamorgan Council:

a) Having regard to the nature of the flat?s development on the opposite side of Leckwith Road, there is a preference for a larger share of the development to be focussed on two-bedroom as well as a limited number of three-bedroom flats.

b) Such a change in the nature of the development would represent and acknowledge the need to provide homes for families at an ideal location being so close to recreational and play facilities.

c) The site could potentially be impacted by flooding issues and it is considered that a flood risk assessment should be undertaken and a flood mitigation plan be prepared in accordance with Para 10.2 of the technical advisory note No. 15 on ?Development, Flooding and Coastal Erosion.? It is the view of the Community Council that this site is highly vulnerable in relation to potential flood risks and these should be fully assessed before any planning permission is granted.

d) The access and egress from the access lane to the playing fields have appropriate visibility to support the safety of motorists.

Highway Development commented 8 January 2026, in summary, to state the following:

- 26 parking spaces provided which is a shortfall of 12 spaces as per the maximum standards
- Allowances can be made for sites in sustainable areas and for affordable housing
- Traffic Regulation Order is required to ensure no impact on the adjacent highway network
- Swept paths provided for an appropriately sized refuse vehicle
- Turning head is sufficient to cater for turning with enough space either side of the vehicle
- Radius kerbing at site entrance will need to be increased as a refuse vehicle enters opposing traffic lanes on entry and exit and therefore this could present issues for highway safety
- Shared surface should be 6.8m wide
- Site frontage should cater for any potential route through Llandough in the future and the footway should be widened to 3.5m as a combined cycleway footway
- Traffic Regulation Orders are required along the site frontage on both sides and for the site access to prevent parking along the road and to protect visibility splays
- New uncontrolled crossing point needed across Leckwith Road

- Gradient of the proposed vehicular / pedestrian access roads serving the development should not exceed 5% for the first 10m and thereafter shall not be steeper than 8.33%
- Site Investigation has identified made ground for the site with envisaged CBRs of 1-2% and the site may need to provide additional engineering measures for the road construction to ensure stability on weaker ground / soil.
- Private drainage should not discharge into any future potential adopted highway
- Surface water systems will need to be provided at minimum 225mm pipe

Following further discussions and amendments, further comments were received on the 28th April 2026. The comments reiterated the previous comments made on parking and swept paths. In addition, they commented on the amended proposals, a summary of which is included below:

- Site frontage will need to be kept clear of any additional works such as planting or fencing
- All planting, tree and fencing has been removed from the adopted highway limits
- Demarcation will be needed and agreed as part of engineering details for works on the highway
- Traffic Regulation Order required along site frontage
- Uncontrolled crossing point needed in the North-west of the development with exact location to be agreed
- Intention of developer for site to remain private and as such, street name plates will need to be provided at site entrance and agreed during engineering details

The Highway Authority had no objection, subject to conditions for the following:

- Full engineering details of site access and junction etc. to be submitted
- A condition survey prior to commencing development
- Second condition survey on completion of last property or such time that the Highway Authority instruct
- Construction Traffic Management Plan to be submitted prior to commencement

They requested advisory notes for the following:

- Developer will be required to enter into a Section 278/S38 agreement
- No obstructions in the visibility splays
- No surface, roof water etc. from the site shall discharge or migrate onto the adopted highway
- Gradient of the proposed vehicular / pedestrian access road should not exceed 5% (1 in 20) for the first 10m and thereafter shall not be steeper than 8.33% (1 in 12)
- Provision of TRO's required

The **Chief Fire Officer** commented 10 October 2025 to state, in summary, that the fire Authority has no objection to the proposal and refers the LPA to current standing advice. The developer should consider the need for the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances.

The comments also offered advice on the climate emergency and the increased risk of flooding and the need to adopt a precautionary approach to positive avoidance of building developments in areas of flooding. Comments also referred to the potential significant threat from wildfires and development should be designed with this in mind.

These comments were repeated 17 February and 10 March 2026.

The Councils **Drainage Section** commented 26 February 2026 to state, in summary, that the site is located within Rivers and Sea Flood Zone 1 which is not considered to be at risk to fluvial and coastal / tidal flooding. The NRW Flood Map for Planning (TAN15 2025) shows the proposed development as mostly being in Surface Water and Small Watercourses Flood Zone 1, considered to be at a low risk of surface water flooding, with a marginal portion of SWSW Flood Zone 2 overlapping the northeast boundary at the road entrance from Leckwith Road. The disused tennis court to the southwest of this site is in SWSW Flood Zone 3. They also stated that whilst an FCA had been submitted, it was undertaken before the 2025 revision of TAN15 and thus was evaluated against the 2004 publication. They therefore requested a revision of the FCA.

Following submission of an amended FCA, they commented 5 May 2026 in summary that as Lead Local Flood Authority (LLFA), they note that the Flood Consequences Assessment and associated Drainage Strategy have been updated in accordance with the requirements of Technical Advice Note (TAN) 15: Development, flooding and coastal erosion (2025). They are satisfied that the revised Flood Consequences Assessment provides a proportionate assessment of the flood risk affecting the site and the associated flood consequences, having regard to the scale and nature of the proposed development.

They also stated that the development is subject to Schedule 3 of the Flood and Water Management Act 2010, and therefore the detailed design of the surface water drainage system is to be considered through the SuDS Approval Body (SAB) process. They acknowledged that a SAB application (SAB/FUL/2025/029) has been submitted for the development and has since been approved. On this basis, the LLFA raised no objection to the application on flood risk or surface water drainage grounds.

The Council's **Shared Regulatory Services (Pollution)** commented March 2026 to state, in summary, that there is a similar development adjacent to the proposed application in which mechanical ventilation has been used and the same mitigation methods have been employed. They therefore recommend a condition for a noise survey to be carried out prior to occupation and additional remediation works carried out should the noise levels not be in accordance with BS8233:2014.

Heneb, The Trust for Welsh Archaeology (GGAT) commented 3 November 2025 to state, in summary, that the information in the Historic Environment Record indicates that there are no known sites within the development area and a review of historic Ordnance Survey mapping indicates no archaeologically significant features or structures. Furthermore, the previous development of the site is likely to have had an adverse effect on any material that may be present. Overall, it is unlikely that significant archaeological remains will be encountered during the course of the proposals. Heneb therefore have no objection to the positive determination of this application.

They commented 11 March and 14 April 2026 to repeat these comments.

Cadw, Ancient Monuments were consulted and to date, no comments have been received.

Dwr Cymru / Welsh Water commented 28 October 2025 to state, in summary, that the proposed development is located in the catchment of a public sewerage system and flows can be accommodated from the proposed development within the public sewerage system. They provided comment on SuDS and surface water drainage and stated that they offer no objection to proposals for disposal of surface water flows into a highway drain, in principle, subject to consultation and agreement with the regulatory body or riparian owner of this system.

They have requested a condition stating that no surface water and / or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. They also requested a standard advisory.

These comments were repeated 24 February 2026.

They commented 24 March 2026, in summary, to state that they acknowledge receipt of the submitted drainage strategy, which outlines that surface water will be disposed of via the existing connection to the highway drain located in Leckwith Road, and subsequently outfalls to a nearby watercourse. In principle, they offer no objection to subject to consultation with the relevant regulatory authority. They also requested the condition and advisory note on surface water / land drainage.

The Council's **Ecology Officer** commented 11 March 2026, to state in summary that they had no major concerns in principle but recommended the inclusion of conditions to overcome minor concerns, such as biodiversity enhancements, a Landscape and Environment Management Plan and a lighting strategy.

The **Council's Estates (Strategic Property Estates)** department were consulted and to date, no comments have been received.

Wales and West Utilities were consulted and to date, no comments have been received.

The Council's **Housing Strategy (Affordable Housing)** department commented 9 October 2025 to state the following:

Thank you for asking Housing Strategy to comment on this application.

There is an evidenced need for additional affordable housing in the Vale of Glamorgan, as evidenced by the 2023 Local Housing Market Assessment (LHMA) which determined that 1275 additional affordable housing units were required each year to meet housing need in the area.

The need is further evidenced by the following figures from Llandough.

LLANDOUGH	
1 bed	162
2 bed	73
3 bed	26
4 bed	10
5 bed	1
6 bed	1
	273

This is a proposal to build 30 affordable flats. We support the development and the mix appears to meet the need.

A Housing Association needs to be involved to manage the units and they all need to meet WDQR standards. We are happy to discuss further with RSL and developer.

They commented further 3 March 2026 to update the figures for the waiting list as follows:

LLANDOUGH	
1 BED	186
2 BED	71
3 BED	28
4 BED	9
6 BED	1
TOTAL	295

They also stated:

This application will result in 30 new affordable residential units. A Social Landlord will need to be involved and the properties will need to meet WDQR21 standards.

We would welcome further discussions with the developer.

Natural Resources Wales commented 10 October 2025 to state, in summary, that the documents of relevance to them remain the same as those submitted with the pre-application consultation and as such, their comments remained the same. They copied the letter to their comments, dated 3 April 2025 which stated that they had concerns with the application as proposed, however, they are satisfied that these concerns could be overcome by the planning authority attaching conditions on land contamination to any planning permission granted. Without these conditions, NRW would likely object.

They note that the information submitted in support of the application identifies that bats are unlikely to be using the application site and they therefore make no comment on the application in respect of bats. They recommend discussing the proposals with the Local Authority's ecological advisor and also provided advice for the developer on pollution prevention.

Their comments on land contamination are as follows:

We have reviewed the following document:

- *Site Investigation Report by Integral Geotechnique (Ref: 14383/AG/25/SI/RevA, Dated: Feb 2025).*

The proposed site is located over Secondary A Aquifer, without superficial deposits. The nearest surface water feature is located approximately 88 meters from the site (culverted beneath the site) and River Ely located 436 meters to the north east of the site, which eventually discharges to Cardiff Bay.

We note that historic quarrying activities have taken place on the site, with spoil infilling and construction/removal of tramways. Subsequent use of the site includes use as a car garage, including storage of fuels.

Furthermore, we note from Section 2.1 of the Site Investigation that ‘anecdotal evidence suggests the presence of three inert fuel tanks, however there was no evidence to the location of these’ and ‘tanks were decommissioned by hardfoam injection in November 1999.’ No further information on the location of the tanks has been provided.

We consider the above to have a potential to result in contamination and there is no information provided on whether the site investigation locations were targeted or random. We note no detailed assessment of risks to controlled waters has been undertaken. The report suggests that soil leachate samples have been obtained across the site, we would also recommend at least one monitoring well be installed to obtain groundwater samples for analysis.

On the basis of the above, we would advise the Local Planning Authority to attach the following conditions to any future planning consent.

Condition

No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

- *all previous uses*
- *potential contaminants associated with those uses*
- *a conceptual model of the site indicating sources, pathways and receptors*
- *potentially unacceptable risks arising from contamination at the site*

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Condition

Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Justification: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Justification: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

Condition

No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Justification: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

These comments were repeated 17 February 2026.

They commented 13 March 2026 to state that they had no further comments to make and that the position and advice in their letter dated 10 October 2025 remains valid.

National Grid commented 17 February and 10 March 2026 to state that if a new connection or service alteration is required, the applicant will need to make a separate application to National Grid Electricity distribution.

The Council's **Contaminated Land, Air & Water Quality** department commented 9 October 2025, in summary, to state that the site investigation report includes a contamination assessment based on a detailed desk study and a site of investigation of accessible parts of the site. The aforementioned department has therefore stated that further site investigation works are required following demolition to robustly assess the potential risks to human health and the environment for the proposed end use. They continue to state that this will need to include:

- *Sampling, testing and assessment of shallow soils in previously inaccessible parts of the site.*
- *Following the removal of fuel tanks and any associated pipework and structures, sampling, testing and assessment of the resulting excavation base and sides.*

The inclusion of modified conditions are requested in relation to this.

Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

Shared Regulatory Services have requested a condition relating to contaminated land measures (assessment); remediation and verification plan; remediation and verification; unforeseen contamination; imported soil; imported aggregates; use of site won materials. They have also requested an informative on contamination and unstable land.

They commented 9 March 2026 to repeat their previous comments.

South Wales Police commented 29 October 2025 to state that they had commented on the proposals in January 2025 and a copy of the response was attached. They stated that they made recommendations such as:

- *Removing the path that gives access to the park completely. If this is not possible, we would ask that a gate 1.8m high gate with access control (e.g. digital lock) is installed at the entrance to the park defining public and private space.*
- *Where there are recessed areas e.g. between units 2/3 and 4 these should be gated to the front building line.*

A summary of their copied January 2025 comments are as follows:

- Crime for the section from Leckwith Rd outside the site to Church View Close from October 2023 to October 2024 records 26 crimes.
- There should be a definition between public and private space
- Ground floor flats near parking spaces 1 and 26 should be defined by either a low hedge or continue ball topped fence
- Defining the path to the private space
- Where different boundary types join, they should be of the same height and void of climbing aids
- Weld mesh should be in good working order and buried into the ground or set in concrete
- Area below ground floor window (within communal area of block 4) should be defined with planting / low hedge to a maximum growing height of 1m.
- Does there need to be access via a gate into the public space from the development?
- Footpaths and parking should be well lit
- Communal areas should be given consideration to avoid incidents of antisocial behaviour
- Provision of inclusively designed public open space
- Facilities should be designed to allow natural surveillance from nearby dwellings
- Play areas should be designed so that they can be secured at night
- External communal drying spaces should be enclosed and have secured access via a locked gate
- Parking is overlooked by habitable rooms which offers good natural surveillance
- Planting could create obstructions / cover for suspects
- CCTV should be GDPR compliant
- All lighting must comply with BS 5489-1:2020
- Communal doors must meet LPS1175:SR2 standard or equivalent and be fitted with live audio / visual access control
- Doors must comply with regulations and covered areas should be avoided
- Glazing fitted adjacent to door panels must be illuminated
- Ground floor and vulnerable windows must meet standard
- Comments regarding communal access doors / access control systems and CCTV
- Bicycle storage is overlooked
- A scheme of management and operation plan should be in place for the site

They commented on 26 February 2026, in summary, to set out policies such as Secured by Design. They recommended:

- Access from the south to the carpark adjacent should be gated with access control
- Bin store should be gated with access control
- Good signage required at the front of site
- Gates must be capable of being locked
- Gates should be applied to recessed areas
- Door sets that are hidden from public view should not be recessed more than 600mm

Llandough Ward Member was consulted and **Cllr Carroll** commented 5 November 2025 to state the following:

I write with regard to the above. I make these representations in my capacity as the elected member for the Llandough ward, in which the proposed development is situated. Please take this correspondence as formal objection to the application.

At the outset, I wish to make clear that I do not object to the principle of developing the site. It is a former car showroom, with potential to be developed to the community's benefit. For example, in the recent past, I was approached by an individual who expressed interest in opening a shop on the site. I strongly support the principle of this, though I would of course reserve judgment on specific plans until I had further details, particularly regarding parking and access arrangements to the site.

I do not, however, consider the site to be appropriate for a residential development of the density proposed. The application requests permission to build 30 flats, a considerable number. The site is not suitable for this number of dwellings.

As the Council will be aware, significant parking problems exist within the community of Llandough. This issue is longstanding and has become worse progressively over time. On street parking provision in the village is already at capacity, due to overspill from Llandough Hospital. On weekdays, it is common for cars to park dangerously at the top of the junction between Penlan Road, Leckwith Road and Llandough Hill. A lack of provision results in vehicles parking illegally at the edge of the junction.

The proposed development includes provision for 38 car parking spaces. This falls far short of the capacity required. Working on the assumption that many of the dwellings will be occupied by cohabiting couples, it is easy to foresee several multi-car households within the development. The 38 spaces provided will not meet demand.

The inevitable consequence of this will be that residents will be forced to park on nearby residential streets. As I have outlined, capacity here is already at its maximum. Proceeding with the proposed development would therefore exacerbate the road safety issues stated and pose dangers for both motorists and pedestrians. The increased number of parked cars on the road would also exacerbate existing congestion and road traffic problems in the village.

As things stand, Llandough lacks sufficient amenities for existing residents. There is no shop in the village, and there is no doctor's surgery, post office or dental surgery. Existing GP capacity in the Eastern Vale is stretched, as are local school places. Building 30 additional dwellings without providing a proportionate increase in capacity in advance will make these pressures worse.

I also have considerable concerns regarding the impacts the particular proposals included within this application will have on flooding and drainage. There are existing flood risks at King George V Playing Fields and surface run-off on Leckwith Road. Previous developments in the vicinity of this site have been suffered serious flood problems, as a result of failings within the planning process. Given these known problems, caution should be taken. I do not believe that sufficient measures to combat the risk have been proposed to date.

The proposed development is located adjacent to Greenway Close, a suburban street comprising detached and semi detached bungalows. These are in no way overbearing and are, by design, low in height. The development will, by contrast, comprise several blocks of flats. These are not in keeping with the character of the neighbouring properties on Greenway Close. The proposed development is therefore unneighbourly and will adversely impact residential amenity.

As I have made clear, the development will, if permission is granted, have significant and longstanding detrimental effects on the community. For these reasons, I urge the Authority to reject the application. However, in the event that the application is approved, significant mitigations will need to be put in place. I therefore request that, in such an instance, generous section 106 contributions are awarded to fund the necessary improvements to highways and transport facilities, school services, play and exercise equipment and other local amenities. While these are often waived in the case of affordable housing developments, this should not be the case here. It would be unconscionable not to award section 106 contributions and such an eventuality would represent an egregious failure of the planning process.

Given the public interest in this application, I request that, in the event that planning officers recommend approval, it is called in for determination by the Authority's Planning Committee.

The **Executive Director of Public Health** was consulted and to date, no comments have been received.

REPRESENTATIONS

The neighbouring properties were consulted on 8 October 2025, 16 February 2026 and 9 March 2026.

A site notice was also displayed on 15 October 2025.

