

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 18 JUNE 2026

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

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

Decision Codes:

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

(a) Building Regulation Applications - Pass

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

2026/0036/RG	A	Stable Cottage, Court Farm, Llansannor, Cowbridge. CF71 7RX	Single storey utility room extension and associated works
2026/0227/BN	A	81, Crompton Way, Ogmore By Sea. CF32 0QF	Partial conversion of attached double garage
2026/0228/BR	AC	7, Longmeadow Drive, Dinas Powys. CF64 4TA	Single storey extensions to front, rear & side, dormer to existing loft and relocation of stairs
2026/0230/BN	A	37, Crompton Way, Ogmore By Sea. CF32 0QF	Dormer loft conversion using the ecotrus system to create a habitable loft space
2026/0231/BN	A	The Garden Cottage, Court Drive, Llansannor, CF71 7RX	Re roofing of the existing conservatory from glazing to slate, to include horizontal cedar cladding to the roof gable's exterior
2026/0232/BR	AC	Westra Fawr Farm, Westra, Dinas Powys. CF64 4HA	Loft conversion with dormer

2026/0233/BN	A W	Harbour Winds, 83, South Road, Sully, Penarth. CF64 5SL	Front porch, balcony to front, front elevation change for new openings, rear single storey extension & internal alterations
2026/0234/BN	A	44, Burdons Close, Wenvoe. CF5 6FE	Removal of an internal wall which separates the kitchen from the garage to create an open living space. Works includes partial conversion of the internal garage to a living room
2026/0235/BN	A	Heathcliffe, St. Paul's Avenue, Barry. CF62 8HT	Knock through the kitchen wall to create open kitchen / dining area.
2026/0236/BR	AC	2, Burley Place, St. Athan. CF62 4LB	Internal alterations to form a 2 bed children's home
2026/0237/BN	A	15, Harbour Road, Barry. CF62 5SA	Take down chimney breast on ground floor and insert steel, take up existing floor and insulating, underfloor heating, install new steel for bi fold doors, raise 1 window and install new steel and re render back and partial side of property
2026/0238/BN	A	5, Plassey Street, Penarth. CF64 1EH	Rebuild of collapsed external wall
2026/0241/BN	A	Crofta, 61, Boverton Road, Llantwit Major. CF61 1YA	Single storey rear extension
2026/0242/BN	A	11, Castle Wood Road, Sully, Penarth. CF64 5WP	Construction of a single storey contemporary glazed extension to the rear
2026/0243/BN	A	Strone Cottage, Colwinston, Cowbridge. CF71 7NL	Integral garage conversion, single storey extension, internal alterations to include steelwork over kitchen/dining area, enlarged openings for bifold doors

2026/0245/BN	A	3, Robinswood Close, Penarth. CF64 3JG	Removing existing conservatory roof and replacing with equinox tiled roof
2026/0247/BN	A	2, Plas Glen Rosa, Penarth. CF64 1TS	Internal work new insulation in ceilings and floor voids, upgrade on the insulation on the walls, double board ceilings. New second fix carpentry new kitchen and bathroom.
2026/0250/BN	A W	46, Clos Yr Ysgol, Dinas Powys. CF64 4RJ	Detached single storey garden room
2026/0251/BR	AC	37, Drylla, Dinas Powys. CF64 4UL	Loft conversion with dormer
2026/0252/BN	A	14, Heol Gwerthyd, Barry. CF63 1HJ	External wall knock through to open up kitchen and rsj installation & door opened from hallway into garage
2026/0253/BR	AC	21, Heol Ger-y-felin, Llantwit Major. CF61 2XA	Two storey side extension and single storey rear extension
2026/0256/BR	AC	35, Le Sor Hill, Peterston Super Ely. CF5 6LW	2 storey extension and part single storey extension on ground floor
2026/0257/BN	A	141, Gladstone Road, Barry. CF62 8NB	3 steels for chimney removal, blocking up back door and opening up window to side to create door
2026/0258/BN	A	Old Plas (The Old Castle), Castle Street, Llantwit Major. CF61 1AP	Restoration and conversion of NE Service Wing
2026/0259/BN	A	32 Merlin Close, Penarth, CF64 5FW	Two storey front extension and drainage alterations only to existing outbuilding (no conversion)
2026/0262/BR	AC	6, Baron Road, Penarth, CF64 3UD	Single Storey extension to rear

2026/0264/BN	A	22 Le Sor Hill, Peterston Super Ely, Cardiff, CF5 6LW	Conversion of a detached outbuilding to include habitable room, kitchen area and toilet (no sleeping accommodation)
2026/0265/BN	A	Sully Constitutional Club, 90, South Road, Sully. CF64 5SL	Re Roof and new cladding to dormer
2026/0266/BN	A	17 St Ambrose Close, Dinas Powys, CF64 4TW	Demolish existing garage and replace with two storey side extension. Single storey rear extension
2026/0271/BN	A	11, Crossfield Road, Barry. CF62 7NL	Single storey extension
2026/0273/BN	A	20, Timbers Green, Llangan. CF35 5AZ	Supalite warm roof
2026/0275/BN	A	2, Morfa Cottage, Morfa Lane, Llantwit Major. CF61 2YT	Knock through
2026/0278/BN	A	2, Clevedon Avenue, Sully, Penarth. CF64 5SX	Re roof
2026/0279/BN	A	41, Regent Street, Barry. CF62 8DT	Knock through and install steel beams

(b) Building Regulation Applications - Reject

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

2026/0254/BN	R	REFUSED - 19, Clos Ffawyddden, Ystradowen, Cowbridge. CF71 7SE	REFUSED - Single Storey extension
2026/0255/BN	R	REFUSED - 13, Main Avenue, Peterston Super Ely. CF5 6LQ	REFUSED - 4 knockouts to create openings
2026/0263/BN	R	REFUSED - 8 Wye Close, Barry, CF62 7TF	REFUSED - Re Roof

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

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

2026/0087/AI	A	Maes Isha Farm, Wick, Cowbridge. CF71 7QP	Structural opening to form new doorway (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0088/AI	A	20, Ivy Street, Penarth. CF64 2TY	Proposed rear and side single storey extension works
2026/0089/AI	A	17, Craven Walk, Penarth. CF64 5RU	Rear dormer loft conversion to form habitable room, single storey rear extensions and garage conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0090/AI	A	91, Queens Road, Penarth. CF64 1DH	Removal of load bearing wall and insertion of new structural steelwork (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0091/AI	A	Pantylladron, St. Hilary, Cowbridge. CF71 7DP	New build dwelling
2026/0092/AI	A	14, Dingle Road, Penarth. CF64 2TW	Internal and external structural alterations and replacement roof structure to existing side extensions (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0093/AI	A	59 Byrd Crescent, Penarth, CF64 3QW	Part single/part two storey rear extension

2026/0094/AI	A	31 Bedlington Terrace, Barry, CF62 7JA	Single storey front/side extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0095/AI	A	Land west of Swanbridge Road, Penarth, CF64 5UF (Phase 2 Gwel yr ynys)	175 residential unit(s)
2026/0096/AI	R	REFUSED - 6, Stanton Way, Penarth. CF64 5RQ	REFUSED - Double storey rear extension with internal alterations
2026/0097/AI	A	74, Brookfield Avenue, Barry. CF63 1EQ	Replacement conservatory roof to existing dwelling
2026/0098/AI	A	The Bower, High Street, Llantwit Major. CF61 1SS	Structural alterations to enlarge existing opening and installation of by folding doors (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0099/AI	A	Hall 2, Renishaw, Miskin. CF72 8XY	Thermal element to roof
2026/0100/AI	A	8, Fforest View, Barry. CF62 6LW	Replacement glass roof to a supalite insulated roof with new upvc frames

(d) Section 32 Building Act, 1984

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

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

23/0221/BN
23/0233/BN

23/0137/BN
23/0270/BN
23/0271/BN
23/0275/BN
23/0352/BN
23/0321/BN
23/0348/BN
23/0189/BR
23/0272/BR

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **18 JUNE 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

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

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

Decision Codes

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

2021/00554/1/NMA	A	Paddocks, Ystradowen	Non Material Amendment - Instead of render and stone we would like to use render, brick and cladding. Planning permission ref: 2021/00554/FUL - Proposed integral garage/family room and first floor bedroom(s) extension
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2021/00643/1/NMA	A	Station House, 1 Station Terrace, Wenvoe	Non Material Amendment - Reduction in rear extension approved under 2021/00643/FUL: Demolition of existing garage, single storey extensions to side and rear. Conversion of attic space with dormer to rear
2023/00002/1/NMA	R	Land off Five Mile Lane, Bonvilston (Oaklands Solar Farm) (DNS 3245503)	Non Material Amendment - See covering letter for amendments of Planning Permission 2023/00002/DNS (3245503)
2023/00880/1/NMA	R	East House, Maendy	Non Material Amendment - Reduction in size of single storey extension on north face of property, and reduction and change in size and positioning of glazing on east elevation. Planning Approval 2023/00880/FUL: Two storey extension to East facing gable elevation and single storey extension to North facing elevation including demolition and rebuilding of more substantial conservatory on West facing elevation

2024/00356/1/NMA	R	Brookville, Trerhyngyll	<p>Non Material Amendment - An amendment to retain the existing porch on the front elevation and replace the existing window with the front door and associated side windows.</p> <ul style="list-style-type: none"> • Add stone cladding to the existing porch walls. • Glazing to the TV room. • Glazing to the utility. • Position of the bi-fold door opening on the rear elevation. • Replace all casement windows, with an adjustment to the arrangement of glazing panels within each. • Adjust capping detail to the approved extension at the rear. • Retain existing extension to the south of the rear elevation. • Adjustments to the internal layouts. For planning ref 2024/00356/FUL - Construction of retaining structure using gabion baskets, soil nails, mesh & shot crete face.
2024/00677/1/CD	A	Aberthaw North Quarry, Castle Road, Aberthaw	<p>Discharge of Condition 20. (Ecology Protection and Management Plan DRAFT for planning ref 2024/00677/FUL - Variation of Conditions 1, 15, and 16 of Planning Permission 2016/00551/FUL to allow for an amended restoration landform and drainage system</p>

2024/00911/FUL	A	3, Andover Close, Barry	Alter garden from the highest point to level it out and create a ramp in order to access the garden.
2024/01170/2/CD	A	St Annes, 20 Victoria Road, Penarth	Discharge of condition 6 (Downpipe and Hoppers). of planning permission - 2024/01170/LBC - Application to replace incorrect slates and ridge tiles to main roof and turret. Correct design of turret roof to show a swept sprocket eaves detail. New powder coated aluminium gutters and downpipes. Insulation added to existing roof.
2025/00502/FUL	R	47 Arcot Street, Penarth	Change of use of the coach house from C4 back to C3 as a separate single bedroom unit using the existing access off the rear lane which connects Salop Street to Chapel Lane.
2025/00509/RES	A	Land at Swanbridge Road, Sully - Phase 2	Reserved Matters (access, appearance, landscaping, layout and scale) for the erection of new homes and associated works pursuant to outline planning permission (ref. 2016/01520/OUT)
2025/00513/1/CD	A	Dunelm, Factory Road, Llanblethian, Cowbridge	Discharge of Condition 3: Details / Additional Details for 2025/00513/FUL - Proposed replacement kitchen and alterations including construction of disabled parking as approved 2024/01225/LAW

2025/00543/FUL	A	99 Windsor Road, Penarth	Proposed rear and side single storey extension and new dormer window to rear.
2025/00656/FUL	R	Pwll Y Darren Farm, Whitefields Farm Lane, Welsh St Donats	Creation of a lake on agricultural land.
2025/00745/1/CD	A	The Paddocks, Lane - Graig Penllyn To Penllyn Via Vistla Farm, Penllyn	Discharge of Condition 3 (Materials Details) of Planning Permission 2025/00745/FUL: Convert existing dormer bungalow to a two storey house. Proposals include a new porch, new rear extension and additional first floor accommodation above the garage
2025/00994/RG3	A	Ysgol Y Deri, Sully Road, Penarth	Variation of Condition 1 of Planning Approval 2025/00722/RG3: Relocated siting of a temporary modular building from its originally approved position.
2025/01016/FUL	A	16A Conybeare Road, Sully	Proposed 2 storey side extension and rear dormer loft conversion including a single storey rear extension
2025/01116/1/CD	A	Old Hall Gardens, High Street, Cowbridge	Discharge of Condition 4 (Watching Brief) of Planning Approval 2025/01116/FUL: Installation of a metal garden shed on a concrete slab with associated works
2025/01209/FUL	A	1 Vale View Close, Llandough, Penarth	First floor extension to rear. Ground Floor utility room extension to rear. New pitched roof to existing garage/new utility room

2025/01265/FUL	A	15, Plymouth Road, Penarth	Removing the existing single- glazed timber sashes to front bay and adjacent single side window on the ground floor which are severely deteriorated and draughty, installing new matching design upvc vertical sash windows within the same structural setting
2025/01295/FUL	A	Eden Cottage, Church Road, Llanblethian, Cowbridge	Solar shading awning structures and additional balcony to South Elevation and re-grading of garden levels
2026/00020/1/NMA	R	137 Plymouth Road, Penarth	Non Material Amendment - Reduce roof extension, remove Juliette balcony, reduce front gable glazing to Planning Approval 2026/00020/FUL: Proposed renovations and extensions (front, side and rear), changes to fenestration including Juliet balcony to front elevation and associated works.
2026/00021/FUL	A	28 Stallcourt Avenue, Llantwit Major	Construction of a single storey rear extension and associated raised decking area, and the addition of a new front entrance porch to the existing dwelling.
2026/00023/FUL	A	71 Burdons Close, Wenvoe	Single storey ground floor extension, attic conversion with flat roof dormer and part conversion of garage into gym. Removal of existing conservatory.

2026/00032/LAW	A	Veg Patch and Farm Yards at Pitcot Farm, Wick Road, St Brides Major	Proposed shipping container and polytunnel.
2026/00043/1/NMA	A	Farm Villa, Llantwit Road, Wick	Non Material Amendment - Addition of 3 No bedroom windows at first floor on the (side) elevation to Planning Approval 2026/00043/FUL: Demolition of the existing two-storey side extension. Demolition of the existing conservatory. Construction of a new two-storey side extension
2026/00091/LAW	A	Penarth Bowls Club, Rectory Road, Penarth	Installation of 21 Solar panels to the front north east facing roof slope, facing the bowling green
2026/00109/FUL	A	Tyn Y Coed, Ty Mawr Close, Ystradowen	Proposed demolition of existing single storey sunroom and replacement with larger single storey flat roof extension and construction of dormer to rear.
2026/00110/FUL	A	20 Ivy Street, Penarth	Ground floor rear and side extension
2026/00127/FUL	A	15 Purcell Road, Penarth	Demolition of existing porch extension to front elevation and construct new single storey front porch. Demolition of existing garage & garden shed to read of site and construction of new garage. Alterations to Internal layouts.
2026/00130/FUL	A	139 St David's Crescent, Penarth	Double storey side extension

2026/00162/FUL	A	Church Stone Cottage, Llanmaes	Erection of Oak framed Garden Room following removal of existing conservatory
2026/00181/FUL	A	6 Cwrt Edward, Barry	Build a garden room/office in the rear of the garden
2026/00185/FUL	A	12 Hollyrood Close, Barry	Demolition of existing conservatory at rear of house, to be replaced by a solid extension extending 5m from original rear elevation of house.
2026/00188/LAW	A	Robert Price Builders Merchants, Cardiff Road, Barry	Extension to existing industrial building.
2026/00195/FUL	A	1 Kymin Terrace, Penarth	Replace rear roof with Glendyne natural slates. Raise bottom edges of dormer windows and install new lead flashings. Double glazed units in the side of the window to be replaced. Fibreglass flat roof on the top of the dormer window to be replaced with a black EPDM rubber membrane.
2026/00199/FUL	A	The Gathering Place, Flemingston Road, St Athan	Flat pack outdoor storage container and greenhouse to sit on land at front of the gathering place by existing storage. Hidden from main road with existing trees.
2026/00200/FUL	A	5 Bron Awelon, Barry	Single storey side extension, internal remodelling, plus all associated works
2026/00201/FUL	A	3 Beech Park, Colwinston	Proposed single storey extension to create new bedroom and ensuite

2026/00209/FUL	A	12 Porlock Close, Ogmore By Sea	Installation of windowless, pent roof, wooden shed in rear garden along the Southern boundary
2026/00227/ADV	A	Business Service Centre, Hood Road, Barry	5 No. Signs
2026/00229/FUL	A	Cold Knap Sewage Pumping Station, Lakeside, Barry	Variation of Condition 1. (Approved Plans) on 2024/00499/FUL - to allow increase of one container from 20ft to 30ft, increase the space available for our welfare unit and members changing facilities
2026/00231/FUL	A	49, Pontypridd Road, Barry	Retrospective application for the retention and completion of a domestic outbuilding.
2026/00239/FUL	A	The Duchy, Church Close, Ogmore By Sea	Change of use of a garage to an annex dependent on the main dwelling.
2026/00246/FUL	A	11 Castle Wood Road, Sully	Construction of a contemporary glazed single storey extension to the rear of a double storey single occupancy residential property
2026/00254/FUL	R	24 Holton Rd, Barry	Change of use of derelict upper floors to two residential units

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **18 JUNE 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. TREES

(a) Delegated Powers

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

Decision Codes

A - Approved

R - Refused

E Split Decision

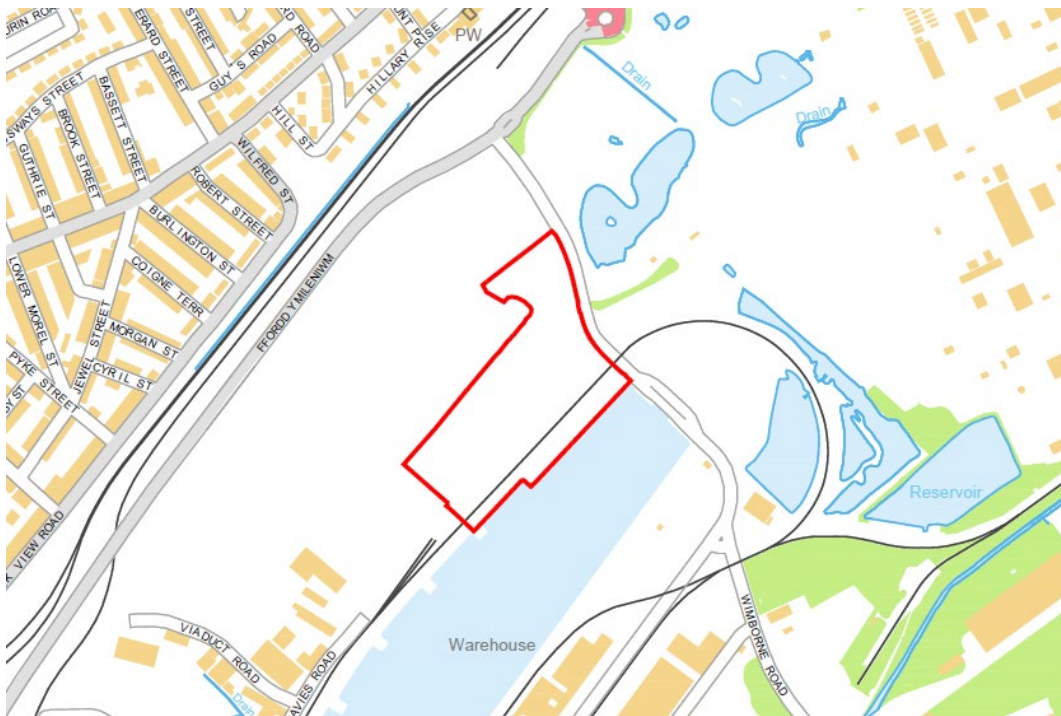
2025/01294/TPO	A	Monmouth House, Salisbury Close, Penarth	Work to Tree(s) covered by Tree Preservation Order No. 3 of 1985: T1 Lime, T2 Lime, T3 Oak, T4 Oak, T5 Oak, T6 Oak, T7 Oak, T8 Oak, T10 Oak, T11 Oak, T12 Field Maple, T13 Mature Ash, T14 Oak, T15 Oak, T16 Mature Oak, G2 Ash (only one Ash within the group of three is protected), G6 Oak (only one Oak within the group of two is protected)
2026/00202/TPO	A	3 Dros Y Mor, Penarth	Common Lime identified as 4935 in Tree Maintenance Ltd report work as noted against tree 4935 for pollarding not felling
2026/00230/TCA	A	48 Plymouth Road, Penarth	Birches x4 - Remove due to closeness to the building and neighbouring property. Yew - Reduce sides by 2-3m to bring back into shape and clear garden

2026/00238/TPO	A	Picketston House, Picketston	Works to Tree(s) covered by a Tree Preservation Order No 02 of 1984 - Yew tree (<i>Taxus baccata</i>) crown reduction.
2026/00257/TPO	A	The Pines, Wick Road, Ewenny	Work to Tree(s) covered by Tree Preservation Order 1991, No.1 (OGWR) - Tree 0199 - Corsican Pine - Remove all dead wood above 4cm diameter. Tree 0200 - Corsican Pine - Remove all dead wood above 4cm diameter and remove one low over extended branch over the highway and reduce lower and mid crown branches by a maximum of 2 metres on the north, south and west side of the crown.
2026/00264/TCA	A	56, Plymouth Road, Penarth	Work to Tree(s) in a Conservation Area : Carry out works as per the attached Survey
2026/00277/TCA	A	2 Kymin Terrace, Penarth	Remove laylandii fir tree to stump level in rear garden
2026/00284/TCA	A	1 Church Road, Penarth	Fell 1x Holly tree located next to garage
2026/00289/TCA	A	4 Victoria Avenue, Penarth (situated within the public highway)	Work to tree (situated within the public highway)
2026/00306/TCA	A	St Quentins Cottage, St Quentins Hill, Llanblethian, Cowbridge	2x Sugar Maples (T1 & T2): Reduce and shape to highest previous points
2026/00310/TCA	A	3 Castle Mews, Llanblethian, Cowbridge	Removal of Ash tree located next to the garage.

