

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **17 SEPTEMBER 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:

2026/0001/PV	AC	38, Pill Street, Penarth. CF64 2JS	Loft conversion with dormer
2026/0006/PO	AC	215, Court Street, Tonypany. CF40 2RQ	Change of use of former hotel and public house to 9 self-contained flats, all with associated internal and external works
2026/0294/BR	AC	Dan Y Bryn Care Home, 2 Collard Crescent, Barry. CF62 9AN	Proposed single storey, rear extension with internal re-configuration and associated external works including raised terrace
2026/0310/BN	A	27, Robinswood Crescent, Penarth. CF64 2JF	Proposed two storey side extension and single storey rear extension. Proposed solar panels. New MVHR recovery heating / ventilation system plus associated works
2026/0311/BN	A W	28, Stallcourt Avenue, Llantwit Major. CF61 1TE	Single storey rear extension
2026/0312/BN	A	Athanaire, Llantwit Road, St. Athan. CF62 4LW	Single storey extension

2026/0313/BN	A	Langholm, The Common, Dinas Powys. CF64 4DT	2 new bay windows & 2 first floor windows
2026/0314/BN	A	37, Heol Pearetree, Rhoose. CF62 3LB	Demolition of conservatory and rebuild
2026/0315/BN	A	27 Caynham Avenue, Penarth, CF64 5RR	External and internal refurbishment to existing dwelling
2026/0316/BR	AC	11 Castle Court, Llantwit Major, CF61 1SX	Two storey replacing single storey with additional single storey section to the side and single storey rear extension
2026/0317/BN	A	Ty'r Onnen, 9 Madoc Close, Dinas Powys, CF64 4PQ	Single storey rear extension
2026/0320/BR	AC	Belmont, St. Brides Major. CF32 0SY	Two storey link extension, internal alterations and re roof
2026/0321/BN	A	The Stables, Dimlands Road, Llantwit Major. CF61 1YX	Disabled through the floor home lift installation. Joist and ceiling aperture creating
2026/0322/BN	A	117, High Street, Barry. CF62 7DT	Removal and replacement of the existing roof covering to a three-storey property
2026/0323/BR	AC	Docks Office, Subway Road, Barry. CF63 4RT	Repair and refurbishment to include new fire strategy
2026/0324/BN	A	62, Jenner Road, Barry. CF62 7HH	Installation of cavity wall insulation
2026/0325/BN	A	64, Jenner Road, Barry. CF62 7HH	Installation of cavity wall insulation
2026/0326/BN	A	66, Jenner Road, Barry. CF62 7HH	Installation of cavity wall insulation
2026/0327/BN	A	68, Jenner Road, Barry. CF62 7HH	Installation of cavity wall insulation
2026/0328/BN	A W	12, Hollyrood Close, Barry. CF62 8AX	Single storey extension for living space

2026/0329/BN	A	1, Plas Taliesin, Penarth. CF64 1TN	Removal of internal walls on ground floor. Single storey extension & alteration of staircase
2026/0330/BN	A W	15, Marine Parade, Penarth. CF64 3BG	Convert garage to residential use with sleeping accommodation
2026/0331/BN	A	1, Porthkerry Road, Barry. CF62 7AX	Replacement of steels on existing section of the property.
2026/0332/BN	A	34, Somerset View, Ogmore By Sea. CF32 0PP	Creation of new dormer to existing converted bungalow roof and install a door with Juliet balcony
2026/0333/BN	A	71, Plasnewydd Walk, Llantwit Major. CF61 2YW	New single storey extension to the side of an existing dwelling. Extension to provide additional lounge / living area & 1 new bedroom
2026/0334/BN	A	107, Port Road West, Barry. CF62 8PP	Single storey extension to rear of property
2026/0335/BN	A	96, Lavernock Road, Penarth. CF64 3QF	Rear two storey extension to accommodate kitchen / family space, snug and bedroom
2026/0336/BN	A	24, Pontypridd Road, Barry. CF62 7LR	Loft conversion with dormer
2026/0337/BN	A W	30, Maes Y Gwenyn, Rhooose. CF62 3LA	Removal of conservatory and replace with a single storey extension to rear of property. Internal wall at ground floor to be removed and new beam to be installed. Existing kitchen area to be re-configured
2026/0339/BN	A	7, Stradling Close, Cowbridge. CF71 7BX	Rear dormer to be formed. Load bearing wall to be removed downstairs to open up kitchen-diner area & raised terrace at a level threshold to be built.

2026/0340/BN	A	Chelsea Cottage, 47, Highwalls Avenue, Dinas Powys. CF64 4AQ	Removal of internal wall between Laundry and Sitting room at ground floor level and wall between Laundry and kitchen at ground floor level and rear bedroom and side bedroom at first floor. The existing Laundry floor will be lowered to match that of the existing kitchen and sitting room. Stud walls will be installed to create a new laundry/utility room and the kitchen will be moved to the rear of the house creating an open plan kitchen living space and an external door will be installed to laundry room.
2026/0341/BN	A	5, Thomas Clarke Road, Cowbridge. CF71 7FT	Dormer construction to rear of property
2026/0342/BN	A	12, Evans Street, Barry. CF62 8DU	Replacement of an existing load bearing timber lintel above an existing window opening
2026/0343/BN	A	Eastdown Farm Cottage, Lane - Junction A48 To Railway Bridge Via St Hilary Village, St Hilary. CF71 7DP	Extension and link block to create additional living accommodation
2026/0344/BR	AC	29, Dock View Road, Barry. CF63 4LE	New 3 storey building comprising of 3 no. apartments
2026/0345/BN	A	15, Highfield Close, Dinas Powys. CF64 4LR	Removal of interior wall between kitchen and dining room to convert to kitchen / diner. Installation of RSJ
2026/0346/BN	A	120, Westward Rise, Barry. CF62 6NQ	New ground floor structural openings
2026/0347/BR	AC	Falconhyrst, Bradford Place, Penarth. CF64 1AF	Minor structural alterations and full refurbishment of house

2026/0348/BN	A	25, Usk Way, Barry. CF62 7XL	Re roof
2026/0349/BN	A W	23, Borough Avenue, Barry. CF62 9UW	Two storey side extension to side, single storey extension to rear and new porch
2026/0350/BN	A	Trengale, Piccadilly, Llanblethian, Cowbridge. CF71 7JL	Remove existing UPVC lean to and single skinned brick room attached to the side of the house. Construct a single storey building replacing the old using the existing foot print. Internally remove part of the old external wall, installing steel beams to support creating an open plan kitchen.
2026/0351/BN	A W	Wheelwrights, Colhugh Street, Llantwit Major. CF61 1RE	Small extension with flat roof, single storey to include toilet and wash basin. Additional window to first floor
2026/0352/BN	A	35, Purdey Close, Barry. CF62 8NT	Supalite warm roof
2026/0353/BN	A	Woodleigh, 14, St. Andrews Road, Wenvoe. CF5 6AF	Re roof
2026/0354/BN	A	1, Kymin Terrace, Penarth. CF64 1AP	Rear elevation roof renewal and rear dormer roof renewal
2026/0355/BN	A	15, Purcell Road, Penarth. CF64 3QL	Construction of a new porch and garage
2026/0356/BN	A	36, Elfed Avenue, Penarth. CF64 3LY	Knock through
2026/0357/BN	A	4, Trem Mapgoll, Barry. CF63 1HD	New door between house and integral garage only.
2026/0358/BN	A	2, Maes Lloi, Aberthin. CF71 7HA	Remove existing dormers and replace with new dormers
2026/0359/BN	A	190, Lavernock Road, Penarth. CF64 5UP	Re roof

2026/0361/BN	A	Tudor House, Ewenny Road, St Brides Major. CF32 0SD	Rear extension and conversion of attached garage
2026/0362/BR	AC	Chalcott Cottage, Pen Y Bryn, Trerhyngyll. CF71 7TP	Extensions and alterations to dwelling, including ground and first-floor extensions and a linked single-storey annex.
2026/0363/BN	A	20, Mayflower Way, Rhoose. CF62 3HR	Replacement of 8 windows
2026/0371/BR	AC	33, High Street, Cowbridge. CF71 7AE	Conversion of the 1st and second floor to a single dwelling flat and shell only for Ground floor works (not fit out)
2026/0374/BN	A	Old Cogan Hall, Sully Road, Penarth, CF64 2TQ	Demolition of shed and rebuild as gym
2026/0376/BN	A	50 Heol St. Cattwg, Pendoylan, CF71 7UG	Single storey extension and part conversion of garage
2026/0377/BR	AC	St Athan Primary School, Rock Road, St Athan, CF62 4PG	Install of a free-standing bespoke canopy to the younger years classrooms
2026/0381/BN	A	2-4 Jenner Road, Barry, CF62 7HG	Installation of Cavity wall insulation
2026/0383/BR	AC	Pencoedtre Park, Pencoedtre Road, Barry, CF631SD	Erection of a new toilet block for the existing skate park and splash pool
2026/0388/BN	A	142, Westbourne Road, Penarth. CF64 3HH	Ground floor side extension
2026/0389/BN	A W	139, St. David's Crescent, Penarth. CF64 3NB	2 storey extension side and single storey rear extension
2026/0390/BN	A	12 Pant-Y-Celyn Place, St Athan. CF62 4PS	Knock through of internal double skin wall
2026/0392/BN	A	East Hall, Fonmon. CF62 3BJ	Double storey extension to replace single storey flat roof extension
2026/0393/BN	A	38, Porth-Y-Castell, Barry. CF62 6QD	Re roof

2026/0394/BN	A	10, Ivy Street, Penarth. CF64 2TY	Removal of internal wall and installation of 3 steel beams that will be bolted together
2026/0395/BN	A	4, Raglan Close, Dinas Powys. CF64 4NW	Take out bath and fit level access shower (may involve small drainage works and provide a stud inner skin)
2026/0397/BN	A W	43, Castle Avenue, Penarth. CF64 3QT	2 storey rear and side extension with new porch to front of house with WC
2026/0398/BN	A	49A, Stanwell Road, Penarth. CF64 3LR	Create an en-suite
2026/0399/BN	A	7, Matthew Road, Fontygary, Rhoose. CF62 3ED	New bathroom on first floor. Re-locating kitchen to a new room downstairs. Re-locating utility room to a new room downstairs. Removal of ensuite in master bedroom. Changing the current internal bifold door between the kitchen and utility to an external bifold door in the existing opening and knock through
2026/0400/BN	A	6, Hillside Drive, Cowbridge. CF71 7AE	Integral garage conversion
2026/0401/BN	A	Cartref, Llandow. CF71 7NT	Replacement of 6 windows
2026/0402/BN	A	54, Llanmaes Road, Llantwit Major. CF61 2XF	Knock Through
2026/0403/BN	A	100, Port Road East, Barry. CF62 9PW	Take down and remove existing conservatory. Build new conservatory on top of existing base with windows, doors and warmer plus tiled roof
2026/0404/BN	A	38, Hywel Crescent, Barry. CF63 1DL	Knocking down 2 walls and installation of 2 steels
2026/0405/BN	A	6, Llanquian Close, Cowbridge. CF71 7HQ	Re roof

2026/0406/BN	A	20, Plas Glen Rosa, Penarth. CF64 1TS	Single storey extension to rear of house to extend kitchen into a kitchen diner
2026/0407/BN	A	87-89, College Road, Barry. CF62 8HS	Installation of cavity wall insulation
2026/0411/BN	A	Rhoose Primary School, Fontygary, Rhoose. CF62 3DS	Repairs and realignment of existing external foul drainage in front of main school building
2026/0412/BN	A	West Farm, West Street, Llantwit Major. CF61 1SP	Re roof
2026/0413/BN	A	1, Peterswell Road, Barry. CF62 7NB	Removal of existing rear porch and construction of porch and shower room / toilet
2026/0415/BN	A	14, Victoria Square, Penarth. CF64 3EJ	Single storey side extension
2026/0418/BN	A	Beau Regarde, 1, Jackson Close, Rhoose. CF62 3DQ	Single storey extension

(b) Building Regulation Applications - Reject

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

2026/0306/BN	R	REFUSED - Flat 1, 143, Stanwell Road, Penarth. CF64 4AB	REFUSED - Structural alteration 2 rooms into one between kitchen and dining room
2026/0338/BN	R	REFUSED - 46, Masefield Road, Penarth. CF64 2SE	REFUSED - Creating of new dormer

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

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

2026/0101/AI	A	The Paddocks, Colwinston. CF71 7NL	Re roof and refurbishment of existing outbuildings
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2026/0102/AI	A	The Grange, Penllyn, Cowbridge. CF71 7RQ	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0103/AI	A	Building 64, Bro Tathan West, St. Athan. CF62 4AL	Internal alterations, installation of mezzanine floor and external escape stair, replacement doors, erection of external lean-to and associated refurbishments
2026/0104/AI	A	3, Beech Park, Colwinston, Cowbridge. CF71 7NH	Proposed in fill extension and associated works
2026/0105/AI	A	36, Dudley Place, Barry. CF62 7HZ	Formation of structural opening to accommodate the installation of a lift
2026/0106/AI	A	Elm Cottage, The Common, Dinas Powys. CF64 4DU	Replacement conservatory roof to existing dwelling
2026/0107/AI	A	28, Shackleton Close, St. Athan. CF62 4JE	Conservatory roof replacement with a warmer roof and new frames
2026/0108/AI	A	23, Somerset View, Ogmore By Sea. CF32 0PP	New warm type roof to existing conservatory (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)

2026/0109/AI	A	8, The Orchard, Aberthin, Cowbridge. CF71 7HU	Proposed front porch and side single storey extension
2026/0110/AI	A	71, Burdons Close, Wenvoe. CF5 6FE	Single storey rear / side extension and garage conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0111/AI	A	28, Walston Road, Wenvoe. CF5 6AU	Single storey side / rear extension and internal alteration (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0112/AI	A	10, Porthkerry Road, Rhoose. CF62 3HD	Rear extension and dormer construction
2026/0113/AI	A	Former Vale Car Sales, Leckwith Road, Llandough, Penarth. CF64 2LY	Construction of 4 no. detached buildings for 30 no, new flats
2026/0114/AI	A	9, Coleridge Avenue, Penarth. CF64 2SP	Loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)

2026/0115/AI	A	29, Coleridge Avenue, Penarth. CF64 2SQ	Loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0116/AI	A	Dyffryn House, St. Nicholas. CF5 6SU	Proposed passive fire protection measures to Dyffryn Hall
2026/0117/AI	A	5, The Highlands Garage, Penarth. CF64 2AR	Detached garage with first floor ancillary space
2026/0118/AI	A	Pantiles, Llysworney, Cowbridge. CF71 7NQ	Single storey rear extension with first floor terrace from master bedroom. Creation of new porch to front of property, replace existing flat garage roof with pitched roof to match existing style of house
2026/0119/AI	A	Clinton, Eagleswell Road, Boverton, Llantwit Major. CF61 1UF	Material change of use from dwelling to create assisted living facility, including a single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0120/AI	A	4, Picca Close, Wenvoe. CF5 6XP	Loft conversion with rear dormer and associated works
2026/0121/AI	A	Darren Farm, Darren Hill, Cowbridge. CF71 7AN	50 residential unit(s)

2026/0122/AI	A	1, Station Terrace, Wenvoe. CF5 6AJ	Proposed ground floor rear extension
2026/0123/AI	A	Church Stone Cottage, Llanmaes, Llantwit Major. CF61 2XR	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0124/AI	A	74, Monmouth Way, Boverton, Llantwit Major. CF61 2GU	New warm type roof to existing conservatory (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0125/AI	A	6, Cae Brewis, Boverton, Llantwit Major. CF61 2AU	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0126/AI	A	Unit G, Windmill Park, Hayes Road, Sully, Penarth. CF64 5AR	Construction of 1 no. industrial unit (shell only)
2026/0127/AI	A	11, Le Sor Hill, Peterston Super Ely. CF5 6LW	Garage conversion to form habitable space (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)

2026/0128/AI	A	2, Station Terrace, East Aberthaw. CF62 3DH	2 no. structural opening for insertion of new windows to rear elevation at ground and first floor level and removal of chimney stack (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0129/AI	A	Ashdene, Llangan. CF35 5DW	Garage conversion to form habitable space (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0130/AI	A	Hillfields Farm, Peterston Super Ely. CF5 6ND	Single storey front, side and rear extensions with the addition of first floor habitable rooms (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0131/AI	A	65, Greenmeadow Way, Rhoose. CF62 3FH	Structural alteration to form new opening (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)

2026/0132/AI	A	Woodlands, Graig Penllyn, Cowbridge. CF71 7RT	First floor side extension to create a habitable room and ensuite (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0133/AI	A	1, Caerphilly Close, Dinas Powys. CF64 4PZ	Proposed re roof
2026/0134/AI	A	30, byrd Crescent, Penarth. CF64 3QU	Single rear extension
2026/0135/AI	A	11, Ffordd Y Mileniwm, Barry. CF62 5BD	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0136/AI	A	15, Leigh Close, Boverton, Llantwit Major. CF61 1UL	Construction of a single storey detached garage / workshop
2026/0137/AI	A	7 Earl Road, Penarth, CF64 3UN	Proposed internal refurbishment works to an existing property including upgraded walls
2026/0138/AI	A	34 Clive Place, Penarth, CF64 1AW	Proposed shower room extension

2026/0139/AI	A	7 Darren Close, Cowbridge, South Glamorgan, CF71 7DE.	First floor side extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0140/AI	A	32 Dunraven Close, Cowbridge, South Glamorgan, CF71 7FG.	single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0141/AI	A	11, Oak Grove, St Athan, CF62 4JN	Formation of structural opening to accommodate the installation of a lift
2026/0142/AI	A	7, Andrew Road, Cogan, Penarth. CF64 2NS	Dormer loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0143/AI	A	1, Marsh Cottages, East Aberthaw. CF62 3DJ	Internal alterations and refurbishment works to existing dwelling (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0144/AI	A	9, Ivy Street, Penarth. CF64 2TY	Rear dormer loft conversion (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)

2026/0145/AI	A	4, Hill Terrace, Twyn Yr Odyn. CF5 6BH	Single storey extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0146/AI	A	Hillside, Leckwith Road, Llandough, Penarth. CF64 2LY	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0147/AI	A	26, The Parade, Barry. CF62 6SE	Loft conversion into a bedroom
2026/0148/AI		51, Harbour Walk, Barry. CF62 5BA	Loft conversion with rear dormer
2026/0149/AI	A	Green Isha Farm, Llantwit Road, Wick, Cowbridge. CF71 7QD	Material change of use of existing barn into a dwelling including a single storey extension on the East elevation (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0150/AI	R	REFUSED - 4, Porfa Ballas, Rhoose. CF62 3LF	REFUSED - Garage conversion

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.

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **17 SEPTEMBER 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

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

2022/00294/15/CD	A	Land adjacent to Oak Court, Myrtle Close, Penarth	Discharge of Condition 36 (Solar Panels) of Planning Permission 2022/00294/HYB : Hybrid planning application comprising of a full application for extra-care accommodation and associated highways, landscaping and drainage works and outline application for residential development and associated works with all matters reserved except for access
2022/00294/4/CD	A	Land adjacent to Oak Court, Myrtle Close, Penarth	Discharge of Conditions 33 (Tree Protection Details) and 39 (Tree translocation and replanting). Planning permission ref: 2022/00294/HYB - Hybrid planning application comprising of a full application for extra-care accommodation and associated highways, landscaping and drainage works and outline application for residential development and associated works with all matters reserved except for access

2022/00294/5/CD	A	Land adjacent to Oak Court, Myrtle Close, Penarth	Discharge of Condition 34 (Lighting Strategy). Planning permission ref: 2022/00294/HYB - Hybrid planning application comprising of a full application for extra-care accommodation and associated highways, landscaping and drainage works and outline application for residential development and associated works with all matters reserved except for access
2022/00294/7/CD	A	Land adjacent to Oak Court, Myrtle Close, Penarth	Discharge of conditions 37 (Reptile Mitigation) and 40 (Landscape and Ecological Management Plan). Planning permission ref 2022/00294/HYB - Hybrid planning application comprising of a full application for extra-care accommodation and associated highways, landscaping and drainage works and outline application for residential development and associated works with all matters reserved except for access

2022/00294/9/CD	A	Land adjacent to Oak Court, Myrtle Close, Penarth	Discharge of condition 41 (Landscape Scheme). Planning permission ref 2022/00294/HYB - Hybrid planning application comprising of a full application for extra-care accommodation and associated highways, landscaping and drainage works and outline application for residential development and associated works with all matters reserved except for access
2023/00747/3/CD	A	Hensol Castle, Hensol Castle Park, Hensol	Discharge of Conditions 8 (Importation of Aggregates) and 10 (Use of Site Won Materials) of Planning Permission 2023/00747/FUL: Part retrospective application for retention and completion of bat mitigation refuse store building, creation of car parking spaces, and associated works (in conjunction with planning permission ref. 2018/00482/HYB)
2023/01069/1/NMA	A	Land at Avocet court, Barry	Non-Material Amendment - Alterations to type of enclosure and internal layout of bin store to Planning Approval 2023/01069/FUL - Proposed extension and renovation of bin stores and extinguishment of the adopted highway over verge areas.

