

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 21 MAY 2026

| Page | Application | Location | Item No. | Description |
|-------------|--------------------|-------------------------------------|-----------------|--|
| | 2022/00197/FUL | Pwll Y Darren Farm, Welsh St Donats | 1. | Response from Councils Ecology |
| | | | 2. | Comments from Agent (GJ Planning) regarding Legal Agreement |
| | | | 3. | Response from Welsh St Donats Community Council |
| | 2025/00973/FUL | Vale Car Sales | 4. | Comments from Agent (LRM Planning) regarding Conditions |
| | | | 5. | Comments from Agent (LRM Planning) regarding amended plans |
| | 2026/00056/FUL | Land at Hayeswood Road, Sully | 6. | Comments from Planning Agent (Dylan Green & Llinos Hallett) regarding conditions/amended plans |
| | | | 7. | Comments from Mr Stradling with regards to trees |

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE: 21 MAY 2026

| | |
|--|-------------------------------------|
| Application No.: 2022/00197/FUL | Case Officer: Angharad Hobbs |
| <p>Location: Pwll Y Darren Farm, Whitefields Farm Lane, Welsh St. Donats</p> <p>Proposal: Retrospective and proposed reprofiling of land, the proposed erection of farm buildings and associated works (Site 1), and rationalisation of associated yard (Site 6)</p> | |

From: Council's Ecology Comments, received 18 May 2026

Summary of Comments:

- They support the recommendations by Woodland Trust for a 15m buffer between the development and ancient woodland.
- Recommend the inclusion of a planning condition to secure biodiversity conservation and enhancement on site. The condition is recommended as follows:

Prior to beneficial use of the building, 4no artificial swallow cups (such as Woodstone Swallow Nest Bowl or No. 10B Schwegler Swallow Nest) shall be erected inside the new build within the open sided section, as high as possible, whilst leaving at least 6cm clearance above the rim of the nest cup. The boxes shall be retained in situ for at least 10 years and photographic evidence shall be supplied to the Local Planning Authority within 6 months of their installation.


Officer Response:

- The issue relating to a buffer zone has been addressed in the Officer's Report.
- A condition is included for securing details of biodiversity enhancements – condition no. 7 refers. Whilst the Ecologist recommended condition is specific, it is considered that the recommended condition is sufficient to address biodiversity enhancement.

Action required:

No action required.

CONSULTATION RESPONSE: COUNTRYSIDE AND ENVIRONMENT (ECOLOGY)

| | | | |
|-------------------------|--|----------------------|---|
| To / I: | Operational Manager Development & Building Control | From / Oddi Wrth: | Ecology, Development Services Countryside and Economic Projects. |
| FAO | Angharad Hobbs | | Ms Erica Dixon |
| Date / Dyddiad: | 18 May 2026 | Tel / Ffôn: | (01446) 704855  |
| Your Ref / Eich Cyf: | 2022/00197/FUL | My Ref / Fy Cyf: | |
| Location | Pwll Y Darren Farm, Whitefields Farm Lane, Welsh St. Donats | | |
| Proposal | Retrospective and proposed reprofiling of land, the proposed erection of farm buildings and associated works (Site 1), and rationalisation of associated yard (Site 6) | | |

Summary

We recommend the inclusion of 1no planning condition to secure biodiversity conservation and enhancement on site.

Comments

We support the recommendations made by the Woodland Trust in a 15m buffer between the development and the ancient woodland. We make one recommendation below.

Recommendations

Planning condition #1 – biodiversity enhancement

Prior to beneficial use of the building, 4no artificial swallow cups (such as Woodstone Swallow Nest Bowl or No. 10B Schwegler Swallow Nest) shall be erected inside the new build within the open sided section, as high as possible, whilst leaving at least 6cm clearance above the rim of the nest cup. The boxes shall be retained in situ for at least 10 years and photographic evidence shall be supplied to the Local Planning Authority within 6 months of their installation.

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 Vale of Glamorgan Local Development Plan 2011-2026.

Supporting information – Legislation and Policy

PLANNING POLICY WALES (EDITION 12, FEBRUARY 2024)

6.2.8 The role of development as part of a spatial approach will be two fold. Planning authorities firstly must ensure that development avoids and then minimises impact on biodiversity and ecosystems and secondly that it provides opportunities for enhancement within areas identified as important for the ability of species to adapt and/or to move to more suitable habitats.

6.2.9 Planning authorities must encourage the appropriate management of features of the landscape which are of major importance for wild flora and fauna and other statutory and non-statutory designated sites. The features concerned are those which, because of their linear and continuous structure or their function as ‘stepping stones’ or ‘wildlife corridors’, are essential for migration, dispersal or genetic exchange. The protection and creation of networks of statutory and non-statutory sites and of the landscape features which provide links from one habitat to another can make an important contribution to developing resilient ecological networks and securing a net benefit for biodiversity and in doing so improve the quality of the local place and its ability to adapt to climate change.

6.2.12 A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal.

6.4.3 Recognising that development needs to take place and some biodiversity may be impacted, the planning system should ensure that overall there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced well-being. Addressing the consequences of climate change should be a central part of any measures to protect, maintain and enhance biodiversity and the resilience of ecosystems. secure the maintenance and enhancement of ecosystem resilience and resilient ecological networks by improving diversity, extent, condition, and connectivity.