For Info Only Planning Report: Berth 31, Wimborne Road, Barry

SITE AND CONTEXT

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



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

DESCRIPTION OF DEVELOPMENT

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

The operator holds contracts with municipal authorities to receive waste wood from household recycling centres, as well as from other commercial providers (such as manufacturing offcuts). The wood is then processed, sorted, and stored on-site pending transportation to other locations, where it is either recycled into a new product(s), such as chipboard, or used as fuel in energy in waste plants (depending on the grade of the product).

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

PLANNING HISTORY

2017/00806/LAW, Address: Land at Berth 31, Wimborne Road, Barry, Proposal: The use of the land identified on the Location Plan BAR002J for the handling, storage and distribution of pre-processed wood, Decision: Refused

2015/00360/FUL, Address: Wimborne Road, Barry, Proposal: Facility for the recycling of incinerator bottom ash (IBA) to produce aggregates (IBAA) and the recovery of metals, Decision: Approved

1995/00170/FUL, Address: No. 29 Coal Hoist Embankment, David Davies Road, No. 2 Dock, Barry, Proposal: Excavation of materials for re-use under the Barry No. 1 Dock Regeneration Contract (Planning application Nos. 94/00207/FUL and 94/00208/FUL, Decision: Approved

1991/01099/FUL, Address: Land situated off David Davies Road, Barry Docks, Proposal: Erection of mobile plant to allow for the on-site processing of fossil fuels (coal), Decision: Refused

Background and update to Committee

Members will recall that this application was first considered at the Planning Committee Meeting on 11th September 2025.

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

Following the deferral, further information was received from the applicant, comprising of a Dust and Emissions Management Plan and a Dust Monitoring Scheme, and consulted upon. The application was also deferred at the meeting 15th January 2026 to allow full consideration to be given to those responses.

In the intervening period, the site has been subject of public complaints about dust and wood fibres from the facility affecting both nearby industrial areas and residential areas further afield. In some cases, these were accompanied by photographic evidence. Officers have also observed accumulations of wind-blown wood fibres outside the site, albeit affecting a more limited area.

The Council received notification that the application was to be withdrawn on 3rd June, with their planning agent stating that they will re-consider how this dock facility can be utilised in an alternative way. No further detail on their intentions was provided.

The application site is an existing dockside berth, and it is considered that operations in association with this use, such as the loading, storage and transport of waste wood for shipping, can potentially be undertaken lawfully. The planning application proposed retention of a wood processing use involving a more wide-ranging set of operations, with the principal difference being the on-site processing of waste material using mobile plant.

Officers will now engage with the operator to ascertain their future intentions on the use of the site, any alternative locations, relevant timings, and potential impacts on waste processing (inc. municipal) streams. Officers will also monitor the site and will consider the expediency of formal enforcement action to secure the cessation of unauthorised wood processing at Berth 31 and that its future use is lawful in planning terms. Authorisation for service of an Enforcement Notice would need to be sought from the Planning Committee under the scheme of delegation, because it is classified as 'major' development.

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **18 JUNE 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

PLANNING APPLICATIONS

2025/01139/FUL Hangar 858, St Athan

2024/00534/FUL Land on Hayes Road, Sully

2025/01139/FUL Received on 14 November 2025

APPLICANT: Morris Commercial Ltd C/o Agent

AGENT: Max Lewis Brunel House, 2 Fitzalan Road, Cardiff, CF24 0EB

Hangar 858, Bro Tathan North, St Athan

The change of use of an existing aircraft hangar (Class B8) to a facility for the assembly of electric vehicles (Class B2), demolition of existing extensions, external alterations, vehicle parking, drainage connection, servicing and all associated building and engineering works.

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application has been called in for determination by Cllr Haines for the reason owing to traffic and lighting concerns raised.

EXECUTIVE SUMMARY

The site is situated within the Bro Tathan Business Park, an area that was previously part of the MOD St. Athan airfield and is now a commercial and aviation hub. The application site is a distinct plot at the Southern end of the group of six, North of the Bro Tathan Business Park. The existing hangar is currently in Class B8 use (storage or distribution) and this application seeks to change the use to Class B2 (general industrial), to allow for the operation of an electric vehicle assembly unit.

The key matters for consideration in this application relate to the principle of the development, the environmental impact of the development, including upon neighbouring amenity, as well as transportation and highway safety. The report recommends that approval of planning permission for the development, subject to a number of conditions.

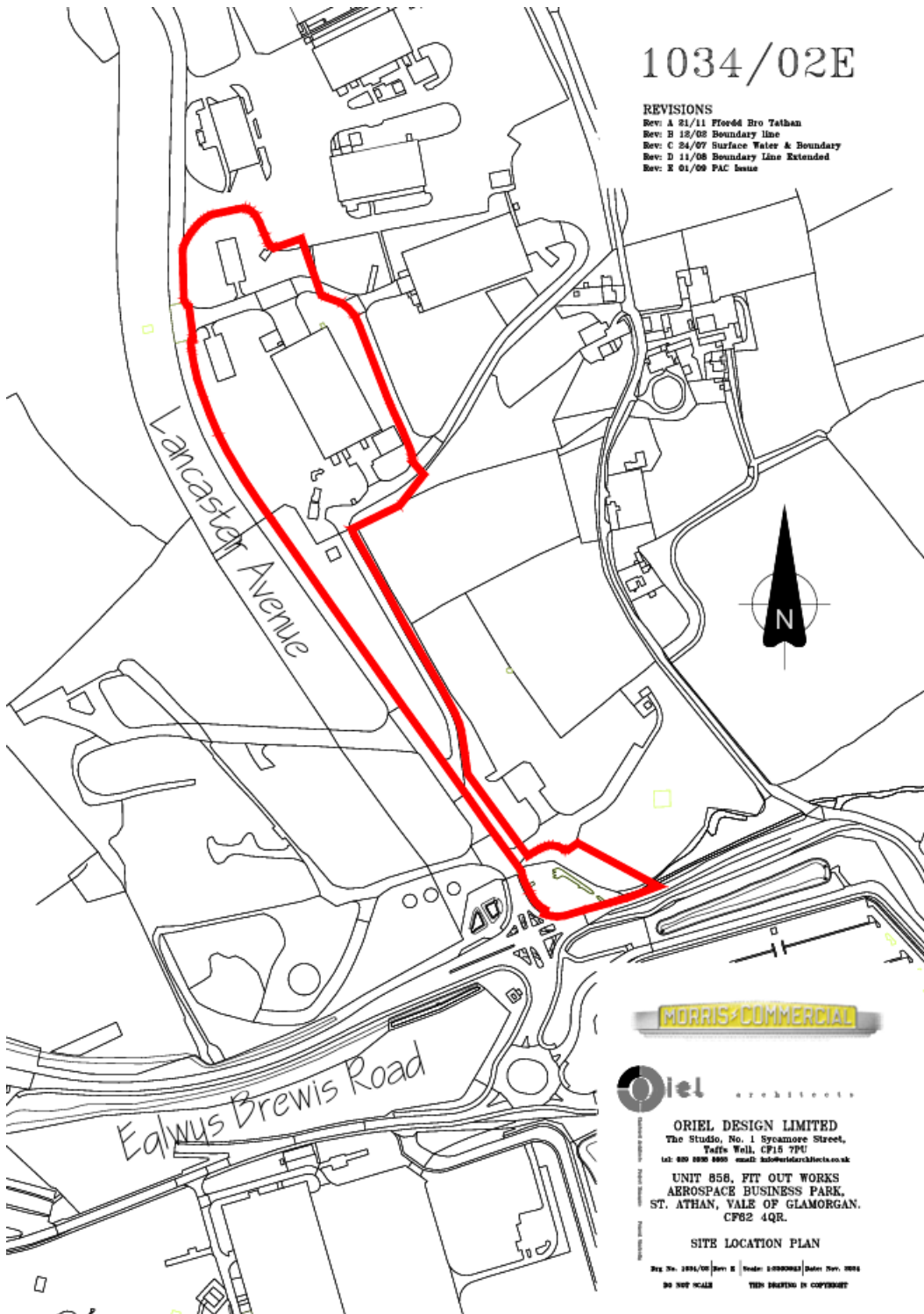
SITE AND CONTEXT

The site itself comprises Hangar 858, an existing aircraft hangar building, formerly used by the MOD. The application site comprises approximately 4.24 ha and is situated within the wider Bro Tathan Business Park, which was formerly the MOD St Athan Airfield. The site is within a designated Enterprise Zone (St Athan – Cardiff Airport Enterprise Zone), a Strategic Employment Allocation and an Existing Employment Site.

Surrounding the hangar is an associated hardstanding, access roads, car parking and areas of grassland. The application site boundary also includes land to the south of the hangar to incorporate the existing 'escape road' access and a drainage connection to Nant-y-Stepsau watercourse, adjacent to the junction between Lancaster Avenue and Eglwys Brewis Road/Ffordd Bro Tathan.

To the north of Hangar 858 is the South Wales Aviation Museum, and other commercial and warehouse buildings providing secure warehousing and freight management services. To the east lies another hangar building, beyond which there are residential and agricultural uses forming Picketston village. To the west is Lancaster Avenue, beyond which is open agricultural land, meanwhile the wider Bro Tathan business park and the Aston Martin Lagonda factory is located to the south of Eglwys Brewis Road and Ffordd Bro Tathan, which travels westwards to join the B4265.

A site location plan is attached below:



DESCRIPTION OF DEVELOPMENT

The proposal relates to a change of an existing aircraft hangar (B8) to a facility for the assembly of electric vehicles (class B2). The proposal includes the demolition of the small outbuildings attached to the hangar and the removal of the existing sliding hangar doors. A new three-storey mezzanine office structure will be constructed inside the hangar, positioned behind a new glazed southern gable. This entrance gable will open into a full-height atrium serving as the main reception and showroom, featuring curved glazed walls and balconies overlooking the space.

The existing curved roof will be retained, with only minor external additions for a new staff entrance, a spray-paint block and emergency exits. Ground-floor toilets and showers will be provided along the western elevation. Additional spray booths and associated plant will be located in a new block at the northeast corner. At the northern end, new loading bay doors and a protective canopy will facilitate efficient goods handling. A service yard on the northern side will provide heavy-duty hardstanding suitable for articulated lorry manoeuvring, deliveries and the storage of finished vehicles.

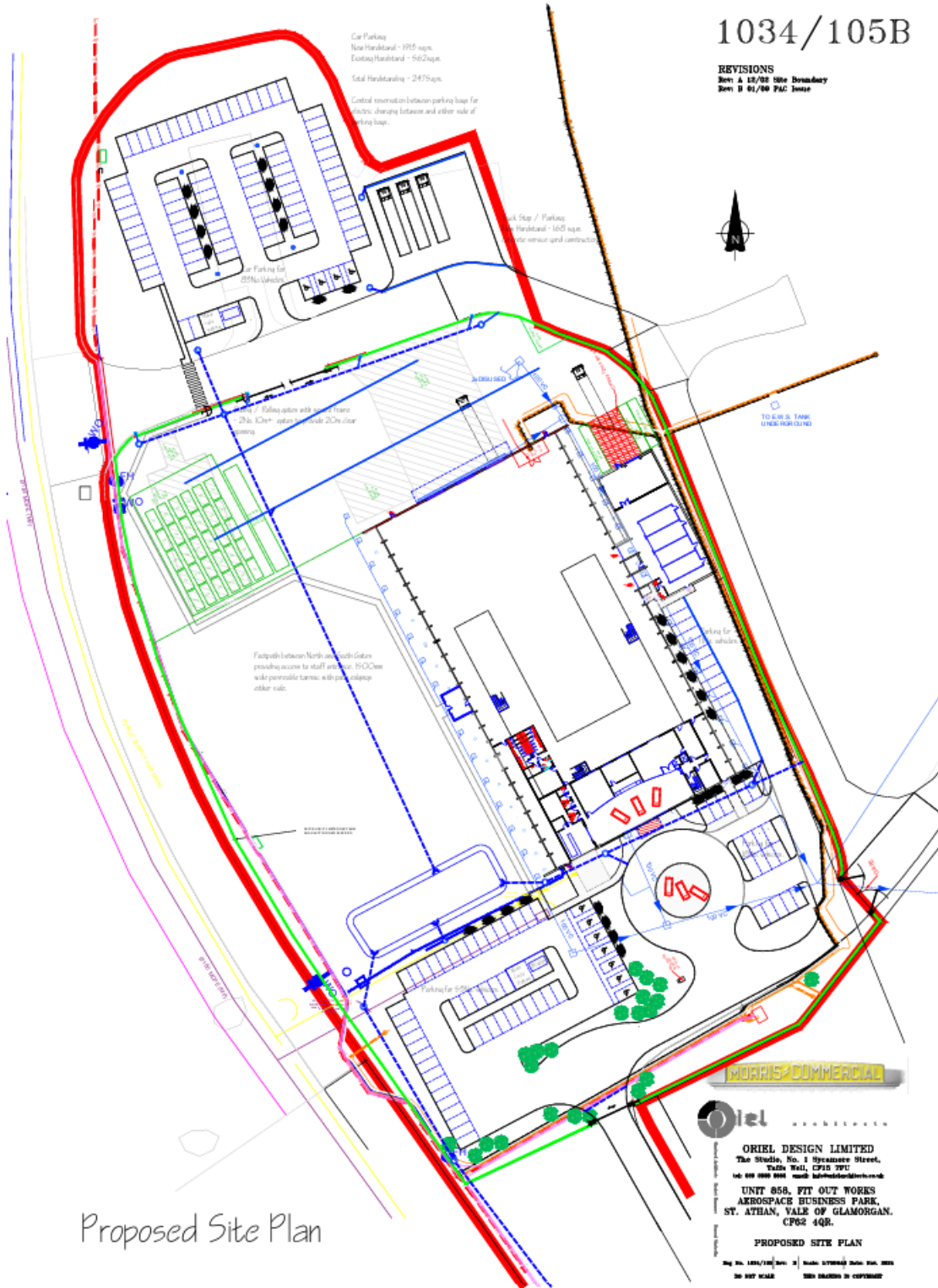
Vehicular access will continue to be taken from two existing points on Lancaster Avenue. The northern car park will provide 83 spaces, including 4 disabled bays and 10 EV charging points.

A new south-facing entrance, accessed from the southern access point and a reopened escape lane, will lead into a circular feature road layout. Staff and visitor parking will be arranged on both sides of this entrance, separated by landscaped bunds. This southern parking area will accommodate 82 spaces, including 7 disabled bays and 19 EV charging points.

Proposed site layout and elevation plans are attached below:

1034/105B

REVISIONS
Rev A 18/08 1000 Boundary
Rev B 01/09 P4C Issue



Proposed Site Plan

MORRIS COMMERCIAL

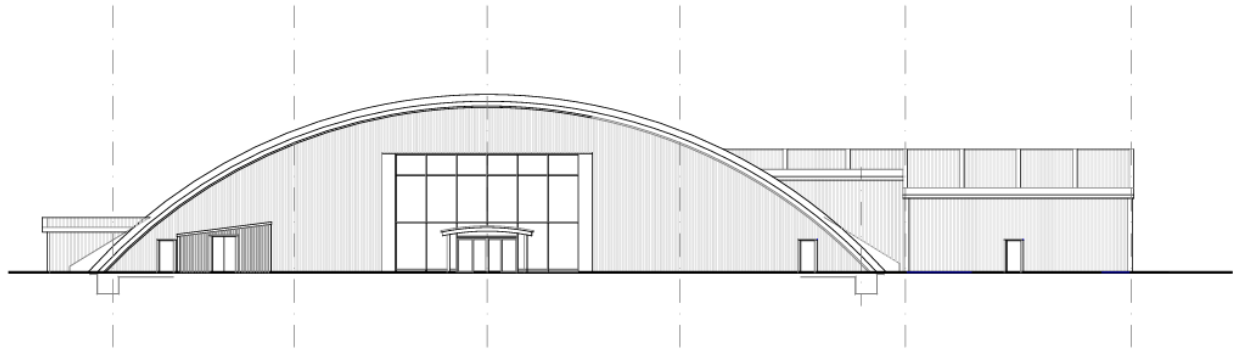
ORIEL

ORIEL DESIGN LIMITED
The Studio, No. 1 Sycamore Street,
Vale Park, CF15 7PU
Tel: 019 499 8000 Email: info@oriel-design.com

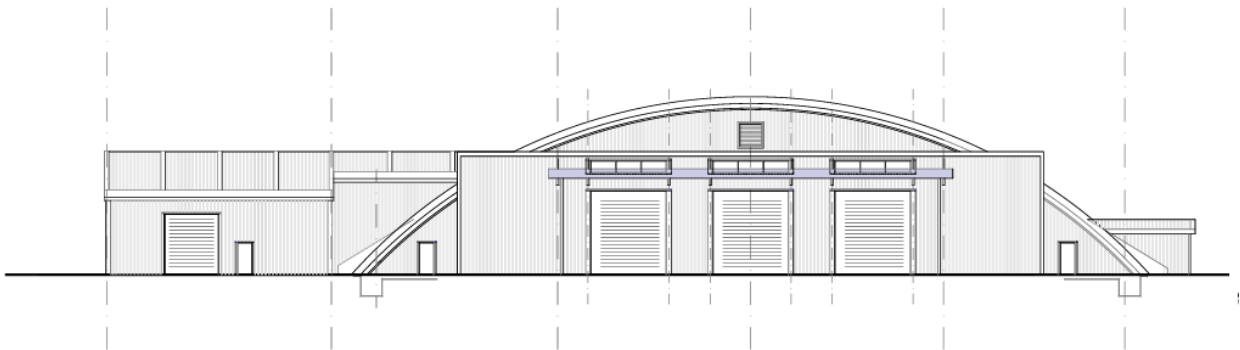
UNIT 85B, FIT OUT WORKS
AEROSPACE BUSINESS PARK,
ST. ATHAN, VALE OF GLAMORGAN,
CF62 4QR.