2024/00246/2/CD	A	Pantyffynnon Quarry, Lane - Junction Aubrey Arms To Junction At A48 Via Llantrithyd Deer Park, Bonvilston	Discharge of Conditions 2. (working scheme - further approval) 20. (noise monitoring) 28. (Restoration - Interim Scheme) FOR PLANNING REF 2024/00246/ENV - Scheme of New Working Conditions at Pantyffynnon Quarry / Seth Hill Quarry, Bonvilston
2024/00900/1/NMA	A	Pantwilkin Stables, Top Yard, Unnamed Private Road From A48 To Pantwilkin Stables, Aberthin	Non-Material Amendment to change the timeframe of Condition 3 of Planning ref 2024/00900/FUL: Variation of condition 2 (Approved Plans and Documents) of planning permission 2022/01305/FUL: Equine rehabilitation building. Installation of Biomass Boiler into equine rehabilitation building
2024/01153/FUL	A	Land at St Athan Golf Club, Golf Club Lane, St Athan	Erection of golf netting and associated works
2025/00202/FUL	A	Pheasant Acre Plants, Treoes	Variation of Condition 1 (Restrictions to Public Opening) of Planning Approval 2014/00410/FUL: Retention of two existing polytunnels, erection of one additional polytunnel and retention of hardcore track at Field OS Number 7552, Llangan

2025/00251/1/NMA	A	37 Crompton Way, Ogmore By Sea	Non-Material Amendment to increase dormer height to match what is present on site, dormer still below main ridge, of Planning Ref. 2025/00251/FUL: Rear dormer extension, turning the second floor of the house into a master bedroom, installation of two Juliet balconies, with an ensuite bathroom.
2025/00546/2/NMA	A	Lower Greenway Farm, Unit 8 Business Units, Bonvilston	Non-Material Amendment for the Variation of Condition 1 (Approved plans and documents) of Planning Permission 2025/00546/FUL: Retrospective application for conversion of existing building to house 2 no. Biomass boilers
2025/00797/FUL	A	163 Holton Road, Barry	Change of use from vacant offices to temporary accommodation comprising 12no. bedsits
2025/00868/1/CD	A	Home Farm, Swanbridge Road, Sully	Discharge of Condition 3 (Biodiversity Enhancement Provision) of Planning Ref 2025/00868/LBC: Repair and re-slating the roof.
2025/00903/FUL	R	6 Wimbourne Close, Llantwit Major	Removal of 1st floor flat roof from rear extension, lowering the eaves and replacing with a pitched roof and setting in extension at 1st floor from neighbouring boundary.

2025/00913/FUL	A	29, Purdey Close, Barry	Proposed ground floor extension to enlarge kitchen.
2025/00936/FUL	A	14 Pembroke Terrace, Penarth	Single storey rear extension with Velux window in flat roof, access and stairs from lower ground floor to garden, rear dormer, internal alterations.
2025/01008/4/CD	A	Land East of Dunraven Close, Cowbridge	Discharge of Condition 3 (Material Details) of Planning application 2025/01008/RG3 - Proposed new school - Ysgol Iolo Morganwg
2025/01132/ADV	A	Boverton Castle, Eagleswell Road, Boverton, Llantwit Major	Erection of illuminated and non-illuminated adverts to the exterior of the building.
2025/01144/HAZ	A	Land at Bro Tathan, St Athan	Installation of Liquefied Petroleum Gas (LPG) tanks
2025/01145/FUL	R	Outside Costa Coffee, 18 Windsor Road, Penarth	Installation of new digital communications kiosk with integrated defibrillator and advertising display.
2025/01146/ADV	R	Outside Costa Coffee, 18 Windsor Road, Penarth	Installation of new digital communications kiosk with integrated defibrillator and advertising display.

2025/01229/LBC	A	Harmony Furnishings, 69 High Street, Barry	Change of use of the first and second floor from storage to 3no. self-contained flats. New Access to be created at the front elevation (High Street) for access to the first floor, separate to the maintained and refurbished ground floor commercial units. Creation of a new ground floor commercial unit.
2025/01230/FUL	A	Harmony Furnishings, 69 High Street, Barry	Change of use of the first and second floor from storage to 3no. self-contained flats. New Access to be created at the front elevation (High Street) for access to the first floor, separate to the maintained and refurbished ground floor commercial units. Creation of a new ground floor commercial unit.
2025/01238/FUL	A	170 Westbourne Road, Penarth	Two storey extensions to front, side and rear. Loft conversion with dormer and Juliet balcony. Outbuilding in rear garden.
2025/01246/ADV	A	Jewels Canley, 2 Glebe Street, Penarth	Internally illuminated 1no fascia sign and 1no hanging sign on the north elevation.
2025/01259/FUL	A	Springfield, 8 Fontygary Road, Rhoose	Newly constructed driveway, alterations to boundary wall and new vehicle access with dropped kerb at the front of the property.

2025/01262/1/CD	A	Dyffryn House, Dyffryn Gardens, St Nicholas	Discharge of Condition 3 (Biodiversity Enhancement Details and Provision) of Planning Ref 2025/01262/LBC: Internal alterations to a listed building to improve fire safety
2025/01289/RG3	A	Land to the north of Maes y Ffynnon, Bonvilston	Variation of Conditions 2, 10, 13, 16, 17 and 20 and Removal of Conditions 18, 19 and 21 of Planning Approval 2019/01031/RG3: Construction of 8 affordable residential units and associated works
2025/01291/FUL	A	215 Barry Road, Barry	Garage conversion and extension. Proposed new drop kerb to the front elevation.
2026/00006/LAW	A	Former Peterston Railway Station Site, Station Terrace, Peterston-super-Ely	Use of former station yard site for Open Storage (Use Class B8)
2026/00011/FUL	R	4 Victoria Avenue, Penarth	Extension and renewal of roof structure of existing garage to the rear of the property with new crossover to Grove Terrace.

2026/00034/1/NMA	A	39, Bramble Avenue, Barry	Non-Material Amendment - Application to make a minor amendment to the front external wall of the toilet and porch area by increasing it by 275-300mm. The internal layout of the toilet area has also been amended. This does not affect the extension to the lounge area or to the dimension of 900mm projection on the boundary to the existing adjacent property. Planning permission ref: 2026/00034/FUL: Demolition of existing store to front elevation and the construction of a single storey lounge extension and porch to the front elevation in lieu with integral toilet facilities to side elevation.
2026/00059/ADV	A	Post Office, 106 South Road, Sully	External Illuminated Shopfront Advertisement
2026/00093/FUL	A	Squirrel Oak Barn, Morfa Farm, Morfa Lane, Llantwit Major	Two storey rear extension with glass-fronted balcony. To include new tree planting / landscape, privacy buffer adjacent to the public right of way to the West of the applicants' grounds
2026/00113/FUL	A	25, Sullivan Close, Penarth	Demolition of existing outbuilding/ utility room and garage. Proposed single storey rear and side extension and alterations to fenestration.

2026/00133/FUL	A	12 Cory Crescent, Peterston Super Ely	Installation of air source heat pump on side wall of property above garage.
2026/00150/FUL	A	Falconhyrst, Bradford Place, Penarth	New slate roof with roof windows, sun tubes and solar panels. New external doors and replacement windows. External aircon and battery units.
2026/00157/FUL	R	Fferm Goch Nurseries Penllyne, Llangan	Erection of 2 no 30m long x 9 m wide Polytunnels for cultivating plants and shrubs
2026/00165/FUL	A	Ffynnon Newydd, Trepit Road, Wick	Proposed Erection of Private Stables with Associated Storage and 1 manege/dry turnout
2026/00174/1/CD	A	Atlantic College, St Donats Castle, East Drive, St Donats	Discharge of Condition 12.(Method Statement - Repointing) for planning ref 2026/00174/LBC Listed Building Consent to refurbish the internals of the Brewhouse and Portcullis at St Donats Castle, East Drive, St Donats
2026/00183/FUL	A	1 Fitzhamon Avenue, Llantwit Major	Proposed 2 storey side extension

2026/00191/FUL	A	Land North of Lavernock Road, Lavernock	Variation of Condition 2 (Plan Specification) and Condition 4 (Dog Numbers) of Planning Application 2025/00896/FUL - Change of use of an equestrian field to a secure dog exercise/training field with improved access, stock fencing, parking area and barn.
2026/00206/FUL	A	Post Office, 106, South Road, Sully	Proposed New Infill Extension to Link Existing Shop and Garage
2026/00207/FUL	A	The Buck, 62-66 Holton Road, Barry	Variation of Condition 1 (Time Limit) - Renewal of Planning Approval 2021/01790/FUL - Proposed conversion of existing upper floors into 14 hotel style bedrooms with ensuite bathrooms. Small lounge area, office and laundry room. New internal fire escape stair (from upper floor to first) and externally from first floor to ground floor.
2026/00214/FUL	A	13 St Peter's Road, Penarth	New single storey timber office/workshop to rear garden

2026/00224/1/NMA	A	Archives, Mill Lay Lane, Llantwit Major	Non-Material Amendment to change the integral garage to a habitable room and replace the proposed garage door with 2no. smaller windows. Planning Permission 2026/00224/FUL - Demolition of conservatory and attached garage, remodel and extension to rear and sides of property, reroof, re-render and clad with stone.
2026/00224/FUL	A	Archives, Mill Lay Lane, Llantwit Major	Demolition of conservatory and attached garage, remodel and extension to rear and sides of property, reroof, re-render and clad with stone.
2026/00225/FUL	A	3 The Verlands, Cowbridge	Bring garage wall in line with principal elevation. Change first floor roof over garage from a lean- to roof to a gable roof. A single storey rear extension and internal reconfiguration
2026/00234/FUL	A	21, Chestnut Avenue, St Athan	Proposed 2 storey side extension, rear ground floor extension and proposed porch.
2026/00241/FUL	A	8 Coates Road, Penarth	Single storey front porch extension, two storey rear extension and associated existing reordering to suit.

2026/00245/FUL	A	53 St. Nicholas Road, Barry	Single storey side Extension to kitchen with the intention of building on the boundary wall of St Nicholas Hall Community Centre. Replacing existing storage shed on side of house
2026/00247/FUL	A	4 Uphill Close, Sully	Proposed single storey rear extension
2026/00249/FUL	A	3 The Oaklands, Dinas Powys	Proposed extension to replace existing conservatory to the rear of an existing domestic dwellinghouse
2026/00250/FUL	A	26 Marine Drive, Ogmore By Sea	Proposed first floor front extension, single storey infill to the existing front porch
2026/00255/FUL	A	82 & 84 Holton Road, Barry	Conversion of upper floors to 3 separate residential units
2026/00259/FUL	A	Ysgubor Goch Farm, St Andrews Road, St Andrews Major	Relocation of existing polytunnel
2026/00260/FUL	A	8 Highwalls Avenue, Dinas Powys	Internal reconfiguration of existing rooms, including alterations to fenestration externally.
2026/00263/FUL	A	23, St Ambrose Close, Dinas Powys	Proposed single storey side extension

2026/00265/RG3	A	Ysgol Pen Y Garth, Redlands Road, Penarth	Construction of a new childcare building within the grounds of Ysgol Pen y Garth with associated works to include an external play area with free-standing canopy, cycle shelter, accessible entrance path and boundary treatments.
2026/00272/FUL	A	Unit 2, Herbert Terrace, Penarth	Change of use of Unit 2 from retail use A1 (surfboard shop) to a bar A3 use with ancillary retail.
2026/00275/PNT	A	Jenner Park, Barry Road, Devon Avenue, Barry	Installation of 1 no. power generator, 1 no. equipment cabinet and ancillary development thereto.
2026/00279/FUL	A	4 Beach Road, Penarth	Proposed access doors from garden room to garden on beach roadside. Proposed access stairs to access doors and existing conservatory.
2026/00281/FUL	A	30 Holton Road, Barry	Alteration of shopfront
2026/00282/FUL	A	4, Bryn-y-mor, West Aberthaw	single storey rear extension
2026/00286/FUL	R	Flat 2, 8, Royal Buildings, Stanwell Road, Penarth	Proposed balcony on the rear of flat 2
2026/00293/FUL	A	15 Anchor Road, Penarth	Replacement of rear balcony for a larger area

2026/00294/FUL	A	St Brendan, 4 Old Port Road, Wenvoe	To build a new garage for storage purposes. The new garage will be "like for like" with the existing outbuildings in respect of its appearance.
2026/00295/FUL	A	2 Kenson Close, Fontygary, Rhoose	Attic conversion to provide dormer extensions to front and rear of property
2026/00303/FUL	A	76, Cog Road, Sully	Demolition of attached single storey garage and re-build as 2 storey extension with garage and accommodation over
2026/00304/FUL	A	Penmark Place, Kenson Hill, Penmark	Construction of steel framed building for manure storage
2026/00313/FUL	A	4 Britway Road, Dinas Powys	Widening of existing driveway access including partial removal of front boundary wall, removal of one protected tree, and introduction of replacement planting and biodiversity enhancements.
2026/00316/FUL	A	36 Baruc Way, Barry	Installation of a roof-mounted solar photovoltaic (PV) system and associated battery storage.

2026/00320/FUL	R	12 Park Crescent, Barry	The proposal includes the demolition of the existing detached single-storey garage and the construction of a new building consisting of a two-storey, semi-detached residential dwelling.
2026/00323/FUL	A	Seaview, St Athan	To install 15 solar panels on the roof (10 on south facing roof, 5 on west facing roof).
2026/00325/FUL	A	Mint And Mustard, 33-34 Windsor Terrace, Penarth	Proposed new spiral staircase and shop front opening.
2026/00326/FUL	R	3, Ringwood Crescent, St Athan	Retention of existing bin stores, with timber doors fitted to the frontage. Removal of Condition 7 for planning ref 2025/00755/FUL
2026/00329/FUL	A	6 Kymin Terrace, Penarth	Replacement of roof with a modern equivalent with improved environmental and thermal properties and appearance.
2026/00330/FUL	A	Mor Awelon, 7 Forrest Road, Penarth	Replacement of existing conservatory with extension. Existing first floor accommodation re-modelled complete with hip to gable at front and dormers to sides

2026/00334/FUL	A	Cotts Equine Hospital, Pant Wilkin Stables, Cowbridge	Proposed erection of stable blocks, proposed manege, retained of isolation pens, proposed car parking associated with Cotts Equine Hospital, relocation of existing horse walker and proposed lunge ring and associated works
2026/00335/FUL	A	134 South Road, Sully	Take down existing conservatory and replace with new extended living space to include incorporation of space to rear side elevations. New extension to have flat roof and access to it from first floor bedroom. New paved patio to rear
2026/00336/FUL	R	The Paddock, Pen-y- turnpike Road, Dinas Powys	External garage
2026/00342/FUL	A	5 Cae Ffynnon, Cowbridge	Garage conversion
2026/00343/FUL	A	The Croft, Llanmaes	Replace the current garage roof and increase pitch. Replace the current rotting wooden frames & windows and side door with wood effect framed PVC replacement.
2026/00347/FUL	A	10 Porthkerry Road, Rhoose	Loft conversion with rear dormer and ground floor rear extension

2026/00348/FUL	R	Land to the south of Leckwith Road, Llandough	Provision of stables and storage barns, hardstanding and other associated development
2026/00356/FUL	A	20 Birch Grove, Barry	Retrospective permission for two rooflights and proposed installation of an air source heat pump
2026/00357/LAW	A	The Old Dairy, Brook Farm, Llanmaes	Installation of solar panels on south facing roof
2026/00363/FUL	A	5 Romilly Park Road, Barry	New boundary walls and garden room in rear garden
2026/00369/FUL	R	Kailily Farm, Pont Sarn Lane, Peterston Super Ely	Retention of existing entrance gates
2026/00371/FUL	A	Waun Wen, Trebettyn Lane, Llansannor	Barn of circa 675 sq m for agricultural storage purposes
2026/00373/FUL	R	New Greenway Farm, Bonvilston	Proposed 2 No. Holiday accommodation units
2026/00374/FUL	A	11 Bromfield Place, Penarth	Proposed loft conversion and internal works
2026/00377/FUL	A	64 Chandlers Way, Penarth	New balcony to front elevation (south) and replacement of existing bay window with new doors.

2026/00379/FUL	A	11 Lynmouth Drive, Sully	Amendments to approved dwelling 2025/00604/FUL to include a self-contained annex for elderly parent within the footprint of the dwelling plus an extension of garage to the rear boundary
2026/00383/FUL	A	74 Wordsworth Avenue, Penarth	Small single storey extension to rear of property.
2026/00385/FUL	A	1, Mcquade Place, Barry	Contouring / Terracing of rear garden and the construction of a masonry flat roofed storage shed
2026/00390/FUL	A	23, Borough Avenue, Barry	The proposal includes a small single storey extension at rear, a two-storey extension to the side elevation (to replace existing conservatory), a porch to the front elevation a new garden room at the rear of the garden and extension of the existing dropped kerbs on the driveway.

2026/00391/FUL	A	Bron Y Garn, St Hilary Village, St Hilary	Variation of Condition 2 (Plan Specification) of Planning application 2025/00627/FUL - Demolition of small single storey rear extension, replaced with a 2-storey rear extension. Remodel internally, re-insulated, updating windows and recladding of existing building. Removal of poor condition trees and replacement.
2026/00393/FUL	A	Bristol House, Commercial Street, Llantwit Major	Small 2.5sqm first floor extension to the apartment to create small WC/ desk space. Recladding existing with slate and new windows/ new metal roof to porch.
2026/00398/FUL	A	3 Dinas Road, Penarth	Replacing existing roof tiles with new roof tiles. Installing built in, integrated solar panels onto roof. Installing new soffits and fascia and down pipes for drainage. Removal of chimney stack.
2026/00399/FUL	A	Hatherleigh, 9 Court Close, Aberthin	Rear first floor extension over existing balcony. Side first floor extension over and beyond existing garage

2026/00400/FUL	A	16 Dovey Close, Barry	Removal of existing conservatory, to be replaced with new single storey extension to side/rear of property. Provide new doorway into existing glazed screen to the front elevation. New extension to provide additional kitchen/dining/living space
2026/00401/FUL	A	Former Halifax, 91 Holton Road, Barry	Resubmission: Retention of existing A1/A2 use to ground floor, with conversion of upper floors to create total 3no self-contained apartments comprising shopfront alterations, rear dormer extension and associated external works
2026/00402/FUL	A	60 Smithies Avenue, Sully	Two storey side extension with balcony and associated works.
2026/00403/FUL	A	142 Westbourne Road, Penarth	Ground floor side extension
2026/00404/FUL	A	East House, Maendy	Retrospective application for revised two-storey side/rear extension following amendments to previously approved scheme under planning reference 2023/00880/FUL

2026/00406/FUL	A	137 Plymouth Road, Penarth	Variation of Condition 2 (Plans Specification) of Planning application 2026/00020/FUL - Proposed renovations and extensions (front, side and rear), changes to fenestration including Juliet balcony to front elevation and associated works
2026/00408/FUL	A	3 Voss Park Close, Llantwit Major	Proposed single storey extension to side of property
2026/00409/LAW	A	174 Holton Road, Barry	Proposed change of use of a building society (Use Class A2(b)) to a mixed use consisting of an ice cream parlour (Use Class A1(e)) on the ground floor, and 1no. residential unit (Use Class C3) on the first floor would form permitted development under Schedule 2, Part 3, Class F, of The Town and Country Planning (General Permitted Development) Order 1995 (as amended)
2026/00410/FUL	A	1 Cwrt-y-vil Road, Penarth	Single storey side extension
2026/00411/FUL	R	33 Eastgate, Cowbridge	Demolish the existing rear garage, build new unit in the same position with additional areas for home offices and guest bedroom within the roof space

2026/00412/FUL	A	Brookville, Trerhyngyll	Variation of Condition 2 (Approved Plans) of Planning Permission 2024/00356/FUL: Removal of the single storey lean to extension on the front elevation. New front door and associated glazing and canopy. Side extension & infill extension at the first floor. Conversion of the garage to habitable rooms. New glazing to replace garage door. New glazing on the front, side and rear elevations. Single storey rear extension
2026/00414/LAW	A	7 Cledwen Close, Barry	Retrospective application for storage room.
2026/00416/FUL	A	Fairways, 59 Highwalls Avenue, Dinas Powys	Demolish existing single storey rear extension and construct replacement single storey rear extension; all with the associated external works including fenestration alterations to the side elevation and ground level reductions.
2026/00420/LAW	A	42 Burdons Close, Wenvoe	A proposed single storey extension to the rear elevation

2026/00421/FUL	A	20, Craig Yr Eos Avenue, Ogmore By Sea	Variation of Condition 2 (Approved Plans) of Planning Permission 2023/00137/FUL: First floor garage attic conversion, extension to the existing ancillary outbuilding and the erection of single storey rear garden room to be used as ancillary to the enjoyment of the dwelling house
2026/00425/LAW	A	Cardiff International Airport, Airport Access Road East Rhoose	Proposed Installation of above-ground aviation fuel storage tanks, with a combined capacity for the two additional tanks of approximately 700-800 cubic metres, associated minor infrastructure including drainage, pipework, ductwork, connections, fencing, bundling and ancillary equipment. Integration with the existing airport fuel distribution system
2026/00429/FUL	A	154, Port Road East, Barry	Removal of existing porch. Construction of single storey side and rear extension and associated internal alterations.
2026/00430/FUL	R	Fferm Goch Nursery, Llangan	Demolish existing barn and construct steel framed barn finished with corrugated profiled steel sheeting
2026/00431/LAW	A	27 Countess Place, Penarth	Loft conversion with rear dormer

2026/00432/FUL	A	Glenview, St Hilary, Cowbridge	Proposed alterations and extensions to existing property, including alterations to the roof, dormer extensions, removal of an existing conservatory and proposed replacement single storey extension. The proposal also includes an extension to existing garage to incorporate a car port.
2026/00435/ADV	A	The Co-operative Pharmacy, 5 Boverton Road, Llantwit Major	2no fascias with internally illuminated text, 2no face illuminated projecting signs, and window vinyl's
2026/00438/FUL	A	138 Gladstone Road, Barry	Proposed Rear Balcony at Ground Floor
2026/00449/LAW	A	20 Seaview Drive, Ogmore By Sea	Single storey rear extension.
2026/00451/LAW	R	2 Byron Place, Penarth	Proposed front porch, single-storey side extension, single-storey rear extension and rear dormer roof extension.
2026/00452/FUL	A	50, Brookfield Avenue, Barry	Variation of Condition 2. (Plan Specification) for Planning Permission Ref. 2026/00096/FUL. Proposed flat roof, single storey, rear extension. Second storey side extension over existing structure.