The application was also advertised in the press on 16 October 2025

To date, 62 objections have been received by neighbouring properties: 10 Tuscan Close, 25 Willowmere, 11 Lewis Road, 48 Spencer Drive, 52, uplands crescent, 1 Uplands Crescent, 20 Uplands Crescent, Uplands Crescent (number not given), Flat 3, Sandwell Court, Summerland Close, 32 Greenway Close, 15 Greenway Close, 5 Downfield Close, 19 Spencer Drive, 59 Pant y Celyn Rd, 111 Penlan Rd, 25 Greenway Close, 22 Dochdwy Rd, Pen-y-Bryn, Leckwith Rd, 18 Dylan Close, 6 Greenway Close, 7 Canon Walk, Spencer Drive (number not given), 13 Uplands Crescent, 89 Penlan Road, 42 penlan Road, Ty Blaidd, Leckwith Rd, 3 Dylan Close, 47 Lewis Rd, 13 Trem Hyfryd, Askrigg, Leckwith Rd, 79, Penlan Rd, 55 Lewis Road, 4 Keepers Gardens, 50 Lewis Road, 30 Greenway Close, 7 Greenway Close, 55 Pantycelyn Rd, 16 Summerland Close, 26 Willowmere, 9 Church View Close, 24 Lewis Rd, 9 Greenway Close, 18 Spencer Drive, 2 Sandwell Court, 34 Greenway Close, 27 Dochdwy Road, 57 Lewis Rd, 3 Vale View Close, Hillside, 4 Canon Walk, 41 Pant-y-Celyn Rd, 8 Joseph Parry Close, 8 Pinewood Close, 59 Penlan Rd and 1 anonymous.

It should be noted that in some instances, a number of objections have been received by one household and whilst these have been included in the total number, the address is only listed once.

A summary of the comments received are as follows:

- Comments regarding need for and lack of infrastructure / pressure on infrastructure (i.e. doctors, dentists, pharmacies, schools, play areas / parks);
- Comments regarding funding for infrastructure, such as money required for schools / lighting along active travel routes
- Shop is needed and would be more suitable on the site / other amenities should be developed on site
- Concerns regarding traffic / congestion increase / creation of conflict points to the detriment of road safety / speeding / issues with existing residents exiting properties / additional access to an existing busy road
- Concerns regarding highway safety due to lack of pedestrian crossing points / development will impact upon ability to cross safely due to increased traffic
- Traffic / speed calming measures are inadequate (insufficient lighting, does not reduce speeds etc.) / speed cameras are needed / road narrowing should be removed as it causes people to accelerate towards it
- Concerns regarding lack of parking and potential to result in parking issues elsewhere in the village or in playing fields / lack of double yellow lines outside site could result in parking on the road / exacerbating parking issues from hospital
- Unsustainable location / lack of sustainable transport and amenities / access to sustainable transport is not suitable / travel to Penarth is needed for amenities etc.
- Concerns regarding flooding, flooding on King George V playing fields every winter / surface run-off on Leckwith Road
- Drainage strategy is insufficient to mitigate existing and compounded risks
- Concerns regarding impacts on wildlife (birds, bats (bat boxes within curtilage of old tennis court)), fauna; disturbing habitats; loss of biodiversity; loss of trees where birds nest
- Concerns regarding impacts on woodland / green infrastructure (construction and post-construction)
- Concerns regarding impact on existing rat issue (such as disturbing nests)
- Overdevelopment / Unacceptable density / scale and design not in keeping with neighbouring properties
- Unacceptable impact on neighbours such as overlooking / loss of privacy
- Trees should be planted to rear of bungalows to screen overlooking from flats / reduce noise
- Comments regarding increase in anti-social behaviour
- Comments regarding design and appearance of development (unsightly, imposing); detrimental impact on visual amenities / appearance of entrance to village
- Impact on open / green spaces / loss of green buffer between village and other development
- Comments regarding other suitable sites
- Concerns regarding exacerbating drainage / sewage which is already overloaded and creates odour issue
- Cumulative impacts of other developments
- Concerns regarding noise to neighbours / noise to future occupants such as from quarry
- Increased pollution / pollution impacts on residents and environment
- Concerns regarding removal of fuel tanks / queries whether remaining fuel has been made safe
- Comments regarding devaluation of properties

- Previous scheme for detached dwellings was better
- Too many flats in Llandough
- Affordable housing should be for first time buyers or people that work locally / grew up local / all recent development have supported housing association / council housing
- Area is no longer a community
- Danger to tennis courts from construction
- Comments regarding Council not listening to neighbour comments / Requests for committee to consider neighbour comments
- Comments regarding works started

Comments neither objecting or in support have been received by 7 neighbours, 29 Corinthian Close, 6 Sycamore Close, 12 Pantcelyn Road, 9 Corbett Road, 7 Canon Walk, 63 Woodham Park and one anonymous. The comments are summarised as follows:

- Comments regarding lack of amenities and infrastructure
- Concerns regarding additional traffic
- Proposals should be for a shop
- Site is unsuitable
- Concerns regarding impact on wildlife / greenery
- Proposed development is imposing on neighbours
- Comments regarding Council doing what they want / not taking neighbour comments into consideration
- Preference for a larger share of development to be 2 bed and 3 bed
- Concerns regarding flooding and further information on flooding required
- Requests for 106 contributions to be paid towards a pump track

REPORT

Planning Policies and Guidance

Local Development Plan:

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

Strategic Policies:

POLICY SP1 – Delivering the Strategy

POLICY SP2 – Strategic Sites

POLICY SP3 – Residential Requirement

POLICY SP4 – Affordable Housing Provision

POLICY SP7 – Transportation

POLICY SP9 – Minerals

POLICY SP10 – Built and Natural Environment

Managing Growth Policies:

POLICY MG1 – Housing Supply in the Vale of Glamorgan

POLICY MG2 – Housing Allocations
POLICY MG4 – Affordable Housing
POLICY MG7 – Provision of Community Facilities
POLICY MG16 – Transport Proposals
POLICY MG17 – Special Landscape Areas
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 MG28 – Public Open Space Allocations

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 MD5 - Development within Settlement Boundaries
POLICY MD6 - Housing Densities
POLICY MD7 - Environmental Protection
POLICY MD9 - Promoting Biodiversity

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

Future Wales: The National Plan 2040:

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

Chapter 3: Setting and achieving our ambitions

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

Chapter 4: Strategic and Spatial Choices: Future Wales’ Spatial Strategy

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

Chapter 5 – The Regions

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

Policy 1 – Where Wales will grow

- Supports sustainable growth in all parts of Wales.
- Development in towns and villages in rural areas should be of an appropriate scale and support local aspirations and need.

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

- Based on strategic placemaking principles.

Policy 3 – Supporting Urban Growth and Regeneration – Public Sector Leadership

- The public sector must show leadership and apply placemaking principles to support growth and regeneration for the benefit of communities across Wales.

Policy 6 – Town Centre First

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

Policy 7 – Delivering Affordable Homes

- Focus on increasing the supply of affordable homes

Policy 8 – Flooding

- Focus on nature-based schemes and enhancing existing defences to improve protection to developed areas.
- Maximise opportunities for social, economic and environmental benefits when investing in flood risk management infrastructure.

Policy 9 – Resilient Ecological Networks and Green Infrastructure

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

Policy 12- Regional Connectivity

- Priority in urban areas is improving and integrating active travel and public transport.
- Priority in rural areas is supporting the uptake of ULEV vehicles and diversifying and sustaining local bus services.
- Active travel must be an essential and integral component of all new developments.
- New development and infrastructure should be integrated with active travel networks and where appropriate ensure new development contributes towards their expansion and improvement.
- Supports reduced levels of car parking in urban areas, car free developments in accessible locations and developments with car parking spaces that can be converted to other uses over time.
- Where car parking is provided for new non-residential development a minimum of 10% of car parking spaces should have electric vehicle charging points.

Policy 13 – Supporting Digital Communications

- New development should include the provision of Gigabit capable broadband infrastructure from the outset.

Policy 15 – National Forest

- Supports tree planting as part of new development proposals.

Planning Policy Wales:

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Promoting Healthier Places
- Sustainable Management of Natural Resources
- Accessibility
- Previously Developed Land
- The Best and Most Versatile Agricultural Land
- 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

Chapter 5 - Productive and Enterprising Places

- Economic Infrastructure (electronic communications, transportation Infrastructure, economic development, tourism and the Rural Economy)
- Energy (reduce energy demand and use of energy efficiency, renewable and low carbon energy, energy minerals)
- Making Best Use of Material Resources and Promoting the Circular Economy (design choices to prevent waste, sustainable Waste Management Facilities and Minerals)

Chapter 6 - Distinctive and Natural Places

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

Technical Advice Notes:

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

- Technical Advice Note 2 – Planning and Affordable Housing (2006)
- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 15 – Development, Flooding and Coastal Erosion (2025)
- Technical Advice Note 16 - Sport, Recreation and Open Space (2009)
- Technical Advice Note 18 – Transport (2007)

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). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. 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:

- Affordable Housing (2025)
- Biodiversity and Development (2018)
- Minerals Safeguarding (2018)
- Model Design Guide for Wales
- 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 (2025)

Other relevant evidence or policy guidance:

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

Equality Act 2010

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

Well-being of Future Generations (Wales) Act 2015

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

Issues

The main issues to consider in the determination of this application relate to the principle of development, the proposed density, design and visual impact, impact upon highway safety, the provision of parking and amenity space, impact upon neighbouring amenities, impact upon drainage and flooding, noise, contamination, impact upon green infrastructure and ecology, biodiversity enhancements and also the required planning obligations.

Principle of development

The site is located within the settlement boundary of Llandough, where Policy MD5 of the LDP supports additional residential development, subject to the proposal satisfying the criteria set out within Policy MD5 (Development within Settlement Boundaries) and the advice within the Residential and Householder Development SPG.

It should also be noted that there was a resolution to grant planning permission under 2014/01401/OUT for the application site and the site to the north for the construction of 21 dwellings. This consent was in outline with 13 dwellings proposed at the application site. However, this application was finally disposed of as the legal agreement had not been signed. The site to the north on the other side of Leckwith Road (which has recently been developed following consent for housing), for context, is included as a housing allocation (allocation no. 33, Land to the north of Leckwith Rd for 8 dwellings), as identified by the LDP, however the application site does not form part of this allocation.

Criterion 5 of Policy MD1 (Location of New Development) requires new development on unallocated sites to have access to or promote the use of sustainable modes of transport. Whilst neighbouring comments relating to sustainable transport have been taken into consideration, in this case there are sustainable transport options that are in close proximity to the site, such as a bus stop at Greenway Close (located approximately a 3-minute walk away from the proposed site). Cogan train station is also located within a reasonable walking distance. The proposal is therefore considered to comply with this criterion.

Furthermore, the application is submitted as 100% affordable and there is a significant, identified need for the provision of affordable housing within the Vale of Glamorgan. Policy SP4 'Affordable Housing Provision' identifies a target for the delivery of up to 3,252 affordable units during the plan period. There is acute affordable housing need in Llandough and this is a significant consideration in favour of the development. The 2023 Local Housing Market Assessment determined that 1275 additional affordable housing units were required each year to meet housing need in the area. The need is further evidenced by the following figures from the council's Homes4U waiting list in the Llandough area as shown below:

LLANDOUGH	
1 BED	186
2 BED	71
3 BED	28
4 BED	9
6 BED	1
TOTAL	295

Noting this, it is considered that the development would make a significant contribution towards meeting the identified need within the local area.

It is also noted that neighbouring comments have referred to the need for affordable housing for first time buyers as opposed to housing association etc. and that there should be more 2-3 bedroom and less one bedroom homes. Whilst these comments are noted, it is evident from the above table, that there is a significantly higher need for one bedroom affordable units and as such, the proposal is considered to address the need in the area.

Notwithstanding the above, the application site is brownfield land, which is favoured in both local and national policy for development of housing.

Neighbour comments have referred to a lack of amenities / infrastructure, such as shops, lack of GP surgeries and a lack of school spaces etc. Whilst these concerns are noted, the application site is situated within a settlement boundary, which has been the subject of rigorous assessment for the adoption of the LDP and as such it is a settlement identified as having capacity to accommodate additional /windfall development over the plan period in this instance, the proposal is considered acceptable.

Being mindful of the above, it is considered that the principle of residential development at the site and the need for affordable housing is clearly established subject to careful consideration of the proposals against other policies of the development plan.

Principle of loss of employment

The current use of the site must also be noted, as certain employment sites are protected in the Vale under Policy MD16 (Protection of Existing Employment Sites and Premises).

Policy MD16 seeks to “protect the loss of existing employment sites and premises to non-employment use, unless it is clearly demonstrated that the site is no longer suitable or viable for employment uses” (p. 124, LDP, 2017). However, whilst the use of the site is for business / employment, the use of the site does not fall within B1, B2 or B8 employment land which the policy seeks to protect, instead it falls under the ‘sui generis’ use class, which does not have the same protection within the LDP. Furthermore, the site does not fall into any of the allocated employment zones that are laid out by Policy MD16. The following is also noted from the 2014 consent:

“The site is located on the edge of the existing settlement boundary adjacent to existing residential properties. Whilst the current car sales showroom may well be a ‘business type’ use at the moment, such uses including alternative uses of the site for B1, B2 & B8 uses in such a location, potentially opposite further housing opposite the site would not be considered desirable, from a residential amenity perspective.

The agent has also suggested the market for such uses in this location is questionable and whilst no evidence has been submitted to support such a view, it is reasonable to assume that such uses would be far better located in alternative locations.

With this in mind, the loss of the site as an existing commercial enterprise is not considered to be a overriding reason to refuse planning permission.”

Taking the above into consideration, the loss of the employment on the site is considered acceptable and would not be contrary to policy MD16 of the LDP.

Density

Policy MD6 ‘Housing Densities’ of the Development Plan’ requires that residential development proposals within Primary Settlements such as Llandough should achieve a minimum net density of 30 dwellings per hectare. The site is approximately 0.32 hectares and as such, the provision of 30 residential units results in a density of approximately 100 dwellings per hectare.

The proposal would therefore result in a higher density than the requirements set by the policy, however, this does not automatically mean that such proposals are unacceptable. In this instance, the proposal aims to meet an identified need and unit size for affordable housing and as such, provided the density levels are not provided at the cost of visual and neighbouring amenities, amenity space provision and appropriate levels of car parking, such densities may be considered acceptable.

Design and Visual impact

As aforementioned, the application site is located within the Llandough Settlement Boundary and as such, policy MD5 (Development within Settlement Boundaries) is of relevance, which states that development within settlements will be permitted where the proposed development *“is of a scale, form, layout and character that is sympathetic to and respects its immediate setting and the wider surroundings and does not unacceptably impact upon the character and appearance of the locality”* (criterion 3).

Policy MD2 (Design of New Development) is also of relevance, which states that, amongst other things, development proposals should:

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

The immediate streetscene character is mixed, with a wooded area to the north-west and the Council owned sports areas / access lane to the west and south. To the north / north-east is a recently approved housing development of 40 flats, approved under planning permission ref. 2018/01023/FUL and to the east / south-east is an established residential area, predominantly consisting of dormer bungalows. Noting its position at the western edge of the village, it is recognised the site falls at a sensitive interface and transition between the settlement and the adjacent countryside.

Application 2018/01023/FUL located opposite is of relevance. The approved layout for that application is shown below for information:



By way of background, the 2018 application initially proposed 50 blocks of three/four storeys in height. However significant concern was raised by officers that the scale and massing of the blocks would have been wholly out of keeping with the wider street scene and in particular given the fact that the site is located at the edge of the settlement of Llandough. As such that scheme was amended reducing the number of units from 50 to 40 and the scale of development to appear 2 storey in height at the front and 3 storey to the rear.

In terms of the elevation fronting Leckwith Road, the following streetscene was provided with the 2018 application and now forms an approved document:



Noting the above, the Authority remain consistent in its approach in terms of scale, given that very little has changed in terms of the wider context. The approved site located opposite has varying levels and as such, the two storey buildings as approved appear rather modest when viewed from the street (as shown above).

The application site subject to this application however is largely level and as such, it should be noted that even the introduction of two storey dwellings along this road would appear as bulkier than those located opposite.

To the east, there is one residential dwelling in proximity to the site that fronts Leckwith Road, Ty Newydd, with others either backing onto Leckwith Road or the access track to the east of the application site, facing towards Greenway Close.

The proposal, given its prominent position, would be highly visible from Leckwith Road. It is also noted that given the presence of a lane to the east and a gap between the application site and the neighbours, blocks 2-4 would also be visible from Leckwith Road. In addition, the proposals would be visible to the side and to the rear via the playing fields and tennis courts.

Fronting Leckwith Road, block 1 appears as a traditional terrace with a pitched roof, albeit there are contemporary window details and front canopies. The ground level would raise towards the north and as such, the proposed terrace row would have a step up in height. As aforementioned, the housing development located opposite the application site is situated at a lower level and has been set-back from the road. The application site is elevated above the road and the proposed set-back from the edge of the pavement would be approximately 4.2m at its closest. As such, it is evident that the proposed dwellings would be far more imposing than those located opposite. However, as aforementioned, the streetscene is mixed, with predominantly dormer bungalows located on this side of Leckwith Road and two storey dwellings located opposite. Whilst the two storey development would be taller than those located along this side of Leckwith Road, it is considered that the gap between the application site and the neighbour at Ty Newydd does provide a visual break between the two elements. It is therefore considered that the addition of two storey properties would not be out of context when viewed in relation to the wider street scene and village and as such, the overall scale of the two storey development is considered acceptable.



Indicative CGI of Block 1

Officers raised concern with the agent on the design of the elevation for block 1, fronting Leckwith Road. Given that the application site is prominent, officers considered that the frontage needed to be of a high standard of design to ensure good placemaking and to ensure no harmful impact on the character and appearance of the countryside beyond. As a result of concerns, the proposals have been amended to include inverted 'L' shaped porch canopies and alternating course brick panels. The proposed amendments are considered to improve the appearance of the frontage and as such, the proposed design for block 1 is considered acceptable.

Block 2 would have a side elevation facing Leckwith Road and it is noted that in some cases, a proposed side elevation fronting the road can have a detrimental impact on the wider streetscene by creating a blank feature. Concerns were raised with the agent on the proposed design as the elevation fronting Leckwith Road did not have enough features to provide an acceptable “active” frontage to Leckwith Road. The proposals were amended to provide additional fenestration and a door with a canopy. In addition, the alternating brick course panel has been added to the front elevation, which would also be visible from Leckwith Road via the site access. In light of the amended design, the proposal is considered acceptable in terms of design and as such, would not detrimentally impact upon the streetscene.