PROPOSED SITE PLAN

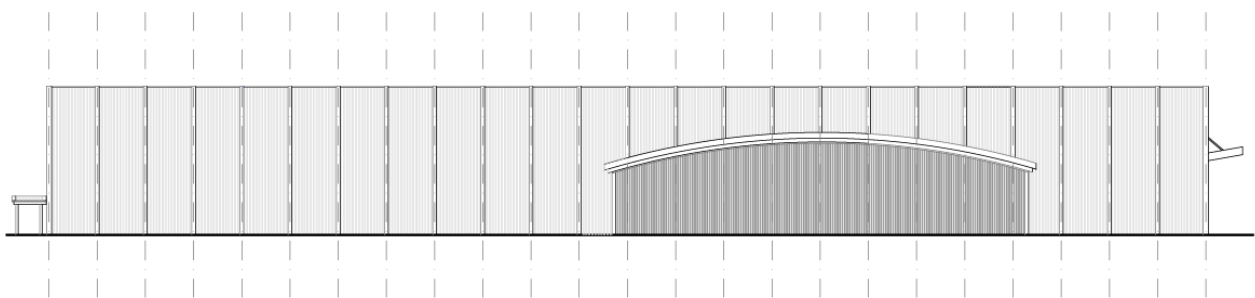
Proj No. 1034/105B Rev. 2 | Scale: 1:500 Date: Dec. 2023
NO NET SCALE | THIS DRAWING IS COPYRIGHT



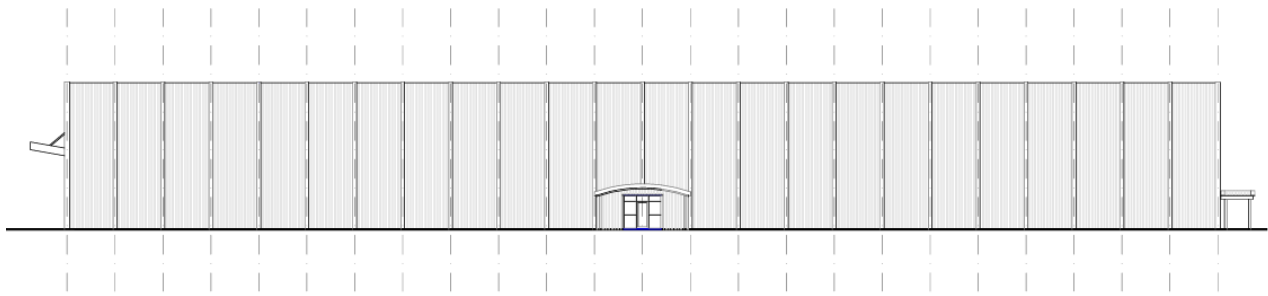
Proposed South East Elevation



Proposed North West Elevation



Proposed North East Elevation



Proposed South West Elevation

PLANNING HISTORY

2009/00500/OUT, Address: Land at and adjoining MoD St. Athan in the Vale of Glamorgan, extending from the B4265 at Boverton in the west to Castleton Farm, St Athan, in the east, and from north of the runway and north of Castleton Road at St Athan in the south to land at the northern end of the MoD St Athan site at Picketston and up to Flemingston Road, St Athan, in the north; together with land adjoining the B4265 near Gileston and land at Weycock Cross, Barry., Proposal: Development of a Defence Technical College and associated facilities and works, including 483 Service Families' Accommodation dwellings, military external and field training areas, the alteration and reconfiguration of St Athan golf course, a hotel, an energy centre, improved parking and servicing facilities for the existing spar shop on Eglwys Brewis Road, the provision of a new access road and other associated highway works and improvements, including a garage for Rose Cottage, and all associated ancillary building, sports, community, ecological mitigation and enhancement, engineering, landscaping, means of enclosure and other works., Decision: Approved

2010/00707/RES, Address: Defence Technical College : Zone 6 Picketston South, MOD St Athan, Proposal: Reserved Matters submission in accordance with planning permission 2009/00500/OUT for a proposed Defence Technical College (DTC), in respect of Zone 6 (Picketston South) incorporating matters including: - Picketston Sport building and pitches; access; parking facilities; landscaping; sustainability; fencing; and retained trees and hedges (and including submissions for approval of specified details in respect of conditions attached to 2009/00500/OUT relating to the DTC site as a whole), Decision: Finally Disposed of

2010/00875/RES, Address: Defence Technical College : Zone 5 DTC Training, MOD St Athan, Proposal: Reserved Matters submission in accordance with planning permission 2009/00500/OUT for a proposed Defence Technical College (DTC), in respect of Zone 5 (DTC Training) incorporating matters including: - buildings; access; parking facilities; landscaping; and sustainability, Decision: Finally Disposed of

2010/00901/RES, Address: Defence Technical College : Zone 7 Picketston North, MOD St Athan, Proposal: Reserved Matters submission in accordance with planning permission 2009/00500/OUT for a proposed Defence Technical College (DTC), in respect of Zone 7 (Picketston North) incorporating matters including: - Buildings (MT Workshop; Grounds Maintenance; Waste Compound; Command Task Area Storage; Outdoor Firing Range; Respirator Testing Facility); Access; Parking Facilities; Landscaping; and Sustainability, Decision: Finally Disposed of

2016/00291/SC1, Address: Northern access road, St. Athan, Proposal: Request for EIA screening opinions, Decision: Environmental Impact Assessment (Screening) - Not Required

2017/00564/1/CD, Address: Land East of B4265 between Boverton and Eglwys Brewis, St. Athan, Proposal: Discharge of conditions 11, 16, 17, 18, 19, 21 and 22 - Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Approved

2017/00564/1/NMA, Address: St. Athan Northern Access Road, Proposal: Non Material Amendment - Amendments to Planning Condition 16 Planning permission- 2017/00564/FUL--Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Approved

2017/00564/10/CD, Address: St. Athan Northern Access Road, Proposal: Discharge of Condition 6-re-surfacing. Planning ref 2017/00564/FUL: Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Approved

2017/00564/11/CD, Address: Northern Access Road, St. Athan, Proposal: Discharge of Conditions 3 - Junction Modelling and 4 - Highway Mitigation Measures. Planning Permission ref. 2017/00564/FUL: Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Approved

2017/00564/12/CD, Address: Northern Access Road, St. Athan, Proposal: Discharge of Condition 9 - Highway Condition Survey (Post Construction) and 10 - Repairs to the adopted highway of Planning Application 2017/00564/FUL, Decision: Approved

2017/00564/2/CD, Address: Land East of B4265 between Boverton and Eglwys Brewis, St. Athan, Proposal: Discharge of condition 12 - Skylark Plots. Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Withdrawn

2017/00564/2/NMA, Address: St. Athan Northern Access Road, Proposal: Non Material Amendment-The following amendments are proposed to planning condition 10 (additional text underlined and deleted text struck through):Following the construction of the development and prior to the new road being opened for public use, the developer shall carry out any repairs to the adopted highway identified as being necessary in the second survey required by Condition No. 9 above. The repair works, if required, are to be completed within 5 months following construction of the new road. Planning Permission 2017/00564/FUL-Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Approved

2017/00564/3/CD, Address: Land East of B4265 between Boverton and Eglwys Brewis, St. Athan, Proposal: Discharge of Conditions 8 - Highway Condition Survey (Pre-Construction) and 23 - Construction Environmental Management Plan. Planning Permission ref. 2017/00564/FUL : Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Approved

2017/00564/3/NMA, Address: St Athan Northern Access Road, Proposal: None-Material Amendment - Amendment to text of Condition 5 - Engineering details. Planning Permission ref. 2017/00564/FUL : Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Approved

2017/00564/4/CD, Address: Land East of B4265 between Boverton and Eglwys Brewis, St. Athan, Proposal: Discharge of Condition 5 - Engineering Details.
, Decision: Conditions Partially Determined (Approved only)

2017/00564/4/NMA, Address: Northern Access Road, St Athan, Proposal: Non-Material Amendment - Proposed amendment to text of Condition 25 to omit the requirement of low noise surfacing throughout the scheme. Planning Permission ref. 2017/00564/4/NMA: Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Approved

2017/00564/6/CD, Address: Land East of B4265 between Boverton and Eglwys Brewis, St. Athan, Proposal: Discharge of Condition 7-CTMP, Decision: Approved

2017/00564/7/CD, Address: Northern Access Road, St. Athan, Proposal: Discharge of Condition 14 - Lighting Details and Condition 26 - Engineering details of the surface water drainage strategy of planning permission ref. 2017/00564/FUL: Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Approved

2017/00564/9/CD, Address: Northern Access Road, St. Athan, Proposal: Discharge of conditions 16 - Contamination risk assessment, 17 - Contamination verification report, 18 - Cessation of contamination monitoring, 19 - Contamination not previously identified, 21 - Importing materials and 22 - Assessment of site-won materials. Planning permission ref: 2017/00564/FUL Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations at Land East of B4265 between Boverton and Eglwys Brewis, St. Athan, Decision: Approved

2017/00564/FUL, Address: Land East of B4265 between Boverton and Eglwys Brewis, St. Athan, Proposal: Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all associated engineering and building operations, Decision: Approved

2023/00780/1/CD, Address: Land North of Ffordd Bro Tathan, St Athan, Proposal: Discharge of Conditions 15. (Dormouse Conservation Plan) 16. (Landscape & Ecological Management Plan. For Planning Permission Ref; 2023/00780/FUL - Demolition of existing buildings/structures and erection of a Class B8 data centre with all associated back-up generators, plant, equipment, sub-stations, accesses, parking and servicing areas, drainage and engineering works including services diversion/connection and regrading works., Decision: Approved

2023/00780/2/CD, Address: Land North of Ffordd Bro Tathan, Bro Tathan, St Athan, Proposal: Partial Discharge of Condition 11.(CEMP) - Enabling Works Phase - for planning ref 2023/00780/FUL - Demolition of existing buildings/structures and erection of a Class B8 data centre with all associated back-up generators, plant, equipment, sub-stations, accesses, parking and servicing areas, drainage and engineering works including services diversion/connection and regrading works, Decision: Conditions Partially Determined (Approved only)

2023/00780/3/CD, Address: Land North of Ffordd Bro Tathan, Bro Tathan, St Athan, Proposal: Discharge of Condition 11.(CEMP - updated with NRW GCN requirement) dor planning ref: 2023/00780/FUL - Demolition of existing buildings/structures and erection of a Class B8 data centre with all associated back-up generators, plant, equipment, sub-stations, accesses, parking and servicing areas, drainage and engineering works including services diversion/connection and regrading works, Decision: Withdrawn

2023/00780/4/CD, Address: Land North of Ffordd Bro Tathan, St Athan, Proposal: Discharge of Conditions 24 (CTMP), Planning permission ref: 2023/00780/FUL - Demolition of existing buildings/structures and erection of a Class B8 data centre with all associated back-up generators, plant, equipment, sub-stations, accesses, parking and servicing areas, drainage and engineering works including services diversion/connection and regrading works., Decision: Approved

2023/00780/FUL, Address: Land North of Ffordd Bro Tathan, St. Athan, Proposal: Demolition of existing buildings/structures and erection of a Class B8 data centre with all associated back-up generators, plant, equipment, sub-stations, accesses, parking and servicing areas, drainage and engineering works including services diversion/connection and regrading works, Decision: Approved

2023/01076/1/CD, Address: Bro Tathan, St Athan, Eglwys-Brewis, Proposal: Discharge of Condition 3. (Construction Environmental Management Plan - NRW). for planning ref 2023/01076/FUL, Decision: Approved

2023/01076/1/NMA, Address: Land at Bro Tathan, St Athan, Proposal: Non Material Amendment - to allow the approved development to be carried out in accordance with the latest version of the Reactive Remediation Strategy (version 4) and for the wording of Condition 2 to be amended accordingly. For planning ref: 2023/01076/FUL - Proposed provision of above and below ground utilities, associated infrastructure and reprofiling of land. Decision: Approved

The application site is also covered by an application approved in 2024 for the proposed provision of above and below ground utilities, associated infrastructure and reprofiling of land (ref. 2023/01076/FUL).

2023/01076/2/CD, Address: Land at Bro Tathan, St Athan, Proposal: Discharge of Condition 6.(Biodiversity Enhancement Details) for planning ref 2023/01076/FUL - Proposed provision of above and below ground utilities, associated infrastructure and reprofiling of land., Decision: Approved

2023/01076/2/NMA, Address: Land at Bro Tathan, St Athan, Proposal: Non Material Amendment - An amendment is the substitution of two amended plans (Drawing Nos. A01 Rev C and A02 Rev C) for the AML substation into the table of approved plans referenced in Condition 2 on the decision notice. The amended plans plan shows a slight change in the siting and orientation of the AML substation. For planning ref 2023/01076/FUL - Proposed provision of above and below ground utilities, associated infrastructure and reprofiling of land. , Decision: Approved

2023/01076/FUL, Address: Land at Bro Tathan, St Athan, Proposal: Proposed provision of above and below ground utilities, associated infrastructure and reprofiling of land. , Decision: Approved

CONSULTATIONS

1. **Llanmaes Community Council** were consulted on 27 November 2025 and have commented as follows:

Llanmaes Community Council supports this application and development given the numbers of needed and genuine new jobs that will be created in our community. We note there is little detail in the Planning Application on the nature of the positions to be created other than a target number (150). Our wish would be that as many of these positions be permanent rather than contract employees and that Morris Commercial consider moving their product design and development and engineering positions to this site as it evolves. We note that this is an application from a fairly recent start up and that the execution risks associated with this sort of enterprise are considerable so we trust that the due diligence performed by the Welsh Government is satisfactory and wish everyone luck with this venture. We have no objections to the planned structure and associated infrastructure.

2. **Ministry of Defence** were consulted on 27 November 2025 and have no objection to the proposal.

3. **The Council's Highway Authority**, was consulted on 27 November 2025 and comments have been summarised as follows:

The proposed parking provision is considered appropriate based on the Transport Statement, but clarification is required to ensure that spaces are not occupied by vehicles exiting the assembly line; if so, separate dedicated parking must be provided. The site currently lacks a direct pedestrian and cycle connection from the Northern Access Road, and it is recommended that the existing shared route be extended through the development to provide safe off-road access, which could be secured by condition. Any boundary fencing along the frontage should be set back by at least 4 metres to allow for potential future Active Travel route expansion. Additionally, the articulated vehicle turning area should be clearly hatched and reserved for manoeuvring, with no parking permitted within this space.

4. The Chief Fire Officer was consulted on 27 November 2025 and have commented:

The Fire Authority has no objection to the proposal and refers the Local Planning Authority to current standing advice issued by the Authority. The developer should also consider the need for the provision of: -

- a. adequate water supplies on the site for firefighting purposes; and
- b. access for emergency firefighting appliances

5. The Council's Drainage Section was consulted on 27 November 2025 and confirmed that the application would be subject to SAB and required a proportionate Flood Consequences Assessment as there is an area of the development site located within Flood Zone 3.

An FCA has since been provided and the Council's Drainage Section have confirmed that they are satisfied that the submitted Flood Consequences Assessment is proportionate to the scale, nature and vulnerability of the proposed development, in accordance with Technical Advice Note 15 (TAN 15). The assessment appropriately identifies localised surface water flood risk affecting the northern part of the site. It demonstrates that the proposals will not materially alter existing site levels, will not increase flood risk elsewhere, and include sustainable drainage systems (SuDS) and drainage betterment measures which will improve surface water management at the site.

This development is subject to Schedule 3 of the Flood and Water Management Act 2010. As such, the detailed design and approval of surface water drainage arrangements will be considered through the SuDS Approval Body (SAB) process, which will provide the necessary assurance that drainage proposals meet the Statutory SuDS Standards.

6. Shared Regulatory Services (Pollution) were consulted on 27 November 2025:

Comments received noted no objection from a noise point of view, but requested a condition regarding deliveries to site, so that there is no delivery between the hours of 10pm and 8am. A lighting assessment was also requested for the site due to its close proximity to residential properties.

A lighting assessment was provided by the Agent on 12/02/2026 and SRS (Pollution) have subsequently reviewed the lighting assessment and confirmed they have no further comments.

7. **Cardiff Airport (Safeguarding)** were consulted on 27 November 2025. No comments received to date.
8. **Heneb, The Trust for Welsh Archaeology (GGAT)** were consulted on 27 November 2025 and comments received have been summarised as follows:

The supporting documentation includes a Written Scheme of Investigation (WSI) for historic building recording and archaeological monitoring, prepared by Heneb Archaeological Field Services (2025/031), along with a Level 3 historic building recording report (2025/035). Although the WSI had not been reviewed prior to the work being undertaken, both the WSI and the completed building recording meet current professional standards and follow the agreed methodology. The WSI also outlines the required archaeological monitoring for works associated with the proposed attenuation pond, which has not yet taken place. It is therefore recommended that planning consent includes a condition requiring archaeological mitigation to be carried out in accordance with the WSI, following model condition 24 of Welsh Government Circular 016/2014, to ensure proper identification and recording of any surviving archaeological remains. A further advisory note is recommended, stating that all archaeological work must comply with Chartered Institute for Archaeologists (CIfA) Standards and Guidance and be undertaken by a CIfA Registered Organisation or an accredited MCIfA member.

9. **Cadw, Ancient Monuments** were consulted on 27 November 2025. No comments received to date.
10. **Dwr Cymru Welsh Water**, were consulted on 27 November 2025 and comments received have been summarised as follows:

Foul and surface water are proposed to be managed via a package treatment plant and a soakaway respectively. To ensure no adverse impact on existing residents, the environment, or Dŵr Cymru Welsh Water's assets, it is recommended that planning consent includes a condition preventing any surface water from new roof areas or impermeable surfaces from draining into the public sewerage system. This measure is necessary to avoid hydraulic overloading of the network, protect public health and prevent environmental pollution. An advisory note should also be included, highlighting that the applicant must ensure all drainage arrangements comply with Welsh Water requirements and do not connect surface water to the public sewer, either directly or indirectly.

11. **The Council's Planning Ecologist** was consulted on 27 November 2025 and recommend a condition to secure a Biodiversity Strategy which shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include but not be exclusively limited to: Replacement nesting sites for jackdaw, replacement roosting site for barn owl, site clearance strategy, surrounding grassland management (particularly with respect to Great Crested Newt- the NLMS), and details of the water-carrying capacity of the attenuation pond. The strategy shall be implemented as agreed.
12. **Natural Resources Wales**, were consulted on 27 November 2025 and comments received have been summarised as follows:

Concerns are raised about the planning application but confirm these can be resolved by attaching specific land-contamination conditions and including the submitted Ecological Assessment (David Clements Ecology Ltd, August 2025) in the approved documents. They agree with the recommendations of the Phase 1 Geoenvironmental Assessment and require a detailed contamination risk assessment, site investigation, remediation strategy, verification reporting, and controls on piling and surface-water infiltration to protect controlled waters. The ecological assessment is accepted, noting that existing procedures for Great Crested Newts must continue and that bats are unlikely to be affected. Without these conditions and the inclusion of the ecological document, they would object to the application, and they remind the applicant that any additional permits or licences remain their responsibility.

Subsequently, Natural Resources Wales (NRW) have since confirmed on 10/02/2026 that Part 1 of the standard contamination condition—requiring a preliminary risk assessment—does not need to be applied in this case, as the agent has already provided sufficient information addressing previous site uses, potential contaminants, the site conceptual model, and any associated risks. However, the remaining components of the condition (Parts 2–4) are still required to ensure that any contamination risks are fully understood and appropriately mitigated. These include a site investigation scheme, a detailed risk assessment with an options appraisal and remediation strategy, and a verification plan demonstrating completion of the agreed remediation measures.

13. **Contaminated Land, Air & Water Quality** were consulted on 27 November 2025 and comments received have been summarised as follows:

Comments received advice that further contamination investigation is required at Hangar 858 and therefore recommends standard contaminated-land planning conditions, including assessment, remediation, verification, and controls on unforeseen contamination, imported materials, and site-won soils, along with an advisory note reminding the developer of their responsibilities regarding contamination and safe development.

14. **South Wales Police** were consulted on 27 November 2025 and recommends a range of Secured by Design measures—including improved perimeter security, controlled access, appropriate lighting and CCTV, clear signage, secure parking and cycle storage, and well-managed landscaping—to reduce crime risks, enhance safety for staff and visitors, and ensure the development meets national security and design standards.

15. **Llantwit Major Ward Members** were consulted on 27 November 2025. No comments received to date.

REPRESENTATIONS

The neighbouring properties were consulted on 27 November 2025. A site notice was also displayed on 03/12/2025. The application was also advertised in the press on 11/12/2025.

Three objections have been received and are summarised as follows:

- Concerns relating to lighting, traffic and consultation.

- It is requested that any new external lighting is sensitively designed to minimise light pollution and avoid further impact on nearby properties and wildlife, given existing issues with intrusive night-time lighting from the Aston Martin facility.
- Objections highlight ongoing problems with large vehicles parking along the new road, creating safety risks for pedestrians and contributing to littering, and request that adequate on-site space is provided for delivery and collection lorries.
- Concerns are expressed regarding increased commuter traffic using local lanes and travelling through St Athan village at speed; request that all employee traffic accessing Bro Tathan be directed via the new road instead.
- Request greater consistency in consultation processes, noting that they were not previously consulted on a nearby outline application but have been consulted on this more distant proposal.