6.4.4 It is important that biodiversity and ecosystem resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals. Where adverse effects on biodiversity and ecosystem resilience cannot be avoided, minimised or mitigated/restored, and as a last resort compensated for, it will be necessary to refuse planning permission.

6.4.5 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 (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems.....

6.4.11 Planning authorities must follow a step- wise approach to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits for biodiversity by

ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for.....

6.4.12 Having worked iteratively, in line with Figure 12, through the stages of the step-wise approach below, and providing evidence in the Green Infrastructure Statement that the step-wise approach has been followed, a scheme of enhancements must be provided to ensure a net benefit for biodiversity. Where biodiversity enhancement proportionate to the scale and nature of the development is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise, it will be necessary to refuse permission.....

6.4.15 (2). When all locational, siting and design options for avoiding damage to biodiversity have been exhausted, applicants, in discussion with planning authorities, must seek to minimise the initial impact on biodiversity and ecosystems.....

6.4.15 (5). Each stage of the step-wise approach must be accompanied by a long term management plan of agreed and appropriate avoidance, minimisation, mitigation/restoration and compensation measures alongside the agreed enhancement measures. The management plan should set out the immediate and on-going management of the site, future monitoring arrangements for all secured measures and it should clearly identify the funding mechanisms in place to meet the management plan objectives. The management plan must set out how a net benefit for biodiversity will be achieved within as short a time as possible and be locally responsive and relevant to local circumstances.

6.4.15 (6) Finally, where the adverse effect on biodiversity and ecosystem resilience clearly outweighs other material considerations, the development should be refused.

6.4.16 Potential applicants should not conduct any pre-emptive site clearance works before submitting a planning application as this can make it more difficult for a development proposal to secure a net benefit for biodiversity. Where a site has been cleared prior to development its biodiversity value should be deemed to have been as it was before any site investigations or clearance took place. A net benefit for biodiversity must be achieved from that point.

6.4.31 Although non-statutory designations do not have a statutory process for their protection, Sites of Importance for Nature Conservation, Local Wildlife Sites, Local Nature Reserves, and Regionally Importance Geodiversity Sites make a vital contribution to delivering an ecological network for biodiversity and resilient ecosystems, and they should be given protection in development plans and the development management process. Non-statutory sites can form the core of a vital network of threatened habitats, play an essential role in protecting, maintaining, connecting and restoring biodiversity and contribute to nature recovery and a net benefit for biodiversity. Before authorising development likely to damage a local wildlife designation, planning authorities should give notice of the proposed operation to the local authority Ecologist and third sector environmental organisations. In all cases a written opinion must be secured from the local authority Ecologist.....

6.4.35 The presence of a species protected under European or UK legislation, or under Section 7 of the Environment (Wales) Act 2016 is a material consideration when a planning authority is

considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat and to ensure that the range and population of the species is sustained.

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

6.4.43 Ancient woodland, semi-natural woodlands, individual ancient, veteran and heritage trees and ancient hedgerows are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees, woodlands and hedgerows are to be afforded protection from development which would result in their loss or deterioration unless very exceptionally there are significant and clearly defined public benefits; this protection must prevent potentially damaging operations and their unnecessary loss.....

6.8.1 There is a need to balance the provision of lighting to enhance safety and security to help in the prevention of crime and to allow activities like sport and recreation to take place with the need to:

- protect the natural and historic environment including wildlife and features of the natural environment such as tranquillity;

PLANNING POLICY WALES SEPTEMBER 2009 (TECHNICAL ADVICE NOTE 5: NATURE CONSERVATION AND PLANNING)

Section 6.2.1 – the presence of a protected species is a material consideration when a local planning authority is considering a development proposal, that, if carried out, would be likely to result in disturbance or harm to the species or its habitat.

Section 6.2.2 – It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted.

ENVIRONMENT (WALES) ACT 2016 - THE BIODIVERSITY AND RESILIENCE OF ECOSYSTEMS DUTY

The Environment (Wales) Act became law on 21st March 2016 and replaces the Natural Environment and Rural Communities Act 2006. It puts in place legislation to enable Wales' resources to be managed in a more proactive, sustainable and joined up manner and to form part of the legislative framework necessary to tackle climate change. The Act supports the

Welsh Governments wider remit under the Well-Being of Future Generations (Wales) Act 2015 so that Wales may benefit from a prosperous economy, a healthy and resilient environment and vibrant, cohesive communities. Caerphilly County Borough Council as a public body has obligations under section 6 of the Environment (Wales) Act 2016 to demonstrate how the Local Authority will “*seek to maintain and enhance biodiversity in the proper exercise of their functions and in doing so promote the resilience of ecosystems*”.

The intention is to ensure that in carrying out their functions, public authorities will:

- *Place biodiversity as a natural and integral part of policy and decision making within public bodies, embedding it in its plans, policies and projects and day-to-day activities*
- *Address biodiversity decline through positive actions that will result in maintenance or enhancement of our biodiversity*
- *Develop ecosystem resilience through maintaining and enhancing biodiversity*

The reporting associated with the Section 6 duty will report against the 6 NRAP objectives (see section on Nature Recovery Plan, below)

A resilient ecosystem is one that is healthy and functions in a way that is able to address the pressures and demands that are placed on it, and is able to meet current social, economic and environmental needs whilst being able to also provide the same benefits for future generation. A resilient ecosystem is the cornerstone of the “Resilient Wales” goal in the Well-Being of Future Generations Act.