Blocks 2-4 would front the internal carpark and amenity areas, albeit the proposed elevations indicate a large number of glazing along the elevation fronting the lane. These too would be two storey and it is considered that the overall scale and appearance would be acceptable.

The application has been supported by a boundary plan, indicating that the frontage of Leckwith Road would largely be open in nature, with the exception of a small section in the north of the site, which proposes a 1.1m high black painted metal ball top railing. Elsewhere, to the rear of the site, a mix of 2.1m high closeboard timber fencing and 2.1m high black painted metal railings are proposed, whilst 2.1m high black painted metal railings are proposed between the buildings on the eastern elevation, fronting the lane. In principle, the boundary treatments are considered acceptable, subject to a condition for further details of appearance to be submitted at a later date (**Condition 6 refers**).

The appearance of the development as aforementioned is considered acceptable, however, this is highly reliant upon the use of high quality materials. A condition is therefore recommended for further details of materials to be submitted at a later date (**Condition 4 refers**).

The site plan indicates some planting and landscaping along the frontage of the site and throughout the site, which is welcomed and assists with softening the appearance of the site. It should be noted that the level of planting along the frontage of the site has been reduced from the initial submission given that some of these would be located within the adopted highway and there are restrictions on such planting (more information below). However, it is considered that the proposed landscaping as amended is still considered acceptable.

The engineering layout indicates that there would be a retaining wall adjacent to block number 2, fronting Leckwith Road. The wall is of a modest scale and is acceptable in principle, however, further details of appearance are required by means of a condition (**Condition 7 refers**). In addition, whilst the provision of bin stores are indicated on the site plans, no further details of appearance have been received. In principle, these are considered acceptable in terms of their location, however, further details are required on their appearance (**Condition 9 refers**).

Taking the above into consideration, the proposals, subject to the aforementioned conditions, are considered acceptable in terms of scale and design and would not detrimentally impact upon the appearance of the streetscene. Whilst the proposal would result in a different appearance to the existing car sales site, the application site is brownfield land, within the settlement boundary and the layout of the proposals would still retain a gap between the built form and the woodland to the north. The proposals are considered acceptable and would comply with policy MD2 (criterion 1 and 2) and MD5 (criterion 3) of the Council's LDP.

Highways issues and Parking

Policy MD5 (Development within Settlement Boundaries) of the adopted Local Development Plan states that development within these settlements will be permitted where the proposed development, amongst other things, "has no unacceptable impact on the amenity and character of the locality by way of noise, traffic congestion and parking" (criterion 6).

With regards to parking, a total of 26 no. of parking spaces are proposed as shown in the following extract:



The Parking SPG provides a maximum parking requirement and in this instance, the maximum aim would be 32 parking spaces, in addition to 6 visitor spaces. The application site is situated in a sustainable location, in close proximity to bus stops along Leckwith Road. In addition, the proposals relate to 100% affordable housing and as such, there is often an allowance to accept a reduced provision given the evidence of the take up of parking spaces in affordable housing development.

The application is supported by a Transport Statement which has analysed the census in the output area and concludes that there is an average car ownership of 0.74 cars per household for socially rented households. Notwithstanding this, the parking standards are a maximum provision as opposed to a minimum and in this instance, given the sustainable location and nature of the proposals as affordable, on balance, the proposed parking provision is considered acceptable, subject to a condition ensuring that parking is provided prior to occupation (**Condition 11 refers**).

However, neighbours have raised concern on the level of parking proposed and the potential implications this could have in the local area. As aforementioned, the level of parking proposed is considered acceptable, however, in order to ensure there is no detrimental impact on the adjacent highway network, a Traffic Regulation Order (TRO) will be required. The agent has stated that they are happy to accept a TRO, however, they have requested that this is carried out via contribution to the Highway Authority as opposed to a condition as this would result in further delays. The Highways Authority have confirmed that they are happy with this approach. However, the Planning Authority are of the view that a condition is required to ensure that a TRO is in place prior to occupation of the dwellings to ensure no detrimental impact to highway safety (**Condition 13 refers**). The Highways Authority have also requested the provision of an uncontrolled crossing point across Leckwith Road and the agent has confirmed that this is acceptable, subject to agreement of location etc. which will be carried out separately with the Highways Authority. However, a condition is also recommended to ensure that this is completed prior to occupation (**Condition 13 refers**).

The existing site currently has two access points and the proposal would reduce this to one. The Highways Authority initially raised concerns over the radius kerbing at the site entrance, as it was considered that refuse vehicles would enter opposing traffic lanes on entry and exit, which could present issues for highway safety, where the radius kerbing at the site entrance would need to be increased to a minimum of 8m and re-tracked with the refuse vehicle to ensure minimal risk of conflict with oncoming vehicles. However, it is noted that a smaller radius was deemed suitable on development opposite the application site and as such, on that basis, the Highway Authority stated that they were prepared to accept the 6m radius as proposed for this development.

In addition, Highways initially raise concern of the width of the shared surface, which was previously proposed at 6m, where a width of 6.8m is generally considered suitable for shared surfaces to allow two passing vehicles and pedestrians. The width of the shared surface has now been amended in accordance with these requirements.

The Highways Authority also initially requested that the site frontage should cater for any potential combined cycleway footway as per the requirements of the development located opposite. However, whilst the merits of such an addition are noted, given that there is a shared cycleway footway potential located opposite, the Highway Authority have agreed that this request can be removed.

It is noted that a section of the development frontage would be located within the adopted Highway extents. The scheme initially proposed planting to include trees at the site frontage, however, given that a proportion of this is adopted highway, the level of planting at the front has been reduced given that such planting can be a liability in the adopted highway and ongoing maintenance costs for the authority. The proposals now include grassed areas and footways etc. within the adopted highway extents and this was acknowledged by the Highways Authority in their comments on the 28th April. However, a demarcation will be required between the site and the adopted highway, details of which would need to be agreed with the Highways Authority and is included within the wider requirements of the engineering condition requested by Highways (**Condition 10 refers**).

In order to ensure no harmful impact on highway safety during construction, and in line with the request from the Highways Authority, a condition is recommended for a Construction Traffic Management Plan (**Condition 16 refers**).

It is also noted that the Highways Authority have requested conditions relating to a condition survey, one is to be carried out prior to works commencing and the second is to be carried out following completion of works. The conditions are considered necessary for highway safety and as such, are recommended conditions on any decision (**Condition 14 and 15 refer**).

Taking the above into consideration, it is considered that the parking provision and access arrangements are acceptable. Provided the aforementioned conditions are imposed, the proposals are considered acceptable and would not detrimentally impact upon highway safety and as such, would comply with criterion 6 of policy MD5.

Impact upon amenity of neighbouring residential properties

Policy MD2 (Design of New Development) of the adopted Local Development Plan states that development proposals should “*safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance*” (criterion 8).

The application site is bounded by trees to the north and the tennis courts / play area to the west. A lane serving the play area borders the eastern boundary of the application site and a number of residential properties are located beyond this lane.

The rear elevation of blocks 2, 3 and 4 would face the properties along the lane and it is noted that there are habitable room windows proposed on the rear elevation. Given the presence of the lane, the proposed dwellings would be located approximately 12.5-13m away from the rear boundaries of the neighbours along this lane (numbers 32, 34, 27, 25 Greenway Close and Ty Newydd) at its closest. Whilst it is recognised that these neighbours currently do not have any overlooking from the application site, it is considered that the distance to the gardens is sufficient to ensure no harmful degree of overlooking to these neighbouring rear gardens.

The proposed dwellings would be located approximately 26m away from the rear elevations of numbers 27 and 34, Greenway Close. It is also noted that there are ground floor extensions to the rear and the proposed dwellings would still be located approximately 21-22m away from these at its closest. Given the distances proposed between the proposed residential units and these neighbouring properties, it is considered that the distances would be sufficient to ensure no harmful overlooking in line with the guidance set out within the Residential and Householder Development SPG.

Number 25, Greenway Close is positioned at an angle and as such, the proposed dwellings would offer views towards the rear and side elevations of this neighbour. The proposed dwellings would be located approximately 24-24.5m away from the rear corner of this property, which is a single storey element. The proposed distances are considered sufficient to ensure no harmful overlooking.

Ty Newydd fronts Leckwith Road and has a detached garage / outbuilding in the driveway, positioned approximately 13-13.5 m away from the rear elevation of block 2, which is considered a sufficient distance to ensure no harmful overlooking.

Given the distances to boundaries and properties, it is considered that the proposed development would be positioned a sufficient distance to ensure no harmful overbearing or overshadowing impacts to neighbours.

Neighbour comments have referred to concerns regarding noise and whilst these concerns are noted, the proposal would result in a residential development in a settlement boundary and as such, the nature of the proposed use is considered acceptable within this context. However, it is recommended that a condition seeking a Construction Environmental Management Plan (CEMP) is added to the decision notice in order to secure further details such as noise management during construction, parking of operatives during construction and storage of materials etc. so as to protect neighbouring amenities. Whilst some degree of disturbance is to be expected from such a development, it is considered that a CEMP could assist with reducing unacceptable impacts to neighbours (**Condition 17 refers**).

Comments relating to concerns on anti-social behaviour are noted, however, given the proposed use of the site in addition to the context, this is not considered a relevant planning consideration.

Overall, it is considered that the proposals would not result in unacceptable detriment to the amenity enjoyed by neighbouring residential properties and as such, it is considered that the proposals would comply with criterion 8 of policy MD2 of the LDP and the guidance within the Residential and Householder Development SPG.

Amenity Space

Policy MD2 of the Local Development Plan requires new developments to meet the Council's approved guidelines with respect to the provision of amenity space and public open space. These approved guidelines are contained within the adopted Supplementary Planning Guidance (SPG) 'Residential and Householder Development', which provide guidelines to ensure that all new residential developments contribute towards a better quality of life without unacceptably affecting the amenity enjoyed by existing residents.

Amenity space is essential and provides a number of important functions that contribute towards a resident's enjoyment of a property.

The guidance contained within this policy notes that for flats, between 12.5 sq.m and 20 sq.m of amenity space per person should be provided, depending on the size of development. Moreover, the guidance states that communal areas of amenity space may be acceptable, but these must be directly accessible for all occupiers.

The SPG states that typically a 1 or 2 bedroom flat would have 2 persons and in this instance, it is noted that there are 30 flats proposed (2 no 2 bed and 28 no 1 bed) and as such, the aim would be to provide 15sqm per person, which equates to 900sqm.

The proposal includes small pockets of amenity space provision. However, given the site constraints, such as the need to provide parking and the provision of sustainable drainage features, much of the land within the site could not strictly be considered as useable amenity space for the purposes of the SPG. Similarly, landscaped areas to the front of the site would be unlikely to be suitable to be utilised as amenity. Nevertheless, these areas and their associated landscaping would provide a significant degree of visual amenity for future occupiers of the development.

Furthermore, the limited on site space must be weighed against the positive impacts of the development; in this case principally the provision of much needed affordable units. The provision of an area of public open space or private shared amenity space would significantly impact on the number of affordable units that can be provided or on site parking. In light of the importance to be placed upon affordable housing provision and given the close relationship the site has with the nearby public open space, it is considered that the outdoor amenity needs of the occupiers can, on balance, be reasonably met in this way.

There are also refuse stores to the rear of the buildings, which can be readily accessed from the units and from the highway at collection times. It is considered that this represents an appropriate means of waste storage. Furthermore, there is also provision for cycle storage for the residents.

Impact upon future occupiers and Noise

The proposed development would provide sufficient outlook for future occupiers and given the orientation of the buildings and window placement, it is considered that there would be no harmful impacts on future occupiers.

During the course of the application in respect of the site located opposite, concern was raised by the Council's Shared Regulatory Services (SRS) with regard to noise exposure of future residents of the site. Neighbour comments have also been received raising concerns to future occupiers by way of noise.

Technical Advice Note 11: Noise (1997) (TAN11) provides guidance for consideration of noise in the determination of planning permission for residential development depending upon which of the four noise exposure categories (A-D) the application falls.

In the 2018/01023/FUL application, the report stated that SRS indicated that *“during the night, the site falls within Noise Exposure Category (NEC) B, whilst during the day 75% of the site would fall within NEC B and to the eastern end of the site 25% of the site would fall within NEC C. With regard to development within NEC B, TAN11 indicates that ‘Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection’.*

TAN11 states that with regard to development within NEC C: *‘Planning permission should not normally be granted. Where it is considered that permission should be given, for example, because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.’*

The application has been supported by a Noise Impact Assessment, prepared by Acoustic Consultants Ltd. The survey states that based on the predicted noise levels, it will be necessary to design the fabric of the building to control the levels of environmental noise internally. Figure 7 of that report provides a mark-up, showing the colour coded mitigation zones that are referred to within the report. Green areas do not require specific mitigation measures as the recommended internal noise levels are expected to be achieved with standard construction and where partially open windows are considered for background ventilation. In the blue areas, a strategy of closed windows at users’ discretion should be considered and can compromise standard construction including standard double glazed windows and trickle ventilation.

Figure 7: Mitigation Mark-up



Source: Noise Impact Assessment

Section 7 of the Noise Impact Assessment recommends the incorporation of building elements, such as traditional roof construction, sealed windows (openable at occupier discretion) etc. to assist sound insulation performances.

The following image provides an indication as to the bedrooms exceeding external threshold ADOs night-time noise levels in red:

Figure 8: Bedrooms Exceeding External Threshold ADO's Night-time Noise Limits (red)



Source: Noise Impact Assessment

The Noise Impact Assessment concludes that from an assessment of noise surveys conducted on the site and the impact of road traffic on the site, the site falls within Noise Exposure Category C. The assessment states that there are many sites within Wales which fall within this category and that consent should be granted, subject to suitable noise control measures being employed. The report states at section 8 that:

“With the recommended fabric construction and suitable ventilation provisions, the predicted internal equivalent noise levels due to external noise sources impacting upon the site currently are within the recommended BS8233:2014 noise criteria.

As such, we would consider external noise can be suitably controlled within the habitable rooms of the residential development and internal noise level conditions as recommended in BS8233 can be achieved based on the recommended noise mitigation measures set out in this report.

Based on the above and subject to suitable noise control measures being employed, we would consider the site to be suitable for its current proposed residential use.”

It is noted that the approved site positioned opposite (2018/01023/FUL) added a condition for further details of the noise mitigation measures within the building to be submitted prior to the commencement of development. The condition was worded as follows:

20. Notwithstanding the submitted details, further details of the noise mitigation measures within the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The submitted scheme shall ensure that all rooms achieve an internal noise level of 35dBA by day and 30dBA by night and that a LA_{maxfast} of 45dB is not exceeded. The mitigatory measures identified shall be implemented in accordance with the approved details prior to the beneficial occupation of the dwellings and thereafter retained and maintained at all times.

Reason:

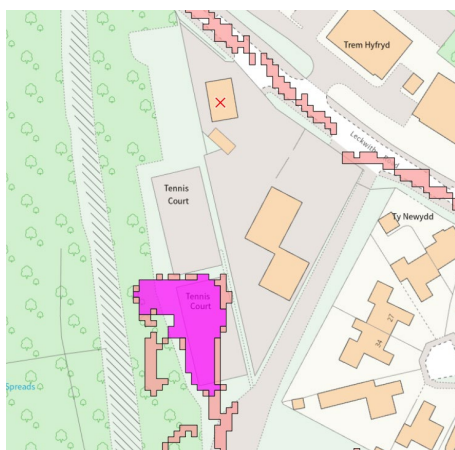
In the interests of the amenities of future occupiers of these dwellings in accordance with policies MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Development Plan and the advice contained within Technical Advice Note 11: Noise.

The Council's Shared Regulation Services (Environmental Health) have recommended the addition of a condition for the current proposal, stating that noise survey shall be submitted prior to occupation to demonstrate that all habitable rooms can achieve internal noise levels of 35dBA Leq16hour during the day and bedrooms achieve 30dBA Leq 8hour at night (with windows closed) and should this not be achieved, additional remedial works and a further noise survey shall be undertaken to ensure that these levels are met in accordance with BS8233:2014. This condition is recommended (**condition 18 refers**) and as such, it is considered that the construction of the development could be carried out to achieve the recommended noise levels – which will be assessed prior to occupation and should the levels not be achieved, further works are required to achieve an acceptable noise level.

Taking the above into consideration, provided the aforementioned condition is imposed, it is considered that future occupiers would have acceptable living standards.

Drainage and Flood risk

This site is located within Rivers and Sea Flood Zone 1 which is not considered to be at risk to fluvial and coastal / tidal flooding. The NRW Flood Map for Planning (TAN15 2025) shows the proposed development as mostly being in Surface Water and Small Watercourses Flood Zone 1, considered to be at a low risk of surface water flooding, with a marginal portion of SWSW Flood Zone 2 overlapping the northeast boundary at the road entrance from Leckwith Road. The disused tennis court to the southwest of this site is in SWSW Flood Zone 3. The flooding is shown in the following map extract:



A Flood Consequences Assessment (FCA) was submitted with the application, however it was undertaken before the revision of TAN15 and as such, was evaluated against the 2004 publication of TAN15. As such, the Authority's drainage officer requested an amendment to the FCA in light of the amended guidance. The following assessment is based on the amended FCA.

It should also be noted that neighbouring comments have also referred to concerns relating to drainage and flooding.

As aforementioned, TAN15 was amended in 2025 and for the purposes of this application, residential development is considered as highly vulnerable development as per the TAN. TAN15 states the following on highly vulnerable development:

Highly vulnerable development is development where the ability of occupants to decide on whether they wish to accept the risks to life and property associated with flooding, or be able to manage the consequences of such a risk, is limited. It also includes those industrial uses where there would be an attendant risk to the public and the water environment should the site be inundated. Emergency services and local authority command centres need to be operational and accessible at all times and are therefore also considered highly vulnerable (pa. 9.2, TAN15 2025).