REPORT

Planning Policies and Guidance

Local Development Plan:

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

Strategic Policies:

POLICY SP1 – Delivering the Strategy

Managing Growth Policies:

POLICY MG9 – Employment Allocations

POLICY MG10 – St Athan - Cardiff Airport Enterprise Zone

Managing Development Policies:

POLICY MD2 - Design of New Development

POLICY MD5 - Development within Settlement Boundaries

POLICY MD9 - Promoting Biodiversity

POLICY MD16 - Protection of Existing Employment Sites and Premises

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

Future Wales: The National Plan 2040:

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

Planning Policy Wales:

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places

Technical Advice Notes:

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

- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 12 – Design (2016)

Welsh National Marine Plan:

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

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Biodiversity and Development (2018)
- Parking Standards (2019)

Other relevant evidence or policy guidance:

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

Equality Act 2010

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

Well-being of Future Generations (Wales) Act 2015

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

Issues

The primary issues to consider in assessing the proposals against the policies and guidance listed above are the principle of development, the design and visual impact of the proposals upon the character of the site and wider setting. Consideration will also be given to potential impacts on residential amenity, highway safety, green infrastructure and ecology including biodiversity enhancement.

Principle of Development

The application site forms part of the St Athan Cardiff Airport Enterprise Zone which is allocated under Strategic Site Policy SP2(2) (for ‘mixed uses at St Athan’) and Managing Growth Policy MG9(3) (‘Aerospace Business Park, St Athan Rhoose (part of St Athan – Cardiff Airport Enterprise Zone)’) for ‘aerospace, business park, employment and education’ uses.

Furthermore, Policy MG10 (St Athan – Cardiff Airport Enterprise Zone) – allocates 382 hectares of strategic employment land (including the application site) for Class B1, B2 and B8 use, including an aerospace business park north and south of the runway at St Athan.

Within the wider business park setting, the transition to B2 use would not fundamentally alter the character or function of the area. The proposal would deliver up to approximately 150 full time equivalent (FTE) jobs. The proposed use justifies a location of this type, given the character of the proposed operations/site and given that it would involve traffic movements and operations more suited to an industrial setting. The proposal would have no material or adverse impact on the nature of the wider Bro Tathan Business Park site as an employment site.

Overall, the proposal is acceptable in principle, subject to a condition which restricts the Use Class of the application site to B2 or B8 use (**Condition 4**), to control the precise nature of the use of the building given its location within an allocated employment site. The proposed use is therefore wholly consistent with the site's established policy designation and intended function. Within this context, the introduction of a B2 use would not result in any material change to the character or operation of the wider Bro Tathan Business Park, nor would it undermine its role as an employment location. On the contrary, the development would provide a justified and appropriate use for this industrial setting.

Visual Impacts

Policy MD2 of the Local Development Plan 2011 – 2026 states a number of criteria to that development proposals should meet in order to create high quality, healthy, sustainable and locally distinct places. These include criteria 1 and 2 that require proposals to be of a high standard of design that positively contribute to the context and character of the surrounding built environment and respond appropriately to the local context and character.

The proposed development comprises external works including the removal of minor extensions, installation of a canopy, reconfiguration of parking and upgraded building access. In visual terms, the scheme would result in a modest and proportionate change to the appearance of the site, in keeping with the broader Bro Tathan Business Park. The primary built form of the existing building would be retained, ensuring that the overall scale, massing and height remain consistent with the established character of the setting.

The proposed introduction of a canopy structure represents the most notable addition to the external envelope. This element would remain clearly subservient to the main building and is typical of the industrial nature of the proposal. As such, the canopy would integrate with functional character of the site and surrounding context.

Other external alterations, including the insertion of additional doors and emergency accesses, are minor in nature and would not materially alter the overall appearance of the unit. The proposed materials would be consistent with the established palette of industrial materials.

The reconfiguration of the site layout to include formalised vehicle parking, circulation routes and servicing areas would result in an organised and legible site arrangement and would not appear out of keeping with the wider business park environment.

Overall, the application is considered to comply with Policy MD2 in terms of design and visual impact.

Impacts on Neighbouring Units

The application site is located within the wider Bro Tathan Business Park, characterised by a mix of commercial, industrial and storage uses operation within the wider environment. As such, neighbouring units are established to a range of employment generating uses and activities, including the proposed B2 use.

The proposed change of use would not be considered to introduce any detrimentally harmful impacts on neighbouring units. Whilst it is acknowledged that the proposed B2 use would likely generate a degree of increase in the level of activity in comparison to the B8 use, the nature of the proposal remains appropriate for the wider context of the site.

Furthermore, neighbouring units within the business park are largely commercial in nature and would not benefit from the same sensitivity as residential receptors. The proposed use is therefore considered compatible with the surrounding context and is unlikely to give rise to unacceptable levels of noise or disturbance.

The external additions are also considered within the context of similar infrastructure being present within the wider setting and are not considered to result in any visual or overbearing harm on neighbouring units.

Impacts upon Neighbouring Residential Properties

Criterion 8 of policy MD2 requires that new development should safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance.

Policy MD7 (Environmental Protection) requires proposals to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and/or the natural environment from (inter alia): Noise, vibration, odour nuisance and light pollution.

The nearest residential units are located more than 100m from the site, therefore, it is not considered that the proposal would give rise to any unacceptable impacts in terms of resulting in adverse overlooking or being overbearing to any residential dwelling.

However, it is acknowledged that from consultation a concern was raised regarding lighting and traffic arising from the proposal. Notably, the Council's Shared Regulatory Services (SRS) were consulted and reviewed the proposal, noting that they have no concerns from a noise impact assessment. However, to safeguard the amenity of residential properties they recommend the imposition of a planning condition to restrict site deliveries to between 8am and 10pm only; thereby preventing potentially disruptive activity during nighttime activity and early morning periods (**Condition 5**).

In addition, a lighting assessment was requested to ensure that external illumination would not result in undue glare, affecting nearby occupiers or the wider Bro Tathan Business Park arrangement. Notably, the nearest residential properties are approximately 150m from the site boundary and are partially screened by mature vegetation.

A lighting assessment was subsequently submitted, which demonstrates that the proposed external lighting has been carefully designed to minimise environmental impacts whilst providing safe operational lighting for the facility. The scheme comprises a series of LED luminaires located throughout the site, including 65W and 40W column-mounted fittings serving parking areas, access roads and the service yard, 20W fittings along pedestrian routes, and a limited number of higher-output fittings associated with operational areas.

The assessment identifies that all the luminaires are modern LED units with controlled optics, downward facing and shielded to prevent lateral light spill and are mounted at the lowest practical height. The lighting design has been informed by illuminance calculations and spill contour modelling. Lighting controls, including photocells, timers and motion sensors ensure illumination is only provided when required and most operational lighting is extinguished outside of normal working hours. The assessment concludes that glare, light spill and upward light are negligible, with no significant effects on nearby residential receptors.

The submitted Lighting Impact Assessment was reviewed by SRS, who later confirmed that no further comments were raised, indicating that the proposed lighting assessment was appropriate. To ensure impacts on residential amenity arising from external illumination are limited, as has been assessed above, a condition has been applied to control that lighting shall take place in accordance with this scheme (**Condition 6**).

As such, the proposal is considered to comply with Criterion 8 of Policy MD2 and the requirements of Policy MD7.

Highways and Parking

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

The application proposes vehicular access to continue to be taken from two existing points on Lancaster Avenue. The northern car park would provide 83 spaces, including 4 disabled bays and 10 EV charging points. A new south-facing entrance, accessed from the southern access point and a reopened escape lane, would lead into a circular feature road layout. Staff and visitor parking would be arranged on both sides of this entrance, separated by landscaped bunds. This southern parking area would accommodate 82 spaces, including 7 disabled bays and 19 EV charging points.

Comments received from the Council's Highway Authority identified that the site lies on a private road which traditionally was used by the RAF/military for access to hangers and other infrastructure. The nearest adopted highway lies approximately 300m to the South. The development proposes to utilise the same access as currently on site however improved to accommodate HGV's.

In respect of the submitted Transport Statement, the document concludes that the proposed redevelopment would generate a similar level of traffic to the existing use, with around 100 two-way movements at peak shift change, largely offset by the current baseline of approximately 112 daily movements. Peak activity for factory staff occurs outside typical highway peak periods, while office traffic is limited to around 50 arrivals and departures during standard commuting hours. HGV movements are low (up to six per day) and scheduled outside peaks. As a result, the development is expected to have a negligible impact on the surrounding highway network, which has sufficient capacity, with safe access arrangements and no identified highway safety concerns.

Traffic Impacts

It is noted that one of the reasons that the application has been called-in to be determined by Planning Committee relates to concerns regarding traffic.

Noting the nature of the application, it is considered that the development would generate a moderate increase in traffic levels, which would remain broadly similar to the existing B8 use. Mitigating factors to manage traffic are proposed shift-based working, limited HGV movements and the existing road capacity which is subject to a 20mph speed limit.

It is acknowledged that no concerns regarding traffic or highway safety have been raised in comments made by the Highway Authority and subsequently, it is considered that there are no Highway Safety concerns and reasons in this instance that would prohibit the granting of planning permission.

Parking Impacts

Regarding parking, comments received from the Highway Authority outline that *“parking levels have been provided at 1 space per 39m². This has been calculated as a medium between Industry (1 space per 80m²) and highly technical industry (1 space per 20m²) which equates to 165 spaces. Parking standards are maximum standards and therefore a reduction can be justified in certain situations.”*

The Highway Authority further confirmed that proposed parking provision was considered appropriate based on the Transport Statement but required clarification to ensure that spaces are not occupied by vehicles exiting the assembly line and any boundary fencing along the frontage should be set back by at least 4 metres to allow for potential future Active Travel route expansion. Additionally, the comments noted that the articulated vehicle turning area should be clearly hatched and reserved for manoeuvring, with no parking permitted within this space.

Subsequent email correspondence from the Agent on 12th March 2026 confirmed that no parking spaces will be taken up by vehicles from the assembly line and the request in terms of the position of boundary fencing and requirement to hatch the area of car park required for turning vehicles are acknowledged. It is considered appropriate that the points relating to setback of boundary fencing and turning area provision and use can be controlled and implemented by condition **(Conditions 8 - 9)**.

Accordingly, the parking layout and operational areas are judged to be appropriate for the nature and intensity of the proposed use and do not give rise to any concerns in respect of highway safety or site functionality.

Active Travel Route

The Highway Authority comments further identify that that *“The site does not benefit from pedestrian or cycle access from the Northern Access Road so for a distance they will need to travel on carriageway.”*

Under point 2 of their comments, it is noted that the site currently lacks a direct pedestrian and cycle connection to the Northern Access Road. The Highway Authority therefore recommended that the existing shared use route be extended through the site to provide a safe, off-road connection, which could be secured by condition. This is in reference to Planning Policy Wales (PPW), which mandates a sustainable transport hierarchy that places walking and cycling at the top.

In response to point 2, the applicant's agent has advised that extending the existing shared route from the Northern Access Road junction to the site would require significant infrastructure works. It was argued that such a requirement would be neither reasonable nor proportionate to the scale of the proposed development, particularly given the limited number of pedestrian and cycle trips likely to be generated. The agent further highlighted that the carriageway (Lancaster Avenue) connecting the site to the junction is a former taxiway, measuring approximately 11 metres in width—significantly wider than a typical estate road—and subject to a 20mph speed limit. As an alternative, the agent proposed the demarcation of a pedestrian route within the carriageway, for example through a painted 'white line' footway.

However, the Highway Authority has maintained that national and local policy, including Planning Policy Wales (PPW) and Active Travel guidance, requires new developments, including employment uses, to be accessible by walking and cycling and to incorporate appropriate routes. Concern was raised that, in the absence of a comprehensive strategy for the wider area, there is a risk of missing opportunities to establish effective connections from the Northern Access Road. The Highway Authority therefore emphasised the need for the provision of requested active travel improvements linking to the existing provisions along the NAR and surrounding areas to ensure policy compliance and future connectivity, whilst maximize active travel, minimize car reliance, and connect directly with local networks.

However, whilst the above position is acknowledged and the Highways position is noted, having regard to the scale and nature of the current proposal, a change of use from B8 to B2, it is not considered reasonable or proportionate to require the delivery of a full off-road active travel route at this stage to make this development acceptable. The proposal relates to a relatively modest change of use application, and there are a number of other applications associated with the strategic employment allocation at Bro Tathan, primarily focused to the south of Eglwys Brewis Road. It is also anticipated that more comprehensive active travel infrastructure will be delivered as part of future, larger-scale proposals within Bro Tathan North, in accordance with the RLDP allocation.

In this context, it is agreed that requiring a full connection at this stage would be disproportionate, given the extent and cost of the infrastructure relative to the likely level of use. The applicant has, however, agreed to a condition requiring the demarcation of a pedestrian and cycle route within the existing carriageway, which is considered to represent a suitable and proportionate alternative.

Overall, of balance of the issues, it is not considered that the absence of a comprehensive active travel connection, as sought by the Highway Authority, would render the proposal unacceptable in planning terms. More extensive infrastructure could be secured through future new development proposals. The proposal would also deliver wider benefits, including the provision of employment opportunities. Notwithstanding this, the provision of a marked pedestrian/cycle route would represent an overall improvement to existing conditions and would be secured by condition (**Condition 7**).

Accordingly, the development is considered acceptable in respect of highway and accessibility considerations and is in compliance with Criterion 6 of Policy MD2.

Flooding and Drainage

The application proposes foul and surface water to be managed via a package treatment plant and a soakaway respectively. Regarding surface water, the proposed development incorporates new sustainable drainage features, including permeable paving, soakaways, a conveyance swale and an infiltration/detention basin, to enable infiltration of surface water runoff on site, which will outfall to Nant y Stepsau watercourse to the south via a new carrier pipe. The drainage basin is proposed to be located west of the building, on the existing grassed area.

For foul water drainage, a new packaged sewage treatment plant is proposed be installed to treat flows prior to discharge to the Nant y Stepsau watercourse, utilising the new surface water drainage system.

Notably, an area to the North of the site is located within Flood Zone 3 and as such, comments received from the Council's Drainage Section requested the provision of a proportionate Flood Consequences Assessment (FCA). An FCA was subsequently provided and confirmed the main risk of flooding related to surface water, with northern area of the site falling within higher surface water zones (Zones 2 and 3). The FCA found that existing drainage effectively managed surface water runoff and that the development would not increase flood risk and would overall improve flood resilience, subject to detailed design and approval of surface water drainage arrangements through the SuDs Approval Body (SAB) process. Noting the above, the Council's Drainage Section provided further comments, which acknowledged that they were satisfied with the submitted FCA, given that it is proportionate to the scale, nature and vulnerability of the proposed development and in accordance with TAN15.

Notwithstanding the above, a consultation response received from Welsh Water (Dwr Cymru) recommended that planning consent includes a condition preventing any surface water from new roof areas or impermeable surfaces from draining into the public sewerage system to ensure no adverse impact on existing residents, the environment, or Dŵr Cymru Welsh Water's assets, **(Condition 10)**.

The consultation response outlines that this measure is necessary to avoid hydraulic overloading of the network, protect public health and prevent environmental pollution. An advisory note, highlighting that the applicant must ensure all drainage arrangements comply with Welsh Water requirements and do not connect surface water to the public sewer, either directly or indirectly is also requested to be attached to any permission granted.

Overall, the scheme proposes to utilise SUDs principles and relies on infiltration and controlled discharge, including on-site foul treatment to reduce overall flood risk. As such, the proposal is considered to comply with TAN15 and would not result in unacceptable impacts in respect of flooding and drainage on or around the site.

Contaminated Land

Policy MD7 (Environmental Protection) requires development proposals to

demonstrate they will not result in an unacceptable impact on people, residential amenity, property and/or the natural environment from (inter alia):

- Land contamination
- Hazardous substances
- Noise, vibration, odour nuisance and light pollution

Consultation responses indicate that further contamination investigation is necessary at Hangar 858 and accordingly recommend the imposition of standard contaminated-land conditions. These include requirements for site investigation, risk assessment, remediation, and verification, as well as controls relating to unforeseen contamination, imported materials, and the use of site-won soils. An advisory note is also recommended to remind the developer of their responsibilities in relation to contamination and ensuring safe development practices.

Subject to the further investigation and any necessary mitigation measures to be secured by conditions (**Conditions 11 - 17**), it is considered the proposal results in no unacceptable adverse impacts relating to ground conditions and land contamination, in accordance with Policy MD7.

Ecology and Green Infrastructure

Policy MD9 of the LDP is most relevant to biodiversity, it requires new development proposal to conserve and where appropriate enhance biodiversity interests. The Council's Biodiversity and Development SPG (2018) requires new development to provide ecological enhancements to promote biodiversity within the Vale of Glamorgan.

An Ecological Assessment has been submitted in support of the application, alongside a Green Infrastructure Statement. The mitigation strategy outlined is comprehensive, focusing on scheduling works outside sensitive periods and applying targeted protections for protected species. The assessment identifies that building and grassland works will avoid the bird nesting season to protect nesting birds and barn owls, while construction would follow the approved non-licensed method statement for Great Crested Newts. Measures for reptiles and amphibians include habitat management and timing groundworks outside hibernation periods, alongside precautionary soft stripping and checks for bat roost features. Safeguards for other mammals include secure excavations, avoidance of night-time disturbance, and limited, motion-activated lighting. The assessment also acknowledged that ecological enhancements would deliver biodiversity net benefits through new bat and bird boxes, wildflower grassland creation, and sensitive lighting design, supported by ongoing ecological supervision. Subject to these measures, the Ecological Assessment confirms there would be no unacceptable impacts.

Noting the above, the Council's Ecologist was consulted on the application and noted that the bat survey found no evidence of a bat roost. However, the building is identified as in use by a roosting Barn Owl and colony of nesting Jackdaw, neither of which have been addressed within mitigation or compensation strategy. Whilst Jackdaw is not a priority species, the need to compensate or mitigate habitat loss is necessary.

Similarly, a Green Infrastructure Statement has been received which notes several biodiversity enhancements. However, the provision of the bird and bat boxes would not adequately mitigate the loss of the existing roosting and nesting opportunities identified within the ecological surveys. Secondly, whilst reference is made to the management of an area of grassland, no details have yet been provided to demonstrate that such management would be secured. Thirdly, there is insufficient evidence to confirm that the attenuation pond would retain water for a duration that would allow it to function as a pond in ecological terms.

Notwithstanding these shortcomings, it is acknowledged that the above matters would be satisfactorily addressed by the imposition of the recommended condition to secure a Biodiversity Strategy which shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include but not be exclusively limited to: Replacement nesting sites for jackdaw, replacement roosting site for barn owl, site clearance strategy, surrounding grassland management (particularly with respect to Great Crested Newt- the NLMS), and details of the water-carrying capacity of the attenuation pond. The strategy shall be implemented as agreed (**Condition 3**).

Subsequently, it is considered that the proposal is compliant with the relevant policies and guidance in relation to Ecology and Green Infrastructure.

Heritage Impacts

Policy MD8 – Historic Environment notes: Development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan, specifically:

4. For sites of archaeological interest, development proposals must preserve or enhance archaeological remains and where appropriate their settings.

The submitted Planning Statement identifies that “owing to the site’s association with the former RAF St Athan base, the existing Hangar and associated brick extensions on the southern elevation date back to wartime. Accordingly, Level 3 building recording has been undertaken for the two extensions to be demolished as part of the redevelopment. The survey concludes the buildings are not unique in UK although many of the originals will have been destroyed when the hangars were demolished. However, the building survey report will be archived to preserve the building by record. In addition, a watching brief for all groundworks associated with the redevelopment of Hangar 858 is proposed, including earthworks and drainage.”

Notably, the application is supported by a Written Scheme of Investigation (WSI) for a historic building recording and an archaeological watching brief; and a historic building survey. Comments received from Heneb (formerly Glamorgan-Gwent Archaeology) noted no objection to the proposal but requested condition (**Condition 18**) relating to the implementation of a programme of archaeological work in accordance with that out-lined in “Picketstone, Bro Tathan, Vale of Glamorgan: Written Scheme of Investigation for Historic Building Recording of part of Building 858 and Attenuation pond archaeological watching brief (Heneb The Trust for Welsh Archaeology Glamorgan Gwent Archaeology, dated August 2025, reference 2025/031).

Overall, the proposals include measures to preserve the historic value of the building, by virtue of retaining the hangar building for a new use, meanwhile the built extensions to be demolished have been surveyed and recorded. The watching brief during ground works would ensure no unacceptable adverse archaeological impacts, in accordance with Policy MD8.

REASON FOR RECOMMENDATION

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

Having regard to Policies SP1 – Delivering the Strategy, MG9 – Employment Allocations, MD2 - Design of New Development, MD7 - Environmental Protection, MD16 - Protection of existing Employment Sites and Premises of the Adopted Local Development Plan 2011-2026, it is considered that the proposal is acceptable in relation to the principle of development, siting, scale, design and materials, access and parking, impact on residential amenity and neighbouring units, flooding and drainage and ecology.