BUILDING WITH NATURE

Applicants should consider standards for development design “Building with Nature” which can be found at www.Buildingwithnature.org.uk

CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017

The Conservation of Habitats and Species Regulations 2017 known as the “Habitats Regulations” transpose the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Habitats Directive) into UK law. The Directive is the means by which the European Union meets its obligations under the [Bern Convention](#). The most vulnerable and rarest of species are afforded protection under this legislation. The species listed on Schedule 2 of the Habitats Regulations are termed “European Protected Species” and are afforded the highest levels of protection and command strict licensing requirements for any works which may affect them. The species include all British bats, Otter, Dormouse and Great Crested Newt. They are fully protected against disturbance, killing, injury or taking. In addition, any site regarded as their “breeding site or resting place” is also protected. It is generally regarded that the site is protected whether the animals are present or not.

The Habitats Regulations clearly outline the role of Planning Authorities in the implementation of the Habitats and Birds Directives; by stating [Section 10]

10.—(1)a competent authority must take such steps in the exercise of their functions as they consider appropriate to secure the objective in paragraph (3), so far as lies within their powers.

(3) The objective is the preservation, maintenance and re-establishment of a sufficient diversity and area of habitat for wild birds in the United Kingdom, including by means of the upkeep, management and creation of such habitat, as appropriate, having regard to the requirements of Article 2 of the new Wild Birds Directive (measures to maintain the population of bird species).

Habitats Regulations Licensing

Where works will affect a EPS, then a derogation (licence) may be required and would need to be obtained prior to undertaking the works. The licence can only be issued if the “3 tests” are satisfied, these are:

- Test 1 – *the purposes of “preserving public health or safety, or for reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment”.*
- Test 2 – *there must be “no satisfactory alternative”; and*
- Test 3 – *the derogation is “not detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”.*

Licences are issued by Natural Resources Wales (NRW), with NRW assessing Test 3, and the Local Planning Authority assessing tests 1 & 2 (where proposals are not subject to planning, then NRW alone will assess all three tests). Where Planning regulations apply, the NRW will only issue a licence after determination of the planning application. The 3 tests must also be assessed at the planning determination stage.

WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED)

The WCA protects the UK’s most vulnerable and rare species as outlined below.

Section 1 – breeding birds. The basic protection afforded to all birds is:

- *Protection from killing, injury or taking of any wild bird*
- *Protection from taking, damaging or destroying the nest of any wild bird*
- *Protection from taking or destroying the egg of any wild bird*

Birds listed on Schedule 1 of the Act are afforded extra levels of protection:

- *Disturbance whilst nest building,*
- *Whilst at or near a nest with eggs or young,*
- *Disturbing the dependant young of such a bird.*

There are exemptions from this basic protection for, for example: sale, control of pest species and sporting eg. game birds outside of the close season; development is not considered an exemption.

Section 9 (Schedule 5) - protected animals (other than birds)

All animals listed on Schedule 5 are protected against killing, injury or taking. Any structure/place used for shelter or protection is protected against damage, destruction or

obstructing access to. It is also an offence to disturb an animal whilst using such a structure / place. Some species such as the more widespread species of reptiles (slow worm, common lizard, adder and grass snake) are afforded “Part Protection” meaning that only some of the protection outlined above applies – eg the animals may be protected from killing/injury, but not their structure used for shelter/protection.

Section 13 (Schedule 8) – protected plants.

Protected plants are protected from: being picked, uprooted or destroyed, sale and advertising for sale.

THE PROTECTION OF BADGERS ACT 1992

Badgers are protected from killing, injury and taking; or attempting to kill, injure or take. Badger setts are also afforded protection and it is an offence to:

- *Damage a badger sett or any part of it*
- *Destroy a badger sett*
- *Obstruct access to any entrance of a badger sett*
- *Disturb a badger when it is occupying a badger sett*

Development which will destroy or disturb a badger sett (within 30m) is subject to licensing; by NRW.

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE: 21 MAY 2026

| | |
|--|-------------------------------------|
| Application No.: 2022/00197/FUL | Case Officer: Angharad Hobbs |
| <p>Location: Pwll Y Darren Farm, Whitefields Farm Lane, Welsh St. Donats</p> <p>Proposal: Retrospective and proposed reprofiling of land, the proposed erection of farm buildings and associated works (Site 1), and rationalisation of associated yard (Site 6)</p> | |

From: Agent, GJ Planning

Summary of Comments:

- The Officer's Report refers to a timescale within paragraph (ii) of the Unilateral Undertaking refers to a 3 month timeframe, however, this should be removed / amended in line with all other points.

Officer Response:

- The comment is noted and this is an error on the report. The timeframes are to be agreed at a later date and as such, this should be amended to 'x'.

Action required:

No further action is required but Committee should note that the timeframe in paragraph (ii) should be 'x'.