The FCA states that there is a small area of flood zone 2 at the entrance, located at the existing access, albeit it notes that the site levels at the proposed junction fall towards the existing highway and as such, surface water would not enter the site. In addition, levels at the rear adjacent to the tennis courts (which is a level 3 for surface water flooding) remain as existing or above and as such, it states that flooding would not enter the site. The FCA also states that the site will be positively drained and as such, the report considers that the proposals would not have an adverse impact upon flooding elsewhere.

It adds that the site investigation has stated that there is a culvert crossing the site to the south and that an Envirocheck Report indicates the nearest surface water feature to be located 88m to the southwest of the site. The OS Water Network Lines map indicates this to be an unnamed surface water feature that diverts underground at this point to cross beneath the southern areas of the site on an approximate southwest to northeast orientation beneath the existing larger on-site building. It is understood that this is an existing culvert that extends beneath the site.

The FCA states that the existing site is not currently served by an adopted sewer and inspection work carried out identified that the foul water currently outfalls to a cesspit located within the site on the western boundary. The proposed foul drainage would connect to the existing foul water sewer in Leckwith Road that has been constructed as per the new residential development to the north of the site. Welsh Water have stated that foul flows can be accommodated within the public sewerage system, albeit the applicant will need to ensure any other necessary consents are in place.

Welsh Water have also requested a condition relating to surface water and as such, this is recommended as a condition (**Condition 30 refers**).

The Drainage Authority have commented to state that the FCA provides a proportionate assessment of the flood risk affecting the site and the associated flood consequences. In addition, a separate SAB approval has been provided.

Taking the above into consideration and following consultation with the Drainage Authority, the proposals are considered acceptable in terms of drainage and flooding.

Contaminated Land

Natural Resources Wales (NRW) have commented to state that the proposed site is located over Secondary A Aquifer, without superficial deposits. The nearest surface water feature is located approximately 88 meters from the site (culverted beneath the site) and River Ely located 436 meters to the north-east of the site, which eventually discharges to Cardiff Bay. In addition, they note that historic quarrying activities have taken place on the site, with spoil infilling and construction/removal of tramways. Subsequent use of the site includes use as a car garage, including storage of fuels.

The application is supported by a Site Investigation Report, which states at section 2.1 that *'anecdotal evidence suggests the presence of three inert fuel tanks, however there was no evidence to the location of these'* and *'tanks were decommissioned by hardfoam injection in November 1999.'* No further information on the location of the tanks has been provided.

NRW have stated that the above has a potential to result in contamination and that no information has been provided on whether the site investigation locations were targeted or random. They also note that no detailed assessment of risks to controlled waters has been undertaken and that the report suggests that soil leachate samples have been obtained across the site and they would also recommend at least one monitoring well be installed to obtain groundwater samples for analysis.

Given the aforementioned concerns raised by NRW, they have requested a condition **(Condition 26 refers)** relating to a scheme to deal with the risks associated with contamination at the site. The condition seeks details of a preliminary risk assessment, a site investigation scheme, remediation strategy and a verification plan.

In addition to the aforementioned condition, they have requested a verification report to demonstrate completion and effectiveness of the works set out in the approved remediation strategy (see above). This recommended condition **(Condition 27 refers)** also seeks results of sampling and monitoring, in addition to a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages and arrangements for contingency action.

NRW have also requested a condition restricting infiltration of surface water drainage into the ground other than with written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters **(Condition 28 refers)**. They have also requested a condition for details of piling or any other foundation designs using penetrative methods sufficient to demonstrate no unacceptable risk to groundwater **(Condition 29 refers)**.

In addition to the aforementioned conditions recommended by NRW, the Council's Contaminated Land department have stated that the supporting site investigation report is based on a detailed desk study and a site investigation of accessible parts of the site. However, further site investigation works are required following demolition to robustly assess the potential risks to human health and the environment for the end use. Such works would need to include sampling, testing and assessment of shallow soils in previously inaccessible parts of the site and following the removal of fuel tanks and any associated pipework and structures, sampling, testing and assessment of the resulting excavation base and sides (**Conditions 19, 20 and 21 refer**).

In addition, they have requested a condition to ensure that should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use (**Conditions 23, 24 and 25 refer**).

It should be noted that application 2024/01007/PND sought prior notification for demolition of the car sales garage and office / storage buildings to enable future housing development. The supporting documentation for that application also included reference to the "controlled removal of redundant underground fuel tanks". It was concluded on 22 November 2024 that prior approval was not required, however, it is noted on page 2 of the Site Investigation Report that investigations were carried out on the 11 and 12 November 2024 and the report is dated January 2025. As such, the aforementioned conditions are considered relevant and necessary in order to ensure no detrimental impact by way of contamination or pollution. Notwithstanding this, the Site Investigation Report also still refers to the need to excavate and remove the decommissioned fuel tanks (p. 40).

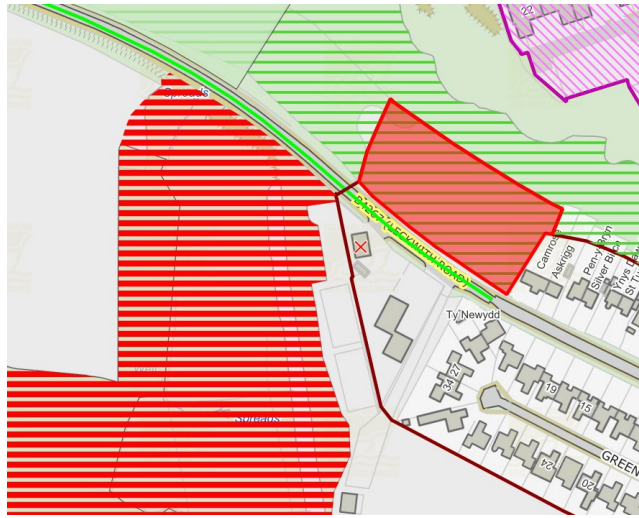
Planning application 2014/01401/OUT was approved for a housing scheme, partly located on the application site and the Officer's report states the following:

The Council's Environmental Health Officer has raised concerns regarding the previous use of the site as a petrol station and the potential land contamination issues that could arise as a result of the presence of underground storage tanks. It is considered that such matters can be dealt with by condition (as recommended at Condition 15 below) and it would not be appropriate to refuse this outline application on these grounds.

Taking the above into consideration, comments from NRW and the Council's SRS department for contaminated land are noted and it is considered that the concerns and issues raised can be addressed by means of conditions. It is also noted that this is also in line with the previous approval on site and as such, a refusal on this basis would be considered unreasonable.

Ecological Impact, Trees and Green Infrastructure

The site is located adjacent to the Reservoir Wood SINC (Site of Importance for Nature Conservation). Reservoir Wood is also listed within the national inventory of woodland and trees and was recently protected by means of a Tree Preservation Order (TPO no. 2025-04-W1). The SINC covers 'broadleaved woodland' and is shown in the following extract in red:



Policy MG21 (Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species) states the following:

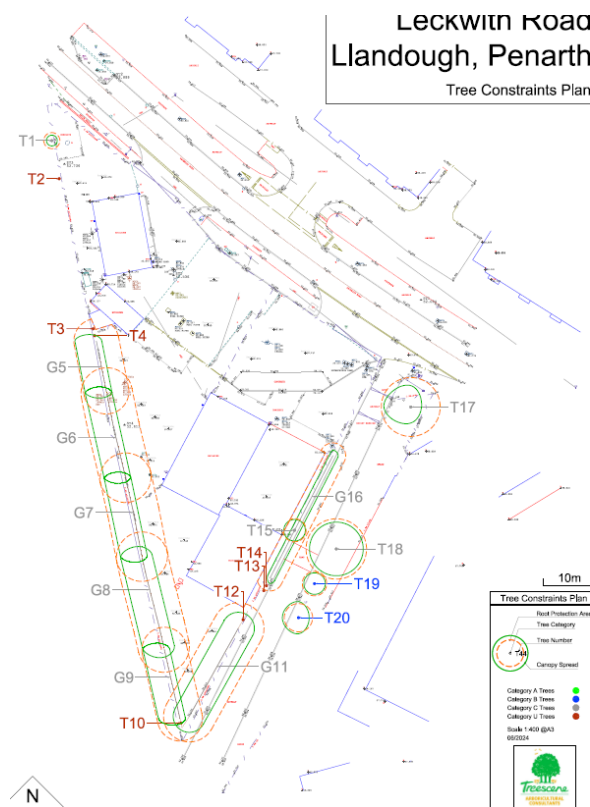
Development proposals likely to have an adverse impact on sites of importance for nature conservation or priority habitats and species will only be permitted where it can be demonstrated that:

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

On 18 October 2023, Welsh Government announced changes to Planning Policy Wales (PPW) by way of a Dear CPO letter entitled 'Addressing the nature emergency through the planning system: update to Chapter 6 of Planning Policy Wales'. The main policy changes which are of relevance relate to green infrastructure, net benefit for biodiversity and the protection afforded to trees.

The application has been supported by a Green Infrastructure (GI) Statement, which states that the application site benefits from strong connections to the surrounding GI network. Internally, it states that the site lacks GI features, consisting predominantly of hard landscaped parking with a thin strip of semi-improved grassland along the site's northern boundary. The east and west boundaries are partly lined by mature trees, interspersed with underlying scrub – which is listed as self-seeded and unmanaged.

The application is supported by a Tree Survey and a supporting Tree Constraints Plan, which is copied below for ease of reference:



Source: Tree Constraints Plan

The survey and above plan identify that the groups of trees / hedgerows along the perimeter of the site are category C, whilst there are two category C trees and six category U trees.

The supporting GI statement states that in order to accommodate the development, two rows of low quality Leyland Cyprus trees and one Sycamore will need to be removed. In order to address this loss, the GI statement states that 33 new trees are proposed, which focuses on developing a 'green spine' along the west boundary and where species have been chosen for their ecological benefits. In addition, the boundaries *“will be enriched with a diverse range of native hedgerows and shrubs, providing valuable habitat for local wildlife and promoting biodiversity”* (pa. 3.5, GI statement). Native meadow planting is also proposed in rain gardens and amenity planting within areas of open space.



Proposed scheme of planting

It should be noted that following discussions with Highways and the nature of the land fronting Leckwith Road as adopted highway, restrictions are in place with regards to the nature of planting within this area. As a result, the nature of planting fronting Leckwith Road has been amended and as a result, the amended soft landscape proposal now proposes 24 new trees as opposed to the 33 referenced in the GI statement.

It is noted that whilst the GI statement refers to existing infrastructure, loss and gains etc. it does not address the 'avoid' category of Planning Policy Wales. However, it is noted from the supporting Design and Access Statement (pa. 5.6) that the site layout responds to the constraints of the site – situating the apartment blocks away from the dense boundary of trees on the western boundary.

Whilst it is considered that the loss of existing green infrastructure would result in an altered appearance of the site and its surroundings, it is recognised that the proposals largely relate to the loss of lower category trees / hedgerows and on balance, given the proposed planting scheme and its provision of higher quality specimens, the proposed loss is considered acceptable, provided the implementation of the landscaping scheme is secured by means of a condition (**Condition 31 refers**). However, in order to ensure that the landscaping is maintained, a condition is also recommended to seek a Landscape Management Plan (**Condition 32 refers**).

The application is supported by a Preliminary Ecological Assessment (PEA), which provides the findings of site visits and desk-based studies. The report states at paragraph 2 that within 500m of the site, there are records of Common Pipistrelle, Polecats, hedgehogs, slow worms and a number of bird species, including ones listed under Section 7 of the Environment Wales Act 2016 and listed under schedule 1 of the Wildlife and Countryside Act 1981. There is also a statutory protected site located approximately 350m to the north, the Cwm Cydfin, Leckwith Site of Special Scientific Interest (SSSI). There are also six Sites of Importance for Nature Conservation (SINC) within the local area, with Reservoir Wood, which is stated as located approximately 25m away to the west at its closest point. However, Council records suggest that the SINC borders the northern edge of the site. The PEA states that given the localised nature of the development proposals, it is considered highly unlikely that any protected species will be impacted by the development works.

The PEA states that building 1 (the office building) has a moderate potential for roosting bats and as such, a bat survey has been submitted. The bat survey concludes that during the emergence surveys, no bats were observed emerging from the office building. In addition, a very low number of bat calls were recorded and no bats were observed using the building and it does not offer significant hibernation potential for bats.

The building and tree line are considered suitable for nesting birds and as such, the PEA suggests that any demolition / tree removal should be carried out outside bird nesting season of March to August inclusive. As such, an informative is recommended to ensure that these seasons are adhered to (**Informative 6 refers**) to ensure no harmful impact to nesting birds.

The PEA also recommends a sensitive lighting strategy, which is also a condition requested by the Council's Ecologist. As such, a condition is recommended for details of lighting (**Condition 34 refers**) to be submitted at a later date.

Taking the above into consideration, it is considered that the proposals would not detrimentally impact upon protected sites or species and as such, the proposals comply with policy MG21. However, it is recommended that conditions are imposed such as the removal of trees outside of bird nesting season and also for the consideration of a lighting scheme.

Biodiversity enhancements

Policy MD9 (Promoting Biodiversity) requires new development proposals to conserve and enhance biodiversity interests. Developers must demonstrate what measures have been taken to avoid an adverse impact on biodiversity and what mitigation measures will be undertaken to minimise the impact on biodiversity. Where reasonable avoidance measures and mitigation are not sufficient in minimising an adverse impact, any residual

impact should be addressed by appropriate and proportionate compensation measures.

Para. 6.4.5 of Planning Policy Wales (Edition 12, 2024) states that:

“Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity..... “

The bat survey provides details of the provision of one no. bat box, swift box and sparrow nest box, in addition to raised ridge tiles. However, the images shown for the recommended locations relate to a different scheme and as such, whilst the bat survey will be an approved document, the approval would exclude these images. As such, the location of biodiversity enhancements is unknown. A condition is therefore recommended to secure details of biodiversity enhancements (**Condition 35 refers**) at a later date.

Minerals

Policy SP9 seeks to ensure a continuous supply of minerals by safeguarding known resources from permanent development that would unnecessarily sterilise them or hinder their future extraction. In addition, policy MG22 states that new development will only be permitted in an area of known mineral resource where it has first been demonstrated that:

- 1. Any reserves of minerals can be economically extracted prior to the commencement of the development;*
- 2. Or extraction would have an unacceptable impact on environmental or amenity considerations; or*
- 3. The development would have no significant impact on the possible working of the resource by reason of its nature or size; or*
- 4. The resource in question is of poor quality / quantity*

Given the proximity of the proposals to residential properties, the extraction of the resource would have an unacceptable impact on residential amenities, thus complying with criterion 2 of policy MG22. The proposal is therefore considered acceptable and would not detrimentally impact upon the extraction of the safeguarded minerals.

Other issues

Neighbour comments have referred to a devaluation of properties and it should be noted that this is not considered a relevant planning consideration.

Neighbour comments have referred to comments relating to the potential of the site to be used for other uses / purposes and whilst these are noted, these are not proposed and the Authority must assess the acceptability of the proposals.

Comments have also referred to concern the proposals could impact upon nesting sites of rodents such as rats, however, this is not considered a relevant planning consideration.

Neighbour comments have in some instances made requests for 106 contributions to be made on specific projects etc. and whilst these are noted, the requirements are set out below and are in line with planning policy.

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.

In summary the proposal would require the following contribution (calculated from the SPG):

- Affordable Housing – proposal is for 100% affordable housing
- Sustainable Transport - £11,500
- Education – a contribution is not sought, please see below for reference
- Public Open Space - £13,340
- Community Facilities - £6,300
- Public Art – 16.6% of the 1% build cost

It should be noted that there is currently no registered social landlord (RSL) involved as either named as the applicant or named within the supporting information. However, the agent has confirmed that they are committed to securing an RSL for the proposals. On that basis, a condition is recommended (**Condition 3 refers**) to ensure the proposals are 100% affordable and that details of the zoned RSL are submitted at a later date.

In addition, the 106 contributions have been calculated based on the scheme being delivered by one of the four registered partners / the Council. Paragraph 11.1 of the Affordable Housing SPG states the following:

“On 5th September 2016, Cabinet agreed that schemes for 100% affordable housing developments of twenty-five residential units or less delivered either by the Council or its four Housing Association Partners (Hafod Housing, Newydd Housing, United Welsh Housing and Wales & West Housing) will be exempt from paying financial planning obligations (Minute C3271 refers).”

The contributions have therefore been calculated in line with the aforementioned exemptions but given that the SPG only allows for exemptions on proposals for 25 units or less, the proposal is not exempt from payments altogether.

The policy requirements are expanded upon below:

Affordable Housing:

Technical Advice Note 2: Affordable Housing defines 'affordable housing' for the purpose of the land use planning system as housing where there are secure mechanisms in place to

ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers. Affordable housing includes:

- Social rented housing;
- Intermediate housing.

Social rented housing is housing that is provided by local authorities and registered social landlords. Intermediate housing is that where prices or rents are above those of social rent but below market housing prices or rents.

This application relates to a 100% affordable housing scheme and as such, further contributions are not required.

Sustainable Transport:

Increasing importance is enshrined in local and national planning policies emphasising the need for developments to be accessible by alternative modes of transport than the private car.

In terms of local policy, LDP Policies SP1, MD2, MD5 favours proposals which are located to minimise the need to travel, especially by car and which help to reduce vehicle movements or which encourage cycling, walking and the use of public transport. LDP Policy MD2 and MD5 states that new development will be permitted where it provides a high level of accessibility, particularly for public transport, cyclists, pedestrians and people with impaired mobility.

Chapter 3 in Planning Policy Wales (PPW) (Ed 12) requires proposals to seek to maximise accessibility by walking, cycling and public transport to key locations, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services.

Further, national policy contained within Technical Advice Note 18 'Transport' (March 2007) Paragraph 9.20 allows local planning authorities to use planning obligations to secure improvements to the travel network, for roads, walking, cycling and public transport, as a result of a proposal.

For the provision and/or enhancement of off-site sustainable transport facilities and having regard to the cost of providing sustainable transport infrastructure and services as set in the adopted Planning Obligations SPG, the Council requires £2,300 per residential unit.