2026/00453/FUL	A	20 Murch Crescent, Dinas Powys	Single storey rear and side extension, incorporating new lean to roof existing and additional window to ground floor side elevation, and construction of garden outbuilding
2026/00454/FUL	A	4, Church Road, Wick	Erect a storm porch to the front elevation
2026/00456/FUL	A	37 Stanwell Road, Penarth	A new dormer window to the side elevation and the replacement of roof tiles.
2026/00458/LAW	A	20, Marine Walk, Ogmore By Sea	Demolition of existing conservatory and new single storey side extension(s), internal alterations, fenestration alterations with rooflights insertion, with associated external works
2026/00459/FUL	A	Briony, 1 Byron Place, Penarth	Single storey side extension and hip-to-gable loft conversion
2026/00461/FUL	A	Rivington House, Llanbethery	New Frontage and changes to fenestration
2026/00464/FUL	A	15 Island View, Barry	Internal alterations to form accessible bedrooms and related facilities and a single storey extension

2026/00467/FUL	A	Beechwood House, Beechwood College, Hayes Road, Sully	Permanent retention of existing modular classrooms, in addition to external enhancement and landscaping works.
2026/00468/ADV	R	Barry Island Railway Station, Station Approach Road, Barry	65" Digital Posters (D6 Screen) for the display of rail information and adverts
2026/00473/FUL	A	Tanager, 13 Fairfield Close, Llantwit Major	Rear single storey extension and front and rear dormer extensions.
2026/00476/FUL	A	36 Guthrie Street, Barry	Single Storey Side Extension and internal alterations.
2026/00479/FUL	A	35 Treharne Road, Barry	Front Entrance Access Ramping Scheme
2026/00480/FUL	A	Fonmon Castle, Fonmon	Variation of Condition 5 (Access) of Planning Approval 2023/01105/FUL
2026/00484/FUL	A	Holm House, Marine Parade, Penarth	Proposed installation of external ice baths, sauna, hot tub, changing facility and associated plant ancillary to existing hotel operations
2026/00489/LAW	A	Ty'r Onnen, 9 Madoc Close, Dinas Powys	Rear single storey extension

2026/00492/FUL	A	Ty Fry Lodge, Lane From Hensol Cottage To The Old Barn, Pendoylan	Demolition of existing detached single-storey annexe outbuilding and replacement with single-storey structure extending main house to provide living room, bathroom and utility
2026/00493/LBC	A	Ty Fry Lodge, Lane From Hensol Cottage To The Old Barn, Pendoylan	Listed Building Consent for demolition of existing detached single-storey annexe outbuilding and replacement with single-storey structure extending main house to provide living room, bathroom and utility
2026/00494/FUL	A	85 Fontygary Road, Rhoose	Proposed alterations and extensions comprising removal and reconfiguration of the roof to create first-floor accommodation, installation of a Juliet balcony, replacement windows and doors, external façade improvements, internal reconfiguration of living spaces
2026/00497/FUL	A	14 Oakfield Road, Barry	Loft conversion with gable end roof and rear dormer
2026/00499/FUL	A	12 Coleridge Avenue, Penarth	Replace existing outbuilding with new single storey flat roof home office building.

2026/00505/LAW	A	6 Manor Park, Llantwit Major	Enclosed is a proposal to replace the existing side entrance porch to the property with a slightly larger one which would include a much needed utility area and downstairs WC.
2026/00512/PNA	A	Bryn Onnen Farm, Lime Kiln Lane, Llangan	Hay and straw bale storage shed.
2026/00519/ADV	A	Penarth Railway Station, Station Approach, Penarth	Amendment to the refresh advertisement rate of the approved application 2026/00148/ADV.
2026/00522/LAW	A	Glenbrook, Llandow	Install eleven solar panels, battery and an inverter with an EV charger.
2026/00524/LAW	A	5 Peterswell Road, Barry	Proposed rear single storey rear extension to replace an existing single storey structure, alteration to garage roof
2026/00528/RG3	A	Porthkerry Country Park, Cafe, Barry	Single storey side extension and decking to the front with alterations

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 SEPTEMBER 2026

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. APPEALS

(a) Planning Appeals Received

LPA Reference No: 2025/01226/FUL
Appeal Method: Written Representations
Appeal Reference No: CAS-05140-T6L5H3
Appellant: Mr Andrew Violaris
**Location: The Cottage, Lane - Junction Ewenny Road
B4265 To End At Heol-y-milwyr Track, St
Brides Major, CF32 0SY**
Proposal: Demolition of existing conservatory to create a 2
storey extension with balcony at the rear.
Extension to first floor at north side to form new
bedroom. Other internal refurbishment works,
also thermalise existing outbuilding at North of
site to create a 2 bedroom annexe.
Start Date: 25 June 2026

LPA Reference No: 2025/00815/FUL
Appeal Method: Written Representations
Appeal Reference No: CAS-04923-M8W9G6
Appellant: Project Three Developments Ltd
**Location: The Moorwell, Ground Floor Unit, Windsor
Road, Penarth, CF64 1JL**
Proposal: Proposed change of use of ground floor from
Gym (CLASS D2) to retail use (CLASS A1)
Start Date: 29 June 2026

LPA Reference No: 2024/00804/HH
Appeal Method: Written Representations
Appeal Reference No: CAS-05132-V8F4J5
Appellant: Mr R Rees
Location: St Hilary, Westra, Dinas Powys
Proposal: High Hedge
Start Date: 2 July 2026

LPA Reference No:	2024/00804/HH
Appeal Method:	Written Representations
Appeal Reference No:	CAS-05131-W5G6D7
Appellant:	Mr & Mrs Clarke
Location:	St Hilary, Westra, Dinas Powys
Proposal:	High Hedge
Start Date:	2 July 2026

(b) Enforcement Appeals Received

LPA Reference No:	ENF/2025/0300
Appeal Method:	Hearing
Appeal Reference No:	CAS-04788-W7P9M4
Appellant:	Mr George Jesse Jimmy Martin
Location:	Land at St. Georges Yard, Drope Terrace, Drope, St. Georges Super Ely, CF5 6EQ
Proposal:	Without planning permission, the carrying out of operational development comprising the construction of an unauthorised building / day room
Start Date:	14 July 2026

(c) Planning Appeal Decisions

LPA Reference No:	2025/00815/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04923-M8W9G6
Appellant:	Project Three Developments Ltd
Location:	The Moorwell, Ground Floor Unit, Windsor Road, Penarth, CF64 1JL
Proposal:	Proposed change of use of ground floor from Gym (CLASS D2) to retail use (CLASS A1)
Decision:	Appeal WITHDRAWN
Date:	16 July 2026
Inspector:	N/A
Council Determination:	Delegated

Comment

Following the refusal of application 2025/00815/FUL on 28 October 2025, an appeal was lodged with PEDW on 12th February 2026. However, a further planning application submitted in January 2026 was considered to overcome the previous reason for refusal and was approved on 9th March 2026 (2026/00004/FUL). Following confirmation of this with PEDW, the appeal was therefore withdrawn.

LPA Reference No:	2023/00721/LAW
Appeal Method:	Public Inquiry
Appeal Reference No:	CAS-03229-S4S7D3
Appellant:	Ms Michelle Powell
Location:	Former Peterston Rail Station Site, Station Terrace, Peterston Super Ely
Proposal:	Certificate of lawfulness in respect of use as a storage yard (B8
Decision:	Appeal WITHDRAWN
Date:	4 August 2026
Inspector:	N/A
Council Determination:	Delegated

Comment

Following the refusal of application 2023/00721/LAW on 29 August 2023, an appeal was lodged with PEDW on 26 January 2024. However, a further certificate of lawful use application submitted in January 2026 was considered to demonstrate that the use of the site, as amended, was lawful and was approved on 17 July 2026 (2026/00006/LAW). Following confirmation of this with PEDW, the appeal was therefore withdrawn.

LPA Reference No:	2025/00753/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04799-H5K8D8
Appellant:	Mr & Mrs Nick and Nia Rolfe
Location:	22 Trem Y Bae, Penarth, CF64 1TG
Proposal:	Two storey and single storey extensions to the side, including external and internal material alterations.
Decision:	Appeal Dismissed
Date:	10 August 2026
Inspector:	Melissa Hall
Council Determination:	Delegated

Summary

The main issue was considered to be the impact of the proposed development on the character and appearance of the area. The appeal related to a three-storey semi-detached property on Trem Y Bae, which is characterised by a continuous row of three-storey semi-detached dwellings which have tall gable front elevations and modestly sized side wings, set back from their primary elevations. Those that had been altered were finished in matching white render and lean-to roofs with marginally shallower pitches than the main roofs and were considered to have been sensitively extended.

The appeal scheme would be a significant departure from the repeated pattern of modest extensions to the side wings of these properties, and introduce a combination of three-storey and two-storey elements of

considerable width, incorporating both flat and lean-to roof forms. The three-storey element, whilst set back from the front elevation of the property, would be of an unorthodox flat roof design, drawing the eye away from the primary elevation of the property. Its harsh and boxy appearance was exacerbated by its projection from above the existing eaves of the roof and it would visually compete with the simple pitched proportions at upper stories of the existing dwellings.

Whilst the appellants had contended that flat roofs were not new features within Penarth Heights, such features were not characteristic of this section of the street. The proposed flat roof at three stories would therefore be a new and jarring addition to the immediate streetscene.

To extend further with a two-storey extension from the side of an already bulky addition, would introduce additional built form across the full width of the plot. The additional extension would unacceptably fill the remaining space in the plot with an unsympathetically bulky feature, disproportionate to the scale of the original dwelling and its neighbours, to the detriment of the sleek and linear character present.

Overall, the effect of the extensions' both unsympathetic and convoluted roof forms at two and three stories, combined with the substantial resulting width of the extended dwelling, would unbalance the tall and linear appearance of the semi-detached properties. The proposal would have an unacceptable impact on the consistent and uniform pattern of development on Trem Y Bae, detrimental to the character and appearance of the area and wider streetscene. Therefore, it was concluded that the appeal proposal would conflict with policies MD2 and MD5 of the adopted LDP, and the SPG.

Other matters and Conclusion

The Inspector acknowledged the benefits for the appellants and the wider area through introducing new habitable space, biodiversity enhancement features and additional off-street parking provision. However, it was concluded that these benefits did not outweigh the visual harm identified and that the appeal should be dismissed.

(d) Enforcement Appeal Decisions

LPA Reference No:	ENF/2025/0309
Appeal Method:	Hearing
Appeal Reference No:	CAS-05095-M1D9B3
Appellant:	Mr Michael Anthony Richards
Location:	Land at Fferm Goch, Llangan, CF35 5DR
Proposal:	Without planning permission, the carrying out of operational development comprising the construction of an unauthorised new building/structure, and the carrying out of operational development comprising engineering operations, including excavation works, the importation, deposit and spreading of materials,

	as well as the construction of footings, foundations and hardstandings.
Decision:	Appeal WITHDRAWN
Date:	21 August 2026
Inspector:	N/A
Council Determination:	Delegated

Comment

Following the issuing of a Temporary Stop Notice in respect of the construction of an unauthorised new building on 13th March 2026, a further Temporary Stop Notice and Enforcement Notice were issued on 24th April 2026, against which this appeal was lodged. However, following the recommencement of works on the building covered by the Enforcement Notice and further unauthorised works on other parts of the site, including the construction of a new dwelling, barn and other engineering works, it was considered expedient for a Stop Notice and Enforcement Notice to be issued to cover the whole site and all of the development being undertaken. These Notices were issued on 30th July 2026 and it was therefore necessary for the original Enforcement Notice (relating only to the building) to be withdrawn. A further appeal against the new Enforcement Notice, covering the whole site, was lodged on 29th August 2026, but has not yet been started by PEDW.

(e) April 2026 – March 2027 Appeal Statistics

		Determined Appeals			Appeals withdrawn /Invalid
		Dismissed	Allowed	Total	
Planning Appeals (to measure performance)	W	6	-	6	1
	H	-	-	-	-
	PI	-	-	-	-
Planning Total		(100%)	-	6	1
Committee Determination		-	-	-	-
Other Planning appeals (inc. appeal against a condition)		-	-	-	1
Enforcement Appeals	W	-	-	-	-
	H	-	-	-	1
	PI	-	-	-	-
Enforcement Total		-	-	-	1
All Appeals	W	6	-	6	1
	H	-	-	-	1
	PI	-	-	-	1
Combined Total		(100%)	-	6	3

Background Papers

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

Contact Officer:

Sarah Feist - Tel: 01446 704690

Officers Consulted:

HEAD OF SUSTAINABLE DEVELOPMENT

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **17 SEPTEMBER 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. TREES

(a) Delegated Powers

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

Decision Codes

A - Approved

R - Refused

E Split Decision

2026/00210/TPO	A	24 Ael-y-Coed, Barry	Work to Tree(s) covered by a Tree Preservation Order No 03 of 1991 - T1, 2- 3 metre crown reduction of one mature English oak tree
2026/00211/TPO	A	The Croft, Wesley Street, Llantwit Major	Work to Tree(s) covered by a Tree Preservation Order no 03 of 1977 - G1 - Re pollarding of a group of 4 Lime Trees.
2026/00232/TPO	A	Buttrills Road, Barry	Work to Tree(s) covered by Tree Preservation Order No. 6 1986 - Removal of trees identified as obstructive in accordance with a directive
2026/00288/TPO	A	Church Cottage, St Hilary	Work to tree protected by TPO No.07 of 1972: High pollard of one mature Sycamore tree (T1) by 40%

2026/00388/TCA	R	98 Plymouth Road, Penarth	Work to tree(s) in a Conservation Area: Lime Tree - 50% Crown reduction to remove branches that cover drive & feed to drain water drainage
2026/00428/TPO	A	The Mount, Windmill Lane, Llantwit Major	Work to Tree(s) covered by Tree Preservation Order No.3 1977: 1. Sectioning and Removal of 1 storm damaged Cedar Tree (T1) 2. Crown lift and reduction of 3 poorly managed trees along with dead and damaged branches (T2, T3, T4).
2026/00436/TCA	A	Braemore Lodge, 42 Victoria Road, Penarth	Lime tree x2; r/h side of drive - Re-pollard at the most recent pollard points.
2026/00448/TCA	A	Bell House, Colwinston	Work to Tree(s) in a Conservation Area - T1 - beech 1.5-2m reduction
2026/00452/TCA	A	18 Victoria Road, Penarth	Removal of two Leyland Cypress Pine trees located outside the front door and adjacent to the path of the property.

2026/00466/TPO	A	1 Mariner's Heights, Penarth	Work to Tree(s) covered by a Tree Preservation Order No 0 of 1970 -T1 Holm Oak, multiple small branch failures throughout tree crown, low limb approximately 6-inch diameter that extends over neighbouring access road, hazard beam crack near attachment point to parent stem, next branch up has a weak attachment point. TPO Ref 1970/00000/TREE Recommendations, remove all small hung branches from crown, remove major deadwood, remove split or broken branches. Remove 1 low limb over neighbouring access road and reduce remaining overhanging branches by approximately 2 metres back to suitable live growth points.
2026/00472/TCA	A	2, Merrick Cottages, St Nicholas	Work to Tree(s) within a Conservation Area - Removal of conifer tree - No TPO in place currently
2026/00474/TPO	A	4 Court Drive, Llansannor	Work to Tree(s) covered by Tree Preservation Order, 1992: T1- Larch- Reduction of overhanging limb by 3m Approx. to suitable side branch
2026/00487/TCA	A	Y Berllan, Methodist Lane, Llantwit Major	Works to Tree(s) in a Conservation Area: Removal of Sycamore at side of property.

2026/00491/TCA	A	Welsh Water Cardiff Drope, Drope Road, St Georges Super Ely	reducing the trees by approximately 40% to allow increased light to reach newly installed solar panels
2026/00506/TCA	A	Flat 1, 29, Plymouth Road, Penarth	Removal of trees from the rear garden, including Sycamore Maple, European Maple and European Ash - see plan for details.
2026/00517/TPO	R	Ty Gardd, Tower Hill, Penarth	Works to Tree(s) covered by Tree Preservation Order No 1, of 1999 - Completely remove the tree - Blue atlas cedar T2
2026/00521/TCA	A	Stables Cottage, Llanbethery	Work to Tree(s) in a Conservation Area: 7 X Ash Trees with early stages of dieback to be cut down to ground level.
2026/00548/TCA	A	7 Park Road, Penarth	Work to Tree(s) in a Conservation Area - Bay, (neighbours) right side of garage; reduce back to boundary. Conifer, (neighbours) rear right of garage; crown raise to clear foliage from garage roof and obtain 2m clearance.
2026/00556/TCA	A	1 Church Avenue, Penarth	Work to Tree(s) in a Conservation Area - Cut down Sycamore tree

2026/00578/TCA	A	28 Tan-y-fron, Barry	Work to Tree(s) in a Conservation Area- S1 - Succa: Remove close to ground level and treat stumps with herbicide to inhibit regrowth. (Height 2.4m) S2 - Dogwood: Remove close to ground level and treat stumps with herbicide to inhibit regrowth. (Height 2.3m) S3 - Amelanchier: Remove close to ground level and treat stumps with herbicide to inhibit regrowth. (Height 2.5m) TG7 - Cypress: Remove close to ground level. (Height 2.4m) (Canopy 0.6m) (DBH 4cm)
2026/00583/TCA	A	Brynheulog, Llangan	Work to Tree (s) in a Conservation Area: T1- Cedar- 1.5m reduction, T- Cypress- 1.5m reduction
2026/00585/TCA	A	Mount Pleasant Farm, Llangan	Work to Tree(s) in a Conservation Area: T1- Beech - 2-2.5m reduction
2026/00595/TPO	A	75 Romilly Park Road, Barry	Works to tree covered by TPO No.09 of 1994: Removal of dead wood. Uplift to a min. of 5.2m. Crown reduction. Rebalancing of tree branches, i.e. removal of a number of low branches.

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **17 SEPTEMBER 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT PLANNING

APPLICATIONS

2022/00733/FUL - Land North of the Railway Line, Rhoose

2024/01142/FUL - Unit 1, Vale Business Park, Llandow

2025/00340RG3 - Biglis to Dinas Powys Active Travel Route

2025/00889/FUL - Unit 12a Part 2, Atlantic Trading Estate, Barry

2026/00299/FUL - 17 Rutland Close, Barry

2026/00387/FUL - 3 White House, Barry

APPLICANT: Persimmon Homes C/O Agent,

AGENT: Tim Gent 5th Floor, 2, Kingsway, Cardiff, CF10 3FD

Land North of the railway line, Rhoose

Erection of new homes, open space, landscaping, access roads and paths and associated infrastructure

REASON FOR COMMITTEE DETERMINATION

The application constitutes a major development and, in accordance with the Scheme of Delegation, requires determination by the Planning Committee.