From: [REDACTED]
Sent: 15 May 2026 16:30
To: Butler, Stephen; Hobbs, Angharad
Cc: [REDACTED]
Subject: RE: Planning Application 2022/00197/FUL - Pwll Y Darren Farm, Whitefields Farm Lane, Welsh St. Donats
Attachments: Pwll y Darren Site 1 Committee Report.pdf

Hi Both,

We've seen that the committee report has been published. We've therefore undertaken a review of this and have noted that the wording of Point 2 of the Unilateral Undertaking / S106 Agreement still references "3 months".

I'm sure this is just an overhang given our discussions on this. Nevertheless we felt it necessary to make you aware of this and ask that this is please removed/changed so that it is in line all the other points which reference "x months".

If you can confirm your position re the above, and report this change at meeting, it would be appreciated.

Thanks,

Osian

.....

Point (ii)

(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.

.....



Osian John

Principal Planner (Team Leader) &
 Finance
 GJP

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MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE: 21 MAY 2026

| | |
|--|-------------------------------------|
| Application No.: 2022/00197/FUL | Case Officer: Angharad Hobbs |
| <p>Location: Pwll Y Darren Farm, Whitefields Farm Lane, Welsh St. Donats</p> <p>Proposal: Retrospective and proposed reprofiling of land, the proposed erection of farm buildings and associated works (Site 1), and rationalisation of associated yard (Site 6)</p> | |

From: Welsh St Donats Community Council

Summary of Comments:

- Concerned that comments had been submitted for the application but may be added to an incorrect planning reference number.

Officer Response:

- Officer responded to the CC to confirm that comments had been received 23 April 2026 and are included within the Officer's Report. The comments had been received using a residential address and as such, had not automatically been exported to the website.

Action required:

No action required.

From: [REDACTED]
Sent: 15 May 2026 08:52
To: Planning
Cc: Welsh St Donats CC
Subject: 2022/00197/FUL

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,
I think the comments I submitted for 00197 might now be sitting erroneously under the digestate lagoon PAC as per the reference **2026/00003/PAC**

Please can you ensure that the Council comments sent in for 00197 are correctly displayed under the 2022/00197/FUL planning application reference ?

Kind regards,

Cathy

Catherine (Cathy) Kennedy
Clerk to the Council/Responsible Financial Officer
CiLCA, FiLCA, PiALC
Welsh St Donats Community Council

Please note the Clerk works part time and will respond to your email asap.

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 21 MAY 2026

| | |
|--|-------------------------------------|
| Application No.: 2025/00973/FUL | Case Officer: Angharad Hobbs |
| Location: Vale Car Sales, Leckwith Road, Llandough, Penarth | |
| Proposal: Proposed development of 30 affordable flats, access, parking, landscape planting, and associated works. | |

From: Agent, LRM Planning. Emails dated 14th and 18th May, 2026

Summary of Comments:

- 35 conditions are recommended, which is considered excessive for a scheme of this scale. PEDW advise that the number of conditions imposed should be kept to the minimum necessary.
- The agent suggested the following:
- Removal of condition number 5 for levels as levels are controlled by SAB approval
- They also stated that amended plans could be provided in relation to condition number 6 (boundary details) and added that a trigger had not been provided.
- It was stated that condition number 7 (retaining structures) should be removed as there are no retaining structures.
- Condition number 9 seeks details of bin store and the agent noted that this would be one of the final elements to be constructed and therefore requested that this is amended to a pre-occupation condition.
- Removal of condition number 10 as this would be covered by Highway agreements and should not be duplicated
- Condition number 11 could be removed as the proposed development would accord with the approved plans of condition 2
- Condition numbers 14 and 15 for a condition survey along an agreed haulage route is considered onerous for a scheme of this scale and it is also noted that Leckwith

Road is a heavily trafficked route. They therefore recommended amending the condition to provide a survey along the frontage of the site.

- Condition number 17 should be amended to remove reference to demolition.
- Condition 19 and 20 is no longer relevant as demolition has been undertaken and the fuel tanks have been removed from the site. The agent stated that the developer is in the process of remediating the site in accordance with a strategy.
- Condition number 21 is recommended to be amended given that the agent has recommended the removal of conditions number 19 and 20. The recommended condition would remove references to the approval of a scheme by the LPA.
- Condition number 26 is not required as remediation is underway.
- Condition number 27 should be removed as it is covered by condition number 21.
- Queried whether the LEMP condition was necessary given that condition 32 secures a landscape management plan. It was also stated that a LEMP was excessive for a scheme of this scale given the limited biodiversity value.

Officer Response:

In light of the comments raised on the specific conditions, the following is noted:

- Condition number 5 seeks details of levels and is a standard condition on many planning applications. SAB approval is considered separate to planning and as such, the Planning Authority still recommend the addition of this condition.
- Comments relating to a trigger on condition number 6 are noted and it is recommended that the condition is amended to include a trigger for submission. In addition, with regards to condition 7, there is a retaining structure shown on the plans and as such, the condition shall remain, however, it is recommended that this is amalgamated with condition number 6. Please see below.
- Comments relating to condition number 9 are noted, however, the Planning Authority consider a pre-occupation trigger too late to assess such details. However, it is recommended that the trigger is amended to prior to construction of the flats to allow some works to commence. Please see below.
- Comments relating to condition number 10 are noted, however, it is considered that this condition is needed to ensure that the TRO etc. is delivered as the LPA cannot enforce compliance with separate legislation. However, it is recommended that the trigger is amended. Please see below.
- Comments relating to condition number 11 are noted. However, the condition is considered necessary to ensure that the parking is provided. Whilst the parking is included within the approved plans, this approves layout etc. and as such, condition 11 ensures that the parking is provided so as to ensure no detrimental impact on highway safety.
- Comments relating to conditions 14 and 15 are noted. However, the conditions are often included on such schemes and are considered necessary for the benefit of highway safety. Whilst the recommended amendment has been considered, it is considered that the agreed route for surveying would need to be agreed with the

Highways Authority and as such, the recommended change will not be made in this instance. The conditions shall therefore remain.