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

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

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

RECOMMENDATION

APPROVE subject to the following condition(s):

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

Reason:

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

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

1034 02 Site Location Plan
1034 30 Proposed Ground Floor Plan
1034 31 Proposed First Floor Plan
1034 34 Proposed Second Floor Plan

1034 25 Proposed North South Elevation
1034 26 Proposed North East Elevation
1034 27 Proposed South West Elevation
1034 107 Proposed Hardstand
1034 106 Proposed Fencing
1034 105 Proposed Site Plan
1034 103 Proposed App Site
51044 Proposed Drainage Ga 1
10502 Proposed Drainage Ga 2 of 3
10503 Proposed Drainage Ga 3
Proposed Site Plan Lighting
Lighting Impact Assessment Unit 858
Ecological Assessment (David Clements Ecology Ltd, August 2025)
Battery Safety Management Plan Oct 25 V2B

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. Prior to the first beneficial use of the development, a Biodiversity Enhancement Strategy addressing enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved strategy and timings set out within and thereafter retained in accordance with the approved details whilst the development remains in existence. The Strategy shall include the following:
- a) Replacement nesting sites for jackdaw
 - b) Replacement roosting site for barn owl
 - c) Site clearance strategy
 - d) Surrounding grassland management (particularly with respect to Great Crested Newt- the NLMS)
 - e) Details of the water-carrying capacity of the attenuation pond

Reason:

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

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, the buildings hereby approved shall be restricted to uses falling within Use Class B2 or B8 only of the schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order.

Reason: To control the precise nature of the use of the building given its location within an allocated employment site, and to ensure compliance with the terms of Policies MD1 and MD2 of the Local Development Plan.

5. Deliveries shall not be taken at or dispatched from the site outside the hours of 08:00 to 22:00 Monday to Friday, 08:00 to 22:00 on Saturdays and 08:00 to 22:00 on Sundays.

Reason:

To ensure the safeguarding the amenity of residential properties, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

6. The external lighting scheme shall be carried out in accordance with the approved Lighting Impact Assessment and associated lighting drawings. No additional external lighting, or alterations to the approved lighting scheme, shall be installed.

Reason:

To safeguard residential amenity in accordance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Vale of Glamorgan Local Development Plan 2011-2026.

7. No development shall commence until details of a scheme to provide for the provision of a demarcated pedestrian/cycle route within the existing carriageway connecting the site to the Northern Access Road have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of layout, dimensions, surfacing, lining/markings and signage.

The approved scheme shall be implemented in full prior to the first use of the development and shall thereafter be retained unless and until a permanent alternative active travel route serving the site has been provided in accordance with a separate planning permission or agreed scheme.

Reason:

In the interests of pedestrian and cyclist safety, accessibility and the promotion of sustainable travel, to ensure compliance with Policy MD2 (Design of New Development) of the Vale of Glamorgan Local Development Plan 2011-2026 and Planning Policy Wales.

8. Notwithstanding the details submitted, any boundary fence or enclosure along the remaining site frontage shall be setback to a minimum of 4 metres from the highway boundary. This setback shall be retained free of obstruction to facilitate the potential future provision of an Active Travel Route serving the site in accordance with a separate planning permission or agreed scheme.

Reason:

In the interests of pedestrian and cyclist safety, accessibility and the promotion of sustainable travel, to ensure compliance with Policy MD2 (Design of New Development) of the Vale of Glamorgan Local Development Plan 2011-2026 and Planning Policy Wales.

9. The turning area indicated on the approved swept path drawings for articulated vehicles shall be clearly demarcated (including hatching) and retained solely for the turning and manoeuvring of vehicles. The area shall not be used for parking at any time.

Reason:

In the interests of pedestrian and cyclist safety, accessibility and the promotion of sustainable travel, to ensure compliance with Policy MD2 (Design of New Development) of the Vale of Glamorgan Local Development Plan 2011-2026 and Planning Policy Wales.

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

Reason:

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

11. No development on the site 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.
 2. A site investigation scheme, based on previous site uses, potential contaminants, the site conceptual model, and any associated risks 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 MD7 (Environmental Protection) of the adopted Local Development Plan.

12. 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 the provisions of MD7 of the adopted Local Development Plan.

13. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason

To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks and to ensure compliance with the provisions of MD7 of the adopted Local Development Plan.

14. Piling or any other foundation designs using penetrative methods shall not be 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 groundwater. The development shall be carried out in accordance with the approved details.

Reason:

In order to ensure the amenities of nearby occupiers is protected and to ensure accordance with Policies SP1 (Delivering the Strategy) / MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

15. 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 approved 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 the provisions of Policy MD7 of the adopted Local Development Plan.

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

Reason:

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

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

Reason:

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

18. No development or demolition (including vegetation clearance, topsoil strip or other groundworks) shall take place until a written scheme of historic environment mitigation has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in strict accordance with the approved details.

Reason:

In order that archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Local Development Plan.

NOTE:

1. **You will note that a condition has been attached to this consent and refers to an archaeologist being afforded the opportunity to carry out a watching brief during the course of developments. It would be advisable to contact the Heneb, Heathfield House, Heathfield, Swansea, SA1 6EL. Tel: (01792 655208) at least two weeks before commencing work on site in order to comply with the above condition.**
2. **The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are reminded that the responsibilities below rest with the developer:-**
 - (i) **determining the extent and effects of such constraints;**

(ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;

- **Unprocessed / unsorted demolition wastes.**
 - **Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.**
 - **Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and**
- (iii) the safe development and secure occupancy of the site.**

- 3. Surface water run-off from the proposed development must not connect either directly or indirectly (i.e. via any existing or proposed private drainage system) to the public foul sewer under any circumstances.**
- 4. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.**

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

- 5. The applicants are advised that all necessary consents / licences must be obtained from Natural Resources Wales (formerly Environment Agency Wales) prior to commencing any site works. The Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP General enquiries: telephone 0300 065 3000 (Mon-Fri, 8am - 6pm).**

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

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

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

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

2024/00534/FUL Received on 3 November 2025

APPLICANT: Kimberley Danter The Boat House, Symonds Yat, HR9 6BZ

AGENT: Laurence Clarke 6 Grove Place, Penarth, CF64 2ND

Land on Hayes Road, Sully.

Approximately 2.5 hectares of vehicle and container storage, with approximately 1.2 hectares of rewilding and planting in the southwest of the site and along the boundary.

REASON FOR COMMITTEE DETERMINATION

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

- the application is of a scale and / or nature that is not covered by the scheme of delegation.

EXECUTIVE SUMMARY

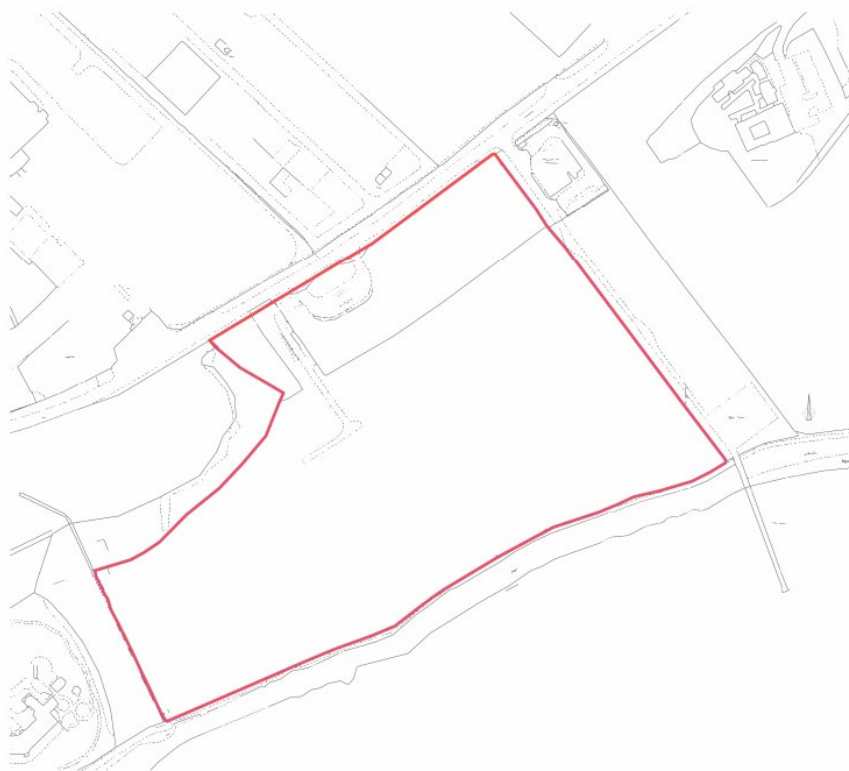
This application proposes the use of the site for the storage of up to 48 vehicles and 90 containers, in addition to associated works and planting. The site is currently allocated as employment land for B1 – B8 uses by Policy MG9 of the Adopted Local Development Plan (LDP), although is due to be deallocated by the Replacement Local Development Plan (RLDP). The site is proposed to employ just one full time and one part time employee and combined with the sparse layout, is considered an inefficient use of currently allocated B-Class employment land. There are also inconsistencies between the proposed ground levels, which currently includes steep gradients in parts of the site, that is likely to inhibit the effective operation of the development and mean that certain areas would be inaccessible to HGVs. The absence of accurate ground levels also means it has not been demonstrated that the scheme would have an acceptable visual impact. The absence of opening hours or a 'Construction Environment Management Plan' (CEMP) also raises concerns regarding the impact on nearby residential uses in terms of generating noise. The development site also sits partially within Flood Zone 2 and 3 for rivers and sea as well as the TAN15 Defended Zone and the historic use of the site as a fuel storage facility means the land is also likely to be contaminated. Furthermore, the proposal lacks important information including swept paths, the inclusion of a turning area for vehicles within the site, as well as ensuring that all internal roads maintain a minimum clear width of 7.3m with pedestrian facilities. Without these details, the scheme is also considered to have an unacceptable impact on highway safety.

The site has previously been engineered without planning permission, which led to the Council taking enforcement action in December 2023. Whilst enforcement matters in relation to case reference: ENF/2023/0087/PRO are ongoing and should not prejudice the consideration of this application, this is relevant in so far as existing vegetation was cleared prior to the assessment of this application. The applicant has subsequently failed to follow the step-wise approach set out within Planning Policy Wales (PPW) and has not demonstrated that the proposed planting and measures to enhance biodiversity would mitigate for the loss of vegetation. The application also lacks an ecological assessment of the site as well as a tree survey, which are required to rule out any harm to European Protected Species that are likely to be present and identify which of the remaining mature

trees would be retained. As such, it has not been demonstrated that the proposal would achieve a net benefit in terms of biodiversity and for the reasons outlined above, the scheme as submitted is considered to conflict with Policies MG19, MG20 and MD9 of the LDP, as well as the associated Supplementary Planning Guidance and Chapter 6 of PPW. Consequently, whilst the development may be considered acceptable in other regards, including impacts on archaeology and in terms of mineral safeguarding, and noting that concerns in relation to flood risk and contamination could be overcome by requiring further details and surveys through conditions, for the reasons outlined in this report, it is recommended that planning permission is refused.

SITE AND CONTEXT

The application site refers to the land at Hayes Road, Sully, a brownfield site located between Barry and Sully and outside of any designated settlement boundaries. The site is located east of the Ty Hafan Hospice and west of Beechwood College. The site falls within a mineral safeguarding area for limestone and is designated a HSE outer zone. The northern part of the application site, which includes Hayes Road and the proposed access is within a Flood Zone 2 and 3 Rivers / Sea. The site is allocated for industrial development by Policy MG9 of the LDP, specifically for B1 (business) and B8 (storage or distribution) uses.



It should be noted that there is a significant amount of planning and enforcement history associated with this site, including two withdrawn planning applications for similar proposals, in addition to an ongoing planning enforcement case relating to the carrying out of unauthorised engineering operations. The land is also currently being used for the unauthorised storage of miscellaneous containers, trailers, vehicles and materials, which is also currently under investigation.

In terms of the planning history, a planning application reference: 2023/00190/FUL was initially received on 23rd February 2023 and proposed the use of the land as a holiday park. However, this application was later withdrawn on 4th December 2024, followed by the submission of application reference 2023/00708/FUL, which proposed the siting of storage containers on the northeastern parcel of the land. This application was also withdrawn and was followed by the submission of application reference: 2023/00859/FUL, on 16th August 2023, which again proposed the storage of caravans and motorhomes on the land. This application was also withdrawn.

In terms of the enforcement investigation (case reference: ENF/2023/0087/PRO), the Council has taken enforcement action in relation to unauthorised engineering operations that were carried out on the land without planning permission. A Temporary Stop Notice ENF/2023/0087/PRO (A) was initially served on 31st March 2023 following the carrying out of excavations and the subsequent re-profiling of the land, which constituted unauthorised operational development. Whilst this notice was complied with, it ceased to have effect on 28th April 2023. Further engineering operations comprising excavations and the re-profiling of the site subsequently took place after the notice had expired, during the autumn / winter of 2023, which resulted in the Council issuing an Enforcement Notice ENF/2023/0087/PRO (C) along with a further Temporary Stop Notice ENF/2023/0087/PRO (B) on 21st December 2023. Whilst the Temporary Stop Notice ceased to have effect on 18th January 2024, no appeal was lodged and the extant Enforcement Notice therefore took effect the day after, on 19th January 2024.

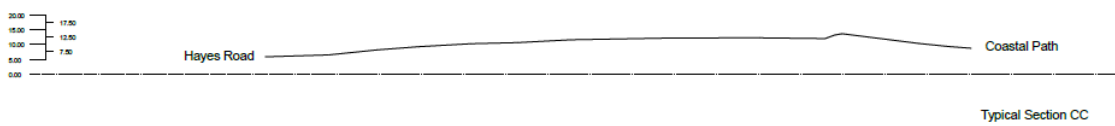
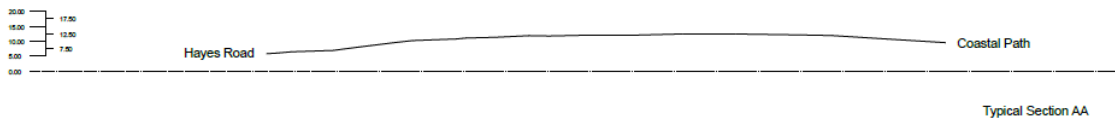
DESCRIPTION OF DEVELOPMENT

The application in this case proposes the use of the site to provide approximately 2.5 hectares of vehicle and container storage on the land, with approximately 1.2 hectares of what is described as 'rewilding' and planting in the southwest of the site and along the boundary. Up to 90 storage containers and 48 spaces for vehicles/motorhomes would be provided across the site. Existing and proposed site plans and section drawings are included below, to illustrate the extent of the proposals.

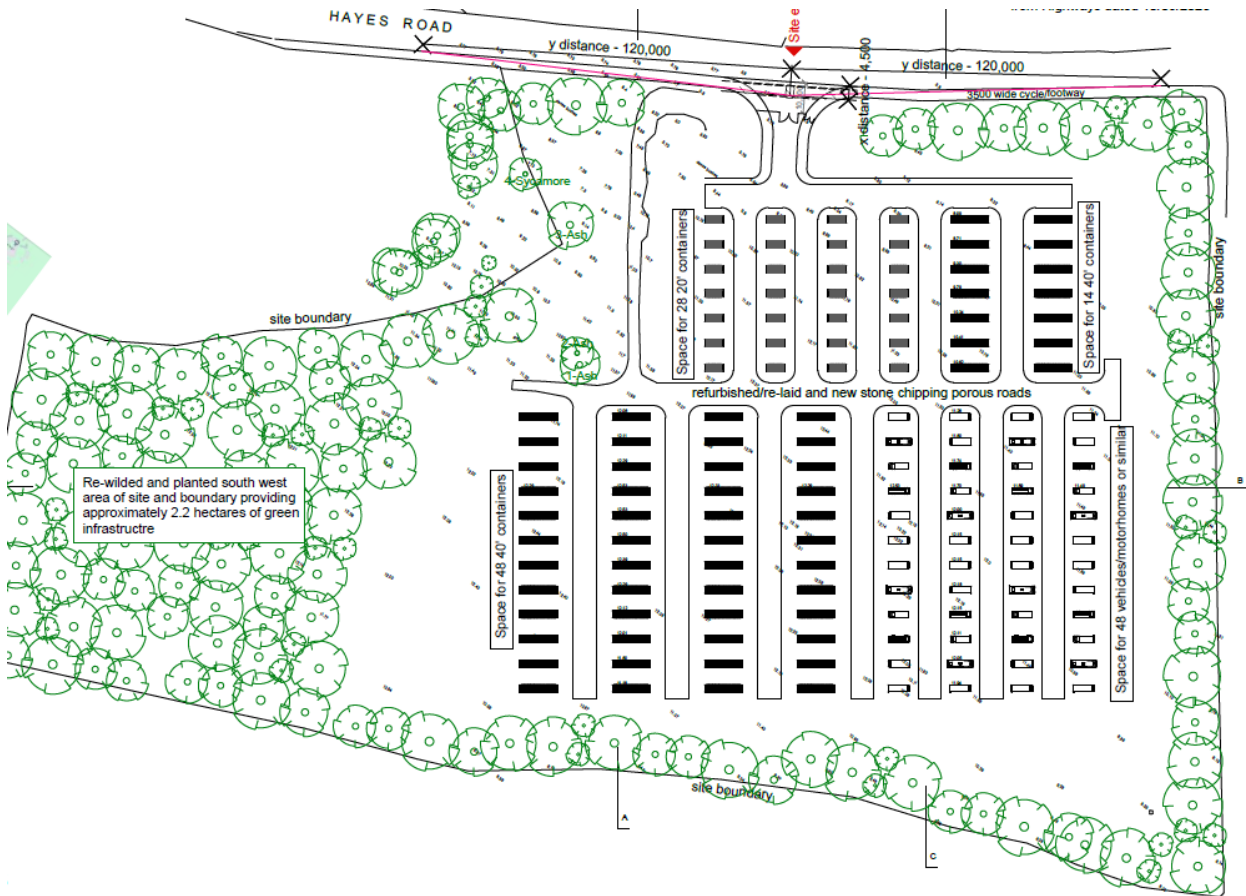
Existing Site Plan



Existing Sections

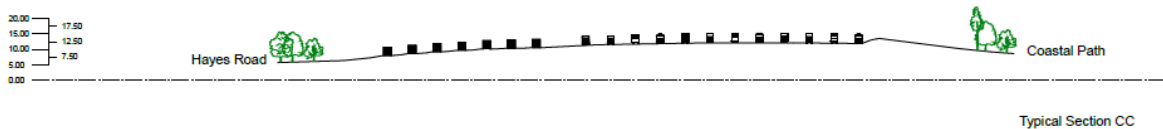


Proposed Site Plan

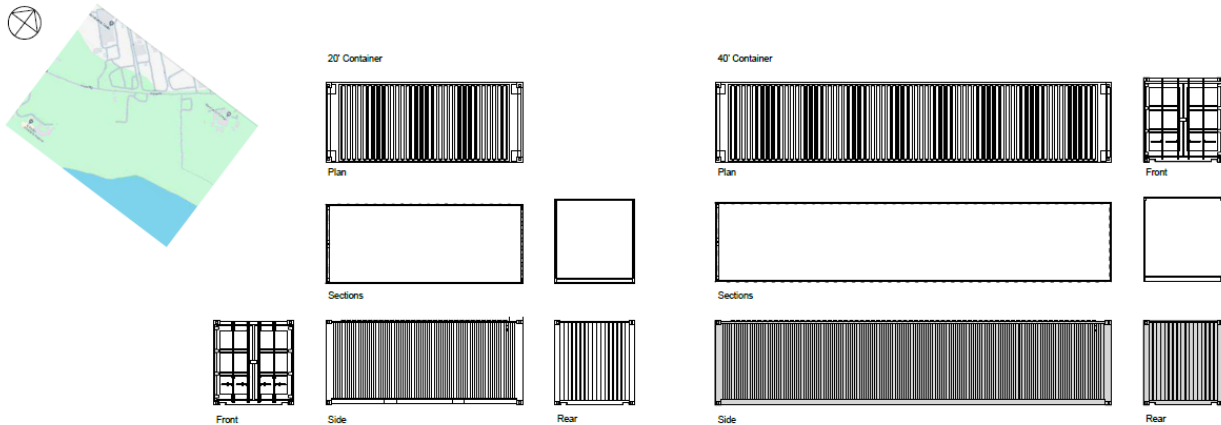


Proposed Section

Area for storage cleared of vegetation, scraped and smoothed with a top layer of chippings suitable for loading



Proposed Containers



PLANNING HISTORY

2024/00386/FUL, Address: Land on Hayes Road, Sully, Proposal: Proposed new palisade fencing along boundary with Hayes Road , Decision: Approved

2023/00859/FUL, Address: Land on Hayes Road, Sully, Proposal: Proposed caravan and motorhome storage (Class B8), Decision: Withdrawn

2023/00775/FUL, Address: Land on Hayes Road, Sully, Proposal: Proposed new palisade fencing along boundary with Hayes Road, Decision: Approved

2023/00708/FUL, Address: Land on Hayes Road, Sully, Penarth, Proposal: Proposed siting of Self-Storage Containers and Associated Works (Class B8), Decision: Withdrawn

2023/00190/FUL, Address: Land on Hayes Road, Sully, Proposal: Change of use of land for holiday let accommodation, Decision: Withdrawn

2013/00630/OUT, Address: Hayes Road, Sully, Proposal: Residential development (outline), Decision: Finally Disposed of

2010/00619/OUT, Address: Hayes Road, Sully, Proposal: Employment development (outline), Decision: Approved

1988/01225/OUT, Address: Former Oil Storage Depot, Hayes Road, Sully, Proposal: Class B1., Decision: Approved

CONSULTATIONS

Consultation on this application initially took place on 30th July 2025. However, the application was re-registered and re-consulted on again on 19th November 2025, after amended plans were received. All responses received to date are summarised below.