EXECUTIVE SUMMARY

The application site comprises approximately 13.6ha land on the eastern edge of Rhoose, that forms part of a wider LDP allocation for housing and community facilities and consists of four southward-sloping fields bounded by hedgerows, trees, and local infrastructure including a road, railway line, and public right of way.

This is a full planning application for residential development of 338 homes, comprising mostly of two-storey dwellings and with some small three-storey blocks of flats. Vehicular access would be via Heol y Pentir, with other pedestrian links and active travel connections provided. The proposals include on-site SuDS infrastructure, extensive public open space, and green infrastructure provision. Planning obligations relating to community infrastructure have also been agreed.

Objections have been received from ward member Cllr S Campbell which are set out in full within the main body of the report. The main reasons relate to overdevelopment and a lack of adequate local infrastructure (shops, health, community, road and public transport) to accommodate the development. There have also been c.55 public objections, and the above concerns are also prevalent among these. There were also objections about ecological impact, flood risk, character/ visual amenity, health and amenity, accessibility and the PRow/ level crossing, among other things.

The main issues considered in the assessment have been the principle of the development and how it accords with national and local planning policy, especially LDP policies MG2 and MG28, which relates to allocated housing sites and public open space, and matters relating to community infrastructure. The other main issues that have been considered are the impacts on access and transportation, including local roads, highway safety, and the Happy Valley level crossing, surface water flood risk and drainage, green infrastructure and ecology impacts, residential amenity, as well as the landscape and visual impact.

Having regard to all material planning considerations, and following extensive negotiations with the applicant, Officers conclude that the proposal complies with the relevant provisions of the Development Plan and national planning policy. It is therefore recommended that planning permission be granted, subject to the conditions and planning obligations set out in this report.

SITE AND CONTEXT

The application site relates to approximately 13.6ha of agricultural land located on the eastern side of the village of Rhoose. The site is located between Murlande Way (to the north) and the more recent residential development at Rhoose Point (to the south). To the east the site is bounded by Heol y Pentir, and to the south the railway line. To the west, is a Public Right of Way (PROW) which provides a pedestrian link via the level crossing known as 'Happy Valley'.

Local Development Plan (LDP) Policy MG2 allocates 25.82. ha of land "*Land North of the Railway Line, Rhoose*" site for 700 homes, along with a primary school, and 3.6ha of public open space. The LDP also outlines the key facilities expected on the site, including a MUGA and NEAP. Land within this allocation (to the east of the PROW) has recently been developed for housing (Golwg-y-Môr) and a new school, South Point Primary.

In terms of its wider context Porthkerry Road / Fontygary Road runs to the north of the site, and forms one of the main public transport corridors to Barry, Penarth and Cardiff to the east and to Bridgend and St. Athan to the west. Further to the north lies Cardiff International Airport, which bounds the northernmost edge of Rhoose.

The site is comprised of four fields of farmland, which slope southwards towards the coast. The field boundaries comprise of hedgerows, scrub, and trees of varying degrees of quality and size.

The Bulwarks Camp Ancient Monument (GM0029) is approx. 600m east of the site. The Rhoose Conservation Area is approx. 600m west of the site and the Porthkerry Conservation Area approx. 800m to the east.

The site is not subject of ecological designations. The Cliff Wood – Golden Stairs Site of Special Scientific Interest (SSSI) is located c. 1.5km to the west.

The land has a predictive Grade of 3b according to Welsh Government Agricultural Land Classification (ALC) maps.

A small area to the south of the site is within TAN 15 (2025) maps for Flood Zones 2 & 3 for Surface Water and Small Watercourses. None of the site is identified as being at risk of river or tidal flooding.

The application site is shown edged red below: -



DESCRIPTION OF DEVELOPMENT

This is a full planning application for residential development comprising of 338 homes. The key components of the development are:

- 338 homes comprising of a mixture of mostly dwelling houses, with some small three-storey blocks of flats. The dwellings are of a two-storey scale, with some house types containing accommodation within the roof.
- A new vehicular access (ghost island right-hand turn priority junction) off Heol y Pentir to the east with new crossings, bus shelters, and active travel connections. The proposed estate would be served by a system of primary, secondary and tertiary roads, with houses fronting public areas.
- Pedestrian links to the existing PROW, with a new stepped pedestrian access to Heol y Pentir to the south-east corner of the site.
- Public Open Space comprising of 1 x Multi Use Games Area (MUGA), 1 x Neighbourhood Equipped Area of Play (NEAP), 1 x Local Equipped Area of Play (LEAP), 3 x Local Area of Play (LAP), as well as recreational footpaths, informal green spaces, and spaces for natural play, and a fitness trail.
- SuDS infrastructure comprising of three attenuation basins, with a large central basin located to the south of the site, adjacent to an existing land drain. It is proposed that

the system would capture all surface water, to be released at a controlled rate c.20% below the existing runoff rate.

- Green infrastructure and biodiversity enhancements in the form of bat and bird boxes, reptile refugia, a translocated hedgerow (reinforced), 231 new trees (inc. community orchards), extensive wildflower meadows and integrated into SuDS, rain gardens and wetland meadows.

The proposed layout is shown below: -



The proposed vehicular access is shown below:



There are a variety of house types proposed within the scheme, but all take a traditional form, with pitched roofs, and for illustration an example of a detached house design is shown below: -



The proposed accommodation schedule is as follows: -

Housing Mix Summary

Category	Type	Units
Market Housing	2-bed houses	63
	3-bed houses	64
	4-bed houses	92
	Total	219
Affordable Housing (Social Rent)	1-bed flat	18
	2-bed flat	9
	1-bed maisonette	18
	2-bed houses	26
	3-bed houses	6
	4-bed houses	6
	Social Rent Total	83
Affordable Housing (LCHO)	2-bed houses	25
	3-bed houses	11
	LCHO Total	36
Overall	Affordable Total	119
Overall	Grand Total	338

The plan below highlights the distribution of SuDS features (rain gardens and drainage basins) and Public Open Space across the site.



The following plan details the distribution of proposed landscaping across the site: -



PLANNING HISTORY

2008/00541/OUT, Address: Land to the north of the railway line, off Pentir Y De, Rhoose, Proposal: Residential development comprising the erection of dwellings and garages, provision of infrastructure, open space and landscaping and all associated building and engineering operations, Decision: Finally Disposed of

2010/00686/EAO, Address: Land to the north of the railway line off Pentir Y De, Rhoos, Proposal: Outline planning for the construction of up to 350 dwellings; the laying out of formal and informal open space, and changing rooms; new means of vehicular access onto Pentir Y De and associated infrastructure - Amended by 2015/00250/NMA, Decision: Approved

2014/00344/RES, Address: Land to the North of the railway line off Pentir Y De, Rhoos, Proposal: Reserved matters for appearance, landscaping, layout and scale for 224 dwellings, Decision: Approved

2014/00550/OUT, Address: Land north of the railway line (west), Rhoose, Proposal: Residential development with associated access and associated works, to include public open space and land for a primary school (including the demolition of 46 Porthkerry Road and its associated outbuildings), Decision: Approved

2014/00639/RES, Address: Land to the north of railway line off Pentir Y De, Rhoose, Proposal: Reserved Matters for appearance, landscaping, layout and scale for 126 dwellings., Decision: Approved

2015/00080/EAO, Address: Land to the north of the railway line off Pentir Y De, Rhoose, Proposal: Variation of Condition 22 of 2010/00686/EAO to allow up to 30 dwellings to be occupied, while the necessary infrastructure works are commissioned and completed where foul flows will be tanked away, Decision: Withdrawn

2015/01070/RES, Address: Land North of the railway line (West), Porthkerry Road, Rhoose, Proposal: The development of 120 dwellings and associated access, roads and footpaths, drainage works, landscaping, public open space and other ancillary works (including the demolition of 46 Porthkerry Road and its associated outbuildings, Decision: Approved

2015/01072/RES, Address: Land North of the railway line (West), Porthkerry Road, Rhoose, Proposal: The development of 227 dwellings with associated access, roads and footpaths, drainage works, landscaping, public open space and other ancillary works, Decision: Approved

2016/00032/FUL, Address: Land North of the Railway Line (West), Rhoose, Proposal: Proposed realigned highway (engineering works), Decision: Approved

2022/00358/SC1, Address: Land North of the railway line, Rhoose, Proposal: EIA Screening Opinion in respect of the proposed residential development, Decision: EIA not required.

CONSULTATIONS

VoGC Highway Authority stated no objection and that the latest site layout plan is suitable subject to engineering details being provided and agreed by condition. They noted that the vehicular access would be in the form of a new ghost island right hand turn lane, complete with crossing points and new bus stops with shelters. Also, that new active travel routes are proposed through the site and along the site frontage to connect to existing infrastructure. They also stated that the links shown to the western part of the site allocation are important to encourage walking, cycling and road access, especially to South Point Primary School.

They stated that the Public Right of Way to the south of the site causes a concern (see Network Rail responses) as it crosses the railway line and a planning condition should be included, to stop up or divert the public right of way.

They requested planning conditions requiring: -

- full engineering details for the proposed access and internal highway infrastructure
- a scheme for the stopping up of the public right of way
- a scheme for the continuation of the internal estate road (to connect to the western parcel)
- details of a Construction and Traffic Management Plan
- highway condition surveys pre-commencement and post-completion

VoCG Public Rights of Way Officer initially stated that Public Right of Way (ProW) No.2 Porthkerry runs adjacent to the site and must be kept open and available for safe use by the public, and should the PRow require temporary closure an order should be sought under the Road Traffic Regulation Act 1984.

The team were subsequently re-consulted and informed of the concerns raised by Network Rail and their implications. It was noted that the granting of planning permission would not authorise the stopping up or diversion of a PRow, and they advised that permanent closure of the level crossing could be pursued via an application made under Section 119A of the Highways Act 1980, or under Section 257 of the Town and Country Planning Act.

VoGC Education Section provided a projection of the demand for school places attributable to the proposed development. They advised that sufficient capacity existed to accommodate this demand at primary level, but none at secondary level or above. Planning obligations were therefore requested to mitigate for this impact, as set out in the main body (planning obligations section) of this report.

VoGC Drainage Section (SAB) did not object and advised that the development would be subject of separate application for a detailed scheme of surface water drainage under SuDS Regulations (SAB).

They stated that the submission maintains the use of sustainable drainage features, including permeable paving, detention basins, and bioretention areas, with an attenuated off-site discharge destination. They advised that careful consideration is given to the proposed planting schedule within bioretention features, particularly tree planting and drainage underfeatures, that this is reflected in hydraulic calculations, confirmation of proposed hard surfacing be provided, and that the developer should engage with Dwr Cymru/ Welsh Water about access and maintenance to their apparatus.

Shared Regulatory Services (Neighbourhood Services) stated in their response dated 26th November 2024 that they concurred with the conclusions of the Environmental Noise and Vibration Assessment, provided advice relating to the construction phase impacts, and recommended a planning condition securing the provision of a Construction Environmental Management Plan.

However, on 15th December 2025, an objection was received relating to the inclusion of a Multi-Use Games Area (MUGA), potential to cause disturbance to residents, and the lack of consideration of this element within the above Assessment, recommending refusal. Following the receipt of amended details with regard to updated guidance and clarification from the officer, SRS have confirmed that *'in conclusion in light of the provision of a buffer zone, the facilities being situated on the edge of the development and as acknowledged previously; it is accepted that such facilities are important in relation to health and well-being. It is advised that the application be granted subject to the provision of an appropriate lighting scheme and management regime for the MUGA and wider Public Open Space (POS).'*

Cardiff Airport (Safeguarding) – no response.

Heneb, The Trust for Welsh Archaeology (GGAT) stated that the site had been subject of previous archaeological investigation and, whilst the Historic Environment Record noted a potential earthwork on the site, no such remains were discovered during the intrusive site investigations and the site has also been previously disturbed by other activity. They stated in conclusion that there did not appear to be an archaeological restraint to the positive determination of the application.

Dwr Cymru /Welsh Water stated that the water supply system in the vicinity of the site has insufficient capacity to serve the development, and it will cause detriment to existing customer's supply. They advised that any future water connection, under Section 41 of the Water Industry Act, a hydraulic modelling assessment and delivery of reinforcement works may be required at the same time as the provision of a new water main.

They also requested planning conditions that prohibited any development until a foul water drainage scheme to accommodate foul water flows had been agreed, together with a hydraulic modelling assessment to identify a point of adequacy for connection to the public sewerage system, removal of surface water to offset the introduction of new foul water, establish the extent of reinforcement works required, and a condition to provide details of a scheme to divert the non-operational water main crossing the site.

Network Rail objected to the proposals due to public and railway safety concerns at the nearby Happy Valley level crossing. They stated that the crossing could not safely accommodate the increased pedestrian traffic, and it would be pushed into a high-risk category by the development. They concluded that closure of the level crossing and diversion of the Public Right of Way (PRoW) was the only safe and acceptable mitigation, being the only way to eliminate risk. They stated that the objection could be removed should the developer agree to their proposed planning condition, which would require them to apply to close or divert the PRoW (and for that separate process to conclude), before any part of the site was occupied.

They also considered the alternative projected pedestrian traffic volumes discussed in the applicant's Technical Note (July 2025) and (whilst they did not necessarily agree with those lower usage figures), stated that these still projected a significant rise in risk levels when used in their safety model.

VoGC Ecology Officer did not object, but while commending the reptile mitigation strategy, expressed disappointment that, despite the presence of several Red, Amber and Section 7 bird species, that the breeding bird survey was solely focussed on Skylark. He also made several observations about the planting schedules within the landscaping proposals and recommended that beech and hornbeam were omitted from the proposed hedgerows, as well as making sure the community orchard species mix contained trees with desirable produce (ideally Welsh varieties).

VoGC Landscape Officer – no response.

VoGC Estates (Strategic Property Estates) – no response.

Housing Strategy (Affordable Housing) stated that there is an evidenced need for affordable housing according to the 2023 Local housing Market Assessment (LHMA) which determined that 1075 new units per year were required to meet demand in the Vale. They also provided the figures from the Council's Homes4U waiting list for the Rhoose ward: -

Property Type	Count	% of Total
1 bed	169	62.4%
2 bed	63	23.2%
3 bed	31	11.4%
4 bed	4	1.5%
5 bed+	4	1.5%
Total	271	100.0%

(July 2026)

In relation to previous proposals for 339 homes, they advised that 119 affordable homes were provided in total, comprising 78 units for rent and 41 low-cost ownership homes, all meeting WDQR21 standards and involving a Registered Social Landlord.

They have advised that the proposed mix of affordable housing is acceptable.

Natural Resources Wales (NRW) did not object subject to the inclusion of planning conditions relating to pollution prevention (Construction Environmental Management Plan). In relation to European Protected Species, they welcomed the inclusion of on-site trees within the bat survey work and stated that the proposals were unlikely to affect bat roosts, Great Crested Newts, or Dormice.

Shared Regulatory Services (Environment - Land) stated that contamination was not known at this site, but its presence could not be ruled out. Planning conditions were recommended for inclusion relating to unforeseen contamination, imported soil and aggregates, and the use of site won material. They also provided advisory notes relating to contamination and unstable land.

Shared Regulatory Services (Environment – Air Quality) initially requested that an Air Quality Assessment was carried out. In response to the Technical Note subsequently submitted, they stated that they accepted the information and agreed that air quality will not be a constraint to the proposed development. They requested planning conditions relating to a Construction Environmental Management Plan (CEMP) and a Travel Plan, in the interest of minimising impacts to air quality.

South Wales Police stated that it was good to see natural surveillance has been considered over most of the site but had concerns about the high degree of pedestrian permeability and recommended reducing the number of interlinking pathways and creating more cul-de-sacs.

They also made several design recommendations, including: -

- Lighting meets BS5489-1:2020 and street lighting is not switched off without a risk-assessment.
- Fencing panels or railings mounted on walls are sited as close as possible to the external face of the wall.
- A robust landscape management plan be incorporated.
- All parking is located within curtilages and enjoy good natural surveillance.
- Side and rear boundaries are secured either by 2m tall enclosures, lockable gates, and enclosures be of an anti-climb design.
- Blank elevations (gables) are avoided and, if necessary, are protected from unauthorised access to prevent graffiti.
- Doors, windows, cycle and bin stores are designed to be secure.
- Security lighting is incorporated.
- Drainpipes and utilities do not act as climbing aids.
- Intruder alarms and CCTV are incorporated.
- Backless or 'single seating' benches to discourage rough sleeping
- Dispersal of benches within the POS area to prevent gathering opportunities.
- The MUGA changing rooms should be designed to be lockable and managed (inc. bookings) to prevent anti-social behaviour and disturbance to residents.

Cardiff and Vale Health Board responded to consultation in August 2022, when 262 homes and a sports pitch were proposed, and advised: -

- Green and blue spaces benefit both the environment and human health, and whilst the provision of outdoor sports and play facilities would provide excellent opportunities for some, consideration should also be given to the needs of older and disabled people.
- The proposals focus on car use/ access and the Active Travel Act states that proposals should accord with the transport hierarchy i.e. addressing the shortest and most attractive walking and cycling routes first, with segregated provision where possible, and the incorporation of 20mph speed limits throughout the development.
- The provision of a LEAP, MUGA and 'play along the way' spaces would support health and well-being objectives for children. Natural play features and accessibility should be considered.
- Housing design should be adaptable and consider the needs of older people and those with limited mobility and provide for cycle storage.
- No recommendations were made concerning general medical services or secondary care, noting that the site is allocated within the Local Development Plan.
- Recommended that consideration is given to the health implications relating to increased traffic.

No response was received to subsequent consultation.

Open Spaces Society – no response.

Cllr S Campbell objected to the proposals and stated the following: -

"I am strongly opposed to this development on the basis that we have no infrastructure to sustain it. I fully understand that we need to progress, but there is a firm difference between progress and overdevelopment. In the documentation provided by Persimmon, it states that we have adequate public transport with one train an hour to Cardiff and Bridgend. The fact that Persimmon deems one train an hour as acceptable is laughable. Persimmon are advertising this as a positive for building these houses when in fact it gives them an excuse to not invest in our infrastructure. It also sites that we have a regular bus service; this is incorrect. We have very poor public transport in Rhose and Persimmon have made it very clear they will not invest. Without increased adequate public transport, you cannot build these houses. The extra cars on the road will not only cripple Weycock Cross, but will have a massive effect on Rhose, St Athan and Llantwit Major, as these will be inaccessible twice a day for Barry, which is the main artery for a lot of people across the Vale. In the documents, Persimmon state that we have adequate doctors and dentist facilities. This is not the case. Our dental practise is oversubscribed with NHS patients and is not taking anymore, let alone potentially 500 from this proposed development. I have received a lot of complaints as Councillor for Rhose, for from my local residents about the fact that our doctors has very limited opening hours. This is detrimental to our current residents, let alone ~500 from this proposed development. This coupled with our lack of public transport forces more people to drive to access basic services, adding to more traffic on our already overly used roads. In the documents, Persimmon state we have a cafe on Fontygary Road. We do not and have not for over 2 years. It's concerning that the people who want to overdevelopment our village clearly haven't been here. This makes me question their ability to make informed decisions as they are clearly working from incorrect and old data. In the plans submitted by Persimmon, they have not provided any shopping facilities. Within the ward of over 7000 people, we have a Tesco Express, and 2 small convenience shops. These are not easily accessible nor within a reasonable walking distance from the current Golwg Y Mor estate, let alone this proposed development. In addition, our village population increases significantly throughout the summer months due to Fontygary Leisure Park. I have personally been in Tesco Express at 10am and its mostly sold out because of holiday makers. A shop on this proposed development would thrive and be a fantastic asset to these estates. In summary, I fully believe we cannot, in good conscious, allow this planning without a comprehensive plan on improved Rhose infrastructure. We have oversubscribed doctors and dental practises, very limited and dated community facilities, massively overpopulated roads, limited shopping facilities, and very poor public transport. Before adding potentially 500 new residents, we need to make Rhose the best it can be for its current residents, which is currently not the case."

Other Rhose Ward Councillors – no response received to date.

South Wales Fire and Rescue Service stated no objection and provided standing advice relating to climate change effects, wildfires, flooding, fire risk on non-residential developments, and advised the developer to consider the need for adequate water supplies for firefighting purposes and access to fire appliances.

VoGC Economic Development Section – no response.

Cadw have not been consulted but attention is drawn to their pre-application consultation response, which stated:

"Our records show that there are no scheduled monuments or registered historic parks and gardens that would be affected by the proposed development."

We therefore have no comments to make on the proposed development...

...The above designated historic assets are located inside 3km of the proposed development, but intervening topography, buildings and vegetation block all views between them. Consequently, the proposed development will have no impact on the settings of these designated historic assets."

REPRESENTATIONS

The neighbouring properties have been notified several times, most recently on 31st July 2025. The application has also been advertised several times by site notice and in the press, most recently on 8th August 2025.

Around 55 representations have been received and all of them objected to the proposals.