- It is agreed that the reference to demolition can be removed from condition number 17.
- Comments regarding removal of conditions 19 and 20 are noted, however, whilst it is noted that the tanks have been removed, this does not, in the Authority's view, mean that contamination is not present. The conditions are therefore to remain.
- Comments regarding condition 21 are noted, however, as aforementioned, the Authority do not recommend removal of conditions 19 and 20 and as such, this condition shall remain. It is however noted that there is an error in reference to the condition and as such, an amendment is sought – please see below.
- Comments relating to condition number 26 are noted, however, as aforementioned, the Authority consider the condition is still needed as per the above.
- Comments relating to condition number 27 are noted. Whilst it is noted that there may be some overlaps between the contamination conditions, the Authority conditions differ slightly to those of NRW and as such, it is recommended that the conditions remain so as to ensure clarity.
- Comments relating to condition number 33 are noted, however, the condition relates to biodiversity enhancement and as such, the condition is considered necessary.

Action required:

Amended condition 6 and removal of condition 7 (albeit amalgamated into condition 6):

It is recommended that condition 7 is deleted and is included within the detail of condition number 6. The recommended condition is as follows:

6. Notwithstanding the submitted details, prior to their construction, all means of enclosure and retaining structures 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.

Amended condition 9

It is recommended that the wording is amended as follows:

9. Notwithstanding the submitted details, prior to construction of the dwellings, full details of the proposed bin store(s) shall be submitted to and approved in writing by the Local Planning Authority. The development 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.

Amended condition 10

It is recommended that the wording is amended as follows:

10. Notwithstanding the submitted plans and details, no construction 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.

Amended condition 17

Condition number 17 to be amended. The current condition is worded as follows:

It is recommended that the wording is amended as follows:

17. No development shall commence, 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 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.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.

Amended condition 21

It is recommended that the condition is amended as follows:

21. The remediation scheme approved by condition 20 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.

It should be noted that the aforementioned changes to condition may result in an alteration of the numbering.

[REDACTED]

From: [REDACTED]
Sent: 14 May 2026 17:15
To: Butler, Stephen; Hobbs, Angharad
Cc: Steffan Harries
Subject: RE: 2025/00973/FUL Vale Car Sales
Attachments: 260521 Vale Car Sales Conditions.docx

Hi Angharad,

I was pleased to read the committee report and the host of no objections from statutory consultees online, thanks for your efforts in getting it to committee this month.

In reviewing the report I note that 35 conditions are recommended, which I believe to be excessive for a scheme of this scale, especially noting that PEDW advise that the number of conditions imposed through a planning permission should be kept to the minimum necessary to ensure good quality sustainable development. To reduce these, I have attached some suggestions and summarised these below, and would welcome your thoughts:

- Condition 10 could be removed as it would be covered by the Highway agreements, and planning conditions should not duplicate controls that are already managed under other legislation.
- Similarly, condition 11 could be removed as the proposed development will accord with the approved plans by virtue of condition 2.
- Conditions 26 and 27 essentially repeat conditions 19 and 20, therefore could these be removed.
- Is a LEMP necessary (condition 33) given that condition 32 secures a landscape management plan.

Also, a number of conditions refer to demolition which has already been agreed via the prior approval, so I have suggested that these references are removed for the avoidance of doubt. Finally, no timeframe is provided for conditions 6 and 7.

Trust this is clear and if you have any queries, please let me know.

Cofion cynnes | Kind regards,



RHYS JONES MRTPI
PRINCIPAL PLANNER

[REDACTED]
22 Cathedral Road, Cardiff, CF11 9LJ

REGISTERED ADDRESS: 22 Cathedral Road, Cardiff, CF11 9LJ

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[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 18 May 2026 13:30
To: Butler, Stephen
Cc: [REDACTED]
Subject: RE: 2025/00973/FUL Vale Car Sales
Attachments: 260521 Vale Car Sales Conditions Comments.docx; 260521 Vale Car Sales Suggested Conditions.docx

Hi both,

To inform your discussion today, I have provided comments on the conditions in the attached document, and prepared a separate document with a consolidated list of conditions, if the suggestions are acceptable.

The architect can prepare a boundary treatment drawing and detail the bird box locations on the elevations prior to committee so that they can be listed as an approved plan instead of needing further discharge.

Additionally, it should be noted that remediation works are underway and the fuel tanks have been removed from site under supervision from Integral Geotechnique, therefore I have suggested amendments to the contamination conditions to reflect the current state of the site.

Hope this is helpful and I would welcome your thoughts.