All residential developments of 10 dwellings or more are expected to contribute towards the enhancement of off-site sustainable transport facilities. The Planning Obligations SPG requires a payment of £2,300 per dwelling for this purpose.

On the basis there are 5 no. dwellings proposed over and above the 25 that are exempt, a contribution of £11,500 would be sought for sustainable transport.

Education

All new residential developments which are likely to house school aged children create additional demand on places at existing schools. PPW (Ed. 12) emphasises that in order to

achieve a “More Equal Wales”, development should promote access to services like Education. PPW recognises that education is crucial for the economic, social and environmental sustainability for all parts of Wales.

All residential developments of 10 dwellings or more will be expected to contribute towards the provision of additional school places, where the pupil numbers generated by that development cannot be met by available spare capacity within local schools.

One bedroom units are excluded from the above, as these are not considered to be of a size to generate children. In this instance, it is noted that there are 28 no. 1 bedroom units. However, there are also 2 no. 2 bedroom units, i.e. those ordinarily eligible toward calculating education contributions as these are more likely to house school aged children. The two bedroom dwellings represent 6.6 % of the total. Therefore, by deducting 25 units as per the Council's policy, this would leave 5 units of which 6.6% of these remaining units that would be chargeable as the “2 bed units” which would result in 0.33 of a unit, which is well below one whole unit and as such, a contribution would not be sought in this instance.

Public Open Space:

Residential developments are expected to make provision for Public Open Space and/or recreational facilities to meet the needs of the future population they will bring to the area. Open space offers vital opportunities for sport and recreation, and also acts as a visual amenity.

TAN 16: Sport, Recreation and Open Space (2009) states *“Planning conditions and obligations (Section 106 Agreements) can be used to provide open space, sport and recreational facilities, to safeguard and enhance existing provisions, and to provide for their management”*.

The Council's adopted Planning Obligations SPG states that for smaller and constrained sites that *‘where it is impractical to provide open space and / or recreational facilities on site or where existing open space provision is deficient in quality in the immediate locality, the Council may be willing to accept alternative provision i.e. off site contribution payments.’*

On sites of 5 dwellings or more, 2.4ha of public open space per 1000 population should be provided. This equates to 55.68m² per dwelling or £2,668 per dwelling.

On the basis that there are 5 no. dwellings proposed over and above the 25 that are exempt, a contribution of £13,340 would be sought for public open space.

Community Facilities:

All residential developments of 25 dwellings or more are expected to contribute towards the provision of community facilities, such as community centres and meeting places,

community halls, places of worship, libraries, life centres, leisure centres, allotments and burial land.

The Planning Obligations SPG requires a payment of £1260 per dwelling for this purpose. On the basis that there is an exemption in place for the first 25 dwellings, a charge will only be sought for the remaining 5 and as such, £6,300 would be sought for the development.

Public Art:

Technical Advice Note (TAN) 12 'Design' (March 2016) Section 5.15 recognises the importance role of public art, in creating and enhancing "*individuality and distinctiveness*" within a development, town, village and cities.

Public Art can bring distinctiveness and material and craft quality to developments, enable local people to participate in the process of change and foster a sense of ownership. It is therefore an important part of achieving design quality.

Public art should be considered early in the design process and be integral to the overall design of a building, public space or place. The choice of artists and the nature of subsequent work should be the subject of full collaboration from the outset between the artist, the local community and professionals involved in the design process. This is in accordance with TAN 12, paragraph 5.15.4. Further advice is available within the adopted Public Art in New Development SPG.

The Planning Obligations SPG requires developers to set aside a minimum of 1% of their project budget specifically for the commissioning of art and the public art should be provided on site integral to the development where possible. The Public Art in New Development SPG provides additional guidance in this regard.

However, based on the 25 units exemption, the actual requirement would be 16.6% of 1% (5 units equals 16.6% of the total development).

Planning Obligations Administration Fee:

In addition to the above and separate to any obligation, the Council requires the developer to pay an administration fee to monitor and implement the terms of the Planning Obligations. This fee covers the Council's costs to negotiate, monitor and implement the terms of the necessary Section 106 Agreement.

This cost is essential because the additional work involved in effectively implementing a Section 106 Agreement is not catered for within the standard planning application fee, and the above planning obligations are considered necessary and essential for the development to be appropriately mitigated against. Therefore, the developer is reasonably expected to cover the Council's costs in this regard.

In this regard, the Council requires the developer to pay an administration fee, equivalent to 20% of the application fee or 2% of the total financial contribution being sought, whichever is the greater. This fee covers the Council's costs to negotiate, monitor and implement the terms of the necessary Section 106 agreement.

REASON FOR RECOMMENDATION

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

Having regard to Policies SP1 – Delivering the strategy, SP2 – Strategic Sites, SP3 – Residential Requirement, SP4 – Affordable Housing Provision, SP7 – Transportation, SP9 – Minerals, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG2 - Housing Allocations, MG4 – Affordable Housing, MG6 – Provision of Educational Facilities, MG7 – Provision of Community Facilities, MG16 – Transport Proposals, MG17 – Special Landscape Areas, 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 and MD9 Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice contained within the Council’s Supplementary Planning Guidance on Affordable Housing (2025), Biodiversity and Development (2018), Minerals Safeguarding (2018), Model Design Guide for Wales, 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 (2025), Future Wales: The National Plan 2040, Planning Policy Wales 12th Edition (2024), and Technical Advice Note 2 – Planning and Affordable Housing (2006), 5 – Nature Conservation and Planning (2009), 11 – Noise (1997), 12 – Design (2016), 15 – Development, Flooding and Coastal Erosion (2025), 16 - Sport, Recreation and Open Space (2009), 18 – Transport (2007), the development of this allocated site is considered acceptable in terms of principle, density, design and visual impact, as well as its impact on existing and future residential amenities, amenity space provision, highway safety and parking provision, green infrastructure and biodiversity enhancement provision.

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

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

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

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

RECOMMENDATION

Subject to the interested person(s) first entering into a Section 106 legal

agreement to include the following necessary planning obligations:

- Ensure that the scheme is only developed as 100% affordable housing by one of the zoned Registered Social Landlords or the Council;
- To pay a sum of £11,500 to contribute towards the provision of sustainable transport facilities in the vicinity of the site;
- To pay a sum of £13,340 on improving facilities at areas of public open space that would be used by occupiers of the development;
- To provide Public Art to the value of 16.6% of the 1% build cost, and
- To pay a sum of £6,300 to contribute towards the provision of new, or enhancement of existing, community facilities in the area.

And subject to the following conditions:

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:

A001 Site Location Plan rev B

A011 Block 3 Floor Plans rev F

A012 Block 3 Elevations rev C

A013 Block 4 Floor Plans rev F

A014 Block 4 Elevations rev C

A015 Site Sections rev B

11200/PR Noise Impact Assessment Rev C (except figure 2 proposed site layout)

24.139 Pre-Application Consultation Report

Ecological Services LTD Bat Survey V2.0 (except for the plans on page 18 for recommended location of bat and bird enhancements)

Lb588 R01b Green Infrastructure Statement (except for the soft landscaping plans on pages 8, 9 and 10)

Preliminary Ecological Appraisal Land Off Leckwith Road V1

14383/AG/25/SI/RevA Site Investigation Report

Tree Constraints Plan

Tree Survey at Leckwith Road, Llandough, Penarth

Received 29 September 2025

A005 Block 1 Ground Floor Plan rev G

A008 Block 1 Elevations rev D

A009 Block 2 Floor Plans rev G

A010 Block 2 Elevations rev D

A006 Block 1 First Floor Plan rev G

Received 5 February 2026

2624-100-F Engineering Layout
LB588_D01 Rev B Detailed Soft Landscaping Proposal (sheet 1)
LB588_D01 Rev C Detailed Soft Landscaping Proposal (sheet 2)

Received 22 April 2026

A003 Proposed Site Plan rev J
A004 Boundary Plan rev E

Received 27 April 2026

C24083/TS01 Issue 5 Transport Statement
2624-PHG-RP-C-0001 Drainage Management & Maintenance Strategy P4
2624-PHG-RP-C-002 Flood Consequence Assessment & Drainage Strategy
revision 6

Received 30 April 2026

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 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. The scheme shall be delivered by the Authority or one of its four zoned Registered Social Landlords (Hafod Housing, Newydd Housing, United Welsh Housing and Wales & West Housing) and details of which shall be submitted to the Local Planning Authority prior to the commencement of development.

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) and MD4 (Community Infrastructure and Planning Obligations) of the Local Development Plan.

4. Notwithstanding the submitted details, prior to their use within the development hereby approved, a schedule of all materials and finishes, to include 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.

Reason:

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

5. Notwithstanding the submitted details, no development other than demolition shall commence until details of existing ground levels within and adjacent to the site and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the wider visual amenities are safeguarded, and to ensure the development accords with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

6. Notwithstanding the submitted details, 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. The scheme shall include details of height, material and colour, in addition to details of appearance. 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 to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

7. Notwithstanding the submitted details, all retaining structures associated with the development shall be completed in accordance with design and finishing details which shall be submitted to and agreed in writing by the Local Planning Authority prior to their construction. The retaining walls shall be completed in accordance with the approved details prior to the first beneficial use of the relevant dwelling / part of the site to which the detail relates.

Reason:

To safeguard local visual amenities, and to ensure compliance with Policy MD2 (Design of New Development) of the Local Development Plan.

8. Notwithstanding the provisions of Part 2 (Minor Operations) Class A 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, walls or other means of enclosure other than those approved under Condition 6 and 7 of this consent shall be erected.

Reason:

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

9. Notwithstanding the submitted details, other than demolition, no construction works shall take place until there has been submitted to and approved in writing by the Local Planning Authority full details of the proposed bin store(s), which shall thereafter be laid out in accordance with the agreed details, prior to the occupation of any of the flats and thereafter retained.

Reason:

To safeguard local visual amenities and to ensure appropriate bin storage for the occupiers 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. Notwithstanding the submitted plans and details, no works whatsoever shall commence on the development until full Engineering details of the site access and proposed junction radii and rumble strip, demarcation of adopted highway, footway along site frontage, uncontrolled crossing points, vision splays, street lighting, highway drainage, onsite parking, details for the provision of a Traffic Regulation Order (TRO) and any associated highway retaining structures etc within the vicinity of the site required by the Local Highway have been submitted and approved in writing by the Local Planning Authority.

Reason:

To ensure satisfactory development of the site and to ensure estate roads are designed and constructed to a suitable and safe standard and to ensure compliance with policy SP1 (Delivering the Strategy) of the adopted Local Development Plan.

11. Prior to occupation of the dwellings hereby approved, the parking and associated access, footways and turning areas shall have been laid out on site in accordance with the approved plans and the approved layout shall thereafter be kept available for the parking of vehicles to serve the development for the lifetime of the use.

Reason:

To ensure that satisfactory vehicle and cycle parking and turning facilities is provided on site 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.

12. There shall be no obstructions including planting whatsoever within the areas required for vision splays. Any hedgerows or planting shall be maintained in order to ensure that the required vision splays are retained in the interest of highway / public safety.

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.

13. Prior to the first beneficial occupation of the development, a traffic regulation order (TRO) and uncontrolled crossing point, in accordance with the relevant agreements with the Highways Authority, shall have be in place / fully completed.

Reason:

In the interests of highway safety and to comply with Policy SP1 (Delivering the Strategy) of the Council's Local Development Plan.

14. Prior to the commencement of any works and at the developers expense, a Condition Survey shall be carried out along the agreed haulage route (the extent to be agreed with The Councils Highway Network Manager) and submitted to and approved in writing by the Local Planning Authority. The survey shall be undertaken by a suitably qualified and experienced and independent Highway Maintenance Consultant to be approved by the Local Highway / Planning Authority.

Reason:

In the interest of highway / Public Safety and to comply with policy SP1 (Delivering the Strategy) of the adopted Local Development Plan.

15. Following completion of the last property or such time that the Highway Authority instruct, a second Condition Survey at the developers expense shall be carried out along the agreed haulage route (the extent to be agreed with the Councils Highway Network Manager) and submitted to and approved in writing by the Local Planning Authority. The suvey shall be carried out by the approved independent Highway Maintenance Consultant and any remedial works identified along the haulage routes considered necessary will be required to be carried out at the developers expense prior to first beneficial occupation of the development hereby approved.

Reason:

In the interest of highway / Public Safety and to comply with policy SP1 (Delivering the Strategy) of the adopted Local Development Plan.

16. 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 but not limited to:

- incorporating delivery outside am & pm school pick / drop off times,
- Access/haulage Route.

- Compound layout including parking for construction vehicles. No vehicles to park along Leckwith Road or the surrounding area.
- Loading and unloading areas for plant and materials on site.
- Measures to control water, mud and debris entering the highway.
- Suitable boundary treatments to protect pupils and staff.
- Any signage or traffic management required as part of the development.

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.

17. 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 and deliveries;
 - 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) 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.

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.

18. Notwithstanding the submitted details, prior to occupation of any unit a noise survey shall be undertaken and submitted in writing to the Local Planning Authority to demonstrate that all habitable rooms achieve internal noise levels of 35dBA Leq16hour during the day and bedrooms achieve 30dBA Leq 8hour at night (with windows closed) and that a LAmxfast of 45dB is not exceeded. Should the noise survey show that these levels have not been achieved, additional remedial works and a further noise survey shall be undertaken to ensure that these levels are met in accordance with BS8233: 2014 and submitted in writing to the Local Planning Authority.

Reason:

In the interests of the amenities of future occupiers of these dwellings in accordance with policies MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Development Plan and the advice contained within Technical Advice Note 11: Noise.

19. Prior to the commencement of the development, except demolition, an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:
- (i) not required
 - (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
 - (iii) an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)
 - (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2023) unless the Local Planning Authority agrees to any variation.

* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment and to ensure compliance with policy SP1 (Delivering the Strategy) of the Local Development Plan.

20. Prior to the commencement of the development, except demolition, a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2023) unless the Local Planning Authority agrees to any variation.

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.

21. The remediation scheme approved by condition x (2 above) must be fully undertaken in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

On the completion of the measures identified in the approved remediation scheme and prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2023) unless the Local Planning Authority agrees to any variation.

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.

22. 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.

23. 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 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 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 policy MD7 of the Vale of Glamorgan Local Development Plan.

24. 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.

25. 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 policy MD7 of the Vale of Glamorgan Local Development Plan.

26. No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.
1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason:

To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination and to ensure compliance with policy SP1 (Delivering the Strategy) of the Local Development Plan.

27. Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason:

To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with policy SP1 (Delivering the Strategy) of the Local Development Plan.

28. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason:

To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution and to ensure compliance with policy SP1 (Delivering the Strategy) of the Local Development Plan.

29. No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason:

Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development and to ensure compliance with policy SP1 (Delivering the Strategy) of the Local Development Plan.

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

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and to ensure compliance with policy SP1 (Delivering the Strategy) of the Local Development Plan.

31. 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) and MD2 (Design of New Developments) of the Local Development Plan.

32. A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, other than privately owned domestic gardens, 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.

33. Prior to beneficial use of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to beneficial occupation. The approved plan shall be implemented as agreed.

Reason:

To conserve and enhance biodiversity on site, in accordance with policy MD9 (Promoting Biodiversity) of the Local Development Plan, in addition to Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024) and Tan 5 Nature Conservation and Planning (2009).

34. Prior to the commencement of development, a lighting strategy shall be submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall demonstrate the prevention of light spill onto retained high value, and newly created habitats.

Reason:

To secure measures for the conservation and enhancement of biodiversity in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024) and Tan 5 Nature Conservation and Planning (2009) and policy MD9 (Promoting Biodiversity) of the adopted Local Development Plan.

35. Prior to commencement of development, details of 4No. integrated bird boxes shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To provide nesting for birds as a biodiversity enhancement, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, and policy contained in Welsh Assembly Government's Planning Policy Wales (2024) and Tan 5 Nature Conservation and Planning (2009) and policy MD9 (Promoting Biodiversity) of the adopted Local Development Plan.

NOTE:

1. 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.
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 minded that the responsibility for

(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 rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

3. Where the work involves the creation of, or alteration to, an access to a highway the applicant must ensure that all works comply with the appropriate standards of the Council as Highway Authority. For details of the relevant standards contact the Visible Services Division, The Vale of Glamorgan Council, The Alps, Wenvoe, Nr. Cardiff. CF5 6AA. Telephone 02920 673051.

In relation to the Highways works the developer will be required to enter into a Section 278 / S38 Agreement with the Highway Authority before undertaking works along the adjacent highway.

The applicant is required to contact Highway Maintenance team (networkmanagement@valeofglamorgan.gov.uk) prior to carrying out any works on site adjacent to the adopted highway to agree location, specifications and for permission to work within the highway. All associated costs of undertaking the works will be at the applicant's own expense to ensure all works on the adjacent highway will be undertaken in accordance with the Council's standard details for adoption and in the interests of highway safety.

A minimum of 12 week's notice is required to implement a Temporary or Permanent Traffic Regulatory Orders should the closure or other order be agreed. Requests for any such orders must be submitted in writing to Operational Manager Highways & Engineering, Alps Depot Wenvoe, Vale of Glamorgan.

- 4. The applicant / developer will be required to incorporate as part of the requirement for full engineering details the provision of new Traffic Regulatory Orders (TRO's) for no waiting restrictions along Leckwith Road and any additional requirements as deemed necessary by the Local Highway Authority in order to provide a safe means of access and to prevent the parking along the site frontage.**
- 5. This consent does not convey any authorisation that may be required to gain access onto land not within your ownership or control.**
- 6. 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.**
- 7. 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.**
- 8. Should a new connection or service alteration be required, the applicant will need to make a separate application to National Grid Electricity distribution.**

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.

2026/00056/FUL Received on 27 January 2026

APPLICANT: C/O Agent Lovell, Unit 5 Cae Gwyrdd, Greenmeadow Springs Business Park, Tongwynlais, CF15 7AB

AGENT: Mr Dylan Green Unit 9, Oak Tree Court, Cardiff Gate Business Park, Cardiff, CF23 8RS

Land to the south of Hayeswood Road, Barry

Full planning application for proposed residential development and associated works

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application is of a scale that is not covered by the scheme of delegation and in policy terms the proposals amount to a departure from the adopted local development plan, owing to the sites current allocation for employment purposes.