- 1. Sully Community Council** - responded on 19th August 2025 and raised several concerns in relation to the proposals. These were as follows:
 - Substandard highway access from Hayes Road.

- Lack of detail in the plans regarding the engineering works necessary to accommodate the significant changes in levels across the site and the movement of vehicles and trailers, making it difficult to envisage what the end result will be.
- Concerns raised in relation to the precedent of unauthorised works in the site and the fact the Council has already had to take enforcement action.
- How successfully the development will be screened from the coast path.
- The application will not resolve the unauthorised engineering operations and activity carried out in breach of the enforcement notice.

2. Health and Safety Executive (HSE) - commented on 22nd January 2026 and raised no objection to the development.

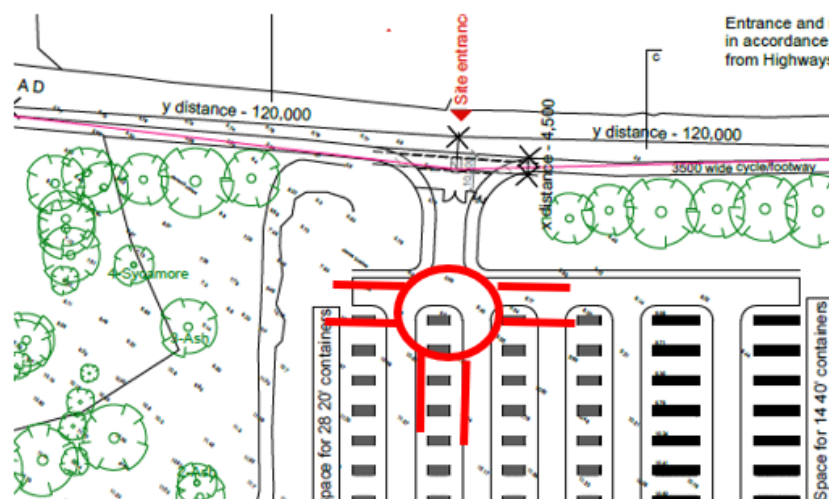
3. Council's Highway Authority – initially commented in relation to the original set of proposed plans on 10th September 2025. The following observations were raised:

- The site has been vacant for a number of years and the historic means of access is in the form of two accesses. This is not considered a suitable means of access in accordance with present highway standards and as such the site should be served off a single means of access which will need to be constructed to cater for articulated HGV's.
- The single access arrangement will need to be laid out such that it is suitable for large HGV's and articulated vehicles. In this regard, the new junction radii should be provided at 15m. Swept paths will need to be provided to confirm the junction operates safely without conflict with kerb lines.
- Visibility splays will need to be provided for the access arrangement an x-distance of 4.5m should be used and then the achievable visibility splays y-distance will need to be shown on a drawing. The speed of the road is currently 40mph however it has been observed on previous developments that the speeds are higher along this stretch of highway. Splays of 120m in both directions will need to be achieved.
- A 3.5m wide cycleway/footway should be provided along the site frontage and then a crossing point complete with dropped kerbs should be provided for pedestrians to cross and gain access to the footway on the opposite side. This would open the site up to pedestrian access and more sustainable modes of transport.
- The internal arrangement will need to have sufficient space to cater for large HGV's and articulated vehicles. Therefore, swept paths on a drawing will need to be provided for such vehicles to ensure that there will not be the need for large vehicles to reverse in the site nor reversing out on the highway. Minimum width of road should be 7.3m
- Sufficient space will need to be provided to ensure two vehicles can pass each other safely if the intention is for customers to drive to their rented container.
- The gate at the site access will need to be set back a minimum of 10m from the edge of the adopted highway to prevent vehicles waiting on the highway and causing obstructions to the detriment of free flow of traffic.
- A Highways agreement will need to be entered into to carry out works on the highway and in order to secure the proper access arrangements and improvements

along Hayes Road to accommodate the increase in vehicular and pedestrian movements.

The above comments were superseded by updated observations from the Council's Highway Authority, on 28th January 2026. The following concerns were raised in relation to the amended set of plans:

- No swept paths have been provided for the access and internal layout to ensure large HGV's can navigate the site, including long wheelbase motorhomes. Therefore, swept path analysis/tracking should be provided throughout the site for approval. The main junction into the site should be laid out as a large turning area, to ensure no conflict and backing onto the highway.



Sketch identifying – Onsite turning facility required

- Internal roads shall be constructed in accordance CSS Wales Common standards for industrial, which require carriageways to have a minimum clear width of 7.3m and incorporate pedestrian facilities.
- A Highways agreement will need to be entered into to carry out works on the highway and in order to secure the proper access arrangements and improvements along Hayes Road to accommodate the increase in vehicular and pedestrian movements. Please provide an engineering drawing to scale, indicating the new access arrangements such that the highway authority can then check i.e. dimensions/geometry.
- A Transport statement should be provided to accompany the application to assess the impact of the additional trips to/from the site on the surrounding highway network.
- All proposed security fencing shall be erected to the rear of the proposed combined pedestrian / cycle Facility and visibility splays.
- Drainage issues are present in the surrounding area and therefore early engagement with the Council's Drainage/SAB section is advised.

4. Shared Regulatory Services (Pollution) – responded on 15th September 2025 and objected to the proposal for the following reasons:

- The applicant has made no reference to opening hours or hours of movement with regard to both the construction and operation of the site. No consideration has been given to the noise that the construction and utilisation of the site once constructed will create. Sites that allow unlimited access for the movement of vehicles and utilisation of shipping containers have a proven history of causing noise nuisance, especially due to impact noise, and in turn detriment to residential amenity.
- Detriment to residential amenity would evidently affect the travellers site adjacent to the proposed development, as well as Beechwood College and Ty Hafan Hospice. Noting that those with particular conditions or medical problems, thus making them deemed to be within a ‘vulnerable group’ are *‘less able to cope with the impacts of noise exposure and be at greater risk for harmful effects’*¹ Hence why the *Guidelines for Community Noise*² set more stringent noise criteria for hospitals, treatment and ward rooms as well as classrooms which is relevant in this case.
- Having considered this application and the document referenced, it is advised that this application be refused.

5. Heneb, The Trust for Welsh Archaeology (GGAT) - commented on 16th September 2025 that overall, it is unlikely that significant archaeological remains will be encountered during the course of the proposal. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently no objections were raised to the positive determination of this application.

Heneb commented again after being reconsulted on 9th December 2025 and noted that whilst they acknowledge the amendments, they maintained that there is unlikely to be any archaeological restraint to the proposed development. No objections were raised.

6. Dwr Cymru / Welsh Water – initially commented on 4th August 2025 and confirmed on 27th November 2025 that they have no further comments to add. No objections were raised to the proposals, subject to:

- A condition prohibiting surface water from draining either directly or indirectly to the public sewerage system is suggested, as well as advisory notes, including the requirement for SAB approval, the potential for public sewers and lateral drains crossing the site, and a reminder to secure the necessary permissions and consents prior to carrying out any works to the public sewerage or water supply systems. The applicant is also advised to take a sustainable approach in considering water supply and reducing water consumption.

7. Natural Resources Wales – responded on 21st August 2025 and raised concerns regarding the application as submitted, with a suggestion for a number of conditions that are recommended to overcome these concerns relating to land contamination and the requirement for a construction environment management plan (CEMP), in the event permission is granted.

- The justification for these conditions is that the site is located on a principal aquifer and therefore considered to be of higher environmental sensitivity. The site is also

located adjacent to Hayes Point to Bendrick Rock Site of Special Scientific Interest (SSSI). The Design and Access statement submitted refers to former uses at the site including fuel storage, plus our internal mapping identifies the site as a historical landfill. These former uses are associated with sources of potential gross contamination

- The Site Investigation Report (Grove and Wright, February 1990) submitted in support of this application only comprises an investigation of ground conditions for building foundations, and it is not a risk assessment in line with Land Contamination Risk Management (LCRM). The Report also refers to the presence of underground fuel tanks across the site, and that they were “believed” to have been removed. Documentary evidence of any tank decommissioning, removal and validation works should be provided (the local petroleum officer may hold this information). The location and contents of fuel tanks should also be included within a risk assessment.
- It is noted that the submitted report is incomplete as the appendices are missing, plus a significant amount of time has passed since the investigation (the report is dated February 1990) therefore the current conditions at the site are uncertain. The Report relates to geotechnical aspects, and it is unknown if the site has been subject to any investigation for land contamination purposes or if any remedial (and subsequent verification) works have been carried out.

Surface Water and Flood Risk

- In terms of surface water, NRW request to be reconsulted if it is proposed to discharge surface water from the site directly into the Severn Estuary.
- Regarding Flood Risk, NRW note that the Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 Rivers/ Sea and TAN15 Defended Zone. However, given the proposal is for less vulnerable development and in the absence of a flood consequences development (FCA), NRW consider that the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences, noting that the developer should ensure flood resilient design.

Coast Path

- NRW have also advised that the applicant should ensure that suitable fencing is provided to ensure the safety of public right of way (PRW) users and that in the event permission is approved, during construction of the proposed development the Wales coast path must not be obstructed in any way.
- 8. Contaminated Land, Air & Water Quality** – responded on 31st July 2025 and note the history of the site as a former fuel storage depot. Based on the available information submitted with the application, the inclusion of conditions requiring contamination and ground gas/vapour assessments in line with current guidance are required. The findings of these will inform any remediation and protection measures required; to minimise risk to human health and the environment during construction, on completion of the development and ensure the site is made suitable for use.

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

9. The Council’s Planning Ecologist – responded on 30th January 2026 with a holding objection. In summary, the ecologist raised the following concerns:

- The application must be accompanied by a Preliminary Ecological Appraisal / Ecological Assessment with all recommended surveys also carried out, as a minimum. In addition, it may be necessary to carry out additional surveys dependent upon the recommendations contained within the report. This has not been submitted with the application and site clearance has begun. In the absence of an Ecological Assessment of the site it is not possible for the Local Planning Authority to assess the impact of the development nor the proposals for biodiversity mitigation, compensation and enhancement. Furthermore, the Ecological Appraisal should detail the nature of the site as it was pre-clearance.

The Green Infrastructure Statement as submitted is also wholly inadequate and is missing the following mandatory information:

- Identification and valuation of current ecological assets on site.
- Identification of which assets are to be / have been lost.
- Details of replacement, including area, location, species, numbers, etc with plans showing locations of biodiversity measures to be implemented.
- The GIS has failed to demonstrate the step-wise process i.e. Avoid-Mitigate-Compensate-Enhance.
- The GIS has failed to address DECCA.
- The statement claims that the vague proposed measures will enhance the sites ecology. However, as the site clearance has partly or wholly taken place, it is not possible to state enhancement until adequate compensation has been achieved
- The GIS has not demonstrated that adequate compensation measures will be provided.
- The statement proposes to “re-wild” the area. However, from aerial plans, the site appears to have been largely wild prior to the clearance works.
- The biodiversity measures proposed for compensation and enhancement are too vague to assess, and may not be appropriate for the site. This information will not be known until the existing (pre-clearance) habitat has been described.
- The GIS has not addressed the potential ongoing effects of the development arising from the operational phase, in particular the effects of, and any means proposed to prevent light spill, impacts on adjacent habitats etc.

The applicant is advised to refer to Chapter 6 of Planning Policy Wales (Edition 12), February 2024 for further information, in particular the requirement that any trees that have been cleared must be replaced on a 3:1 basis as minimum, and the replanting must include details of aftercare and management.

10. Council’s Drainage Section – responded on 13th March 2026 with the following comments:

The site is mostly located within Rivers and Sea Flood Zone 1 which is not considered to be at risk to fluvial and coastal / tidal flooding. The southeast boundary is adjacent to Sea Flood Zone 3 with some of this zone overlapping the site area. The lower lying land by the northwest boundary adjacent to Hayes Road is located within TAN15 Defended Sea Flood Zone 3 and undefended River Flood Zone 3 – the very edge of the proposed container storage areas is overlapped by TAN15 Defended Sea Zones 2 and 3. The NRW Flood Map for Planning (TAN15 2025) shows most of this site as being mostly in Surface Water and Small Watercourses Flood Zone 1 – considered to be at a low risk of surface water flooding – with the proposed site access and the adjacent Hayes Road being in SWSW Flood Zone 3, considered to be at a high risk of surface water flooding. As such, as per TAN15, a Flood Consequences Assessment proportionate to the nature and scale of this development should be undertaken.

It is indicated in the Pre-application Consultation (PAC) report that infiltration is to be used to dispose of surface water and that there would be no connection to a public sewer network. In principle, this method of surface water disposal is likely to be found acceptable. Final determination of the acceptability of the surface water drainage scheme will be dependent on the review of the technical details submitted as part of the SAB application required for this development.

This application is subject to SAB approval prior to any commencement of work. As such, a detailed design for the surface water drainage will be required to be submitted through the SAB process. An informative note has been requested in the event planning consent is granted, advising that SAB approval is likely to be required in this case.

11. Public Rights of Way Officer – no response received to date.

12. OM Regeneration – no response received to date.

13. Estates (Strategic Property Estates) – no response received to date.

14. Local Ward Members – no response received to date.

15. Open Spaces Society – no response received to date.

REPRESENTATIONS

The neighbouring properties were initially consulted on 30th July 2025 and were re-consulted following the re-registration of the application on 19th November 2025. Site notices were also displayed at the site on 11th August 2025 and again as part of the re-consultation on 28th November 2025. The application was also advertised in the press on 7th August 2025 and again on 27th November 2025. A total of 6 letters of representation have been received to date and these are summarised as follows:

- That people may eventually live on the site, enabled by the storage of motorhomes and caravans on the land.
- Proximity of the site to Ty Hafan Children's Hospice and the potential for harmful noise and disturbance.

- Harmful visual impacts, particularly from the coast path.
- The site and adjoining land are susceptible to flooding, which could be worsened by the development.
- Limited employment generated by the use, providing minimal benefit in conflict with the designation of the land as an employment site by the current Local Development Plan.
- The site could be contaminated, and further ground testing should be undertaken.
- Lack of engagement with the local community most impacted by the development as part of the pre-application consultation process.
- Responses collected as part of the pre-application consultation present bias in support of the development.
- Whether the proposed re-wilding of part of the site will take place effectively in the absence of conditions controlling implementation and management.
- The landowner's history of breaching the extant Enforcement Notice that relates to the site should be considered and demonstrates that there may be issues with compliance with conditions, in the event permission is granted for the development.
- Lack of information submitted with the application, in particular a lack of detail regarding the finished surfaces and how the site will be engineered / levelled prior to use.
- This application should not be determined until the ongoing legal proceedings have been resolved.
- If the Council considers approving this application, then it should be strictly conditioned to control the development.
- Ecological surveys should be carried out prior to any development and mitigation should be tightly conditioned.
- Biodiversity and ecology may have already suffered harm from the unauthorised work carried out to date, as the development commenced without planning permission.
- A number of inaccuracies have been identified in the application form, including the fact works have already started, comprising engineering operations carried out in breach of planning control and the extant Enforcement Notice. The applicant also claims the site is not contaminated or at risk of flooding and that there are no priority species or habitats at the site.
- Lack of detail submitted regarding the drainage of foul sewerage from the site.

REPORT

Planning Policies and Guidance

Local Development Plan:

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

Strategic Policies:

POLICY SP1 – Delivering the Strategy
POLICY SP5 – Employment Requirements
POLICY SP7 – Transportation
POLICY SP8 – Sustainable Waste Management
POLICY SP9 – Minerals
POLICY SP10 – Built and Natural Environment

Managing Growth Policies:

POLICY MG9 – Employment Allocations
POLICY MG19 – Sites and Species of European Importance
POLICY MG20 – Nationally Protected Sites and Species
POLICY MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species
POLICY MG22 – Development in Minerals Safeguarding Areas

Managing Development Policies:

POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
POLICY MD3 - Provision for Open Space
POLICY MD4 - Community Infrastructure and Planning Obligations
POLICY MD7 - Environmental Protection
POLICY MD8 - Historic Environment
POLICY MD9 - Promoting Biodiversity
POLICY MD15 - Protection of Allocated Employment Sites

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

Future Wales: The National Plan 2040:

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

Chapter 3: Setting and achieving our ambitions

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

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

- Strategy builds on existing strengths and advantages and encourages sustainable and efficient patterns of development.

Policy 8 – Flooding

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

Policy 9 – Resilient Ecological Networks and Green Infrastructure

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

Policy 15 – National Forest

- Supports tree planting as part of new development proposals.

Planning Policy Wales:

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

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

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

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

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

(Figure 4) “The efficient use of resources, including land, underpins sustainable development. The planning system has a vital role to play in making development resilient to climate change, decarbonising society and developing a circular economy for the benefit of both the built and natural environments and to contribute to the achievement of the well-being goals.”

Chapter 3 - Strategic and Spatial Choices

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

(3.7) “Good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution.

Chapter 5 - Productive and Enterprising Places

- Economic Infrastructure (electronic communications, transportation Infrastructure, economic development, tourism and the Rural Economy)

Chapter 6 - Distinctive and Natural Places

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

6.4.15 “The Step-Wise Approach”

“1a) The first priority for planning authorities is to avoid damage to biodiversity in its widest sense (i.e. the variety of species and habitats and their abundance) and ecosystem functioning. Where there may be harmful environmental effects, planning authorities will need to be satisfied that any reasonable alternative sites (including alternative siting and design options) that would result in less harm, no harm or benefit have been fully considered.”

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 by:

- *maintaining the largest possible area of existing habitat supporting biodiversity and functioning ecosystems, particularly Section 7 habitats and species where present, by minimising development size and appropriate orientation on site, paying due regard to the potential for continued long term maintenance and management of retained areas to benefit biodiversity;*
- *ensuring that retained habitats continue to be well connected to adjacent habitats to provide connectivity for key species and ensuring that the favourable conservation status of local species populations is maintained;*
- *retaining existing features, develop a management plan for their future care*

(e.g., trees, hedgerows, species rich grasslands, heath, wetlands, ponds and freshwater habitats) and use appropriate buffers to protect these from construction and operational impacts; and

- *using proven innovative/creative solutions (where required) to minimise damage and maintain existing biodiversity features and ecosystems in tandem with robust monitoring and rectification strategies.”*

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. Habitat status can be established through evidence remaining on site and local desk-based assessments (planning authorities must ensure that they have access to these data sources). In such cases, habitat status will be presumed to be good in the absence of any evidence to the contrary.”