Cofion cynnes | Kind regards,



RHYS JONES MRTPI
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[REDACTED]

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.

Commented [RJ1]: Condition can be removed as the site levels are controlled by the SAB approval.

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.

Commented [RJ2]: Add elevation detail of the boundary treatment on a separate plan so that it can form part of the approved documents, and the condition removed.

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.

Commented [RJ3]: Condition should be removed as there are no retaining walls on site.

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, **prior to occupation of the dwellings, full details of the proposed bin store(s) hereby approved other than demolition, no construction works shall take place until there has been shall be 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.

Commented [RJ4]: The bin store will be one of the final elements constructed on site therefore it is logical for it to be a pre-occupation condition.

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.

Commented [RJ5]: Planning conditions should not duplicate controls that are already managed under other legislation, and as a minimum the condition should not restrict a start on site.

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.

Commented [RJ6]: Proposed development will accord with the approved plans by virtue of condition 2.

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 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.

Commented [RJ7]: Conditions considered onerous for a scheme of this scale. Leckwith Road is heavily trafficked and it is unreasonable to place the burden of maintaining this road on the developer given the limited movement of construction vehicles.

If Highways are insistent on a condition, the scope should be agreed to the length of the site frontage where vehicles would be turning in and out of the site. As such the following wording is suggested:

14. The Highway Authority will require at the developers expense to carry out prior to commencing any works a Condition Survey along the site frontage which shall be undertaken by a suitably qualified and experienced independent Highway Maintenance Consultant to be approved by the Local Highway / Planning Authority.

15. The Highway Authority will require at the developers expense a Second Condition Survey along the site frontage to be undertaken by the approved independent Highway Maintenance Consultant on completion of the last property or such time that the Highway Authority instruct. Any remedial works identified along the haulage routes considered necessary will be required to be carried out at the developers expense.

- 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 LAmaxfast 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.~~

Commented [RJ8]: These conditions are not relevant as demolition has been undertaken and the fuel tanks have been removed from site under the necessary precautions agreed with Integral Geotechnique.

The developer are in the process of remediating the site in accordance with a strategy produced by Integral.

Commented [RJ9]: Linked to the above. Given that the remediation is underway the wording should be amended. This still provides the Authority comfort and control that works there will be no risks from contamination on site.

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.

Commented [RJ10]: Condition should be removed by virtue of remediation already being underway.

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.

Commented [RJ11]: Condition should be removed as it is covered by condition 21.

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.

Commented [RJ12]: Landscape Management Plan is secured by the condition above. A LEMP is excessive for a scheme of this scale on a site with limited biodiversity value.

Commented [RJ13]: Elevations have been updated to show the locations of the bird boxes and this condition can be removed.

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE: 21 MAY 2026

| | |
|--|-------------------------------------|
| Application No.: 2025/00973/FUL | Case Officer: Angharad Hobbs |
| Location: Vale Car Sales, Leckwith Road, Llandough, Penarth | |
| Proposal: Proposed development of 30 affordable flats, access, parking, landscape planting, and associated works. | |

From: Agent, LRM Planning, email dated 19th May 2026

Summary of Comments:

- Happy to accept suggested amendments to conditions.
- Amended elevation plans submitted in relation to conditions 6 (boundary treatments) and 35 (biodiversity enhancements).
- An update of works on site has also been provided. To summarise, service disconnection and demolition works have been completed. When grubbing up foundations, the fuel tanks were located and a specialist contractor has been instructed to remove any remaining material within the tanks. Further testing will be carried out.

Officer Response:

- Comments regarding amendments to conditions are noted and these have been addressed in another matters arising note.
- Whilst amended plans are noted, it is not considered suitable to accept these amendments at short notice and as such, conditions 6 and 35 remain.
- Comments regarding work to date is noted.

Action required:

No further action required.

[REDACTED]

From: [REDACTED]
Sent: 19 May 2026 12:00
To: Hobbs, Angharad; Butler, Stephen
Cc: [REDACTED]
Subject: RE: 2025/00973/FUL Vale Car Sales
Attachments: A019 Boundary details sheet 2 (-).pdf; A012 Block 3 - Elevations (D).pdf; A010 Block 2 - Elevations (E).pdf; A018 Boundary details sheet 1 (-).pdf; A014 Block 4 - Elevations (D).pdf; A008 Block 1 - Elevations (E).pdf; A003 Proposed site plan (K).pdf

Hi Angharad,

Thanks for reviewing the conditions, and we are happy to accept the suggested amendments noting that there is little time before committee to consider further. However, I have attached updated elevations which show the locations of four bird boxes as well as details of the boundary treatment to avoid the need for conditions 6 and 35.

In terms of the works that have been undertaken on site:

Service disconnection and demolition work, as approved, have been complete on the site including grubbing up the existing slabs and foundations for the former buildings.

When grubbing up of the foundations, the contractor located the fuel tanks. They have instructed a specialist contractor to remove any remaining material within the tanks, and have appointed Integral Geotechnique (IG) to carry out laboratory chemical testing for hydrocarbons and to prepare a tank removal validation report.

The works undertaken, together with the IG validation report, should provide sufficient evidence to satisfy the authority that the site has been appropriately remediated in relation to the risks associated with the former fuel tanks.