EXECUTIVE SUMMARY

The site is approximately 1.92 hectares in size, with a drop in levels with the site falling from south-west to the north-east. The site is adjoined to the north by existing dwellings on the opposite side of Hayeswood Road, to the west by Hayes Lane, and to the south/east by established broadleaved woodland protected by a tree preservation order (156-1994-18-W02). The site comprises of undeveloped land allocated for employment uses in the Vale of Glamorgan Adopted Local Development Plan 2011-2026 (LDP). Part of the site lies within outer Health and Safety Executive zones with the very north of the site within the inner/middle zones.

The proposal is for 70 affordable dwellings, comprising a mix of one, two, three and four bedroom units. Access would be directly from Hayeswood Road and this would lead to an internal road and parking area of 94 spaces. The main issues relate to the principle of the development (including its current allocation for employment uses), the design and visual impact, highway safety and parking, impact on residential amenity and ecology.

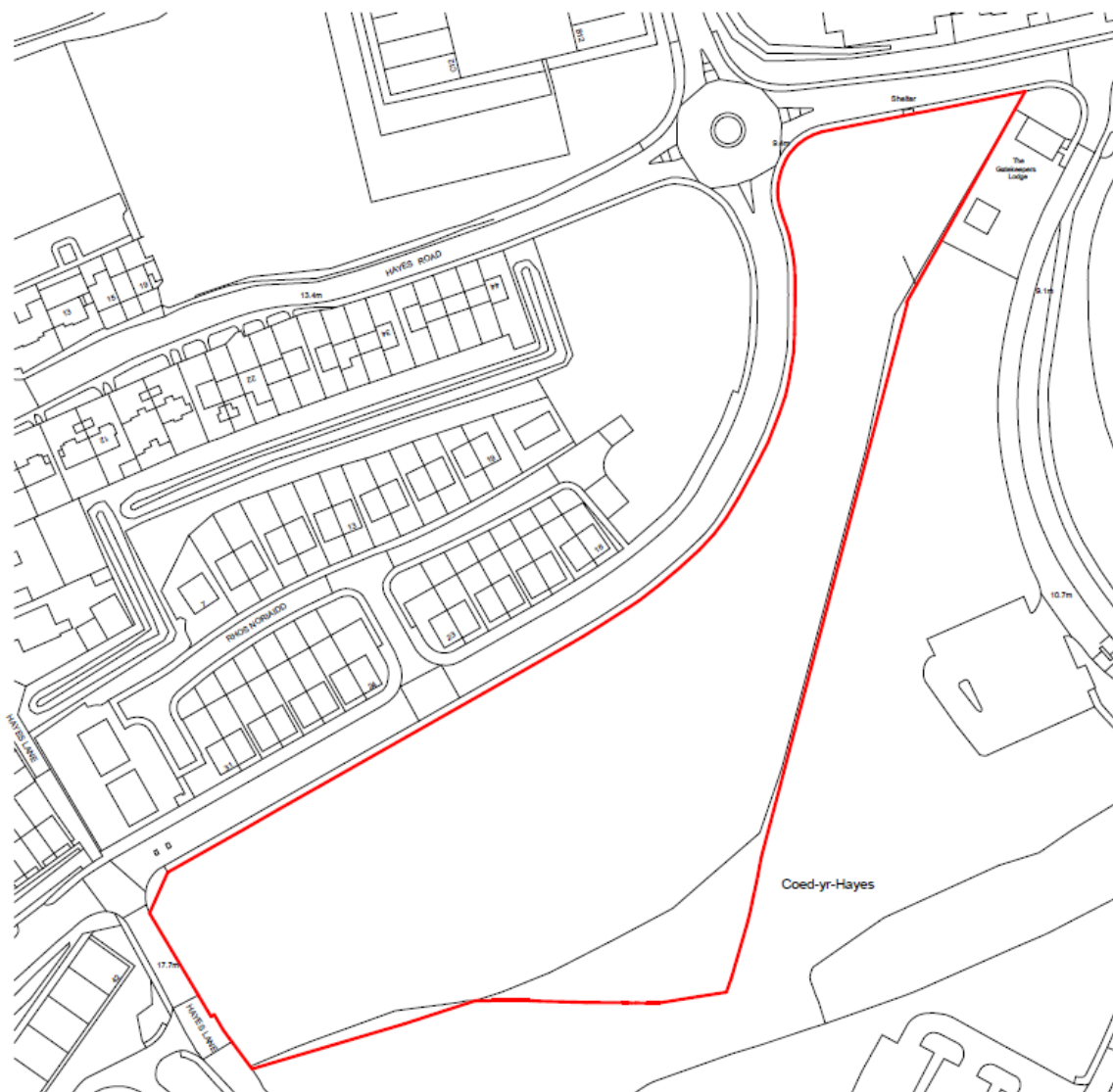
There have been 20 letters of representation to the scheme, while further concerns have been conveyed by Councillor Mahoney. In summary these concerns include potential highway safety issues; lack of services/location of development; noise impacts and impacts on adjacent woodland.

Having considered the above issues, the proposed development is recommended for approval, subject to conditions.

Members should also note that under the Town and Country Planning (Major Residential Development) (Notification) (Wales) Direction 2020, planning applications made on or after 15 January 2020 require that the Welsh Ministers be notified of applications made on or after that date for any proposed residential development of more than 10 residential units, or residential development on more than 0.5 hectares of land, which is not in accordance with one or more provisions of the development plan in force and which the local planning authority do not propose to refuse. In this instance, officers are in the process of notifying Welsh Government. Members are advised that, following such notification, the Local Planning Authority is prohibited from issuing planning permission until the expiry of a 21-day period from the date of receipt of the notification by Welsh Ministers, unless a response is received earlier confirming that the Welsh Ministers do not intend to exercise their call in powers. Members will be provided with an update at a future meeting, as necessary, in respect of any response received from Welsh Government.

SITE AND CONTEXT

The application site is land at Hayeswood Road, Barry, as shown on the site location plan below:



The site is approximately 1.92 hectares in size, with a drop in levels with the site falling from south-west to the north-east. The site is adjoined to the north by existing dwellings on the opposite side of Hayeswood Road, to the west by Hayes Lane, and to the south/east by established broadleaved woodland protected by a tree preservation order (156-1994-18-W02). The site comprises of undeveloped land allocated for employment uses in the Vale of Glamorgan Adopted Local Development Plan 2011-2026 (LDP). Part of the site lies within outer Health and Safety Executive zones with the very north of the site within the inner/middle zones.

DESCRIPTION OF DEVELOPMENT

The application, as amended, is in full for 70 affordable dwellings, comprising 14 x 2 bedroom dwellings, 8 x 3 bedroom dwellings, 2 x 4 bedroom dwelling, 3 x 2 bedroom flats and 43 x 1 bedroom flats. The layout comprises a strong frontage of dwellings facing Hayeswood Road, with a central access point leading to a secondary row of dwellings and flats served off an internal access road at the rear. 3 no three-storey block of apartments are proposed within the development, one to the north-east of the site and a further 2 centrally located adjacent to the southern boundary. An attenuation basin is proposed to the north-east of the site (north of the northernmost 3 storey block) with an area of open space proposed adjacent to the roundabout at the junction of Hayes and Hayeswood Road. A proposed site layout is shown below for information:



The site would be accessed off Hayeswood Road with a 3.5m cycle/footway proposed along the site access, in addition to a controlled signalised pedestrian crossing to the north-east of the access.

Indicative elevations are shown below:



PLANNING HISTORY

2023/00034/TPO, Address: Hayes Point site, Barry, Proposal: Works to trees covered by TPO No.18 of 1994: General maintenance and dead tree removal as per schedule, Decision: Approved

2013/00013/TPO, Address: Hayes Point, Sully, Proposal: Works to various trees, Decision: Approved

2009/00795/TPO, Address: Hayes Point, Hayes Road, Sully, Proposal: Various tree works, Decision: Approved

2004/01195/TPO, Address: Sully Hospital, Hayes Road, Barry, Proposal: Reduce and re-shape two bay laurel, reduce or coppice hawthorn and blackthorn and re-shape two holly, Decision: Approved

1996/01073/REG3, Address: Atlantic Trading Estate/Hayes Wood Industrial Estate, Barry, Proposal: Construct new road and improve existing estate roads (Minute No. 222); demolition of units 2A and 11, Decision: Approved

1995/00249/FUL, Address: Sully Hospital, Hayes Road, Sully, Proposal: The erection of a prefabricated cricket club pavilion building, Decision: Approved

1995/00012/FUL, Address: Development at Hayes Wood Site, Hayes Road, Sully, Proposal: General clearance of overgrown areas to site boundary, and regrading of ground to form even slope, seeded on completion (Consent for industrial development granted 93/00035/OUT), Decision: Approved

1994/00721/FUL, Address: Windmill Site, Hayes Road, Barry, Proposal: New roundabout on Hayes Road with associated access road and highway drainage, plus preparatory earthworks and boundary fencing, Decision: Approved

1993/00035/OUT, Address: Development at Hayes Wood, Industrial Estate off Hayes Road, Sully, Proposal: Industrial & warehouse units (B1 & B8) and new access road, Decision: Approved

1982/02014/OBS, Address: Sully Hospital, Hayes Road, Sully, Proposal: Replacement of defective fencing, Decision: Permittal (OBS - no objections: request conditions)

1974/00452/OUT, Address: Atlantic Trading Estate, Barry, Proposal: Outline application for Industry, Offices, Warehousing, Residential, Sporting Amenities, Shopping and Entertainment facilities, Decision: Refused

CONSULTATIONS

Barry Town Council raised no objection in principle provided that that VOGC are satisfied that the proposals comply with guidelines relating to ancient woodland and also raised concern with regard to the 'design of accessibility provisions' and sewerage capacity.

Sully Community Council were consulted and made comments with regard to transport, the location of development and the nearest amenities. Concerns were raised with regard to pedestrian travel distances, dependence on private cars and lack of suitable bus services.

Health and Safety Executive were consulted using their online advice tool confirmed that they do not advise against residential development of the site.

The Council's Highway Development section has no objection to the proposal subject to conditions being attached to any consent given requiring full engineering details to be submitted for all highway works for amongst other things the access, internal road layout and improvements to Hayeswood Road; the toucan controlled crossing and a construction traffic management plan.

The Council's Public Rights of Way Officer was consulted although no comments had been received at the time of writing this report.

South Wales Chief Fire Officer was consulted and raises no objection to the proposal.

The Councils Drainage Section was consulted with regard to the proposals who initially raised concern with regard to the off-site flooding on Hayes Road and concerns that future flooding along the route could influence the safe functioning of the development during periods of extreme rainfall. They raised concern that the initially submitted flood consequence assessment did not adequately consider residents ability to safely enter or leave the site and concern with regard to potential reliance on Wimborne Road that falls within private ownership.

Following the submission of a revised FCA they confirmed that they were satisfied that this provides a proportionate assessment of flood risk and consequences with regard to TAN15 requirements and note it is for the local planning authority to be satisfied with regard to operational adequacy of any flood evacuation plan and associated refuge arrangements.

The Council's Shared Regulatory Services (Pollution Control) were consulted and initially raised concern with regard to noise exposure of properties, their relationship with Hayeswood Road and the neighbouring industrial uses and also associated issues relating to overheating and whether alternatives to mechanical ventilation/closed windows had been considered. They also requested details of air source heat pump noise and need for post construction noise testing.

Following the receipt of additional details, they note that issues relating to site layout, dwelling orientation, mechanical ventilation and overheating have been adequately addressed. With regard to the noise output of the air source heat pumps, they indicate that details can be required by way of condition to ensure compliance with the relative standard (BS233:2014) and also request that post-construction noise assessment is undertaken to ensure that suitable internal noise levels are achieved.

Councils Heritage Planning Officer was consulted and notes that subject to confirmation that the proposed development would not be intervisible with the listed hospital and that open space design considers the setting of the adjacent lodge building that an objection would not be raised.

Heneb, The Trust for Welsh Archaeology (formerly GGAT) were consulted and note that given that the proposals include groundworks in an area of archaeological potential, they recommended that a condition requiring a written scheme of investigation be attached to any consent given.

Following the submission of a written scheme of investigation they commented that the submission meets appropriate standards and presents both a coherent and appropriate mitigation strategy. To ensure adherence to the stated mitigation strategy they recommend that a condition be attached to any consent granted to ensure that a programme of archaeological work is implemented in accordance with the submitted WSI.

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

Dwr Cymru Welsh Water were consulted and confirmed that foul flows from the site can be accommodated within the Cog Moors Wastewater Treatment Works. They indicate that the site is crossed by a public watermain which runs through the northern part of the site and indicate that this would need to be kept clear of structures. They also indicate that the water supply system has insufficient capacity to serve the development in terms of water supply and as such request a condition be attached to any consent given requiring the submission of a potable water scheme to be submitted prior to commencement of development in addition to one requiring no surface water/land drainage be allowed to connect directly or indirectly with the public sewerage network.

The Council's Ecology Officer was consulted and initially raised a holding objection requesting further information including relating to boundary treatments for hedgehogs; clarification of bird box treatments; an outline management plan for habitats; reptile strategy; whether attenuation basin could be designed to hold water for biodiversity benefits and with regard to the impacts and replacement of grassland habitat.

Following the receipt of amended details they note that this addresses their original concerns and recommend the inclusion of 2 planning conditions relating to a submission of a lighting plan and the provision of details of installation of biodiversity enhancement.

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

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

Cadw, Historic Gardens was consulted although no comments had been received at the time of writing this report.

The Council's Housing Strategy section was consulted and note that there is an evidenced need for additional affordable housing in the Vale of Glamorgan and this application has the full support of Housing Strategy.

Sully Ward members were consulted and comments received from Councillor Mahoney who raised concern with the lack of associated infrastructure and services including school places, viable local bus services and capacity within local health facilities such as GP and dentist surgeries.

Natural Resources Wales note they have concerns but these can be overcome by attaching a condition relating to unforeseen ground contamination to any consent given to safeguard groundwater noting the location of the site overlying a principal bedrock aquifer. They note that the site is unlikely to damage features of the SSSI 350m from the site and have no comments to make with regard to European Protected Species.

Shared Regulatory Services (Contaminated Land, Air & Water Quality) were consulted and note that the original contamination assessment did not identify contaminants but did request that a ground gas assessment be undertaken. They also request that should conditions relating to ground gas protection; unforeseen contamination; imported soils/aggregates and site won material be attached to any consent granted.

Following the submission of a further assessment they confirm that the ground gas assessment is not longer required to be attached to any permission granted.

South Wales Police were consulted although no comments have been received at the time of writing this report.

Castleland Ward members were consulted although no comments have been received at the time of writing this report.

Executive Director of Public Health was consulted and makes recommendations regarding open space in terms of surveillance; older children and drainage; provision of a green edge and provision of suitable bike storage to cater for families. They also indicate that a health impact assessment could be undertaken.

REPRESENTATIONS

The neighbouring properties were consulted on 2 February 2026 & 30 March 2026 and a site notice was also displayed on 27 February 2026 and 27 March 2026. The application was also advertised in the press on 5 February 2026 and 2 April 2026. At the time of writing this report circa 20 representations had been received raising the following points:

- Potential parking issues on Hayeswood Road, instead of within designated bays within the site and suggested need for parking restrictions on Hayeswood Road to avoid conflict with goods vehicles
- Lack of public transport provision including reduced bus services
- Lack of community needs assessment
- Lack of capacity in local education facilities
- Lack of capacity in local GP services
- Land should be used for recreational purposes
- Lack of local shops to cater for residents
- Impact on protected woodlands including suggested lack of suitable buffer zones, ecotone and pruning pressure on trees
- Noise from construction and concern over compatibility with neighbouring industrial uses

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 SP3 – Residential Requirement

POLICY SP4 – Affordable Housing Provision
POLICY SP10 – Built and Natural Environment

Managing Growth Policies:

POLICY MG1 – Housing Supply in the Vale of Glamorgan
POLICY MG4 – Affordable Housing
POLICY MG9 – Employment Allocations
POLICY MG19 – Sites and Species of European Importance
POLICY MG20 – Nationally Protected Sites and Species

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 MD5 - Development within Settlement Boundaries
POLICY MD6 - Housing Densities
POLICY MD7 - Environmental Protection
POLICY MD8 - Historic Environment
POLICY MD9 - Promoting Biodiversity
POLICY MD10 - Affordable Housing Developments outside Settlement Boundaries
POLICY MD15 - Protection of Allocated Employment Sites
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.

Policy 1 – Where Wales will grow

- Supports sustainable growth in all parts of Wales.
- Development in towns and villages in rural areas should be of an appropriate scale and support local aspirations and need.

Policy 3 – Supporting Urban Growth and Regeneration – Public Sector Leadership

- The public sector must show leadership and apply placemaking principles to support growth and regeneration for the benefit of communities across Wales.

Policy 7 – Delivering Affordable Homes

- Focus on increasing the supply of affordable homes

Policy 8 – Flooding

- Focus on nature-based schemes and enhancing existing defences to improve protection to developed areas.
- Maximise opportunities for social, economic and environmental benefits when investing in flood risk management infrastructure.

Policy 9 – Resilient Ecological Networks and Green Infrastructure

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

Policy 12- Regional Connectivity

- Supports reduced levels of car parking in urban areas, car free developments in accessible locations and developments with car parking spaces that can be converted to other uses over time.