- Recognising the Environmental Qualities of Places (water and flood risk, air quality and soundscape, lighting, unlocking potential by taking a de-risking approach)

Technical Advice Notes:

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

- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 15 – Development, Flooding and Coastal Erosion (2025)
- Technical Advice Note 23 – Economic Development (2014)

Welsh National Marine Plan:

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

Supplementary Planning Guidance:

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

- **Biodiversity and Development (2018)**

6.1. *“Where there is a reasonable likelihood for a development to impact on a wildlife feature, specific biodiversity surveys will need to be undertaken and provided in support of any planning application. There are a range of ecological surveys that could be undertaken however the survey type will generally depend upon the nature of the site and on what habitats or species may be found there. The survey information provided should be necessary, relevant and proportionate to the development and sufficient to enable the determination of the application.”*

6.5. *“If an ecological survey is required it will need to be undertaken and incorporated into the early stages of the project. This will enable design work to take full account of constraints and opportunities on-site. Survey information should include data from the Local Records Centre (SEWBREC) and use nationally recognised survey guidelines/methods where available. This information can be used to aid the decision of whether a species is likely to be present on a site however, it should be noted that an absence of proof is not a proof of absence and many species/records are not recorded or under recorded.”*

6.8. *“Surveys must be carried out to nationally accepted standards (this includes the correct methodology at the correct time of year, with appropriate equipment and qualified/experienced and, if necessary, licensed personnel). Any surveys that are not carried out to the appropriate standard, or are inadequate, or carried out at the wrong time of year will fail to demonstrate the likely presence or absence of a species or habitat at the site and the lack of appropriate information will not enable the LPA to make a fully informed decision against the relevant planning policies.”*

- **Economic Development, Employment Land and Premises (2023)**
- **Minerals Safeguarding (2018)**
- **Parking Standards (2019)**
- **Planning Obligations (2018)**
- **Trees, Woodlands, Hedgerows and Development (2025)**

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7.1.2. *“Details of any trees that are on or adjacent to the site for which a planning application is being submitted must also be included with the planning application form. Applications where trees are affected by development proposals should generally be supported by a Tree Survey, Tree Constraints Plan and an Arboricultural Implications Assessment (AIA) as defined in BS5837 (2012), in some cases bat surveys may also be required.”*

7.2.1. *“Where a tree survey is required because there are trees likely to be affected by the development, it will generally be necessary to appoint a qualified arboricultural consultant to offer advice and help to prepare the required documentation in support of the planning application. Specialist advice can save*

time and money, identifying constraints that a tree or groups of trees pose to a development proposal and working out solutions that can be incorporated into the site layout and design.”

Other relevant evidence or policy guidance:

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

Equality Act 2010

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

Well-being of Future Generations (Wales) Act 2015

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

Issues

The main issues to consider in assessing this application include considering the principle of the proposed use and development in this location, as well as the visual impact and impact on public and neighbouring amenity. The impacts on highway safety will also be considered, as well as the impacts on biodiversity and ecology. Issues affecting flood risk, drainage and the potential for land contamination will also be considered, in addition to archaeology, and the fact the site is located within a mineral safeguarding area. An assessment of the Section 106 contributions will also be undertaken.

Principle of Development

The site is currently allocated for B1 and B8 employment uses under LDP Policy MG9 (Employment Allocations), to ensure that future employment proposals would not prejudice existing residential uses located to the west of the site. The maintenance of a land bank of sites, particularly where growth sectors can be accommodated, is vital to the success of the area’s economic development initiatives and investment. Therefore, proposals for alternative uses on the strategic and local employment site allocations identified in Policy MG9 for non-employment purposes will not be permitted, in order to protect their status as regionally and locally important employment sites.

Policy MG9 allocates a total of 492.24 hectares of land for employment uses within the Vale of Glamorgan, in order to ensure an adequate supply and choice of appropriately located and suitable employment land to support the objectives of the LDP and meet local employment needs. The sites identified by Policy MG9 comprise strategically located flagship sites, that will stimulate inward investment and consolidate the role of the Vale of Glamorgan within the wider Cardiff Capital Region.

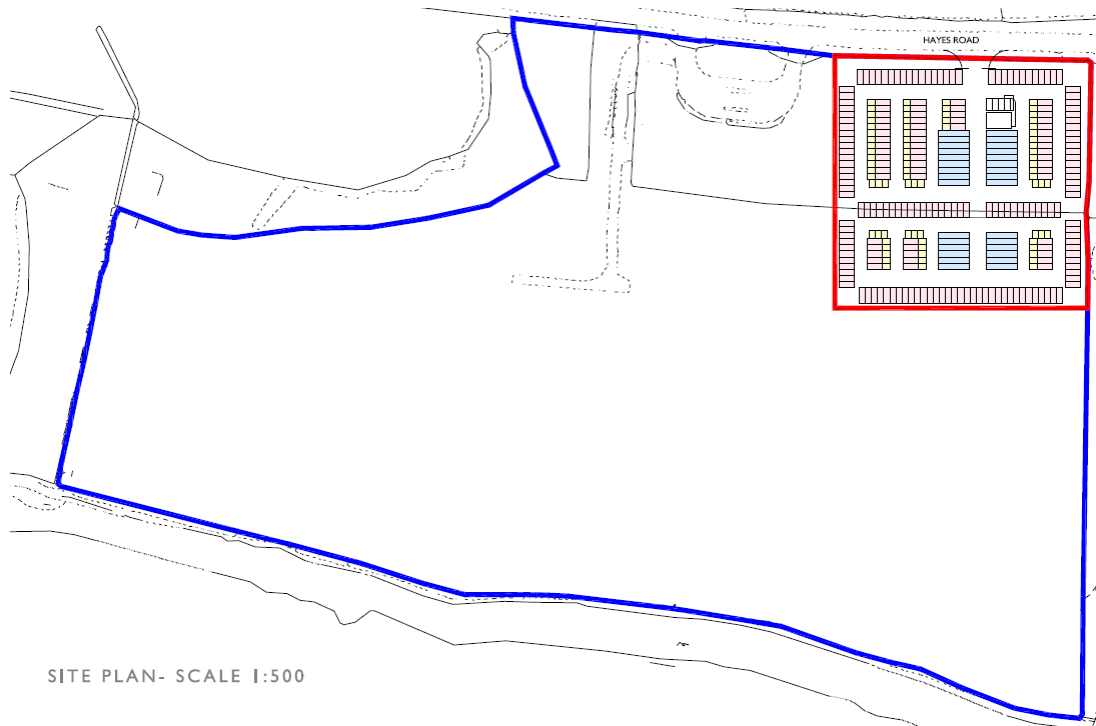
Policy MD15 (Protection of Allocated Employment Sites) of the Adopted LDP states “*on strategic and local employment allocations (Policy MG9 refers) proposals for non-B-Class employment uses, other than minor ancillary uses, will not be permitted.*” This is further supported by Paragraph 5.4.4 of PPW, which states that sites identified for employment use in a development plan should be protected from inappropriate development.

In this instance, the proposal seeks permission for vehicle and container storage, which is considered a B8 (storage or distribution) use of the land and therefore broadly accords with the land use allocation by Policy MG9 and the criteria of Policy MD15.

Notwithstanding this, the proposals would only provide employment for 1 full-time and 1 part-time employee, which would fail to provide the level of employment opportunities commensurate with the size and potential of the site. It is therefore considered that the current proposal would result in a relatively low value use, by failing to comply with the essence of Policies MG9 and MD15 and therefore would not support the current employment need of the Vale of Glamorgan.

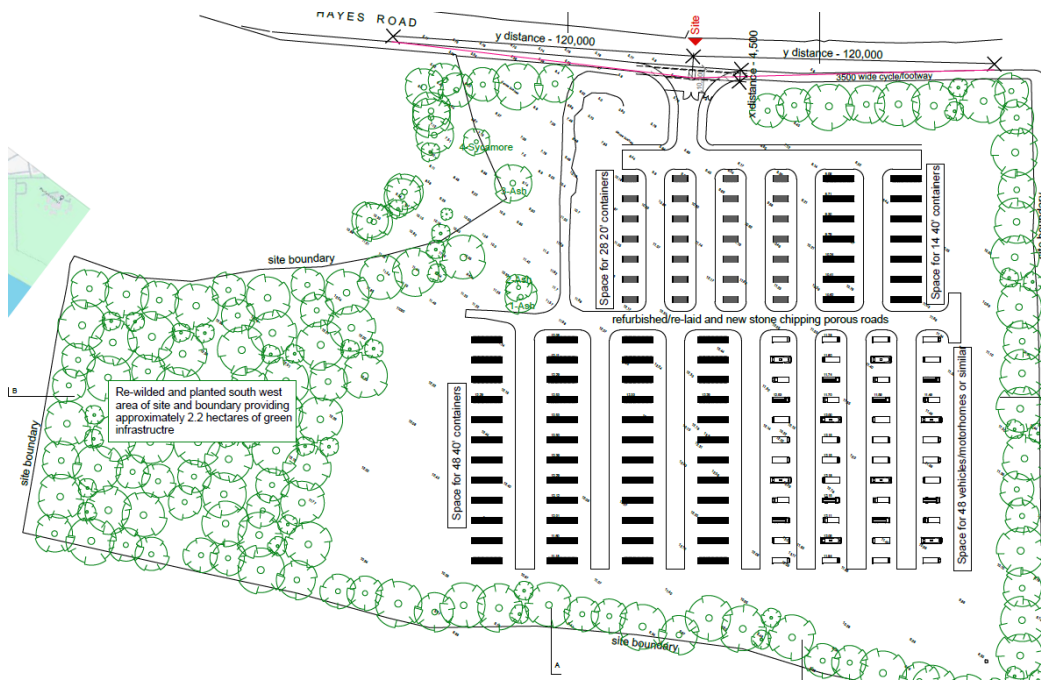
In addition to providing an extremely low level of employment that falls well short of the site’s potential, Chapter 2 of PPW notes in figure 14 that “*the efficient use of resources, including land, underpins sustainable development*”. Furthermore paragraph 3.7 of PPW highlights that “*good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land)*”

In this case, the sparse layout of containers and vehicles across the site represents an inefficient use of employment land and therefore is not considered a sustainable form of development. The scheme could easily be condensed into a smaller parcel that is commensurate to the needs of the current proposal and thereby releasing the remainder of the site and in doing so, opening the opportunity for it to be used for other B1-B8 employment uses under the current allocation by Policy MG9. It is worth noting that in 2023, a planning application (ref: 2023/00708/FUL) proposed approximately 308 storage containers of varying sizes, laid out in a grid formation that would have occupied approximately 0.95 hectares of land in the north-eastern corner of the site. Whilst this earlier application was withdrawn before a decision could be made and also presented issues in terms of a lack of employment benefit, it helps to demonstrate just how inefficient the current proposal is, for up to 90 storage containers and just 48 vehicles/motorhomes spread across a significantly larger area, arranged around a layout more akin to a caravan park. The site plan submitted in 2023 is included below, above the layout proposed by this application, which helps to illustrate how sparse and inefficient the proposed layout is in comparison.



SITE PLAN- SCALE 1:500

Previously submitted site plan, from application ref: 2023/00708/FUL



Site plan proposed by this application

There is also a precedent for caravan and motorhome self-storage on land north-west of the application site, approved by application ref: 2023/00430/FUL. The approved 2.25-hectare site shown below is far more space efficient in terms of the layout and employs up to 12 full time employees, as opposed to just one full time and one part time member of staff in this case.



Site plan approved by application ref: 2023/00430/FUL

This further demonstrates just how inefficient the proposed scheme would be in comparison with other sites, which are themselves considered to provide a relatively low level of employment. The proposed scheme therefore cannot be regarded as an effective or efficient use of employment land and thus would undermine the purpose of the allocation of the site by Policy MG9. The proposal is therefore deemed unacceptable in principle and contrary to the aims of Policies MG9 and MD15 of the Adopted Local Development Plan.

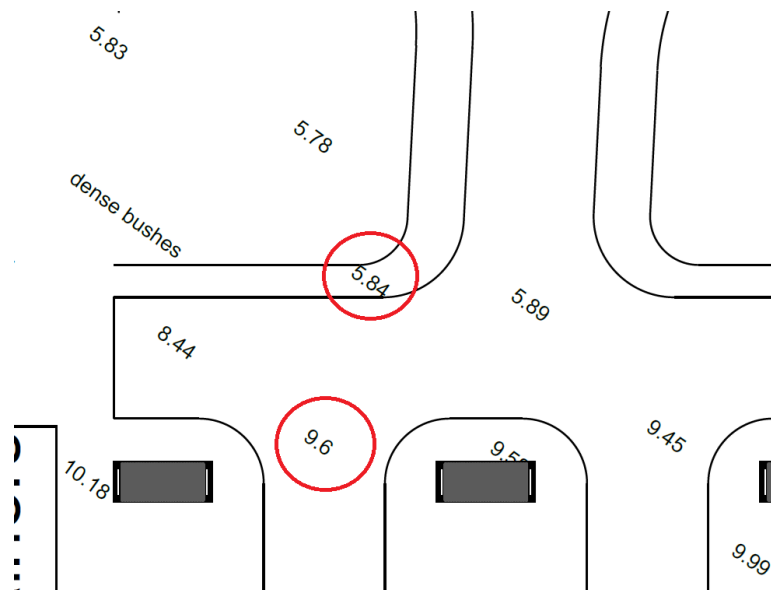
Notwithstanding the conflict with current planning policy, it should also be noted that the Adopted LDP is due to be replaced by the Council's Replacement Local Development Plan (RLDP) for the Vale of Glamorgan. Whilst the RLDP is not yet adopted, it is proposed to remove the Hayes Road employment allocation, partially due to the identified flood risk and a lack of interest to develop the land in accordance with the current B1 – B8 employment allocation by Policy MG9. Therefore, in addition to being considered an inefficient use of employment land allocated by the currently Adopted LDP, it is considered that weight should be given to the fact the land is due to be de-allocated by the next plan.

Visual Impact & Levels

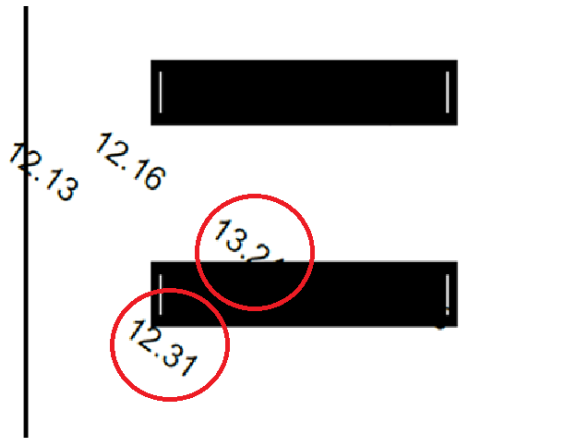
Criterion 1 of Policy MD2 (Design of New Development) requires new development proposals to *“be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape and landscape interest.”*

The site is located between Hayes Road to the north, and the Wales Coast Path to the South and is bordered by woodland separating it from Ty Hafan to the west and the lane leading to the slipway car park to the east. The site slopes upwards from Hayes Road and then levels off before dropping towards the coast. It is therefore highly visible from both Hayes Road and the coast path, as well as from the lane that runs up the eastern boundary to the slipway car park. The internal roads would be finished in stone chippings and the vehicles and containers proposed would vary in terms of size and appearance. It should also be noted that the unauthorised engineering operations carried out in breach of planning control, including excavations and groundworks, have already altered the levels of the site.

In terms of the proposal, the levels submitted with the application show an approximately 6.77m rise from Hayes Road up to the highest point for section AA and a difference of 6.38m for section CC. Notwithstanding the levels included on the proposed site plan and section drawings, there are concerns that they do not accurately depict the proposed topography of the site. In particular, the levels increase near the entrance to the site by approximately 3.8m over a short distance of just 9m, as shown on the plan below. This equates to an extremely steep gradient of over 40% from one side of the internal access road to the other and would not be suitable for the proposed use, particularly as the site would need to be accessible for vehicular traffic, including HGVs and articulated vehicles



There are also parts of the site whereby containers are not proposed to be sited on level ground, which would mean that some containers may be at such an angle that they would be unusable, or coupled with the above, suggest that the levels changes and associated unauthorised engineering works have not been accurately set out within the submission. At one point there is a levels difference of around 90cm between either side of one storage container, as shown below.



The fact the current levels appear inaccurate, in that they do not describe a scheme that could feasibly be delivered as proposed, means that it is not possible to determine the true visual impact of the scheme. It is accepted that the site is in proximity of existing industrial development to the north of Hayes Road and that an alternative proposal for the construction of B-Class industrial units on the land could have a potentially greater visual impact in terms of built form. It is also acknowledged that the site would be screened to an extent by the proposed planting along the boundary should this establish, albeit this in itself should not be relied upon to mitigate any long term visual impacts. However, as the submitted levels appear to be inaccurate, in the absence of plans and documents to demonstrate that the site could be developed in a satisfactory manner, it is not possible to interpret the site plan for the purposes of assessing the visual impact and it is therefore not possible to conclude whether the development would accord with the provisions of Policy MD2.

Neighbouring & Public Amenity

Criterion 8 of Policy MD2 of the LDP requires development proposals to “safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise, and disturbance”. Furthermore, Policy MD7 (Environment Protection) requires development proposals “to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from...noise, vibration, odour nuisance and light pollution” (criterion 4).

The site is located between Ty Hafan Children’s Hospice to the west and Beechwood College and a traveller site in the Council’s former civic amenity site to the east. The Environmental Health Officer has objected to the application as it currently stands on the basis that no opening hours or hours of movement within the site have been provided, relating both to the construction and operation of the site. Aside from disruption during construction, which could be overcome by attaching a condition requiring the submission and approval of a ‘Construction Environment Management Plan’ (CEMP), the nature of the use is likely to have lasting impacts, as patrons accessing containers and vehicles stored at the site, as well as the associated vehicle movements could result in excessive and unnecessary noise, particularly if the site is open during the late evenings and nights. The Environmental Health Officer has highlighted that those with particular conditions that may be residing or visiting neighbouring sites could be deemed to be within a “vulnerable group” as identified by the ‘Guidelines for Community Noise’ and therefore may be “less able to cope with the impacts of noise exposure and be at greater risk for harmful effects”.

In a scenario whereby the use was considered acceptable in principle, then it may have been possible to attach a suitably worded condition to control the operational hours and movements within the site. However, given that the proposal is considered to represent an inefficient use of employment land that is not supported in principle, and in the absence of any information submitted with the application detailing how noise impacts will be mitigated and managed, it is considered that the proposal as it stands has failed to demonstrate that it would not result in any unacceptable impact on people and residential amenity and therefore currently conflicts with Policy MD7 (criterion 4), as well Policy MD2 (criterion 8) of the LDP.

Highway Safety

Criterion 6 of Policy MD2 requires that new development proposals should “*have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree*”.

The site is currently served by two vehicle access points directly off Hayes Road, which were initially proposed to be retained and was considered an unsuitable means of access in accordance with current highway safety standards. The original proposed site plan also lacked detail in relation to the width and layout of internal access roads and failed to include vision splays or swept paths, to demonstrate that the junction would operate safely. The Local Highways Authority had also requested that a 3.5m wide cycleway/footway should be provided along the site frontage and then a crossing point complete with dropped kerbs should be provided for pedestrians to cross and gain access to the footway on the opposite side of Hayes Road. It was also highlighted that the gate at the site access would need to be set back from the edge of the adopted highway by a minimum of 10m and that the applicant would need to enter into an agreement with the Council, in order to carry out the necessary works to the adopted highway, in order to facilitate safe access to the site.

The above observations were shared with the applicant, and amendments were made to the scheme, which the Local Highway Authority were subsequently re-consulted on. It is noted that the proposal is now for one single vehicle access point into the site. The visibility splays have been shown on the drawing with an x- distance on 4.5m and a y distance of 120m in both directions, which is in accordance with the requirements for a 40mph road. Radius kerbing has not been confirmed however a proposed 3.5m wide cycleway has now been shown along the site frontage and into the site, in response to the earlier observations by the Highway Engineer.

Notwithstanding these amendments, it remains the case that no swept paths have been provided for the access and internal layout, which were requested by the Highway Authority to ensure large HGV's can navigate the site, including long wheelbase motorhomes. A turning area has also not been provided within the site, which is required to ensure large vehicles can exit the site in a forward gear, so as not to jeopardise the safety of other road users, noting the site is accessed via a 40mph road. It has also not been demonstrated that the internal roads would maintain a minimum clear width of 7.3m and incorporate pedestrian facilities, in accordance with the CSS Wales Common standards for industrial development.

The Highway Authority have also reiterated the need for the applicant to enter into an agreement to carry out the necessary works to the adopted highway and that the application is currently lacking a detailed engineering drawing of the new access, which would be required in the event planning permission is granted. The application is also lacking a transport statement, which is required to assess the impact of the additional trips to/from the site on the surrounding highway network.

It should also be noted that dramatic changes between proposed ground levels in parts of the site, particularly where the internal access road would have more than a 40% incline would mean parts of the site are also likely to be inaccessible to HGVs and large motorhomes. Therefore, as it currently stands, the proposed scheme lacks the necessary detail to ensure the development would not have an unacceptable impact on highway safety and therefore fails to comply with criterion 6 of Policy MD2.