If you need anything else from us, please let me know and I would be happy to help.

Cofion cynnes | Kind regards,



RHYS JONES MRTPI
PRINCIPAL PLANNER

[REDACTED]
22 Cathedral Road, Cardiff, CF11 9LJ

REGISTERED ADDRESS: 22 Cathedral Road, Cardiff, CF11 9LJ

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[REDACTED]

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 21 MAY 2026

| | |
|--|---|
| Application No.: 2026/00056/FUL | Case Officer: Mr. Robert Lankshear |
| Location: Land to the south of Hayeswood Road, Barry | |
| Proposal: Full planning application for proposed residential development and associated works | |

From: Planning Agents (Dylan Green and Llinos Hallett)

Summary of Comments:

Construction Environment Management Plan and Construction Traffic Management Plan have been submitted to remove the requirement for conditions 15 & 16 to be attached to any permission.

Amended landscaping plan and specification for the flood attenuation basin submitted, following concern over previous tree species within the attenuation basin causing stability issues with the embankment of the SuDS feature.

Officer Response:

Following confirmation from relevant consultees (highways and Natural Resources Wales) officers are satisfied that the details are acceptable to accord with the requirement of proposed conditions 15 and 16, that required these details to be submitted prior to the commencement of development at the site. As such it is considered that the documents should be added to the approved documents list and that conditions 15 and 16 can be removed and the relevant documents be added as approved documents within condition 2, requiring compliance.

The amended landscaping scheme retains a commensurate amount of trees and of a good quality, that would not diminish the landscaping scheme proposed and as such this is

considered to be acceptable. As such it is proposed to further amend conditions 2 and 10 to reflect the amended landscaping proposals and specification.

Action required:

Amend conditions 2 as follows:

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 A25051-01B 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/24Preliminary Ecological Appraisal prepared by David Clements Ecology dated December 2024Written Scheme of Investigation - Archaeological Monitoring and Recording prepared by EDP ref: edp9383_r001a

Reptile Mitigation Strategy dated 17 March 2026Landscape 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

Construction Environmental & Traffic Management Plan (CEMP & CTMP) prepared by Lovell dated May 2026

Planting Plan L201 Rev A and Landscape Specification L301 Rev A received 19 May 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.

Amend condition 10 as follows:

10. The landscaping shall be provided in accordance with the approved details Landscape Strategy L100; Planting Plan L200 ~~and L201~~; Landscape Specification L300 ~~and L301~~ received 21 April 2026 and **Planting Plan L201 Rev A and Landscape Specification**

L301A received 19 May 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.

Delete conditions 15 & 16

~~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/haulage 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.~~

From: [REDACTED]
Sent: 19 May 2026 11:33
To: Lankshear, Robert
Cc: [REDACTED]
Subject: 2026/00056/FUL - Land to the south of Hayeswood Road, Barry
Attachments: TC25323 L301 Specification 2 of 2 (15.05.2026) Rev A.pdf; TC25323 L201 Planting Plan 2 of 2 (15.05.2026) Rev A.pdf; Hayeswood CEMP/CTMP

Good morning Rob,

We have been in discussions with Gareth Thelwell-Davies on the SAB application for Hayeswood Road and have been asked to look into substituting the trees within the bank of the detention basin with smaller growing tree species – Gareth was worried that the position of the larger growing tree species near the top of bank could result in root encroachment into the embankment over time, which has the potential to affect the ability to maintain the designed profile.

In order to address this as part of the planning application (rather than having to formally amend down the line) could you please accept the attached L201 and L301 plans as late representation to the application and present this to committee on Thursday? This will require Condition 2 to specify the new date of submission (with all other landscape plans kept to *'received 21 April 2026'*)

The proposed changes to Drawing L201 is noted below. For drawing L301, it is the plant schedule that's been updated.

Gareth has already accepted this amendment and has confirmed that he is drafting the approval with the intention of issuing this out within the next couple of days.

| Drawing ref | Previous proposal | Previous tree species |
|-------------|-------------------|-----------------------|
| | | |

L201



- QUECE - Quercus cerris
- PYR CHA Pyrus calleryan 'Chanticle'
- B pe – Betula pendula
- A pl 'C K' Acer platanoic 'Crimson King'

Also, would it be possible to amend the trigger for Conditions 15 (CEMP) and 16 (CTMP) to a compliance condition given that James Aitken (Highways), Erica Dixon (Ecology) and Sarah Lund (NRW) have reviewed the updated report and confirmed no issues. I've re-attached Llinos' email which includes the final version.

If you could confirm asap on the above that would be great. Thanks.

Kind regards,

Dylan Green – Associate 

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Cardiff | Swansea

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Think before you print

MATTERS ARISING FOR COMMITTEE**COMMITTEE DATE : 21 MAY 2026**

| | |
|--|---|
| Application No.: 2026/00056/FUL | Case Officer: Mr. Robert Lankshear |
| Location: Land to the south of Hayeswood Road, Barry | |
| Proposal: Full planning application for proposed residential development and associated works | |

From: Ed Stradling, Hayes Point

Summary of Comments:

Concerns with regard to the impact of the development upon adjacent TPO woodland that is also designated as ancient woodland, and the need for suitable buffer zones, indicating that the Council's own Trees, Woodlands, Hedgerows and Development SPG requires that a ecotone transition area be provided of 15 metres, including to the area adjacent to the ancient woodland. Also concern raised with regard to potential pruning pressure from the introduction of development to the north of the adjacent woodland area.