The prevalent reasons for the objections and topics of concern were: -

Principle of development

Rhose is already over-developed without sufficient amenities, such as a substantial supermarket, post office, and nurseries, and the development will impact on school capacity and catchment changes, and services such doctors and dentists (availability of appointments) etc.

Facilities such as shops and community buildings should be incorporated into the development. Comment in favour of sports pitch provision.

Loss of green space, together with development at Model Farm.

Too close to the existing airport.

Loss of arable land.

Loss of open space.

Contrary to climate objectives and declaration of climate emergency.

Need for additional housing questioned; citing the potential for other brownfield land sites to be used instead.

Motives for development questioned (developer profit, tax take).

Transportation

Not enough roads, existing roads and pavements in disrepair.

Lack of adequate (and no improvements proposed) to public transport or active travel infrastructure.

Will add to existing traffic congestion locally and in Barry, adding to travel times, affect residents' ability to commute, and cause detriment to highway safety.

Insufficient parking provision within the development, parking overspill.

Ecology

Loss of wildlife, flora and fauna (inc. foxes, birds inc. skylark, dormouse, bats, tiger moth).

Flood Risk and Drainage

Increased surface water runoff exacerbating existing drainage issues.

Concern about the flooding of properties south of the railway line.

Foul sewer system at capacity, odours.

Character and visual amenity

Failure to integrate with pattern of existing settlement.

Loss of green space and change to the character of the area and Rhose.

Cumulative detrimental impacts with past residential development.

The drainage basins are unattractive features.

Residential health, security, and amenity

Insufficient green space provided within the development site.

Concern about safety of drainage basin, noting proximity to play areas.

Increased pollution, littering.

Vermin (displacement of rats from development site).

Additional anti-social behaviour and crime.

Concerns over security of homes bordering the application site.

Lack of existing opportunities/ amenities for young people.

Noise, dust, disturbance and traffic during the construction phase, which may be for a prolonged period.

Loss of daylight.

Significant reduction in Vertical Sky Component (VSC) to habitable rooms, contrary to daylight/ sunlight benchmarks in BRE "Site Layout: Planning for Daylight and Sunlight".

Loss of outlook.

Loss of privacy.

Personal circumstances, inc. exacerbation of existing health conditions.

Contamination

Claim that the site is an old asbestos site.

Accessibility and Level Crossing

Concerns raised about the safety implications to users of the crossing suggested from formalisation of the PRow route. Suggested improvements, e.g. footbridge as mitigation.

Comment in favour of closing or diverting the level crossing route due to issues relating to anti-social behaviour and trespass.

Comment in favour of keeping existing Public Rights of Way open.

The proposed development should link to existing paths/ cycle routes.

Procedural matters

Lack of Environmental Impact Assessment questioned.

Failure to provide a robust Green Infrastructure Statement.

Other matters

Complaints about existing Council services and Council tax rates.

Issues raised in relation to the past developments at Rhose Point and Barry Waterfront.

Loss of views (green fields, sea views).

Comment against inclusion of affordable housing.

REPORT

Planning Policies and Guidance

Local Development Plan:

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

Strategic Policies:

POLICY SP1 – Delivering the Strategy

POLICY SP3 – Residential Requirement

POLICY SP4 – Affordable Housing Provision

POLICY SP7 – Transportation

POLICY SP10 – Built and Natural Environment

Managing Growth Policies:

POLICY MG1 – Housing Supply in the Vale of Glamorgan

POLICY MG2 – Housing Allocations

POLICY MG4 – Affordable Housing

POLICY MG6 – Provision of Educational Facilities

POLICY MG7 – Provision of Community Facilities

POLICY MG16 – Transport Proposals

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 MG28 – Public Open Space Allocations

Managing Development Policies:

POLICY MD1 - Location of New Development

POLICY MD2 - Design of New Development

POLICY MD3 - Provision for Open Space

POLICY MD4 - Community Infrastructure and Planning Obligations

POLICY MD5 - Development within Settlement Boundaries

POLICY MD6 - Housing Densities

POLICY MD7 - Environmental Protection

POLICY MD8 - Historic Environment

POLICY MD9 - Promoting Biodiversity

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

Future Wales: The National Plan 2040:

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

Chapter 3: Setting and achieving our ambitions

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

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

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

Chapter 5 – The Regions

- The Vale of Glamorgan falls within the South East region.

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

Policy 1 – Where Wales will grow

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

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

- Based on strategic placemaking principles.

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

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

Policy 7 – Delivering Affordable Homes

- Focus on increasing the supply of affordable homes

Policy 8 – Flooding

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

Policy 9 – Resilient Ecological Networks and Green Infrastructure

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

Policy 10 – International Connectivity

- Cardiff Airport identified as a strategic gateway to facilitate international connectivity.
- Enterprise Zone offers opportunities for investment in the site and surrounding areas.
- New development around strategic gateways should be carefully managed to ensure their operation is not constrained or compromised.

Policy 11- National Connectivity

- Support developments associated with improvements to national connectivity.
- Where appropriate, new development should contribute towards the improvement and development of the National Cycle Network and the key links to and from it.

Policy 12- Regional Connectivity

- Priority in urban areas is improving and integrating active travel and public transport.
- Priority in rural areas is supporting the uptake of ULEV vehicles and diversifying and sustaining local bus services.

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

Policy 13 – Supporting Digital Communications

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

Policy 15 – National Forest

- Supports tree planting as part of new development proposals.

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

- National growth area is the focus for strategic economic and housing growth, essential services and facilities, advanced manufacturing, transport and digital infrastructure.
- Supports development in the wider region which addresses the opportunities and challenges arising from the region's geographic location and its functions as a Capital region.

Policy 36 - South East Metro

- Supports the development of the South East metro and refers to maximising associated opportunities arising from better regional connectivity.

Planning Policy Wales:

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Promoting Healthier Places

- Sustainable Management of Natural Resources
- Accessibility
- The Best and Most Versatile Agricultural Land
- Supporting Infrastructure

Chapter 4 - Active and Social Places

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

Chapter 5 - Productive and Enterprising Places

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

Chapter 6 - Distinctive and Natural Places

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

Technical Advice Notes:

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

- Technical Advice Note 2 – Planning and Affordable Housing (2006)
- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 15 – Development, Flooding and Coastal Erosion (2025)
- Technical Advice Note 16 - Sport, Recreation and Open Space (2009)
- Technical Advice Note 18 – Transport (2007)
- Technical Advice Note 24 – The Historic Environment (2017)

Welsh National Marine Plan:

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

Supplementary Planning Guidance:

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

- Affordable Housing (2025)
- Biodiversity and Development (2018)
- Parking Standards (2019)
- Planning Obligations (2018)
- Public Art in New Development (2018)
- Residential and Householder Development (2018)
- Travel Plan (2018)
- Trees, Woodlands, Hedgerows and Development (2025)

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

Background

The application site is a longstanding housing allocation that is in the extant Local Development Plan (LDP). It was also allocated for housing within the prior Unitary Development Plan. Outline planning permission 2010/00686/EAO was granted on the site in January 2014 for 350 homes, albeit that permission has since lapsed.

The proposals were subject of an application for an Environmental Impact Assessment (EIA) screening opinion, reference 2022/00358/SC1. It was concluded that an EIA was not required for this development, and the reasons are set out in the associated screening report.

This planning application was initially submitted seeking permission for 262 homes and a sports pitch. This has evolved with several iterations and different proposals being presented, but most significantly, the proposals were amended to contain 339 homes in October 2024, with the sports pitch omitted. The latest scheme under consideration now comprises 338 homes.

The original EIA screening opinion considered development of approximately 275 dwellings. Whilst the number of dwellings has subsequently increased, there has been no change to the application site area or the nature of the development. Officers have reviewed the amended proposals and are satisfied that the changes would not alter the conclusions of the screening opinion or give rise to a requirement for further EIA screening.

Planning Policy

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that the determination of a planning application must be in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Development Plan comprises Future Wales and the Adopted Vale of Glamorgan Local Development Plan 2011-2026.

Local Development Plan:

The application site forms part of a wider dual allocation for 700 houses and 3.6ha public open space under policies MG2 (35) (Housing Allocations) and MG28 (7) (Public Open Space Allocations) of the adopted Local Development Plan. The land includes the application site and the land west of the Public Right of Way that has already been developed by Taylor Wimpey (227 dwellings). As such, it is established within the current adopted Local Development Plan that the principle of residential development on this site is acceptable. A key consideration of whether it complies with the above policies is the extent to which it delivers on the projected number of homes and public open space. Both sites, together, are expected to deliver both the allocated number of dwellings (700) and the allocated area of open space (total 3.6 ha).

In addition, issues such as the sustainability and acceptability would have been taken into consideration when drawing up LDP settlement boundaries and the site allocation for housing would have been fully considered by the appointed Planning Inspector as part of the examination of the adopted LDP.

Development Brief:

The site is subject to a Development Brief that was adopted by the Council in 2007, in conjunction with the prior allocation of this site for housing under the now superseded Unitary Development Plan. It states that the allocated site will comprise residential development of approximately 600 units, together with the provision of at least 3.4 hectares of open space that will be offered to the Council for adoption, to incorporate fully equipped sports pitches, a permanent changing facility, and vehicular access suitable to service the sports pitches, a multi-use games area, skateboard facility, LEAP and a NEAP and two Local Areas for Play (LAPs). There is also a requirement to retain the “green lane” along the public right of way that predominantly runs north-south along the western side of this application site.

However, it must also be recognised that weight to be afforded to the Brief has, over the near two decades since, been greatly diminished, especially following the adoption of the LDP. The LDP allocation requirements do not specifically follow the Brief, with a prime example of this being the requirement to provide for Rhoose Point Primary School being added, among other differences.

Replacement Local Development Plan (RLDP):

The Deposit RLDP was approved by Full Council for public consultation in January 2026 and a six-week public consultation was held ending 11th March 2026. This site is proposed to be ‘rolled forward’ as a residential allocation in the Deposit RLDP. However, given examination of the plan has yet to begin, very little weight can be attributed to it.

Summary:

Officers consider that the key matter of principle is whether the development meets the requirements and policies of the extant LDP. These matters are discussed in more detail later in this report.

Location and Existing Infrastructure

Many neighbour objections have cited the perceived lack of existing facilities in Rhoose compared to the number of houses and new residential developments in recent years. The proposals, with reference to community infrastructure and planning obligations, will be discussed later in this report. On the primary issue of the principle of and sustainability of housing development in this location, Rhoose is considered a Primary Settlement within the LDP, reflective of it being a large village with some shops and a small supermarket, along with existing community, sports and leisure facilities, in addition to having bus and rail links to the nearby larger settlements of Barry and Llantwit Major, as well as some direct public transport services to Cardiff. The strategy of the LDP aims to concentrate growth in the key, service centre and primary settlements (such as Rhoose) to maximise the opportunities for sustainable regeneration, to favour new local service provision, and to encourage the use of sustainable travel modes.

The application site, as noted above, is allocated for the development of 700 dwellings in the LDP. Some residents' desire for better connectivity and services is understandable, but neither is this location unsustainable, nor has any further retail or commercial development etc. been allocated for on the application site. It should also be noted that the LDP allocation for this site has already provided for the siting of a new primary school, on the western part. In terms of access to GP surgeries, the service-wide issues are acknowledged, however in the absence of an objection from the Health Board and noting that these are generally systemic issues across the whole of the NHS, it is considered that this does not represent a reason to delay or refuse planning permission in this instance.

Sustainability and Climate Change

The Council declared a climate emergency in July 2019, and this has led to the preparation and adoption of other plans and strategies in the intervening period under the broad heading of 'Project Zero'. The LDP is one of the plans referred to (albeit a pre-existing one) as contributing to the Council's work in this area. The LDP acknowledges the need to mitigate the adverse effects of climate change (Objective 2 refers), and this is reflected by Criterion 12 of Policy MD2. This requires that new development mitigate the causes of climate change by minimising greenhouse gas emissions associated with their design, construction, use and eventual demolition.

Matters relating to the construction phase and methods are recommended to be subject of planning condition (see proposed **Condition 6**). The precise climate impact of the development is not quantified but the sustainability of the design, construction, use would need to meet separately with Building Regulations standards, in this regard.

The Vale of Glamorgan lies within the National Growth Area identified in Future Wales. Although the objectives of addressing climate change must be given significant weight, they must be considered alongside other relevant planning considerations. In this regard, the site's allocation for residential development within the adopted LDP, together with its location within a designated National Growth Area, are material considerations of significant weight.

Housing density

As aforementioned, the application site forms part of a wider dual allocation for housing and open space under policies MG2 (Housing Allocations) and MG28 (Public Open Space Allocations) of the adopted Local Development Plan (LDP). With regards to the requirement for housing, the whole allocation is expected to deliver the allocated number of dwellings (700) on a 25.82ha site, of which 350 were anticipated to be delivered on this part of the site. The proposals fall short of this number, at 338 in total. Together with the site to the west, it would equate to a total of 685 across the whole allocation.

Whilst the proposals fall short of the 350 homes this part of the site was allocated for, it should be noted that this figure appears to be based on the previous planning permission (2010/00686/EAO), which is no longer extant. LDP Policy MD6 (Housing Densities) indicates that residential development proposals within the key, service centre and primary settlements will be permitted where the net residential density is a minimum of 30 dwellings per hectare (dph). The policy requirement considers only the net developable area, once significant site constraints and infrastructure have been discounted.

The provision of 685 homes on a 25.82ha site would equate to a gross density of c.26.5 dwellings per hectare. Then, to achieve a net figure, areas of the site that are not developable due to physical constraints are discounted, such as the narrow strip of land to the north, the embankment and sewer easements to the south, as well as the main estate road and drainage basins. The result is that the net developable area is greater than 30dph on both this site, and across the whole LDP allocation. One of the key differences between this and the proposals for (2010/00686/EAO) are the inclusion of large drainage basins to comply with modern SuDS (SAB) requirements, which is discussed in more detail in the relevant section of this report.

Although slightly short of the 350 homes proposed in policy MG2 (Housing Allocations), there are significant site constraints that make it difficult to provide this number within the available land. Having regard to the proposed schedule of accommodation, which is now more reflective of local housing (contains less large, detached dwellings) than originally submitted, and that it meets the density requirement of Policy MD6, the proposals are considered acceptable in relation to the number of homes provided and the mix of accommodation.

Agricultural land

Policy MD1 (Location of New Development) of the LDP states development should “*have no unacceptable impact on the best and most versatile agricultural land*”. Best and most versatile (BMV) agricultural land is defined in PPW as “*land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC)*” (para. 3.58). The site was subject to a soil survey in c.2004, which found it contained entirely Grade 3b (moderate quality) land. The application site is predicted to be 3b on Welsh Government ALC maps. Grade 3b is below the BMV threshold, and the proposal is considered acceptable in relation to the potential loss of agricultural land.

The concerns raised in representations relating to the loss of arable land, more broadly speaking, are noted. However, there is no wholesale protection afforded to all agricultural and/or ‘greenfield’ land within the planning policy framework. The site is also allocated for residential development in the LDP, weighing substantially in its favour. In view of this, and the lack of BMV agricultural land on the site, the development is considered acceptable.

Active Travel, Level Crossing, and Public Rights of Way

A direct link to existing active travel infrastructure on Heol y Pentir is proposed at the vehicular access, comprising of a pedestrian and cycle path, as well as a direct pedestrian link to the western part of the LDP allocation (Golwg-y-Mor), via the existing PROW (at its northern extent). In turn, this would provide pedestrian connectivity in the direction of the centre of Rhoose, as well as the primary school to the east.

There are also two other potential pedestrian links provided to the site to the west (one of which is a potential road link) at the western boundary of the site. The southernmost of these would potentially link to a newly constructed path through the south of the Golwg-y-Mor estate, one which ultimately leads to Rhose Railway Station via Torbay Terrace. These additional links at the western boundary are both dependent to the resolution of land ownership matters relating to a 'ransom strip' that runs astride the western land boundary of the site. The current position is that these potential links (direct east-west) cannot be guaranteed between the eastern and western parts of the LDP allocation owing to land ownership matters, although one would be available via the existing PRoW, northwards. The applicant has nonetheless proposed to construct these potential linkages along the full extent of land within their control. This is reflected on the planning layout, and proposed **Condition 21** would secure that it is constructed, accordingly. If the ownership situation was then resolved, these would provide direct links between the western and eastern portions of the LDP allocation.

It is noted that proposed pedestrian movement within the site consequentially, and by and large, follows the proposed road layout. However, these nonetheless provide for direct and logical links within the site interior, and toward likely off-site destinations, such as Rhose centre, or the primary school. There are also more indirect routes, framed by green spaces, provided around the southern and eastern site peripheries, which connect to the proposed public open space, and will provide opportunities for recreational walks. In addition, the footways within the site are segregated from the carriageway on the main access roads, and this would contribute toward providing for a pleasant walking environment in the more densely occupied areas of the site.

A new pedestrian access point is also proposed at the south-eastern corner of the site, connecting to Heol y Pentir, south of the main vehicular access. The verge is steep at this point, and the proposed access would comprise steps. The option of providing a ramped access has been explored in more detail, however, it would involve significant engineering of the bank, and due to the required gradient, need to be c. 120m in length. This would somewhat negate the benefit of providing such a ramped access. The alternative level access route would be via the main vehicular access, some 300m away. Whilst this is a significant difference, the comparative benefit is less when measured in relation to trips in between proposed dwellings on the site and existing community facilities, services, and public transport options. The quickest route for most occupiers would be via the main access and to the northwest of the site. The principal function of this staircase would be to provide an alternative recreational route to the level crossing (Happy Valley) to the south of the site for users of the 'green lane', a route which, as it stands, is not currently accessible to all due to the unmade surface and presence of fencing and stiles at the crossing.

Level crossing:

The existing Public Right of Way (PRoW) runs the length of the western site boundary, connecting to the housing development south of the railway line, via a level crossing. In response to consultations, Network Rail have stated that they are concerned about the safety implications of this development, insofar that it would result in a more intensive use of the crossing, to the detriment of public safety. In support of their assertions, they have provided statistical data and relayed safety concerns relating to level crossings in general and cited data relating to pedestrian traverses and safety issues experienced at this site. They also projected the anticipated increase in traverses based on the size of the development, based on assumptions led by the projected increase in population arising from the development.

The applicant has questioned the Network Rail response, and particularly the projected increase in traverses (see Technical Note Transport (Level Crossing) July 2025). They provided alternative (lower) projected figures based on their own assumptions. In a subsequent response, Network Rail advised that (whilst they did not necessarily agree with them) these lower figures it would still result in an unacceptable increased safety risk at the level crossing (see Network Rail response dated 19.9.25), when used in their modelling of the safety risk.

Network Rail have stated that the most appropriate means of mitigating this risk would be through the closure of the level crossing. Following extensive discussions between Network Rail, the applicant, the Council's Public Rights of Way team and the Local Planning Authority, Network Rail suggested a planning condition that would require an application to be made to stop up or divert the public right of way over the railway line (see proposed **Condition 3**). A public right of way can only legally be stopped up or diverted by an appropriate Order, either under the Highways Act, or under Section 257 of the Town and Country Planning Act where (as in this case) it would be essential to enable development.

Officers have given significant weight to the concerns raised by Network Rail, noting their statutory responsibilities for railway safety. However, it is also material that Network Rail have confirmed their acceptance of the proposed planning condition as an appropriate means of addressing those concerns. The condition reflects wording proposed by Network Rail and is intended to allow the separate statutory process relating to the Public Right of Way to be properly considered by the appropriate decision-maker.

When the prior planning application ref: 2010/00686/EAO was under consideration, assessment work was undertaken (Rhoose Pedestrian Accessibility and Movement Audit – November 2010 and Technical Note 2 Rev A) to analyse potential pedestrian accessibility and movement across the development site. It was concluded that, as noted previously, the most convenient routes to most local facilities and destinations would not be via the level crossing.

Nevertheless, there is clearly the need to cater for its existing function as a public right of way, and in this regard, the study identified that if the crossing was closed and in the absence of a footbridge, this would not significantly impact on walking distances and times between most popular locations, such as shops, community buildings and services, and public transport options. The study identified an opportunity to provide a pedestrian and cycle access from Pentir Y De in the southeast corner of the site, which would assist in pedestrian movement and site linkages. The proposals have incorporated a pedestrian access here, albeit as previously noted, it would comprise steps (and not a ramp), noting the existing level crossing PRow and level crossing does not facilitate access for cycles.

However, the study found that residents on Porthkerry Road who currently might use the level crossing to reach the coastal path would face c.490m extra distance, equivalent to +6 minutes 17 seconds (Table 6.1) extra walking time. The report emphasises this is not significant given the very low usage of the crossing at the time.

There has clearly been a change in context since it was compiled, with the development of housing at Trem Echni and Golwg-y-Môr, including Rhoose Point Primary School. Similarly, the level crossing is the shortest route for residents south of the railway line to reach the school. Those using the crossing for this purpose would face a similar situation. However, it is not insurmountable, nor is it likely to be such a significant inconvenience as to disincentivise walking to school. Perhaps more importantly, vulnerable users such as schoolchildren would be displaced to safer (if a bit longer) alternative routes.