Contamination

The applicant has stated that the land is not known or suspected to be contaminated. Contrary to this, the site has been identified as formerly commercial/military land, with uses including landfill and for fuel storage by the Ministry of Defence (MOD). Activities associated with this use may have caused the land to become contaminated. Such sites are also associated with the generation of landfill gases, within subsurface materials. The aforementioned may give rise to potential risks to human health and the environment for the proposed end use.

Consequently, Shared Regulatory Services (SRS) have advised that the inclusion of conditions requiring contamination and ground gas assessments in line with current guidance are required. The findings of these will inform any necessary remediation and protection measures to minimise risk to human health and ensure the site is made suitable for the end use. Should there be any site won recycled material, or materials imported as part of the construction of the development, then it must also be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants, which may give rise to potential risks to human health and the environment for the proposed end use.

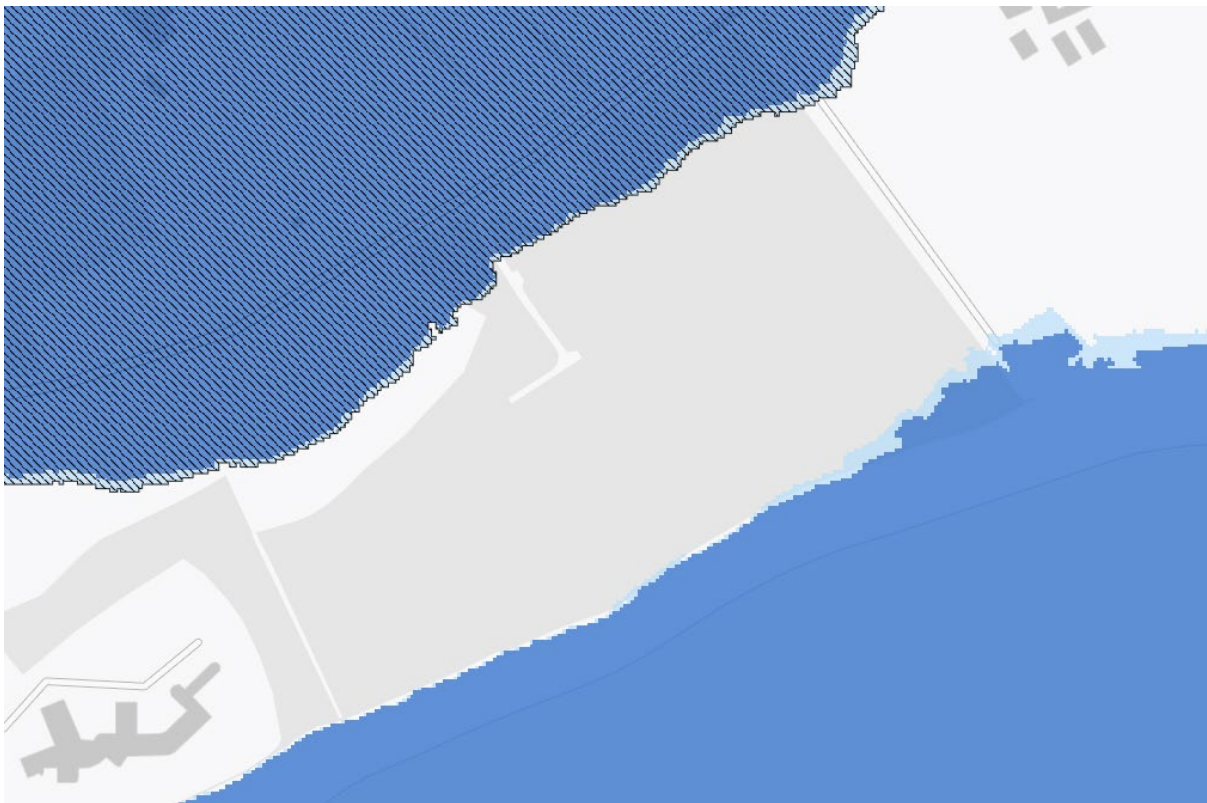
Natural Resources Wales (NRW) have also requested a similar set of conditions requiring the submission of a scheme to deal with the risks associated with contamination at the site, as well as conditions controlling the implementation of the agreed remediation strategy and how contamination will be monitored in the long term. A condition regarding how to deal with any unforeseen contamination has also been requested by both SRS and NRW. It is acknowledged by NRW that a Site Investigation Report (Grove and Wright, February 1990) has been submitted in support of this application. However, it only comprises an investigation of ground conditions for building foundations, and it is not a risk assessment in line with Land Contamination Risk Management (LCRM). The submitted report is also missing its appendices and a significant amount of time has lapsed since the date of this report from February 1990.

Therefore, despite concerns raised regarding the history of the site as a fuel depot for the MOD and potentially for land filling, it is considered that the risks associated with potential contamination could be adequately addressed by attaching appropriate conditions, in a scenario where the development was found to be acceptable and permission were to be granted.

Flood Risk & Drainage

Policy MD7 Environmental Protection states that *“development proposals will be required to demonstrate they will not result in an unacceptable impact on people, residential amenity, property and / or the natural environment from...flood risk and consequences” (criterion 5).*

The applicant has stated that the site is not within an area at risk of flooding. However, the Flood Map for Planning identifies the front and rear portions of the application site to be at risk of flooding and within Flood Zone 2 and 3 for rivers and sea, as shown below. Representations were also received regarding the impact of the development in terms of generating additional surface water flooding.



Map showing the front and rear of the site within flood zones 2 and 3 for rivers and sea

The front of the site adjoining Hayes Road is also within the TAN15 Defended Zone, as shown below.



Vehicle and container storage is considered less vulnerable development and as such, despite the absence of a flood consequences assessment (FCA), which the Council's Drainage Section advise should have been undertaken in this case, NRW consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks and consequences arising from the development. NRW also note that the proposed containers and car storage areas appear to be situated outside and to the south of the flood outlines at the site. However, NRW do highlight that the development should incorporate flood resilient design measures where this can be feasibly integrated into the scheme. Furthermore, information and direction towards the guidance on resilient design could be included by way of an informative, in the event planning permission is granted. However, given that NRW have not raised an objection and consider the flood risk and consequences to be acceptable, it is considered that the development complies with criterion 5 of Policy MD7.

In terms of drainage from the site, NRW have noted that the application does not include any details of the method of how surface water will be drained from the site. They have requested to be reconsulted in the event surface water drains directly into the Bristol Channel. In the event planning permission is granted for the scheme, then a further condition will be added to require that no surface water drains directly or indirectly into the public sewerage system. Furthermore, it is noted that the site area far exceeds 100m², and therefore would trigger the need for SAB approval, which the applicant would be advised by way of informative in the event permission is granted. Dwr Cymru / Welsh Water included a number of other advisory notes regarding the fact that there may be lateral drains and sewers crossing the site not recorded on Welsh Water maps and that any works or connections to the public sewerage system must not be carried out without first obtaining consent from them. Welsh Water have also advised that the applicant should take a sustainable approach in considering water supply and consumption.

Concerns have also been raised in representations regarding how foul sewerage will be drained from the site. However, there is no amenity building proposed that would suggest a foul sewerage connection. In the event permission is granted, then as above, the landowner would need to seek approval from Welsh Water, before making any connections to the public sewerage network.

Biodiversity & Green Infrastructure

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

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

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

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

Policy MG20 states that *“development likely to have an adverse effect either directly or indirectly on the conservation value of a site of special scientific interest will only be permitted where it is demonstrated that:*

- 1. There is no suitable alternative to the proposed development; and*
- 2. It can be demonstrated that the benefits from the development clearly outweigh the special interest of the site; and*
- 3. Appropriate compensatory measures are secured; or*
- 4. The proposal contributes to the protection, enhancement or positive management of the site.*

Development proposals likely to affect protected species will only be permitted where it is demonstrated that:

- 1. The population range and distribution of the species will not be adversely impacted;*
- 2. There is no suitable alternative to the proposed development;*
- 3. The benefits of the development clearly outweigh the adverse impacts on the protected species; and*
- 4. Appropriate avoidance, mitigation and compensation measures are provided.”*

Policy MD9 (Promotion Biodiversity) of the LDP states that *“new development proposals will be required to conserve and where appropriate enhance biodiversity interests unless it can be demonstrated that:*

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

Prior to the submission of this application, clearance of the scrub took place, which included the removal of much of the existing vegetation. The methods used by the landowner to not only remove scrub but also excavate parts of the site and re-grade the land without planning permission will have disturbed the site's biodiversity, including any habitats that may have been present prior to the commencement of development. The clearance of vegetation, which also included the felling of trees and shrubs, took place in conflict with paragraph 6.4.16 of PPW, which advises against carrying out any pre-emptive site clearance works before submitting a planning application, as that makes it more difficult to secure a net benefit for biodiversity. PPW also states that 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.

In this case, the application proposes approximately 2.2 hectares of what is described as “re-wilding” and planting on the southwest parcel of the site, nearest to Ty Hafan and around the perimeter. However, no further details have been submitted with the application, including the numbers and species mix for the proposed trees, flora and fauna. The Council's Trees, Woodlands, Hedgerows and Development (2025) SPG highlights that “*applications where trees are affected by development proposals should generally be supported by a Tree Survey, Tree Constraints Plan and an Arboricultural Implications Assessment (AIA) as defined in BS5837 (2012), in some cases bat surveys may also be required.*” The biodiversity enhancement note included at the end of the submitted Green Infrastructure Statement also proposes the retention of existing mature vegetation where possible. However, despite this and the loss of vegetation due to the works undertaken prior to the submission of this application in breach of planning control, the presence of remaining mature trees on the site would warrant the submission of a survey of existing trees and hedgerows, to establish the value of the existing vegetation, including the presence of bats and birds, which are included as a European Protected Species.

It is noted that the applicant claims there are no protected or priority species at the site. However, it is considered that there is a reasonable likelihood that the proposal would impact upon ecology and could potentially impact on European Protected Species present at the site, which is largely covered in existing overgrowth and vegetation. Paragraph 6.1 of the Council's Biodiversity and Development SPG states that “*where there is a reasonable likelihood for a development to impact on a wildlife feature, specific biodiversity surveys will need to be undertaken and provided in support of any planning application.*” As such the County Ecologist has objected on the basis that the application is lacking a preliminary ecological assessment of the site, which should also have been undertaken and submitted to accompany the proposals. They also note that an ecological appraisal of the site should detail the nature and condition of the site as it was pre-clearance. This is necessary to establish the ecological value of the site and inform any further survey work that may be required. In the absence of a survey, it is considered that insufficient information has been provided to demonstrate that the proposal would have an acceptable impact in terms of ecology and what specific mitigation measures may be required. As such it is not currently possible to make a meaningful assessment of ecological impacts of works undertaken or proposed; the suggested ecological mitigation or in turn the compliance of these measures with the step-wise approach within PPW.

In terms of Green Infrastructure, Chapter 6 of PPW places increased emphasis on the protection and enhancement of the natural environment. It states that all developments must achieve a biodiversity benefit and also that green infrastructure statements should accompany all planning applications to evidence how the 'step-wise' approach has been applied. A green infrastructure statement has been submitted with the application, which details that the *“surrounding area includes established green corridors that connect to the nearby coastal path and open green space to the south.”* The proposed re-wilding/planting of the southwest corner and perimeter of the site is proposed to link in and complement the site's surroundings. However, as above, further details of any such area, including the number of plants, details of the species mix and the manner of habitat that would be created, would be required to confirm the suitability of the proposed planting, particularly given the exposed coastal location. The green infrastructure statement also proposes wildflower planting, additional tree planting long the site's boundaries, as well as bird and bat boxes, insect holes, and log piles to enhance biodiversity. Whilst these provisions are seen as generally positive in terms of complementing the surrounding green infrastructure as well as potentially enhancing the site's biodiversity in line with Policy MD9, the fact large parts of the site have been engineered without consent means that there has already been a significant amount of soil disturbance and harm to existing green infrastructure and as above, it has not been demonstrated that the step-wise approach set out by PPW has been followed, in that existing ecosystems and habitats should have been retained and protected rather than destroyed prior to the consideration of this application. The potential effects of the development arising during the operational phase have also not been addressed, including the impact of light spill and how this may impact on habitats present at the site.

Therefore, whilst the level of planting proposed would certainly help to mitigate for the loss of existing vegetation, in the absence of a report detailing the findings of a survey of existing mature trees as well as a preliminary ecological assessment of the site, it is not possible to determine whether the proposed scheme would be considered to achieve a net gain in terms of biodiversity or even compensate for the habitat lost. For the reasons detailed above, the proposal is therefore considered to conflict with Policies MG19, MG20 and MD9 of the LDP, as well as Chapter 6 of PPW and the Council's SPG on Trees, Woodlands, Hedgerows and Development (2025), and Biodiversity and Development (2018).

Archaeology

Policy SP10 (Built and Natural Environment) states that *“development proposals must preserve and where appropriate enhance the rich and diverse built and natural environment and heritage of the Vale of Glamorgan...including important archaeological features.”* (criterion 6).

In this instance, archaeological resources have been identified in close proximity to the site in the form of an old quarry and lime kiln. Heneb has however advised that it is unlikely that any significant archaeological remains would be encountered during the course of the development and as such raised no objections to the proposal. They also note that the Historic Environment Record is not definitive and should any archaeological deposits be encountered, Heneb have requested to be contacted, to establish if any mitigation would be required. However, as Heneb have not raised any objection to the development, it is not considered to conflict with Policy SP10 of the LDP.

Minerals Safeguarding

The site is located within a mineral safeguarding area for limestone. Policy MG22 (Development in Mineral Safeguarding Areas) is therefore of particular relevance to this proposal.

Policy MG22 states that *“new development will only be permitted in an area of known mineral resource where it has first been demonstrated that:*

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

However, it is considered likely that extraction of the mineral resource would have an unacceptable impact on amenity considerations due to nearby residents and as such Policy MG22 is complied with.

S106 Contributions

Policy MD4 (Community Infrastructure and Planning Obligations) states that *“where appropriate and having regard to development viability, the Council will seek to secure new and improved community infrastructure, facilities and services appropriate to the scale, type and location of proposed developments through the use of planning obligations.”* In this instance the proposal for vehicle and container storage would not be considered commercial development that would require any contributions in terms of sustainable transport or training and development, in that there would be no new floor space created by the storage containers or parked vehicles for the purpose of calculating an appropriate contribution to be secured via a Section 106 agreement. Furthermore, given the nature of the development for storage purposes, with only one full time and one part time employee, there would be no need for any contributions in any case.

Additionally, on sites over 1000sqm of new floor space / 1-hectare in size, public open space would ordinarily be required to be provided on site at a rate of 16m² per person or 15% of the site area. This has not been accommodated in this case, albeit the site would only employ two members of staff, which would incur an area of just 32m² in any case.

In terms of public art, the Council introduced a ‘percent for art’ policy in July 2003, which is supported by the Council’s adopted SPG on Public Art. It states that on major developments, developers should set aside a minimum of 1% of their project budget specifically for the commissioning of art and, as a rule, public art should be provided on site integral to the development proposal. Any public art scheme must also incorporate sufficient measures for the appropriate future maintenance of the works. This has not been secured on the basis that the application is recommended for refusal. However, the Council may enter into negotiations with the applicant to secure an appropriate contribution towards public art, in the event that permission is granted.

In addition, and separate to any obligation sought, the Council requires the developer to pay an administration fee, equivalent to 20% of the application fee or 2% of the total financial contribution being sought, whichever is the greater. This fee would cover the Council's costs to negotiate, monitor and implement the terms of the necessary Section 106 agreement. However, due to the overriding reasons for refusal outlined in this report, the above contributions in addition to any administration fees have not been secured and the Council has not deemed it necessary to enter any discussions with the applicant for that reason.

Other Matters

It is noted that objections to the development were received on the basis that the landowner (who also owns Barry Island Pleasure Park) may begin using the site for residential purposes, particularly if motorhomes are brought on to the land. However, this application must be assessed based on its individual planning merits and as it stands, the scheme is for storage purposes only and not for any residential purpose.

Furthermore, comments were received noting that the results from the pre-application consultation report appeared to show bias in favour of the development, suggesting that some of the respondents may have been selected to improve the response rate. However, irrespective of this, a valid pre-application consultation was carried out, including the display of site notices and the consultation of specialist consultees and as such, the planning application was found to be valid. Local residents and members of the community were also able to view and submit comments in relation to the proposal and therefore were effectively engaged for the purposes of carrying out a valid pre-application consultation. It should also be noted that the response received from the pre-application does not change the Council's assessment of the fundamental issues affecting the proposed development.

A number of representatives have also highlighted the ongoing legal proceedings and the fact the landowner has a history of carrying out unauthorised development in breach of planning control. Whilst these circumstances are noted, they have no bearing on the consideration of this application, which as above, has been assessed on its individual planning merits. It is also not considered that the enforcement investigations, including legal proceedings, prevents this application from being determined. In the event planning permission is granted and conditions attached to that consent are breached, then the Council has powers to take further enforcement action if required.

Concerns have also been raised regarding the prospect of the Council granting planning consent for the proposed scheme and that it will need to be tightly controlled by conditions. Whilst the recommendation is to refuse planning permission, it should be noted that in the event planning permission is granted for the proposals, then a number of conditions would be required to control the development and mitigate against any potential unacceptable impacts. The requirement for specific conditions have been considered as part of the assessment throughout this report.

Lastly, one representation also highlighted that the applicant stated works have not already started, despite the fact that engineering operations have taken place without planning permission. It is acknowledged that this appears contradictory, however the fact the applicant has a history of undertaking unauthorised development on the land which resulted in the Council taking enforcement action does not prevent this application from being considered.

REASON FOR RECOMMENDATION

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

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

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

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

RECOMMENDATION

REFUSE (W.R.)

1. Given the sparse layout and the limited employment being provided by the development (up to one full time and one part time employee), the development is considered an inefficient use of allocated employment land and is therefore contrary to the aims of Policies MG9 (Employment Allocations) and MD15 (Protection of Allocated Employment Sites) of the Vale of Glamorgan Adopted Local Development Plan (2011 - 2026).
2. Insufficient information has been submitted, including the submission of accurate ground levels, to demonstrate that the proposed development would not have an unacceptable impact on the visual amenity of the site and surroundings and therefore the scheme as submitted is considered to conflict with Policy MD2 (Design of New Development) of the Vale of Glamorgan Adopted Local Development Plan (2011-2026).

3. The application site has been subjected to a significant loss of vegetation, and the Green Infrastructure Statement has failed to demonstrate that the step-wise approach as set out in Chapter 6 of Planning Policy Wales (Edition 12) has been followed. Whilst the loss of trees and vegetation is irreversible, insufficient information has been submitted to provide a baseline for the previous state of the site, as well as a survey of existing mature trees and vegetation together with a preliminary ecological assessment, to demonstrate that the proposals would have an acceptable impact on existing trees and the ecological value of the site. It has therefore not been demonstrated that the proposals would secure a net benefit in terms of biodiversity and the development is therefore considered contrary to Policies MG19 (Sites and Species of European Importance), MG20 (Nationally Protected Sites and Species) and MD9 (Promoting Biodiversity) of the Vale of Glamorgan Adopted Local Development Plan (2011-2026), as well as Chapter 6 of Planning Policy Wales (Edition 12), and the Council's Supplementary Planning Guidance on Trees, Woodland, Hedgerows and Development (2025) and Biodiversity and Development (2018).
4. Insufficient information has been provided to demonstrate that the proposals would have an acceptable impact on highway safety, including the omission of swept paths, which are required to demonstrate that the junction with Hayes Road would operate safely and that the site could be safely navigated by HGVs. A turning area has also not been provided within the site, to ensure vehicles can exit in a forward gear and it has also not been demonstrated that the internal roads would maintain a width of 7.3m and incorporate pedestrian facilities. The application also lacks a transport statement to assess the impact of additional trips to the site on the highway network and engineering drawing detailing the proposed new access arrangement has also not been provided. As such, the proposals are considered contrary to criterion 6 of Policy MD2 of the Vale of Glamorgan Adopted Local Development Plan (2011-2026).
5. Insufficient information has been provided to demonstrate that the proposal would adequately protect the amenity of neighbouring occupiers, in particular how noise impacts would be mitigated to safeguard the amenity of adjoining sensitive residential uses. The proposal therefore fails to demonstrate compliance with criteria 8 of Policy MD2 (Design of New Development) of the Vale of Glamorgan Adopted Local Development Plan (2011-2026).