Officer Response:

In the first instance, members are advised that the site layout overlaid on the submitted representation is not the layout currently before members for consideration nor is it possible

to confirm the veracity of its relationship with the woodland. For example, the units circled red on the plan below are not part of the current proposals:



Nevertheless, the application is supported by an arboricultural report and tree protection plan that consider the impacts of the development upon the adjacent woodland. This details that no trees would need to be removed to facilitate development and provides additional areas in terms of root protection areas for the adjacent woodland and tree protection measures to be facilitated during the construction of development. The site layout and green infrastructure statement detail where ecotone planting is due to be installed adjacent to the woodland. Officers consider that the application is supported by a robust and proportionate green infrastructure strategy. It is acknowledged that the ecotone varies in width along the woodland edge but seeks to provide wider areas of offset from development adjacent to the ancient woodland to the south-west of the site. As such whilst noting the provisions of the Council's SPG guidance quoted by the interested party, it is considered that sufficient detail has been provided to demonstrate that any reduction in the suggested default width would allow for the development and woodland to co-exist harmoniously, whilst delivering much needed affordable homes.

In terms of potential pressure for future works to the trees, owing to the maintained separation, orientation and internal configuration of units and that the units adjacent to the southern edge would be served by larger shared amenity spaces, it is considered that the proposals would not place unwarranted pressure for works to the trees in the future, or to an extent that would warrant refusal of planning permission.

Action required:

Members to note.

SUBMISSIONS ON THE PROPOSED DEVELOPMENT AT HAYES LANE

The proposed Hayes Lane site is adjacent (to the north) of a strip of woodland, which surrounds part of the Hayes Point development (see image VOG_01 below).



The proposals would see 22 separate buildings and various connecting roads and paths built on the development site (see image VOG_02 below) including new landscaping right up next to the fence at the edge of the woodland.



Part of the Hayes Point woodlands are designated as “Ancient Woodlands” and parts are also subject to a Woodland Tree Protection Order (TPO), which means that all of the trees within the area are protected. The TPO boundaries can be seen in white in the image VOG_04 below.



Woodland of this kind, and the habitat where it adjoins the grassland is highly sensitive and without suitable buffer zones, is susceptible to significant damage throughout the development.

As can be seen from VOG_04 above, there are several mature trees outside of the TPO area, including one very mature tree of at least 75 years of age, whose position is marked with a yellow dot in the above image. The construction of one of the proposed buildings would almost certainly destroy the root system of this tree.

It is doubtless for this reason that the Vale of Glamorgan’s [planning guidelines](#) (section 11) specify that an ‘ecotone’ transitional area of **at least 15 metres** must be observed between trees at the edge of the woodland, and any “new landscaping”. This includes buildings, roads, pathways, and new garden areas.

The council will doubtless argue that the ecotone regulations only apply to that proportion of the woodland which is designated as “ancient woodland” – which not all of it is. However, the VOG’s own planning guidelines (link above) are very clear. **The woodlands do not need to be classified as “ancient woodland” or subject to a TPO in order for the above to apply.**

Therefore, any road, pathway, building or garden area needs to be 15 metres from the edge of the woodland. Image VOG_06 below shows a pink line, representing this 15 metre ecotone. ***Any new landscaping (including roads and gardens) which falls within the pink areas is in clear breach of the VOG’s own planning guidelines.***



The VOG may decide to ignore their own guidelines and argue that, as long as the new landscaping is 15 metres away from the “ancient woodland” border, then it is eligible, irrespective of their own guidelines, and regardless of the destructive impact it will undoubtedly have on many trees outside of the ancient woodland or TPO designation, including trees that are 75-100 years old.

But even if we ignore the VOG’s guidelines, and only concentrate on the trees inside the “ancient woodland” area, these plans are still unlawful. Image VOG_03 below shows the area designated as “ancient woodland”.



Image VOG_07 below shows a 15 metre perimeter (turquoise) from this “ancient woodland” area. As can clearly be seen, *the new landscaping on the west side of the proposed development clearly encroaches into the 15 metre ecotone, and is therefore illegal.*



As noted earlier, whether the area is ancient woodland, or TPO protected or not, is rendered irrelevant by the VOG’s own planning guidelines, which are clear that the entire woodland area must be equally protected, regardless of whether it forms part of a TPO or an “ancient woodland” designation. **Therefore no new landscaping can be constructed within the pink area specified in image VOG6 above.**

I should add that the woodland lies to the south of the proposed properties, and would doubtless deprive these homes of natural light until the very late afternoon. So there is a real risk that there will be increased pressure from residents for heavy pruning or removal of these trees (many of which are subject to a Tree Preservation Order) and a significant risk that residents will take it upon themselves to damage trees in pursuit of increased light – which Hayes Point management could not prevent them from doing without implementing unaffordable security measures.

In summary, there is a compelling ecological case for the VOG proposals to be withdrawn, and re-drawn to include only buildings on the north side of the Hayes Lane grassland.

Ed Stradling, November 2025.