In addition, it should be noted that the potential pedestrian link at the western boundary of the site (linking to the western parcel at Golwg-y-Môr) would provide the most direct link to the Railway Station (via Torbay Terrace), which would be broadly at level grade. However, the presence of a 'ransom strip' means there remains a degree of uncertainty about its delivery as part of this planning application.

In consideration of potential alternatives to permanent closure of the level crossing, it is acknowledged that the applicant could not physically provide a foot bridge in place of the existing level crossing, which is on land outside of their control. Network Rail have also suggested feasibility could prove difficult for the same reason. The only realistically feasible alternative means of mitigation, according to Network Rail, would be the installation of warning lights, but these do not eliminate risk, and the estimated cost of delivery quoted was c.£1.2M. The securing of such a large sum is highly likely to negatively affect site viability if added to other, agreed, planning obligations. Having regard to the above, Officers consider the preferred option is to secure that an Order for a footpath diversion as suggested by Network Rail (**Condition 3**), which would eliminate the safety risk at a limited economic cost and loss of functionality. This is considered a reasonable, proportionate, and necessary means to enable the development to proceed. The Council's PRow team have been consulted and note that the stopping up or diversion of PRow can only be made through a separate order.

In the event that a subsequent application is made for an Order to divert the PRow, the pedestrian paths to the south of the site offer a potentially suitable alternative. This would also route through a verdant part of the site, alongside SuDS infrastructure and the proposed public open space, before connecting to Heol y Pentir, which is considered acceptable by Officers. Members should note that the decision on such an application could potentially be referred to Ministers for a decision. The proposed condition requires the applicant to pursue the diversion process but recognises that the ultimate outcome rests with the authority determining that separate application. Officers consider this reasonable as the applicant cannot control the outcome of that statutory process.

In this regard, in the event that the level crossing is closed and the Public Right of Way diverted, future users would also have the choice between more direct routes through the proposed housing site or following a more verdant recreational route to connect to the existing PRow. It is considered that the provision of the south-east pedestrian link onto Pentir Y De would provide a viable and safe alternative to the level crossing. Whilst some users would experience increased walking distances in the event of closure, Officers do not consider the increase to be so substantial as to render walking impractical or to outweigh the wider benefits of the development.

Significant weight has been given to Network Rail's concerns regarding the safety implications of increased use of the crossing. However, substantial weight is also attached to the fact that Network Rail have confirmed their acceptance of the proposed mitigation strategy and planning condition. Having regard to the site's allocation within the adopted Local Development Plan and the availability of alternative pedestrian routes, Officers conclude that the level crossing issue does not outweigh the policy support for development of the site.

Highways and Traffic

There is a single and primary vehicular access proposed into the site off Heol y Pentir, with potential for a secondary link to be made into the existing housing development to the west. The latter is subject to the resolution of land ownership issues relating to a 'ransom strip' that runs astride the western boundary of the site, and which is in third party ownership. The current position is that, whilst included as part of the proposals (to potentially enable its full implementation) it would not be possible to guarantee delivery of a direct vehicular link between the eastern and western parts of the LDP allocation. However, by constructing a potential link to the full extent of this owner's land holding, the developer would secure that a highway link is provided along all the available land within their control (see proposed **Condition 21**).

Whilst the Highway Authority do not object, they have requested a full link is provided as part of planning conditions. However, as noted, this would entail development on land outside the applicant's control. It would not be reasonable, noting the guidance contained in WG Circular 016/2014, to include planning conditions on third-party land outside the applicant's control. The matter could be pursued outside of the planning process, however, for the purposes of this assessment it should be assumed that the current position might persist, i.e. that a complete vehicular link, is not guaranteed. Issues relating to pedestrian movement are considered in the relevant section, above. Although desirable, as it would displace some existing school traffic routed via Porthkerry Road, the absence of a completed vehicular link is not considered to warrant refusal of the application. Its absence may result in some additional trips from site occupiers, via Porthkerry Road than might otherwise be the case. However, these are not likely to be in such numbers as to cause significant congestion or safety issues along the alternative route, especially with the school being within easy walking distance of the site, via the existing PRow.

In relation to the capacity of the wider highway network to accommodate traffic flows from the proposed development, an analysis of predicted future traffic flows was carried out for years 2026 and 2036, applying a growth factor that includes committed development allocated within the Local Development Plan. The allocations within the draft deposit replacement Local Development Plan (rLDP) are not included, but the plan is in an early phase whereby it can be given very limited weight. The draft rLDP is also underpinned by independent transport assessment modelling, which includes the application site allocation, and will be subject to separate examination.

The modelling work for this application formed the basis for detailed junction capacity analysis at junctions where a material increase of more than 5% in observed traffic flows was expected (see Table 6.2 of the TA). The Transport Assessment (TA) concludes that the junctions selected for detailed analysis would all operate within capacity, and consequentially, the Highway Authority did not object to the proposals because of traffic congestion. It is noted that long queues have been experienced in the area, however, significant congestion appears to have been associated with isolated events (such as lane closures) that are not reflective of typical operating conditions.

The primary vehicular access would comprise a (ghost island right-hand turn) priority junction, which differs from the previous planning approval (2010/00686/EAO) for which the installation of a new roundabout was proposed. However, modelling within the Transport Assessment has evidenced that a roundabout is not justified based on the number of proposed homes and modelled traffic volumes. As noted, the Highway Authority have not objected to the change, and the proposed access provides for adequate manoeuvrability for buses and visibility, as well as bus stops, shelters, and active travel connections.

The proposed site layout contains a central primary spine road, with a combined footway/cycleway, which is engineered to enable access to the western parcel should the opportunity arise to complete the road connection through the site. Secondary and tertiary roads, with private drives, provide access to the homes (Figure 4.3, TA). The layout has an appropriate road hierarchy, focussed on perimeter blocks, and is designed to reduce excessive speeds, as well as incorporating shared surfaces for more lightly trafficked areas of the site.

The proposed layout also provides for an acceptable level of parking (inc. visitor parking) located within driveways, and in some instances, courtyards, and are in accordance with the Council's Parking Standards SPG and considered acceptable by the Highway Authority. This would ensure that the estate roads were not subject to unacceptable levels of parking pressure.

In conclusion, having regard to the above transportation related matters, it is considered that the proposed development would not unacceptably increase traffic volumes, and provides for an acceptable and safe means of access to the site. The Highway Authority also recommended conditions to ensure that elements of the proposal were fully implemented (proposed **Condition 21**), further engineering detail was provided (proposed **Condition 9**), and construction phase impacts were mitigated so far as possible by agreement of a traffic management plan (proposed **Condition 7**) as well as provision of road condition surveys (proposed **Condition 10 & 11**).

Flood Risk and Surface Water

In regard to the flood risk to site users and occupiers, the site lies outside of TAN15 (2025) Flood Zones associated with fluvial and tidal flooding. A small section of the site is shown to be within Flood Zones 2 & 3 for surface water, concentrated around the point of an existing land drain that runs beneath the railway line, south, towards Maes y Gwennyn. There are no houses or other highly vulnerable development proposed in these Flood Zones. The proposals therefore do not conflict with the guidance within TAN15 (2025) concerning the location of new development or (noting the transition arrangements) the superseded TAN15 (2004).

The application is accompanied by a Drainage Strategy. The report concludes that infiltration is not a viable drainage strategy due to poor ground permeability, and neither are there any existing watercourses on the site available as a discharge point. Therefore, the proposal is to capture surface water via attenuation basins, creating a storage volume of c.4000 cubic meters, with runoff to be discharged via the existing land drain. The drain is located to the southern boundary of the site and crosses beneath the railway line. The flow of water would first be slowed or reduced using measures such as permeable paving, bioretention/rain gardens and swales, before entering the main system. It would then be held within a large basin and discharged at a restricted rate, equivalent to 20% below existing runoff rates (see Section 6.2 & 6.3, Table 4 & 5, Drainage Strategy). The strategy accounts for the increase in hard surfaced areas within the site and is modelled to deal with both existing surface water discharging to, and rainwater falling on, the development site during a storm event.

The development would be subject of a separate approval process for a detailed scheme of surface water drainage via SuDS Regulations (SAB). However, the submitted strategy demonstrates that the chosen method is suitable in principle and achievable within the confines of the proposed layout. The scheme responds positively to existing conditions and site constraints and would, potentially (subject to final SAB approved design), reduce existing runoff discharge rates through the positive management of surface water through the development site. There is also no objection from Natural Resources Wales, nor the Council's Drainage team, noting that the latter advised that some further detail may be necessary to inform the detailed scheme design. This can be secured separately to planning, via the SAB process.

In relation to safety considerations, it should be noted that the drainage basins are not designed to hold standing water (see further discussion in Planning Obligations/POS section of this report). They have also been re-designed, at the request of the SAB team, to include slopes of lower gradient, for access and maintenance and to comply with SAB requirements. There are no details of fencing shown surrounding the basins as shown on the proposed plans. Details such as fencing would be secured through planning conditions and need to comply with SAB requirements for adoption. However, any such fencing would be expected to be of low height, such as a knee-rail, and not designed to prohibit access.

Having regard to the above, the proposed development is considered acceptable in principle and would not result in any unacceptable impacts relating to surface water disposal and flood risk.

Water Supply

In response to consultation, Welsh Water have stated that the water supply system in the vicinity of the site has insufficient capacity to serve the development, meaning that without mitigation, it would cause detriment to existing customer's supply. They have not requested mitigation is secured through planning conditions but noted that a hydraulic modelling assessment and reinforcement works may be required at the same time as the provision of the new water main to serve the site. Welsh Water have recourse to require hydraulic modelling assessment under the Water Industry Act, under the consenting process for applicable for new connections serving multiple dwellings. They also requested a planning condition requiring details of a scheme to divert an existing non-operational water main was submitted and agreed (see proposed **Condition 5**).

Foul Drainage

In relation to foul water, Welsh Water requested a planning condition that would require a hydraulic modelling assessment be carried out to identify a point of connection to the public sewerage system, the removal of surface water to offset the introduction of new foul water, and, to identify the extent of reinforcement works required to accommodate the entire development. This would be a Grampian condition to ensure that an acceptable solution is identified before works commence on site (see proposed **Condition 4**).

Ecology

Planning Policy Wales (PPW) requires planning authorities and developers to apply the Section 6 Biodiversity Duty under the Environment (Wales) Act 2016, ensuring that development not only avoids or mitigates harm to biodiversity but delivers a net benefit for biodiversity. PPW promotes a 'stepwise' approach of avoidance, minimisation, restoration and compensation, whilst giving significant weight to the protection of designated sites, priority habitats, protected species, and green infrastructure. These requirements are reinforced through Policy 9 of Future Wales, and LDP Policies MG19- MG21, MD9 (Promoting Biodiversity) and the Biodiversity and Development SPG. Together, these seek to ensure that habitat retention and biodiversity enhancements are integrated into the design from conception, informed by ecological surveys.

The application is accompanied by a 'Phase 1' Habitat Survey and Preliminary Ecological Assessment (PEA), together with separate survey reports for reptiles, bats, badger, skylark and dormice. The Habitat Survey concludes that the site fields mainly comprise of former arable land and semi-improved grassland, bounded by hedgerows, with pockets of unimproved grassland and scrub. No part of the site is covered by National or International designations for ecology conservation importance, nor are there any local ecology designations.

The Habitat Survey concluded that there are no diverse communities of plant species due to past farming (seeding and ploughing) activity and so the grassland areas have a low to moderate ecological value. The main habitats of importance on the site are the hedgerows, and these are discussed in more detail within the Green Infrastructure section of this report, below.

The impacts of the development on local fauna are discussed in more detail as follows:

Badger:

A dedicated survey for badger activity was carried out, and it was concluded that, despite evidence of their presence close to the site, there were no signs of badger setts on the application site. The only suitable hedge was the one adjacent to the PROW where they would highly likely be put-off from using by human disturbance. There was also no evidence of movement or feeding was found within the main body of the fields. The southern boundary of the site would be maintained as an ecological corridor and, on this basis, there is unlikely to be any negative impact on the local badger population because of this development.

Bats:

There are no buildings in the application site boundary and potential bat roost locations are limited to a small number of trees which were assessed as having moderate potential for use by bats. A survey carried out in 2022 confirmed that none of these trees were being used as a roost, and this was again confirmed in an updated survey carried out in 2024. There was evidence of bats commuting and foraging over the site, mainly at the southern boundary and along the hedgerows adjacent to the PROW. The report recommends that these are protected from light spillage. There is no detailed lighting scheme accompanying the application, but these details can acceptably be secured by planning condition (see proposed **Condition 14**).

Dormouse:

The habitat on-site is suitable for dormouse but there are no existing data records of them nearby. Survey work comprising of the installation of nest tubes and nut searches were carried out in 2022, and again in 2024, and no evidence was found indicating that dormice were present within the site.

Reptiles:

The on-site habitat was found to have good potential to support common reptile species. Although there are records of Great Crested Newt in the Rhoose area, the severance between these locations and the site (housing estates, roads), together with the absence of any water bodies, means the development is unlikely to impact on the movement of Great Crested Newt, or disturb their breeding sites.

The survey estimates that a good population of slow worm is present on the site (50-100 individuals) with a low population of common lizard. Those recorded were primarily located along the existing PROW route. To protect the reptile population, the mitigation strategy indicated individuals would be translocated from the site, pre-commencement, and then excluded from the site thereafter with appropriate fencing. This document was reviewed and commended by the Council's Ecologist. This is also a common mitigation approach and is considered acceptable, and there is extensive habitat in the Rhoose Point area that is a suitable receptor area for the translocated individuals (see proposed **Condition 22**).

Birds:

The PEA confirmed the presence of skylark on or near the site, which is a ground nesting bird. The site contains habitat suitable for skylark to breed, and consequently, a breeding bird survey was requested. The survey work found that skylark was not using the site for breeding, with disturbance from the informal use of the site by dog walkers being cited as a likely factor. The birds nonetheless likely use the site for foraging, but the development would not impact on their breeding territory.

While the survey report was focussed on Skylark, the results also confirm that the development site was not being used as breeding ground by other species of ground nesting birds. This is because the ground search would have revealed the presence of any different ground nesting species. This was discussed with the Council's Ecologist, who clarified the disappointment expressed in his comments was that the survey did not extend to other (hedgerow nesting) species, to inform the results, and that no objection was raised on this basis.

Other species of birds are known to be present and feeding on the site from the initial fieldwork associated with the PEA. Some of these are amber and red listed species, with: - Chaffinch, Dunnock, Whitethroat, Starling, and Greenfinch amongst the species recorded. These are hedgerow nesting species and therefore mitigation would be required, to ensure the works to hedgerows took place outside the bird nesting season (unless checked in advance by an Ecologist) (see proposed **Condition 23**).

The proposals include measures to translocate hedgerows on the site interior (Biodiversity Enhancement Mitigation Strategy and Management Plan– Section 6.7) to a location along the southern border of the site, and for it to be reinforced with new planting. This is discussed in more detail in the Green Infrastructure section of this report. This is considered acceptable in principle, noting that it is the part of the site with the strongest existing wildlife presence, and the absence of proposed dwellings here will mean it will be less prone to human disturbance post-development. This is considered acceptable in principle and will provide for acceptable compensatory habitat for hedgerow nesting birds. Although there would be net loss in grassland, the proposals include significant tree planting, wildflower grassland, wetland grasses (SuDS), that are in line with the Biodiversity Enhancement Strategy (Section 5) (See **Condition 22**).

Invertebrates:

The on-site habitat has the potential to be important for common butterfly and moth species. The PEA report concludes (Section 5.6) that, given the habitat types and assuming the track-side vegetation is retained, the development is unlikely to significantly impact invertebrates, including moths. Less common invertebrate records (including types of tiger moth) are not recorded within the site boundary, but are recorded within a 1.5 km radius, predominantly in areas of coastal grassland and scrub mosaics, at Rhoose Point.

Biodiversity Enhancement:

In addition to the measures discussed within the green infrastructure, the proposals also include biodiversity enhancements targeted toward specific species and delivered within the application site area: -

- Reptiles: - 17 refugia and hibernacula to be constructed, together with long-term grassland and scrub management to maintain habitat structure.
- Community Orchard: - Located in the north-east corner and to include traditional Welsh fruit varieties.
- Bat & Bird Boxes
 - 32 integrated bat boxes across selected plots.
 - 64 bird boxes (sparrow terraces + swift boxes)
- Long term habitat management measures contained in the Biodiversity Enhancement Mitigation Strategy and Management Plan.

There is no mention of mitigation for hedgehogs in the form of gaps in walls/ fences to provide accessibility through the site. This can be required along with full details of the proposed enclosures (**Condition 15**).

Habitat and Green Infrastructure

The application is supported by Green Infrastructure Statement, a Hedgerow Regulations Survey, a Biodiversity Enhancement Strategy, among other things. The existing site habitat value is also assessed within the Preliminary Ecological Appraisal.

The proposed development would involve clearance of internal site areas comprising of: -

- 3.6 ha arable grassland
- 7.97 ha semi-improved agricultural grassland
- 73 semi-mature trees
- 820m of internal species-poor hedgerows (to be translocated)

The site habitat is dominated by species-poor, semi-improved grassland typical of an unmanaged former arable field, with narrow areas of more diverse grassland–scrub mosaic habitat. The most ecologically valuable features are the hedgerow network.

The Hedgerow Survey assessed the on-site hedgerows to determine which qualify as “Important” as defined by the Hedgerow Regulations 1997. Those defined as important are located either side of the existing public footpath, along with a short connecting section to the southern end of the site (Plate 1, Hedgerow Regulations Survey).

Planning Policy Wales (Ed.12, 2024) (PPW) states that permanent removal of trees and hedgerows will only be permitted where it would achieve clearly defined public benefits, and trees are replaced at a ratio of 3:1. The potential to retain a greater extent of the existing hedgerow could feasibly be achieved, however, it would ultimately not be possible to develop the site at the proposed density unless the hedgerows are removed or translocated. The knock-on effect would be delivery of lesser number of units, potentially affecting site viability and delivery of defined public benefits such as affordable housing and other infrastructure. In design terms, whilst the proposal retains the important hedgerows intact, save for where limited and essential punctuation is required for movement and accessibility.

To develop the site, around 820m of hedgerow would require removal, however, as a form of mitigation, it is proposed to translocate the hedgerow to the southern area of the site, planted as a double or triple layered row adjacent to the railway line, together with its reinforcement with infill planting. Although the figure quoted is shorter in mapped length, the translocation would result in no net loss of hedgerow habitat due to the stool density (the current hedgerow has gaps equal to the difference). The proposals ensure no net loss of hedgerow habitat would occur, and in practice, deliver a higher-quality hedgerow that is better connected to the ecological corridor adjacent to the railway line, where it would strengthen an existing dark corridor, used by bats. Beech and Hornbeam have also been removed from the proposed planting schedule, in accordance with the VoGC Ecologist’s request.

The proposal would also result in the loss of trees, principally at or around the primary site access off Heol y Pentir, affecting a group of Corsican Pine, Lombardy Poplar, Birch and Sycamore trees. Although several of the trees are assessed as Category B arboricultural quality, they are grouped tightly together with limited individual growth potential, although they have moderate group value. The provision of a suitable and engineered access, achieving necessary gradients and visibility is, however, essential for access and safety purposes and these losses cannot realistically be avoided.

The development proposal follows the stepwise approach, by limiting losses to those essential to deliver the development. As compensation and enhancement, additional planting is proposed that would deliver a higher quality hedgerow, and 231 new trees, which exceeds the 3:1 tree replacement ratio set out in PPW (by 15 trees). In addition, the development proposes other enhancements to green infrastructure, and includes extensive wildflower meadows, wet grassland, SuDS-linked habitats, and a connected blue-green network supported by long-term habitat management (details contained in the Biodiversity Enhancement Mitigation Strategy and Management Plan). Although there would be a net loss in grassland in terms of quantity, the new grassland areas and orchard areas would be of higher quality and biodiversity value.

Conclusions:

In conclusion, the proposed development accords with the requirements of PPW and demonstrates application of the step-wise approach to biodiversity and green infrastructure. The scheme limits habitat loss to that which is essential for delivering the development and its associated public benefits, retains all important hedgerows, and provides comprehensive mitigation and compensation measures. The hedgerow translocation, extensive new tree planting, habitat creation, and long-term ecological management, ensure no net loss of key habitat types and deliver a measurable enhancement in ecological value across the site. It is therefore considered compliant with Policy 9 of Future Wales, LDP Policies MG19-21 and MD9, as well as the guidance contained in PPW and the Biodiversity and Development SPG.