Planning Policy Wales:

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Promoting Healthier Places
- Sustainable Management of Natural Resources
- Placemaking in Rural Areas
- Accessibility
- Previously Developed Land
- Development in the Countryside (including new housing)

Chapter 4 - Active and Social Places

- Transport

- Living in a Place (housing, affordable housing and gypsies and travellers and rural enterprise dwellings)

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 10 – Tree Preservation Orders (1997)
- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 15 – Development, Flooding and Coastal Erosion (2025)
- 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). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. 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:

- Affordable Housing (2025)
- Biodiversity and Development (2018)
- Parking Standards (2019)
- Planning Obligations (2018)
- Public Art in New Development (2018)

- Residential and Householder Development (2018)
- Sustainable Development - A Developer's Guide
- Trees, Woodlands, Hedgerows and Development (2025)

Other relevant evidence or policy guidance:

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

Equality Act 2010

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

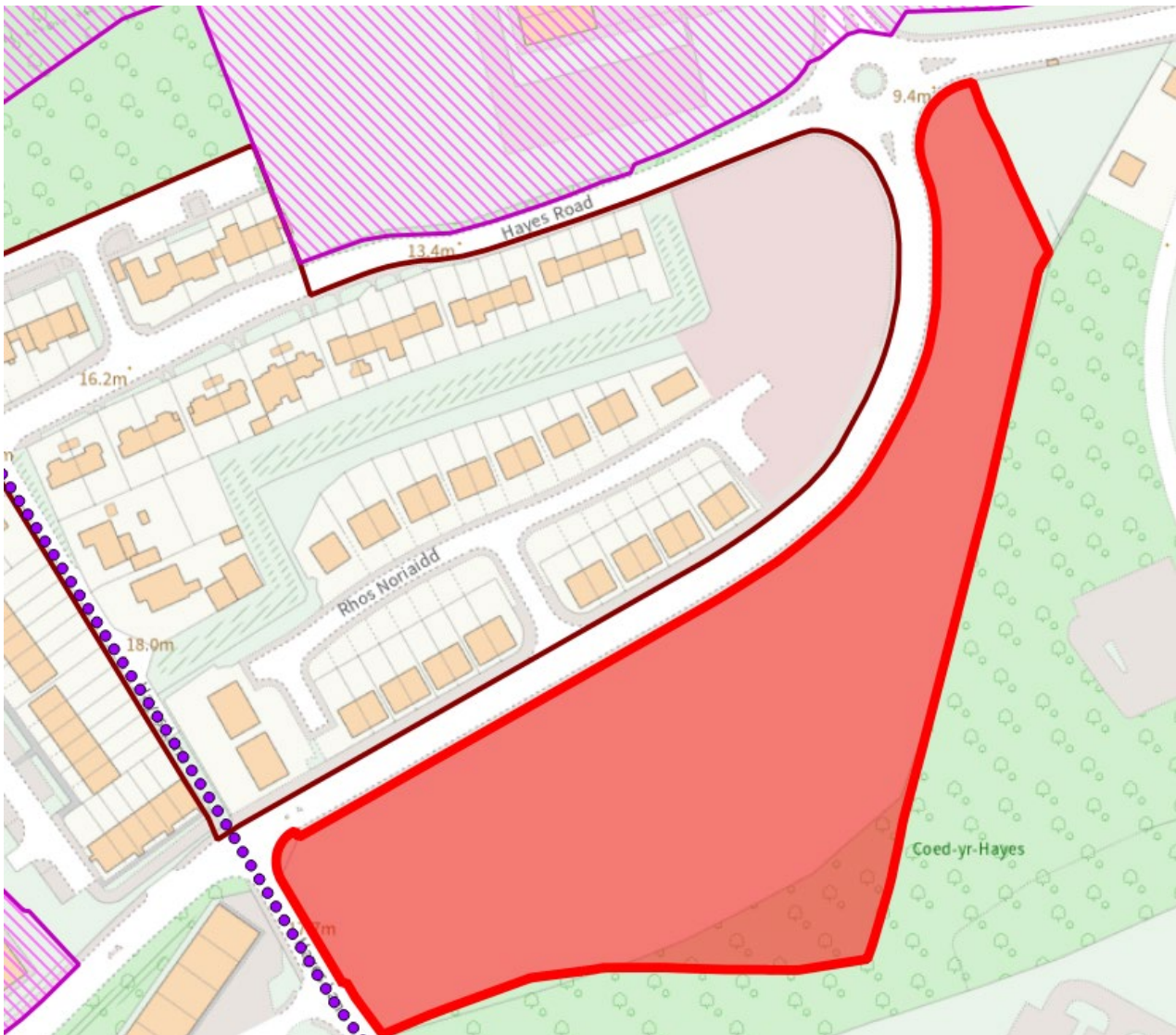
Well-being of Future Generations (Wales) Act 2015

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

Issues

Principle of development

The application site lies outside the settlement boundary of Barry, albeit the settlement boundary runs to the opposite side of Hayeswood Road as shown below:



The application site is currently allocated for employment uses within the Local Development Plan and as such Policy MG9 is of relevance, where the site is allocated to provide 1.9ha of local employment with the site known as Hayes Wood (MG9(8) refers). The supporting text to the policy at paragraph 6.53 states that local employment allocations have *'been allocated to ensure that an appropriate range and choice of land is available throughout the authority to meet future local employment requirements during the Plan period.'*

It is noted however, that the need for employment land has recently been reviewed as part of the Replacement Local Development Plan process, including within the background paper 18A Candidate Assessment undertaken at Deposit Stage. An extract from this is provided below:

The site has been considered as part of the Employment Land Review. The study concluded that there was a strong demand for small B2 industrial units and flexible workshops and that there would be merit in continuing to protect the site for employment as it represented the next logical step for the growth of Atlantic Trading Estate. Equally, the study recognises that the land adjacent has had planning permission and is being developed for housing, which will impact on the nature of the employment uses that would be acceptable on the site i.e. there would be concern about B2 uses.

The site is not the only available employment site in the area as there is vacant land and a number of redevelopment opportunities elsewhere on Atlantic Trading Estate and as part of Barry Docks. These other sites are further from existing residential development and as such would have less constraints on the types of uses that would be acceptable from a neighbouring amenity perspective.

The character of this part of The Bendricks has changed following the development of two Council housing sites in close proximity and given the potential restriction on the types of employment use that could occupy the site, the availability of other land, the significant need for affordable housing in the Barry area and the wider need to find housing sites commensurate with Barry's status in the settlement hierarchy, it is considered that this site should be taken forward for housing rather than continue to be retained for employment.

The site has therefore been allocated for housing (HG1.3 Land at Hayes Lane).

Whilst the potential allocation of the site can be given relatively limited weight at this time noting the status of the RLDP, the above is material in consideration of the current proposals. The Employment Land Review has identified issues with regard to the suitability of the site for the currently allocated purpose, whilst also identifying alternative sites are available to meet any requirement for such provision not as close to sensitive receptors. It also recognises the significant identified need for affordable housing sites within the vicinity of the site and has been considered in formulation of the RLDP as being suitable for housing. These matters are considered to weigh significantly in favour of the proposals.

In terms of the current LDP, Policy MD10 permits 100% affordable housing schemes out of settlement, subject to several criteria. The policy states that proposals should primarily have a '*distinct physical or visual relationship with an existing settlement*', but it should also be 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.*

Paragraph 7.58 of the LDP sets out that while exception sites will generally mean developments of 10 or fewer dwellings, in or adjoining some of the larger settlements, proposals for more than 10 dwellings may be acceptable. This applies if it is required to meet specific need, where the number of dwellings is proportionate to the size of the settlement, and where all the other criteria against which a housing development are judged to be satisfied.

As noted the site is adjacent to the existing settlement boundary and opposite existing residential development, and in close proximity to other residences including those at the Bendricks and within the former Sully Hospital. It has a close physical connection and strong visual relationship with existing residential development within the settlement boundary to the opposite side of the road. Whilst visual impacts are considered in more detail later in this report, fundamentally the relationship with the settlement satisfies the location-based principles of Policy MD10.

The Council's Housing Strategy Section have confirmed that there is an evidenced need for additional affordable housing in the Vale of Glamorgan, as evidenced by the 2023 Local Housing Market Assessment (LHMA) which determined that 1075 additional affordable housing units were required each year to meet housing need. The need is further evidenced by the following figures from the Council's Homes4U waiting list in the area in the Castleland ward of Barry:

CASTLELAND	
1 bed	388
2 bed	135
3 bed	52
4 bed	7
	582

Noting the above, despite previous similar developments in the locality, there remains a significant number of people in the local community without access to adequate housing and the proposals would assist in meeting this shortfall. The proposals represent an appropriate mix of dwelling types meet the need identified above and would be managed by the Council to ensure their ongoing availability in perpetuity.

It is acknowledged that concerns have been raised within representations received with regard to the location of the site and its accessibility to local services. Occupiers of the site would have good access to employment opportunities within nearby industrial estates whilst there are regular bus services available at Hayes Point and Bendricks that would provide access to services within the wider area. To this end, the site is considered to be suitably located to accord with the provisions of the development plan.

In terms of access to GP surgeries, the service-wide issues are acknowledged, however in the absence of an objection from the Health Board and noting that these are generally systemic issues across the whole of the NHS, it is considered that this does not represent a reason to delay or refuse planning permission in this instance.

Whilst the proposal would result in tension with the development plan in terms of its current allocation within the adopted development plan, officers consider that significant weight must be afforded to the recent review of the need for this allocation and the acute identified need for affordable housing within the Vale of Glamorgan and for this reason, officers consider that the application is acceptable in principle.

Members should also note that under the Town and Country Planning (Major Residential Development) (Notification) (Wales) Direction 2020, planning applications made on or after 15 January 2020 require that the Welsh Ministers be notified of applications made on or after that date for any proposed residential development of more than 10 residential units, or residential development on more than 0.5 hectares of land, which is not in accordance with one or more provisions of the development plan in force and which the local planning authority do not propose to refuse.

Design and visual impact

The development would largely replicate that to the northern side of Hayeswood Road in presenting an active frontage to Hayeswood Road, creating a visually engaging layout. In the wider context, it would be viewed as a continuation of the frontage that forms part of adjacent, recently constructed development and would be commensurate in terms of material and form. The main road and footways through the development would be constructed in block paving as opposed to tarmac, and this would create a pleasant and visually more informal environment.

The dwelling houses would be similar to those constructed to the north of the site including being of a commensurate relatively modest two storey scale, including design features such as window surrounds with generally traditional pitched roof form. The details indicate the material palette would be similar to that used in the development to the northern side of the road (such as Wakerley multi stock brick) and as such it is generally considered that the development would contribute positively and respond well to the existing pattern of built form.

The flats would contain three storeys of accommodation, however, they would be flat roofed and consequently their height would not be significantly greater than the dwelling houses. They would have a greater massing and presence than the dwellings, however, the variety is considered appropriate at the north eastern corner of the site and centrally located to provide variety and focal buildings within the development. While the buildings would be relatively simple in form, the elevations would contain balconies and projecting bays, which would break up their mass and provide a degree of visual relief, whilst the variety in finish would afford a degree of relief to their massing.

Having regard to the above, it is considered that the proposed development would have due regard to the wider built environment and would comply with Policy MD2 of the LDP in respect of design and visual impact.

Impact upon amenity of neighbouring residential properties

The proposed dwellings would be within circa 19 metres of the recently constructed dwellings to the opposite side of Hayeswood Road. While this would fall slightly below the recommended distance of 21 metres noted within the adopted Residential and Householder SPG, the shortfall is relatively modest in relation to the adopted standard and is not uncommon between openings on less private frontages where clear views exist from the public domain.

Consequently, it is considered that the dwellings would be far enough away from existing neighbouring units to ensure that they would not appear overbearing and that there would be no harmful privacy impacts. There would be over 21m between habitable rooms of dwellings within the development and the buildings would be sited in an arrangement that would not result in overbearing and unneighbourly impacts between one and another.

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

Amenity of future occupiers

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, whilst for flats, between 12.5 sq.m and 20 sq.m of amenity space per person should be provided, depending on the size of development. Communal areas of amenity space may be acceptable, but these must be directly accessible for all occupiers.

Each of the dwellings would be served by a private rear garden, and while they would not in some cases amount to 20m² per person, these gardens are nevertheless considered to be of an acceptable size to meet the outdoor amenity needs of the occupiers. The flats are surrounded by areas of shared open space which would meet the outdoor relaxation needs of the occupiers. Balconies are also proposed to serve a number of the individual units.

Furthermore, it is considered that the relationship of the proposed buildings within the development itself 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.

Living conditions of future occupants (noise)

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' a number of criteria including '4. Noise, vibration, odour nuisance and light pollution... 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.

Technical Advice Note 11: Noise (1997) (TAN11) provides guidance for consideration of noise in the determination of planning permission for residential development depending upon which of the four noise exposure categories (A-D) the application falls. The application as originally submitted was supported by an Environmental Noise Assessment, that indicated that noise mitigation would be required for units on those elevations fronting Hayeswood Road and Hayes Lane to the west, due to early morning HGV movements and potential noise from a gym on the industrial estate to the west. As such it is indicated that critical facades would need upgraded glazing and mechanical ventilation to mitigate noise, coupled with the need to prevent overheating but critically this would ensure that occupiers of the dwellings would not be subject to unacceptable noise impacts. All dwellings would be fitted with openable windows to enable purge ventilation if required, and it is considered unlikely that a scenario would arise where the most critical times for noise protection coincided with temperatures which would necessitate mechanical cooling if windows were closed. A further assessment has also been provided that demonstrates that the proposed air source heat pumps proposed as part of the development would also not give rise to detrimental noise impacts.

Following consultation with the Council's Shared Regulatory Services on the basis of the information submitted, they are satisfied that the submitted layout would not give rise to unacceptable impacts in terms of noise for future occupiers of the development, albeit request that post construction noise assessment be undertaken to ensure compliance with the stated levels detailed in the report. As such, it is considered that noise does not represent a material reason to refuse permission in this instance, subject to the mitigation noted and a post-construction noise assessment (and any associated recommended mitigation).

Parking and highways issues

The development would be accessed via a new crossover from Hayeswood Road. This access point would afford drivers and pedestrians good visibility along Hayeswood Road and it is of an appropriate width and geometry. Full detail of the site access would be controlled by a Section 278 highways agreement, however, for the purposes of the planning assessment it is considered to be a safe and appropriately designed access. It is considered that a condition as requested for engineering details is not reasonably necessary as this would duplicate the S38/S278 process and noting the Council's involvement with the future development of the site.

The proposals also include widening the footway/cycleway on Hayeswood Road to 3.5m wide on both sides of the access and the provision of controlled crossing point. The Council's Highways Engineer indicates their preference would be for this route to be extended along the northern boundary albeit this is not shown on the approved plans and could be secured through the condition discharge for the open space area and the S38/S278 agreements. The proposals indicate a new controlled pedestrian crossing to the north-east of the access that the Council's Highway section indicate should be a toucan crossing, and again details of this would be secured through the relative highways agreement and a condition is proposed to be attached to ensure it is provided prior to beneficial occupation of the development. The highways officer also indicates that a scheme of traffic regulation orders would be required along Hayeswood Road, and this would likely include those restricting parking on Hayeswood Road itself to maintain a free flow of traffic. Highways officers have advised that such a scheme has recently been approved and any potential amendment would fall outside of the scope of planning remit and as such a related condition is not considered to be required.

The proposals would provide circa 94 car parking spaces for 70 units proposed, with each of the dwellinghouses shown to have 2 allocated spaces per unit and each of the flats being served by 1 parking space. As noted above there is a predominance of 1 bedroom units within the scheme, albeit noting that some larger units are proposed within the development this number would technically result in a shortfall when compared with the maximum Council's Parking Standards. It is, however, acknowledged that these standards are maximums and car ownership amongst social rented households is generally considered to be lower. Noting the unit composition and tenure, it is considered that the proposed ratio of car parking spaces is considered to be appropriate in this instance and the level of car parking proposed is acceptable.

Overall, noting the above, the proposals are considered to be acceptable in highway terms and there is not considered to be a material reason in highway safety terms to refuse planning permission in this instance.

Drainage and flood risk

The site does not lie within high flood risk zones for any type of flooding (as defined by the Flood Maps for Planning associated with Technical Advice Note 15), but the application is nevertheless accompanied by a Flood Consequences Assessment, given that some of the nearby highway infrastructure, in certain events, could be subject to flooding, including a localised area of surface water flooding on Hayeswood Road itself. NRW have been consulted and provide no comments in relation to flood risk at the site. The Council's Drainage section initially raised concern with regard to potential flooding issues on the wider network and that alternative access/egress would be reliant on 3rd party land on Wimborne Road. Following the submission of further details, including rationale that access across 3rd party land would be maintained, the Council's Drainage engineer was satisfied that suitable access/egress arrangements would be maintained for future occupiers in flood events.

The type and scale of the proposal means it reaches the threshold to implement a Sustainable Drainage System (SUDS). Consequently, a SUDS application has been submitted alongside the planning application seeking approval from the SUDS Approval Body (SAB) in relation to the proposed drainage for the development. The proposed layout incorporates permeable paving on the internal and car parking areas. Furthermore, swales and attenuation pond are included within the layout design to accommodate surface water flows on the site.

In respect of foul drainage, the strategy suggests connection to the Dwr Cymru Welsh Water (DCWW) foul sewer, and DCWW have offered no objection in principle to this. It is acknowledged that DCWW have noted the presence of a watermain to the very northern extent of the site and also with regard to drinking water supply. However, the location of the watermain is shown to be within the area of open space proposed, with details including the siting and location of equipment etc to be secured by way of condition, whilst DCWW have also confirmed that they are satisfied that the issues relating to potable water can be dealt with by way of a suitable condition being attached to any permission granted. In summary, the proposed development is considered acceptable in respect of foul and surface water, and flood risk.

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 application has been supported by an Ecological Impact Assessment prepared by David Clements Ecology (December 2024) sets out that the site has a dominant habitat of semi-improved neutral grassland with denser tall ruderal vegetation, scrub and tree species along the site boundary. The site as a whole was assessed as being of no greater than local for wildlife and the habitat loss associated are stated as being of local and low significance. The submitted assessment does indicate that the site has potential for reptiles, including slow-worm to be present.

The application is supported by an amended reptile strategy dated July 2025, also by David Clement Ecology, that following a refugia survey confirmed the presence of a maximum of 2 slow-worm adults and therefore likely to support a low population of slow-worm as such it was recommended that suitable vegetation clearance and timing was implemented to ensure no detriment occurs to reptiles on the site.