Archaeology

Heneb stated that the site had been subject of previous archaeological investigation and, whilst the Historic Environment Record noted a potential earthwork in the development site, no remains of it were discovered during the site investigations and the site has also been previously disturbed by other activity. They stated in conclusion that there did not appear to be an archaeological restraint to the positive determination of the application.

Environmental and Health Hazards/ Contaminated Land

A Technical Note relating to Air Quality Assessment has been submitted with the application. This has been subject of review by Shared Regulatory Services (SRS), who agreed with its conclusions and stated that air quality is not a constraint to development. The number of units has been increased since it was compiled, but noting the site is neither within nor adjacent to any Air Quality Management Area (AQMA), the change to the application is not considered to materially impact on these conclusions. SRS requested planning conditions relating to a Construction Environmental Management Plan (CEMP) and a Travel Plan, in the interest of minimising impacts to air quality (see proposed **Conditions 6 & 12**).

SRS also stated that land contamination was not known at this site, but neither could its presence be ruled out. Planning conditions were recommended for inclusion relating to unforeseen contamination, imported soil and aggregates, and the use of site won material (see proposed **Conditions 17 to 20**).

Design and Visual Impact

The site is part of a housing allocation within the LDP and, in expectation that the site would be developed for housing, it is recognised that a fundamental impact to character of the land (i.e., from its 'greenfield' condition) would occur. This does not necessarily render the development acceptable, noting an assessment of the scale of development, layout, and design, is required in the context of the surrounding landscape to assess how the development relates to its surroundings. There are no landscape designations on the application site, or nearby, but the character of the land is nonetheless open and verdant, despite it being adjacent to existing residential development and surrounded by a road and train line. The site is flanked by a tree lined public footpath along the western boundary, and the new vehicular access would be directly on to Heol y Pentir, to the east.

The principal public viewpoints would be those from the public footpath to the west, Heol y Pentir, and from residential areas adjacent to the site. As noted, while there would be significant urbanisation of the application site, the development would generally be viewed within the context of the built development and infrastructure of the existing settlement, and in this respect, it would appear as a logical extension to the settlement. The trees adjacent to the public footpath to the west would be retained, and whilst some hedgerow losses would occur, the development proposals include significant areas of new tree planting, and other soft landscaping.

The proposed layout has dwellings logically fronting principal roads providing strong interest, active frontage and natural surveillance of the public domain, and it is considered that the street environment created is acceptable and would provide occupiers with a pleasant living environment. The layout also provides green areas around its periphery, with frontages orientated towards Heol y Pentir, which is a positive step as despite the level differences, there would be clear views across the site from this road.

The built development is mostly two-storey and a similar scale to the development in adjacent areas within the settlement, whilst the limited 3 storey elements of the proposals are of a suitable scale so as not to appear as discordant elements of the scheme. The density of development would therefore not appear at odds with the character of its surroundings. The development would not significantly harm landscape character, whilst making efficient use of land.

In relation to the design of the dwellings, they take a traditional form as commonly seen on major developments of this type. There is nonetheless a variance in house types and materials, such as to provide some visual interest and variation, whilst retaining a cohesive character to the development.

The proposed vehicular access would be graded and initially sit elevated in contrast to the main plateau of the application site. Nonetheless, the proposed gradients are not excessive, and the visual impact of these engineering works is considered acceptable. The proposed pedestrian access at the south-eastern corner of the site would also appear engineered, and prominent (elevated) from the site interior, but would serve a specific purpose, and not be of significant visual harm. The access works would also result in tree losses, but the proposals are also accompanied by a comprehensive landscaping scheme which would assist in softening the appearance of the development, once established.

There are no details of the appearance of the pedestrian access at the south-eastern corner of the site. Therefore, further details relating to this element of the proposals are recommended to be secured by planning condition (see proposed **Condition 24**).

The planning system regulates the use and development of land in the public interest, not the protection of private interests, and as such views across this site are not a material consideration in this assessment.

It is considered that the proposal accords with Policies MD1 (Location of New Development), MD2 (Design of New Development) regarding the visual and landscape impacts, as well as in relation to the rural and landscape character of the area.

Heritage and Archaeology

The proposed development would not be visible from local heritage assets, including the Bulwarks Camp Scheduled Monument, due to intervening topography, vegetation, and other development. Heneb in response to consultation advised that there was no archaeological restraint to the development of this site. Consequently, the development would have no unacceptable impact on heritage assets.

Neighbouring Amenity

It is noted that some concerns have been submitted from neighbouring occupiers further afield, however, the principal considerations relate to impacts to the neighbouring properties on or close to the northern boundary of the site. The adjacent properties to the north are located either on Murlande Way or Greenmeadow Way, with the latter comprising new homes on the first phase of this LDP allocation. The other neighbouring properties to the west are separated from the site by the existing Public Right of Way (and two banks of hedges), and to the south, the railway line.

Green meadow Way:

No.s 31 – 49 (odds) Greenmeadow Way either adjoin or are close to the site boundary and are at a slightly raised ground level compared to the application site. There is a buffer of around 3.5m between the two sites. Furthermore, there is another c.5m gap between the closest dwelling and application site boundary (i.e. a total of c.8.5m). The houses on green meadow Way are also elevated compared to the application site land.

It is noted that one representation alleges non-compliance with the BRE document (Site Layout and Planning for Daylight and Sunlight, 2nd Ed.), which contains guidance about new residential development and natural light. This document contains several 'rules of thumb' about relationships between buildings, such as separation distances, beyond which further assessment of the impact on daylight is recommended, as opposed to containing minimum design thresholds. In the case of the closest dwellings on Greenmeadow Way, No.39, 41, and 45, they appear to have only bathroom windows within side elevations facing directly on to the application site. For those with principal elevations facing the site directly, there would be a minimum separation distance of c.25m between existing and proposed dwellings. Noting the above and the maintained separation and relative orientation of proposed units, no unacceptable neighbouring impacts to these units are anticipated.

The separation distances between principal windows within dwellings within Greenmeadow Way and those within the proposed dwellings are all over 21m and comply with the design standards for privacy set out in the Residential and Householder Development SPG. A unit at Plot 45 has its front elevation facing toward No.38 Greenmeadow Way, but the c.10.5m separation distance between it and the neighbouring garden is considered acceptable from a privacy perspective. The relationship between them is commonly seen within residential estates. Officers consider the relationship policy-compliant and that there would be no unacceptable impact on daylight or sunlight to these neighbouring properties.

Murlande Way:

The application site abuts Murlande Way directly, and the existing dwellings near the boundary vary in distance and orientation towards the application site. Those potentially most directly impacted would be numbers 33, 35, 55, 57, and 61, which have rear elevations facing toward the application site. There is no significant change in levels between the two sites at this location. The proposed dwellings would maintain a minimum gap of c.4.5m to the rear boundaries of the properties on Murlande Way.

The separation distances between the proposed dwellings and neighbouring windows are sufficient to ensure there would be no significant loss of daylight to their interiors. There is the potential that they could result in a degree of shading, particularly toward neighbouring garden areas, but these would be limited in frequency and duration, and none of the neighbouring gardens would be significantly enclosed or rendered gloomy by the proposed development.

The nearest of the proposed dwellings in this location are all orientated with their side (gable) elevations facing Murlande Way, and as a result, potential views from principal windows towards properties and gardens on Murlande Way are relatively oblique and/ or distant enough (over 21m), so to cause no unacceptable degree of overlooking. The proposed development complies with the privacy design standards of the Residential and Householder Development SPG, in this respect.

Construction phase:

A major development such as this will inevitably cause some disturbance to neighbouring properties during construction. Whilst a degree of impact is unavoidable, such impacts would be temporary and would be unlikely to cause such significant impact as to warrant the withholding of planning permission. Nevertheless, it would be reasonable to require submission of a 'Construction Environmental Management Plan' by condition, to ensure that any impacts because of the construction phase of development are minimised (see proposed **Condition 6**). The personal circumstances raised in representations are noted, but having regard to the above, and balanced with the benefits the scheme would provide to potential future occupiers through the provision of new homes, it is considered acceptable.

Security:

The proposed development is residential and acceptable in principle, in line with the LDP site allocation for housing. It is not possible to eliminate all risk, but the proposed site layout would not unacceptably encourage additional anti-social behaviour and crime, by design. The streets and public areas within the site are subject of good levels of natural surveillance. Most existing neighbours' private gardens that adjoin the site are enclosed by typical domestic fencing, and a solid enclosure is an option for those who do not and could potentially be constructed up to 2m height under 'permitted development' rights, as are hedges.

Having regard to the above, it is considered that the proposal is acceptable in relation to the impact on existing neighbouring occupiers and is compliant with the relevant criteria of Policy MD2 (Design of New Development) of the LDP.

Amenity of future occupiers

Amenity Space:

The Householder and Residential Development SPG requires private amenity space to be provided at a ratio of 20sq.m per person for dwelling houses, and between 12.5-20sq. shared amenity space per person for flatted developments.

As can be seen on the proposed site layout, each of the proposed dwellings has been provided with a dedicated amenity space. These vary in size, as would be expected on a residential development with varying house sizes and due to design constraints, such as the site profile and location of roads, drainage basins etc. The absolute minimum provided for the dwellings is c. 40sqm of garden space, and according to the SPG ratio, this would be below the design standard, which equates to 60-80sq.m for a three-bedroom dwelling. Nevertheless, most of the dwellings meet or exceed the SPG standard, and those below still provide a useable and functional space, that would meet basic outdoor amenity requirements of the occupiers and not be excessively overlooked by other properties within the development site.

Communal amenity space is permissible for flatted development at an SPG ratio of 12.5 - 20sq.m per occupier (depending on the size of the development). The flats within the scheme are provided with communal spaces ranging between c.150 – 175sq.m, each serving 9 units. It is noted that the provision falls slightly below the requirements of the Council's SPG. However, the spaces would nonetheless serve a useful amenity function, and there are also separate communal bin and cycle store facilities proposed. The amenity spaces are considered to be of a sufficient size and layout to meet the basic outdoor relaxation and functional needs of the occupiers, despite falling short of the standards.

The landscaping plans indicate that wildflower meadow mixes and/or other ornamental mixes would be sowed within the external space around the proposed flats. It is important these spaces provide for an amenity function, and therefore further details are recommended to be secured by planning conditions (see proposed **Condition 25**).

Daylight and overlooking:

It is considered that the relationship of the proposed dwellings and flats to each other is such that they would not appear as overbearing or unneighbourly to each other. The units also generally accord with the privacy standards of the SPG in relation to distances between windows serving habitable rooms, except for some windows between facing over public roads. In terms of potential overlooking of gardens, there is again 10.5m or more distance between windows serving habitable rooms and most of the gardens. Again, there are some exceptions in more closely knit areas of the site. However, the relationships between dwellings seen here are not uncommon to urban areas, nor would they create unacceptable living conditions for future occupiers of the site.

Noise/ vibration:

In respect of noise and vibration, the living conditions of the prospective occupiers must also be taken into consideration. The application has been supported by a noise assessment report. The results of the background noise assessment concluded that most of the site was in Noise Exposure Category (NEC) A, and a part of it was in NEC B, as defined by Technical Advice Note (TAN) 11. The methodology of the background noise assessment has been reviewed in conjunction with Shared Regulatory Services (SRS) and was considered sound.

The noise assessment included measurements of air traffic events, which measured between 61-71dB (30 second average) at the monitoring point closest to the airport, with 40 such events recorded over a 72-hour period. On the sole basis of aircraft noise, the site would be placed within the lowest of the noise exposure categories, NEC A (<55dB LAeq daytime, <45dB nighttime), where development is considered acceptable without requirement for mitigation. The NEC categories are based on averaged noise levels, with the exception that sites subject individual noise events that regularly exceed 82dB during the night should not be based in the lower categories A and B. On this basis and noting the aircraft noise events sit comfortably below the maximum level, occupiers of the site would not be subject to excessive or unacceptable levels of aircraft noise.

The predominant noise sources found to be affecting the site were from road and rail. Even so, most of the site was found to be within the NEC A category levels considering all noise sources, with a small part of the site adjacent to Heol y Pentir meeting NEC B (55-66dB LAeq daytime, 45-57dB LAeq nighttime) levels. TAN 11 does not advise against development in NEC B, but states that noise should be considered. In this instance, the proposed development has effective buffer zones between the proposed dwellings and the road and rail noise sources, by virtue of the road embankment and the area of drainage infrastructure and Public Open Space. The only dwellings identified as requiring mitigation are those facing the main internal access road (front facades only), considering there is a potential link through the site to Golwg-y-Môr and South Point primary school.

The report also assessed the potential for vibration from rail sources, by measuring existing levels, including the passing of a freight train. It was found that the site was comfortably within recommended thresholds (BS 6472-1:2008) for human exposure to vibration.

Shared Regulatory Services (SRS) reviewed the report and stated in their response 26th November 2024, that they concurred with its findings. Subsequently, however, SRS issued a further response dated 15th December 2025 raising concerns about the inclusion of a MUGA (Multi-Use Games Area), based on the potential noise impacts from the MUGA upon occupiers of the development site, stating this had not been directly addressed within the noise report.

A MUGA has been part of the development proposals throughout the application process. In response, the applicant has referred to Fields in Trust guidance, which recommended a 30m separation distance between a MUGA and the boundary of dwellings. The equivalent minimum distance in this proposal is c.25m, but the 'shortfall' relates to the front drives, and 30m or more distance is maintained to dwelling houses and gardens. Moreover, the most recent iteration of Fields in Trust Standards (Creating great spaces for all) has removed reference to this buffer entirely, quoting by means of explanation: *"Play spaces should be located at the heart of a development. We have removed reference to requirements for separation buffer zones to avoid any unintended consequences of pushing play spaces to the edge of new developments."* (page 27).

Having regard to the above, it is considered that the layout affords a suitable buffer zone between dwellings and the MUGA and would not create living conditions on the development site that are harmful to its occupants. Following further clarification from SRS colleagues they are satisfied with the location of the MUGA subject to suitable details being secured by way of condition with regard to lighting and management regime of the MUGA.

In conclusion, it is considered that it has been adequately demonstrated that acceptable living conditions can be achieved within the development site and occupiers would not be unacceptably impacted by noise and vibration from either aircraft, road, rail, or any other, sources.

Public Open Space (POS)

In the first instance, it is noted that objections have been made concerning a loss of open space. It is recognised that the fields are used frequently by dog walkers and others. However, the land is privately owned land with no public rights of access to the fields. These proposals would therefore not result in the loss of any existing public open space.

Criterion 9 of LDP policy MD2 (Design of New Development) states that development proposals should provide public open space in accordance with the Council's standards. As aforementioned, the application site forms part of a wider dual allocation for housing and open space under policies MG2 (Housing Allocations) and MG28 (Public Open Space Allocations) of the adopted Local Development Plan.

In terms of POS, the whole housing allocation is required to provide 3.6 hectares under Policy MG28 (7). Around 1.2 hectares, in total, has already been provided as part of the development of land to the west, comprising a mixture of formal equipped play spaces and other green spaces. The development to the west has also provided land for the development of the primary school. It was recognised that, whilst some POS was provided alongside it, the burden of supplying the strategic element (i.e. the bulk of) POS would rest with the development of this site, equating to a minimum of 2.4 h.a.

In addition to the above, the development should provide equipped children's play facilities and other children's play space for the number of dwellings to be constructed, in accordance with Policy MD3 (Provision for Open Space) and the Planning Obligations SPG. This policy requires new residential developments to make provision for public open space, in tandem with the Planning Obligations SPG. This is calculated in accordance with the following table in the SPG: -

Residential Development POS Requirements	Ha per 1000 population*	Sqm person	sqm per dwelling**
Children's equipped play facilities	0.25	2.50	5.80
Other Children's Play Space	0.55	5.5	12.76
Outdoor Sport	1.60	16.00	37.12
Total	2.40	24.00	55.68

This equates to:

Children's equipped play space: 1960 sq.m

Other children's play space: 4,313 sq.m

Outdoor Sport: 1.25 ha.

Total: 1.88 ha.

The submitted plan titled '*Land Budget Public Open Space*' illustrates the quantity and distribution of POS within the development site, and in terms of size, it comprises c.2.2ha of areas of general open space, with an additional 0.3ha of equipped children's play space. The total provision of 2.52ha therefore exceeds the quantity of space required by Policy MG28, as does the quantity of children's play space that is required by Policy MD3.

The above figures do not include the drainage basin, which could also provide a dual POS function. The main basin is not designed to hold standing water and, in an annual storm event, is modelled to result in a peak depth of water at 346mm and, assuming another event does not follow behind, drain within 24 hours. It is shown to have slope gradients of 1:3 and is designed in a manner that could accommodate a dual function and be accessible as open space in average weather conditions.

In terms of spatial distribution, much of the general ('other') open space is concentrated around the peripheries of the site, and the main area of Public Open Space is located toward the south of the site. Although central parts of the site are more urban in character, these are interspersed by drainage features, trees, and three Local Areas of Play (LAP). There are also small community orchard areas proposed at the southern and northern edges of the site, connected to proposed paths. The latter would create pleasant recreational walking opportunities around the peripheries of the site, framed by informal green spaces.

Children's Play Space:

The total amount of equipped play space exceeds the space requirement for the development, as set out in Policy MD3, and noted above. It would comprise of 1 x Multi Use Games Area (MUGA), 1 x Neighbourhood Equipped Area of Play (NEAP), 1 x Local Equipped Area of Play (LEAP), 3 x Local Areas of Play (LAP), as well as spaces for natural play, and a fitness trail.

The play provision is concentrated to the south of the site, with the MUGA, NEAP, LEAP, LAP and natural play spaces located here, surrounded by a network of paths linking around the green spaces to the site peripheries, and encircling the main drainage basin. It would provide for a pleasant and verdant environment, with natural surveillance provided by the dwellings to the north which (from the opposite side of an estate road) front on to the main area of POS. It is logical to concentrate the main strategic play offer in one location, and it would provide a coherent play destination, with varied offer, that would suit a wide age range. In addition to this, three other Local Areas of Play are dotted around the site to serve younger users, within a shorter walking distance for occupiers of the central and northern areas of the site.

The proposed areas of open space, including play spaces, are flanked by proposed housing that would provide for natural surveillance of these spaces. The proposed MUGA changing rooms have been omitted, in recognition that the facility would not operate as a formal sports facility (i.e. not be managed by a booking system). Nevertheless, precise details of the proposed arrangement, including equipment etc., and management and maintenance for these spaces is considered necessary. This is most likely to involve transfer to a management company. As such, further details of maintenance shall be secured by means of condition (proposed **Condition 8** refers).

Outdoor sports:

The expired planning permission (2010/00686/EAO) included space to be set aside for an adult-sized sports pitch and changing room facilities on this site, reflecting a requirement set out in the adopted Brief. A sports pitch was also originally included within proposals to develop this site in 2022, albeit, with only 262 dwellings included, which was far short of the site allocation.

As noted, both the expired permission and the Brief precede the adoption of the LDP, which describes the strategic open space requirement (for the whole allocation) in the following terms on page 186: -

“The development of the site is required to provide and safeguard a site of 1.0 hectare for the provision of a new primary and nursery school (210 places) on site, in accordance with Policy MG6 (6) and to deliver key strategic infrastructure, including 3.60 hectares of land for public open space comprising a multi-use games area and associated changing facilities; equipped play facilities and areas of amenity open space in accordance with Policy MG28 (7).”

There is no specific reference to a sports pitch being part of the strategic allocation in the LDP. There is, nonetheless, and as set out above, a requirement for the development to provide for an equivalent of 1.25ha in outdoor sports provision under the terms of Policy MD3. The omission of a specific reference to sports pitch does not preclude one being provided but allows for other types of outdoor sports provision to be considered under this policy. In this case, while the general POS provision provides the quantity of space required, only the MUGA contributes any meaningful outdoor sports function, and it is significantly short of the overall space requirement (especially in relation to team sports). The MUGA, nevertheless, benefits from being an adaptable space that could be used, recreationally, for several sports and would have an all-weather surface.

In the absence of a policy-compliant on-site provision, Officers have discussed the omission of a sports pitch with colleagues within the parks and leisure section of the Council; who do not object in principle, noting that Rhoose is served by sports pitches elsewhere, both at Celtic Way and Ceri Road. The latter is about 750m walking distance from the application site and contains two adult-sized sports pitches and changing facilities. The provision of a financial contribution could be spent on the enhancement of sports facilities in these locations, such as modernisation of the changing facilities.

Community Infrastructure and Planning Obligations

LDP Policy MD4 (Community Infrastructure and Planning Obligations) sets out that where appropriate, and having regard to development viability, the Council will seek to secure new and improved community infrastructure, facilities and services through the use of planning obligations.

The Planning Obligations and Affordable Housing SPGs provide more detail regarding where, what, when and how planning obligations will be sought via Section 106 Agreements, to assist the Council in creating sustainable communities that provide social, economic, and environmental benefits.