Natural Resources Wales have raised no concerns in terms of ecology. The Council's Planning Ecologist, welcomed the design of the scheme to avoid the area of existing woodland, but requested further information largely to do with green infrastructure. Following the receipt of additional information, the Council's Ecologist confirmed that they were satisfied with the additional information provided subject to conditions relating to a lighting plan and confirmation of installation of biodiversity enhancement.

Noting the above, it is considered that the development of the site does not have an detrimental impact on ecological interest of the site.

Trees, Hedgerow and Landscaping

The site itself is devoid of any trees of significance but the eastern boundary of the site is bordered by an area of established woodland, including that protected by a tree preservation order and in part identified as ancient woodland. The submitted Green Infrastructure Statement (GIS) identifies that the layout has been developed to retain higher quality trees and boundary vegetation particularly to the site edges, with no trees proposed for removal and the development itself set away from the boundary to minimise potential conflict with root protection areas. The proposals also include a native species ecotone within the site boundary between the development and the existing woodland to create a buffer that would assist in connecting the woodland within the wider landscape and provide structural diversity, whilst additional planting across the site (including trees and shrubs and the provision of other features including bird boxes are proposed as enhancements. The application is also supported by a landscape and ecological management plan detailing how the site would be managed. Noting all of the above and the comments within the previous section with regard to ecological impacts, it is considered that the proposals meet the requirements of the step-wise approach advocated by chapter 6 of Planning Policy Wales.

Land contamination

Policy MD7 'Environment Protection' 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, amongst other things

1. Pollution of land, surface water, ground water and the air; 2. Land contamination;... or 8. Any other identified risk to public health and safety.

The application has been supported by Site Investigation Reports that have been considered by the Council's Shared Regulatory Services and Natural Resources Wales (NRW). As noted previously the Council's SRS, raise no objections and advise that any risk can be managed by a suitable suite of conditions being attached to any permission granted including that relating to unforeseen contamination, imported soils and aggregates and the use of site won materials. NRW advise that the proposed site overlies a principal rock aquifer and owing to the lack of superficial deposits there is very little groundwater protection. As such they request that a condition relating to unforeseen contamination be attached to any consent granted, similar to that requested by the Council's SRS.

Noting the above, it is considered that any risk of land contamination have been suitably addressed within the submissions and any risk would be mitigated by suitable conditions attached to any permission granted.

Archaeology and Heritage

The site is located in an area of archaeological potential, with the Council's archaeological advisors Heneb indicating that there are Roman and medieval sites in the vicinity, albeit they suggest that previous evaluation trenches at the found no archaeologically significant remains. As noted above, an archaeological watching brief and written scheme of investigation have been submitted in support of the application and following this Heneb recommend that a condition be attached to any consent granted requiring a programme of archaeological work be submitted in line with these documents for their approval.

The Council's Heritage Officer notes the screening benefits of the adjacent woodland with regard to the Grade II* listed former Sully Hospital, and notes that the woodland would not be directly impacted as a result of the development and it is considered that it would sufficiently preserve the character of this building for the purposes of Policy MD8 of the adopted local development plan. They have however raised some concern with regard potential impacts on the Grade II Listed - Hospital Lodge and Screen walls flanking the driveway entrance to Sully Hospital (Cadw Ref 13448). The Lodge provides a distinct feature, continuing its purpose to direct people into the former Hospital grounds give it maintains the known characteristics of a lodge, a single small scale building set in open space to provide an access point. As such they recommend that consideration of the nature of equipment and layout of the play area to the west of the site be considered to ensure that it maintains the setting of the lodge in this context. Noting this and aforementioned comments of DCWW with regard to their asset in this area, it is considered that the exact design and nature of equipment can be suitably controlled by condition.

Noting the above, it is considered that the proposals would not give rise to detriment to heritage assets and as such the proposals are considered to accord with the provisions of Policy MD8 of the Local Development Plan.

Section 106 issues

As stated within the Council's adopted Planning Obligations SPG, at the Council's Cabinet meeting of the 5th 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, section 106 contributions are sought for this development on the basis of 45 units (70 less 25).

Sustainable Transport

Having regard to the cost of providing and upgrading sustainable transport facilities, the Council's Planning Obligations SPG provides a basis to consider the type of contribution that may be likely to mitigate the impacts of a development of this size. This is a key aim embodied in national and local planning and transport policies, which the Council is keen to deliver. In this case, a sustainable transport contribution is required to ensure that the site is sufficiently accessible by a range of modes of transport other than the private car, such that it may be considered a sustainable site.

While the site is in a sustainable location adjacent to the existing settlement boundary (and proposed to be allocated within the RLDP), residents would potentially be reliant on local transport facilities and consequently, a sustainable transport contribution is considered reasonable and proportionate to the need arising from the development. The applicant has agreed to a request of £103,500 which accords with the rationale set out in the Council's SPG for 45 units. Similar to the previously consented scheme, it is considered that this money could be spent on, amongst other things, improving access to and from the site and local services/facilities by sustainable modes, such as enhanced bus services, and improved cycleway provision in the vicinity of the site.

Community facilities

The Planning Obligations SPG acknowledges that new residential developments place pressure on existing community facilities and create the need for new facilities. Therefore, it is reasonable to expect new residential developments of this scale to contribute towards the provision of new, or enhancement of existing, community facilities.

The Council has developed a formula to calculate reasonable levels of contributions for community facilities, which has been derived from an analysis of the costs associated with providing such facilities, and consideration of the impact of new developments in terms of needs arising and what is considered to be reasonable to seek in relation to the scale of development proposals. There is an existing identified deficiency within Castleland and adjoining Cadoc Ward, and as such it is reasonable to require a related contribution in this instance. The formula set out in the Planning Obligations SPG ensures a fair and consistent approach to development proposals throughout the Vale of Glamorgan. The applicant has agreed to an amount of £56,700 which reflects the need that results from the development (based on 45 units) and accords with the guidance in the Council's SPG.

Public Open Space

Policy MD2 of the LDP requires open space to be provided in accordance with the Council's standards, and these are set out in the Planning Obligations SPG and policy MD3, as follows:

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

The proposals indicate the provision of equipped play space of circa 700sqm within a larger area of circa 1600sqm. This is considered adequate to meet the provisions with regard to equipped and 'other' children's play space subject to further details of design including in terms of the nature and siting of equipment and the Heritage Officer's concerns with regard to the setting of nearby heritage assets, that would be sought by a suitably worded condition.

While public outdoor sports provision cannot practically be provided on site, the Council's SPG makes provision for payment of a contribution to be used to improve and upgrade public open space near to the site. In this case and based upon 45 units and reduced pro rata to exclude the aforementioned children's play space noted above, this would equate to £80,040 and this would be spent on improving facilities at areas of public outdoor sports space that would be used by occupiers of the development.

Education

LDP Policy MD5 requires developments to make appropriate provision for community infrastructure to meet the needs of future occupiers, and educational facilities are listed as such community infrastructure in policy MD4. PPW emphasises that adequate and efficient services like education are crucial for the economic, social and environmental sustainability of all parts of Wales. It makes it clear that development control decisions should take account of social considerations relevant to land use issues, of which education provision is one.

The Council's rationale for calculating pupil demand contained in the Planning Obligations SPG indicates that one bedroom units should be excluded from any calculations, given that they are unlikely to support families with children. Noting this, and the following calculation is based on 17 units, calculated pro-rata over the 25 and those considered eligible for contributions having deducted the one bedroom flats. In the case of 17 eligible units, this would equate to a total contribution of £234,787 based on the full provision of this contribution at £13,811 per dwelling.

Public Art

The Council's SPG requires developers to set aside a minimum of 1% of their project budget specifically for the commissioning of art and the public art should be provided on site integral to the development where possible. The applicant has agreed to this requirement, which will be 64.3% of 1% of development costs (given that 45 units is 64.3% of the total development).

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, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG9 – Employment Allocations MG19 – Sites and Species of European Importance, MG20 – Nationally Protected Sites and Species, MD1 - Location of New Development, MD2 - Design of New Development, MD3 - Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD6 - Housing Densities, MD7 - Environmental Protection, MD8 - Historic Environment, MD9 - Promoting Biodiversity and MD10 - Affordable Housing Developments outside Settlement Boundaries, MD15 - Protection of Allocated Employment sites and MD16 - Protection of Existing Employment Sites and Premises of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Future Wales, National planning policy in the form of Planning Policy Wales (Edition 12), Technical Advice Notes 1, 2, 11, 12, 15, 16 and 18, and the Council's Supplementary Planning Guidance on Affordable Housing, Biodiversity and Development, Parking Standards, Planning Obligations, Public Art in New Development, Residential and Householder Development, Sustainable Development - A Developer's Guide, Tourism and Leisure Development, Travel Plan and Trees, Woodlands, Hedgerows and Development, the proposed development is considered acceptable in principle and in respect of design and layout, residential amenity, parking, highway safety, amenity/open space, drainage, flood risk and ecology.

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

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

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

RECOMMENDATION

Approve, subject to secure mechanisms being in place to cover the following:

- Pay £234,787 for education purposes for the provision or enhancement of educational facilities in schools serving the development for Nursery, Primary and Secondary school children.
- Pay a contribution of £56,700 towards new community facilities in the area, to serve the development.
- Pay a contribution of £103,500 towards sustainable transport facilities in the vicinity of the site.
- The developer shall provide public art on the site to the value of 0.643% of the build costs or otherwise pay a contribution to the same value to the Council.
- Pay a contribution of £80,040 towards providing or enhancing public open space in the vicinity of the site.
-

and subject to the following conditions:

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:

Site Location Plan A200; Proposed site plan A202 Rev L; Boundary Layout A202-2 Rev C; Parking Strategy Layout A203; Refuse Strategy Layout A204; Indicative Street Scenes A205A, A206, A207; Site Sections A208, A209; Type 1 - Typical Plan A210; Type 1 - Elevations Sheet 1 A211; Type 1 - Elevations Sheet 2 Rev A A212; Type 2 - Plans A213; Type 2 - Elevations A214; Type 3 - Plans A215; Type 3 - Elevations A216; Type 4 - Plans A217; Type 4 - Elevations A218; Type 5 - Plans - A219; Type 5 - Elevations A220; Type 6 - Ground Floor Plan A221 Rev D; Type 6 - First Floor Plan A222 Rev D; Type 6 - Elevations sheet 1 A223 Rev D; Type 6 - Elevations sheet 2 A224 Rev E; Type 7 - Plans A225; Type 7 - Elevations A226 Rev A

25051-01B Drainage Layout Sheet 1 of 5; 25051-02B Drainage Layout Sheet 2 of 5; 25051-03D Drainage Layout Sheet 3 of 5; 25051-04C Drainage Layout Sheet 4 of 5; 25051-13 Drainage Layout Sheet 5 of 5; 25051-12C Site Wide Drainage Layout;

Arboricultural Report (ArbTS_2019.2_Hayeswood Road) prepared by ArbTS dated 12th August;

Environmental Noise Assessment prepared by Hunter Acoustics

7734/ENS1_REV1; Noise Impact Assessment - Air Source Heat Pumps prepared by Hunter Acoustics ref: 7734/NIA1_prelim and supplementary note on noise from agent dated 11 March 2026

Site Investigation Report prepared by Integral Geotechnique 14385/AG/SI/24

Preliminary Ecological Appraisal prepared by David Clements Ecology dated December 2024

Written Scheme of Investigation - Archaeological Monitoring and Recording prepared by EDP ref: edp9383_r001a

Reptile Mitigation Strategy dated 17 March 2026

Landscape Strategy L100; Planting Plans L200 and L201; Landscape Specifications L300 and L301 received 21 April 2026

Landscape Ecological Management Plan prepared by tir collective dated 15 April 2026

Green Infrastructure Statement dated April 2026

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 70 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 plans and details, prior to beneficial occupation of the development hereby approved, further details of the design of the open space area to the north of the site (including details of all equipment and its siting) and its ongoing management, shall be submitted to and approved in writing by the Local Planning Authority. The public open spaces shall thereafter be provided and retained in accordance with the approved details.

Reason:

To safeguard the setting of adjacent heritage and drainage assets, as required by Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD2 (Design of New Development), MD7 (Environment Protection) and MD8(Historic Environment) of the Local Development Plan.

5. No development shall take place until the applicant, or their agents or successors in title, has secured implementation of a programme of archaeological work in accordance with that out-lined in "Hayeswood Road, Barry, Written Scheme of Investigation – Archaeological Monitoring and Recording" (EDP Report no. edp9383_r001a, dated March 2026).

Reason:

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

6. The development shall be carried out and thereafter maintained in accordance with the measures and recommendations contained in the Environmental Noise Assessment prepared by Hunter Acoustics 7734/ENS1_REV1; and Noise Impact Assessment - Air Source Heat Pumps prepared by Hunter Acoustics ref: 7734/NIA1_prelim.

Reason: In the interests of ecology and to ensure the development accords with Policy MD7 of the Local Development Plan.

7. Within 14 days of the beneficial occupation of the dwellings hereby approved, a post installation noise assessment shall be undertaken to ensure the development achieves BS8233:2014 internal noise standards. Details of the test results shall be submitted to the Local Planning Authority within 14 days of the test date together with any details of mitigation should the required rating not be met. Any mitigation identified within the submission shall be undertaken within 14 days of the date of submission of the results.

Further acoustic measurements shall be undertaken following the completion of any identified measures, with the results and any further mitigation required submitted to the Local Planning Authority for approval in writing within 14 days of approval. This shall be repeated until such time as the identified noise levels are met. The development shall thereafter be operated in accordance with the approved details.

Reason:

To safeguard residential amenity and to ensure compliance with the terms of Policy MD2 (Design of New Development) and MD7 (Environmental Protection) of the adopted Local Development Plan.

8. The development shall be carried out and thereafter maintained in accordance with the measures and recommendations contained in the Preliminary Ecological Appraisal prepared by David Clements Ecology dated December 2024, Reptile Mitigation Strategy dated 17 March 2026, Landscape Ecological Management Plan and Green Infrastructure Plan prepared by tir collective.

Reason:

In the interests of ecology and to ensure the development accords with Policy MD9 of the Local Development Plan.

9. Prior to the commencement of development (including site clearance), the tree protection measures detailed within the approved arboricultural statement shall be installed and retained in situ throughout the construction period.

Reason:

In the interests protecting adjacent woodland of Policies SP1 (Delivering the Strategy) and MD9 (Promoting Biodiversity) of the Local Development Plan.

10. The landscaping shall be provided in accordance with the approved details Landscape Strategy L100; Planting Plans L200 and L201; Landscape Specifications L300 and L301 received 21 April 2026. 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 MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

11. Prior to beneficial occupation of any part of the development hereby approved, a lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme prior to beneficial occupation of the development.

Reason:

To secure measures for the conservation and enhancement of biodiversity in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024) and Tan 5 Nature Conservation and Planning (2009) and policy MD9 (Promoting Biodiversity) of the adopted Vale of Glamorgan Local Development Plan 2011-2026.

12. Within 6 months of the completion of the construction works, a selection of photographs of the biodiversity enhancement measures installed (minimum 3 bird boxes and 3 hedgehog fence holes) shall be submitted to the Local Planning Authority.

Reason:

To secure measures for the conservation and enhancement of biodiversity in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024) and Tan 5 Nature Conservation and Planning (2009) and policy MD9 (Promoting Biodiversity) of the adopted Vale of Glamorgan Local Development Plan 2011-2026.

13. Prior to the first beneficial occupation of any of the dwellings, the footway along the site frontage shall be widened to a 3.5m wide combined cycleway/footway and the controlled crossing point, in accordance with plan Proposed site plan A202 Rev L.

Reason:

In the interests of highway safety/cycle safety and to ensure compliance with Policies MD1 and MD2 of the LDP.

14. The vehicular access and parking areas shall be laid out in accordance with plan Proposed site plan A202 Rev L prior to the first beneficial occupation of the unit that they relate to, and they shall be retained at all times thereafter to serve the development.

Reason:

To ensure suitable access and parking to serve future occupiers of the development in accordance with Policy MD2 of the Development Plan.

15. 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.considerateconstructorscheme.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.

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.

16. Prior to the commencement of any works a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall include but not be limited to:
- incorporating delivery outside am & pm school pick / drop off times,
 - Access/hauling Route.
 - Compound layout including parking for construction vehicles. No vehicles to park along Hayeswood Road or the surrounding area.
 - Loading and unloading areas for plant and materials on site.
 - Measures to control water, mud and debris entering the highway.
 - Suitable boundary treatments to protect pupils and staff.
 - Any signage or traffic management required as part of the development.

The CTMP shall include along with the above, proposals to control, manage and monitor the CTMP requirements. The works shall thereafter be undertaken in accordance with the approved details.

Reason: -

In the interests of maintaining highway efficiency and safety in accordance with Policy MD2 of the adopted Local Development Plan.

17. 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.

18. Any topsoil (natural or manufactured), subsoil, 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.

19. 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.

20. No development shall take place until a potable water scheme to serve the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that the existing water supply network can suitably accommodate the proposed development site. If necessary, a scheme to reinforce the existing public water supply network in order to accommodate the site shall be delivered prior to the occupation of any building. Thereafter, the agreed scheme shall be constructed in full and remain in perpetuity.

Reason:

To ensure the site is served by a suitable potable water supply and to ensure compliance with the provisions of Policies MD2 and MD7 of the adopted Local Development Plan.

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

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

NOTE:

- 1. Please note that the land adjacent to the site is subject to a Tree Preservation Order and therefore if at any time you wish to undertake development which constitutes Permitted Development under the Town and Country Planning (General Permitted Development) Order 1995 (as amended) you should contact the Directorate of Resources: Regeneration and Planning. Works constituting Permitted Development affecting trees covered by a Tree Preservation Order, whether branches, roots or its trunk require consent under Tree Preservation Order legislation. Similarly, consent is required for works to Tree Preservation Order trees in general including lopping, topping and felling.**
- 2. The proposed development site is crossed by a public sewer. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line. For details of the safety zone please contact Dwr Cymru Welsh Water's Network Development Consultants on 0800 9172652.**
- 3. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.**

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

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.