The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 in England and Wales. They introduced limitations on the use of planning obligations (Reg. 122 refers). As of 6th April 2010, a planning obligation may only legally constitute a reason for granting planning permission if it is:

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

Officers have considered the need for planning obligations based on the relevant policy and legislation; the type of development proposed; the local circumstances and needs arising from the development.

The relevant planning obligation requirements are outlined below.

Affordable Housing:

TAN 2 defines 'Affordable Housing' as housing provided to those whose needs are not met by the open market. It should meet the needs of eligible households, including affordability regarding local incomes, and include provision for the home to remain affordable for future eligible households, or where stair-casing to full ownership takes place, receipts are recycled to provide replacement affordable housing. This includes two sub-categories: social rented housing where rent levels have regard to benchmark rents; and intermediate housing where prices or rents are above social rented housing but below market housing prices or rents.

Relevant policies within the LDP include SP4 (Affordable Housing Provision), MG4 (Affordable Housing), and MD4 (Community Infrastructure and Planning Obligations). Policy MG4 requires 35% affordable housing on residential developments of this size and in this location. The affordable housing requirement therefore equates to **119 dwellings**.

In relation to affordable housing need, the Council's Housing Strategy team advised in consultation that there is an evidenced need (Local Market Housing Assessment 2023) for 1075 additional affordable housing units per annum in the Vale of Glamorgan. In addition, the waiting list for properties within the Rhose Ward was 271 (as of July 2026). As the LHMA and waiting lists demonstrate, there remains an affordable housing need, and this has not been satisfied by other housing developments in the locality. There remain a significant number of people in the local community without access to adequate housing, and this proposed development would make a significant and welcome contribution.

The provision of 119 affordable homes has been secured in full and to an accommodation schedule that is more reflective of local need than was initially the case. The VoGC Housing Strategy team have indicated that they do not have concerns about the unit mix on this basis, and these units have also been distributed throughout the development site (aka 'pepper pot' approach). The development is therefore policy-compliant in relation to affordable housing provision and this would be secured through legal agreement.

Education:

All new residential developments which are likely to house school aged children create additional demand on places at existing schools.

The Council's formula for calculating pupil demand is contained within the Planning Obligations SPG. The development of 311 family-sized homes (i.e. a deduction of 27 x 1bed units) would generate the need to provide 'school places' for 32 pre-school children, 87 primary school children, 65 secondary (11-16 years) and 13 young adults (post 16 years).

The nurseries and primary schools serving the development are understood to be:

- Ysgol St Baruc (Welsh Medium)
- South Point Primary School (English Medium)

The secondary schools serving the development are:

- Cowbridge Comprehensive (English Medium)
- Ysgol Gyfun Bro Morganwg (Welsh Medium)

The Council's Education department have been consulted and their review of available capacity and school admissions concluded that, while there is sufficient projected capacity to accommodate the development over the next five years at primary and pre-school level, there is not adequate existing or forecasted capacity to accommodate these pupils at secondary level.

Having considered the above and based upon the values contained within the Planning Obligations SPG, the following section 106 contribution would be required for the additional provision of secondary education:

- Secondary level (11-16years) – 65 children x £27,498 = £1,787,370
- Secondary level (post 16years) – 13 child x £29,823 = £387,699

Total: £2,175,069

This has been agreed by the applicant.

Community Facilities:

Community facilities are important for meeting a range of social needs and must be provided locally to serve the needs of the local community and reduce the need to travel. All new residential developments place pressure on existing facilities.

The LDP Community Facilities Background Paper (2013) assessed the level of provision of community facilities throughout the Vale of Glamorgan and the additional demand generated by new development planned in the Local Development Plan. Within the Rhoose Ward, there is not sufficient capacity to accommodate the population growth arising from this development.

The Council's policy on planning obligations is set down in Policy MD4 (Community Infrastructure and Planning Obligations) of the Vale of Glamorgan LDP, which states: *'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. Community infrastructure may include the provision or improvement of: 5. Community facilities.'*

A contribution is therefore requested equating to £1260 per dwelling which equates to a total of **£425,880** towards community facilities, based on the formula set out in the Council's Planning Obligations SPG. This would be used to enhance community facilities provided in the Rhoose Ward.

This has been agreed by the applicant and could be used, for example, to enhance community facilities at the Rhoose Community Centre (Stewart Road) and provide furniture such as benches in areas of existing Public Open Space.

Sustainable Transport:

The increasing importance of sustainability is enshrined in local and national planning policies emphasising the need for developments to be accessible by alternative modes of transport than the private car. Planning Policy Wales (PPW) (Ed. 12), recognises that in order to create sustainable and cohesive communities within Wales, improvements to transport facilities and services are required.

National level guidance contained within Technical Advice Note 18 'Transport' (March 2007) Paragraph 9.20 allows local planning authorities to use planning obligations to secure improvements to the travel network, for roads, walking, cycling and public transport, because of a development proposal.

The Council's policy on planning obligations is set down in Policy MD4 (Community Infrastructure and Planning Obligations) of the Vale of Glamorgan LDP, which states: *'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. Community infrastructure may include the provision or improvement of: 3. Transport infrastructure and services for pedestrians, cyclists, public transport and vehicular traffic;'*

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

This would equate to **£777,400** for this scheme.

This has been agreed by the applicant and could be put toward:

- Delivery of a strategic active travel link between the settlements of Rhoose and Barry, which is referred to within LDP Policy MG16 (2) and is not currently funded.
- Funding toward increased frequency of the existing 304 bus service (via Porthkerry Road).
- Installation of RTI displays on bus stops at Porthkerry Road.

The above are schemes that would be of direct relevance to the proposals and benefit to the occupiers of this development and help promote a modal shift away from the private car. They are in addition to the essential highway improvements at the site access, and the traffic calming measures along Pentir y De, which are measures essential to provide acceptable and safe access to the site.

Public Open Space (Outdoor Sports):

Residential developments are expected to make provision for Public Open Space (POS) and/or recreational facilities to meet the needs of the future population they will bring to the area. Open space offers vital opportunities for sport and recreation and act as a visual amenity. Policy MD3 (Provision for Open Space) of the LDP requires new residential developments to make provision for public open space at a minimum standard of,

- Outdoor sports provision 1.6 ha per 1,000 population;
- Children's equipped play space 0.25 ha per 1,000 population;
- Informal play space 0.55 ha per 1,000 population.

The role of this development in providing for a strategic level of public open space (Policy MG28) along with the acceptability of the on-site provision and layout has been discussed in more detail earlier on in this report. The requirement to provide for outdoor sport provision is equivalent to 1.2584ha. and has not been met by the proposed on-site provision. The current proposal includes for a Multi-Use Games Area (MUGA), which although satisfies part of the outdoor sports requirement, it equates to only c.1350sq.m of on-site provision.

The outdoor sports element of the POS requirement, above, equates to 37.12 sq.m per dwelling and, therefore, the MUGA area is equivalent to the demand arising for 37 dwellings. In lieu of the remaining 301 dwellings, the Planning Obligations SPG stipulates that (where acceptable) financial contributions toward off-site provision are calculated at £2,668 per dwelling. However, this includes all POS, including children's play space. The outdoor sports element is equivalent to two-thirds of the overall space requirement, and on this basis, it is reasonable to reduce the requested contribution by a third. I.e.: -

$301 \times 2668 \times 0.66666 = \mathbf{£535,373}$

This has been agreed by the applicant.

It is considered that the timing of the delivery of the on-site POS is also a matter that would require inclusion within the heads of terms for a legal agreement, to ensure that it is delivered to an acceptable standard and an appropriate phase of development, along with a financial contribution to provide new or enhance existing off-site outdoor sports facilities in the locality, as set out above.

Whilst a formal sports pitch formed part of earlier proposals and the historic Development Brief, there is no specific requirement within the adopted Local Development Plan for such a facility to be provided on this site. Officers are satisfied that the combination of on-site MUGA provision and the agreed financial contribution towards enhancement of existing sports facilities in Rhose would provide an appropriate and policy-compliant means of meeting the recreational needs arising from the development.

Public Art:

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

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

The Council introduced a 'percent for art' policy in July 2003, which is supported by the Council's adopted SPG on Public Art. It states that on major developments, developers should set aside a **minimum of 1% of their project budget** specifically for the commissioning of art and, as a rule, public art should be provided on site integral to the development proposal. The public art scheme must incorporate sufficient measures for the appropriate future maintenance of the works.

This has been agreed by the applicant.

Conclusion

To summarise, the proposals are for residential development that will assist in meeting housing demand and is in accordance with the Local Development Plan. The proposals are for an acceptable density, in a sustainable location, and moreover, the applicant has agreed to provide the full and policy-compliant planning obligations requested by officers. This includes 119 affordable homes, c.2.5 ha on-site public open space (excluding any dual-use SuDS areas), and financial contributions toward education, sustainable transport, community infrastructure, outdoor sport facilities, and public art. The above matters weigh substantially in favour of the scheme.

Section 38 of The Planning and Compulsory Purchase Act 2004 also requires that the determination of a planning application must be in accordance with the Development Plan (Future Wales & LDP) unless material considerations indicate otherwise.

Officers recognise that numerous public objections have been received, and Network Rail have raised safety concerns that may lead to closure of the level crossing. However, the

provision of an alternative route through the site is considered an acceptable mitigation. There are no other objections from statutory consultees, including on matters relating to highways, ecology, and drainage.

The context within which the site was allocated for housing (i.e. the principle of developing the site) has not materially changed, and having regard to the above, Officers consider the application should be approved.

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 Future Wales and Local Development Plan Policies SP1 – Delivering the Strategy, SP3 – Residential Requirement, SP4 – Affordable Housing Provision, SP7- Transportation, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG2 – Housing Allocations, MG4 – Affordable Housing, MG6 – Provision of Educational Facilities, MG7 – Provision of Community Facilities, MG16 – Transport Proposals, MG19 – Sites and Species of European Importance, MG20 – Nationally Protected Sites and Species, MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, MG28 – Public Open Space Allocations, MD1 - Location of New Development, MD2 - Design of New Development, MD3 - Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD5 - Development within Settlement Boundaries, MD6 - Housing Densities, MD7 - Environmental Protection, MD8 - Historic Environment, MD9 - Promoting Biodiversity, and the Supplementary Planning Guidance documents Affordable Housing (2025) Biodiversity and Development, Parking Standards, Planning Obligations, Residential and Householder Development, Travel Plan, and Trees, Woodlands, Hedgerows and Development (2025), Planning Policy Wales (2024), TAN 2 Planning and Affordable Housing, TAN 5 – Nature Conservation and Planning, TAN 11 - Noise, TAN 12 - Design, TAN 15 - Development, Flooding and Coastal Erosion, TAN16 - Sport, Recreation and Open Space, TAN 18 – Transport, TAN 24 – The Historic Environment, the principle of the development for residential with public open space and affordable housing (35%) is considered acceptable, as is its scale and impact on community infrastructure, noting that policy compliant planning obligations have been agreed. The proposed means of vehicular access is also considered acceptable, as is the impact on the local road network subject to mitigation; as are the scale, design, and visual impact; impacts on heritage assets and archaeology; residential amenity; ecology and green infrastructure; flood risk, water supply and drainage, contamination. The safety impact to the Public Right of Way / level crossing is also considered acceptable, subject to mitigation.

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

- Procure that **35% (119)** of the dwellings built on the site pursuant to the planning permission are built and thereafter maintained as **affordable housing units** in perpetuity.
- Pay a contribution of **£777,400** towards **sustainable transport** improvements.
- Pay a contribution of **£425,880** towards improvements to **community facilities**.
- Pay a contribution of **£2,175,069** to address **education** requirements arising from the development.
- Pay a contribution of **£535,373** towards new or enhanced off-site **public open space** (outdoor sports facilities).
- Pay **1% of project budget** towards **public art**.

APPROVE subject to the following condition(s):

1. The development shall begin no later than 5 years from the date of this decision, or 3 years from the determination of an application under Section 257 of the Town and Country Planning Act that has been submitted pursuant to Condition 3 of this permission, whichever is the later.

Reason:

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

2. Apart from where superseded by the requirements of the planning conditions set out below, the development shall be carried out in accordance with the following approved plans and documents:

Ug2017 Urb Xx Xx Dr Ud Xx 410 D Site Location Plan
Ug2017 Urb Xx Xx Su Ud Xx 406 S Planning Layout
Ug2017 Urb Xx Xx Su Ud Xx 411 S Planning Layout with Accommodation Schedule
House type Pack submitted 15.9.25

Ug2017 Urb Xx Xx EI Ud Xx 503 Salisbury V2 Proposed Elevations
Ug2017 Urb Xx Xx EI Ud Xx 502 Salisbury V2 Proposed Floor Plans
Ug2017 Urb Xx Xx EI Ud Xx 500 Winchester V2 Proposed Floor Plans
Ug2017 Urb Xx Xx EI Ud Xx 501 Winchester V2 Proposed Elevations

10342 108 01 J Site Wide Levels

10342 108 02 J Site Wide Levels
10342 108 03 J Site Wide Levels
10342 108 04 J Site Wide Levels
10342 100 01 J Engineering Plans
10342 100 02 I Engineering Plans
10342 100 03 J Engineering Plans
10342 100 04 J Engineering Plans
10342 111 01 B Site Sections
10342 111 02 B Site Sections
10342 111 03 B Site Sections

Ug2017 Urb Xx Xx Dr Ud Xx 414 J Hardworks Strategy
Ug2017 Urb Xx Xx Dr Ud Xx 416 E Boundary Treatment Strategy Plan
Ug2017 Urb Xx Xx Dr Ud Xx 417 D Materials Finishes Strategy Plan

Ug2017 Urb Xx Xx Dr Ud Xx 418 F Street Hierarchy Plan
Ug2017 Urb Xx Xx Su Ud Xx 413 J Parking Strategy Plan
g2017 Urb Xx Xx Su Ud Xx 415 H Bin Collection Plan
10342 102 01 F Highway Longsections
10342 102 02 F Highway Longsections
10342 102 03 F Highway Longsections
10342 102 04 E Highway Longsections
10342 116 01 D Highway Construction Details
22025.os.500.01: Potential Traffic Calming Measures

10342 107 01 H Site Wide Drainage
10342 107 02 H Site Wide Drainage
10342 107 03 H Site Wide Drainage
10342 107 04 H Site Wide Drainage
10342 200 01 F Basin Sections
10342 200 02 F Basin Sections
10342 200 03 F Basin Sections
10342 117 01 D Drainage Construction Details

Ug2017 Urb Xx Xx Dr La Xx 006 Hedgerow Loss Translocation P06
2027.09.08 Green Infrastructure Tree Loss And Mitigation
Ug2017 Urb Xx Xx Dr La Xx 007 Biodiversity Habitat Plan P06
Ug2017 Urb Xx Xx Dr La Xx 301 Soft Landscape Ga 1 Of 7 P10
Ug2017 Urb Xx Xx Dr La Xx 302 Soft Landscape Ga 2 Of 7 P09
Ug2017 Urb Xx Xx Dr La Xx 303 Soft Landscape Ga 3 Of 7 P10
Ug2017 Urb Xx Xx Dr La Xx 304 Soft Landscape Ga 4 Of 7 P11
Ug2017 Urb Xx Xx Dr La Xx 305 Soft Landscape Ga 5 Of 7 P09
Ug2017 Urb Xx Xx Dr La Xx 306 Soft Landscape Ga 6 Of 7 P09
Ug2017 Urb Xx Xx Dr La Xx 307 Soft Landscape Ga 7 Of 7 P09
Ug2017 Urb Xx Xx Dr La Xx 308 Soft Landscape Planting Schedule 1 Of 2 P09
Ug2017 Urb Xx Xx Dr La Xx 309 Soft Landscape Planting Schedule 2 Of 2 P07
Ug2017 Urb Xx Xx Dr La Xx 402 Rev A: Tree Pits And Bioretention Details
Ug2017 Urb Xx Xx Dr La Xx 401 Rev A: Tree Pit In Bioretention Planter Detail
Ug2017 Urb Xx Xx Dr La Xx 001 Landscape General Notes
Ug2017 Outline Landscape Specification

Ug2017 Urb Xx Xx Dr Ud Xx 423 Play Area Outline Specification West

Ug2017 Urb Xx Xx Dr Ud Xx 421 Play Area Outline Specification East
Ug2017 Urb Xx Xx Dr Ud Xx 422 Muga Outline Specification
Ug2017 Urb Xx Xx Dr Ud Xx 000 Rev I Land Budget Public Open Space

Preliminary Ecological Assessment Update (Sep 2024)
Green Infrastructure Statement V3
Dormouse Survey Report Update (Sep 2024)
Badger Survey Report Terraqua (Jan 2024)
Biodiversity Loss Gain Enhancement Plan (Sep 2024)
Biodiversity Enhancement Mitigation Strategy Sept 2025
Bat Tree Assessment and Activity Survey Report V2 July 2024
Skylark Survey Report June 2025
Reptile Survey Report Update (May 2024)
Reptile Mitigation Strategy (April 2025)
Hedgerow Regulations Survey (Apr 2022)

10342 - DS - 01 - Rhoose Drainage Strategy Rev C

UG2017 Design & Access Statement Rev G

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 commencement of development and no later than two years from the date of this decision, an application for an order to authorise the diversion of Public Right of Way P7/2/1 (to avert crossing the railway line) shall be submitted to the Council under Section 257 of the Town and Country Planning Act 1990. No dwelling shall be occupied before:

Either:-

- (i) the order made pursuant to the relevant application has been confirmed by the Council or Secretary of State (as applicable) and the alternative footpath has been fully completed in accordance with the agreed details; or
- (ii) the Secretary of State, having considered the merits of the application, decides not to confirm the order authorising the diversion of the footpath.

Reason:

In the interest of public safety and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

4. No development shall take place until a foul water drainage scheme to satisfactorily accommodate the foul water discharge from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be informed by a hydraulic assessment to identify:
1. A point of adequacy on the public sewerage system or where necessary.
 2. Removal of surface water to offset the introduction of the new foul water generated by the development.
 3. The extent of reinforcement works required to accommodate the entire development.

No part of the development shall be brought into use and no dwelling shall be occupied until the approved foul drainage system has been constructed, completed, and brought into use in accordance with the approved scheme. Thereafter, no surface, land, or highway water from the site shall drain directly or indirectly to the public sewerage system.

Reason:

To prevent hydraulic overload of the public sewerage system and pollution of the environment and adverse public health and safety implications, and to comply with the terms of Policies SP1 (Delivering the Strategy), MD1 (Location of New Development), and MD7 (Environmental Protection) of the Local Development Plan.

5. No development shall commence until a report has been submitted to and approved by the Local Planning Authority which confirms whether the water main (shown on plan DC-02 Water Main Location) is non-operational or live.
- a) If the watermain is confirmed to be non-operational, the report shall also detail the works required to cap off the asset (including the timing of these works) and no development shall take place within the protection zone until it has been capped off in accordance with the approved details.
 - b) If the watermain is live, no development shall take place along the watermain route and the protection zone until a scheme to divert the watermain has been submitted to and approved in writing by the local planning authority. The scheme shall include a detailed design, outlining the measures taken to divert and protect the structural condition of the watermain and will include a timetable for its implementation and completion. The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained in perpetuity.

Reason:

To protect the integrity of the public watermain and avoid damage thereto, to protect the health and safety of existing residents and ensure no detriment to the environment and to comply with the terms of Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD7 (Environmental Protection) of the Local Development Plan.

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

- i) pollution prevention measures, including adherence to Guidelines for Pollution Prevention, best practice, and emergency spill procedures;
- ii) soil management;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) construction drainage, including containment areas, buffer zones and bunds to any watercourses or land drains;
- vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- vii) a scheme of waste management.
- viii) hours of construction;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) details of biodiversity management and tree and hedgerow protection;
- xiii) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorscheme.org.uk) during the course of the construction of the development; and
- xiii) a system for the management of complaints from local residents which will incorporate an appointed representative and a reporting system.

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

Reason:

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

7. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details a compound layout (including parking and loading areas), site access and haulage routes for heavy goods vehicles, timings of construction traffic and means of defining and controlling such traffic routes and timings, traffic management and signage, and measures to control water, mud, and debris entering the highway. The development shall be carried out in accordance with the approved Management Plan.

Reason:

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

8. A scheme for the provision and maintenance of Public Open Space across the site shall be submitted to and approved in writing by the Local Planning Authority before the construction of any dwelling begins. The scheme shall include:-

Details and specifications for the Multi Use Games Area

Details and specifications for the Areas of Play including all play equipment, surfacing, enclosures etc.

Details and specifications for provision in other areas (Play on the Way, accessible SuDS areas)

Furniture including benches, bins etc.

A safety, Inspection and Maintenance regime

Management (including lighting, hours).

A design statement (addressing inclusive design and access for all)

Timing and phasing of delivery

The Public Open Space shall thereafter be provided and retained in accordance with the agreed details.

Reason:

To ensure the timely provision of open space in the interests of the amenity of future occupiers and the wider area and to ensure compliance with Policies MD2 (Design of New Development) and MD5 (Development within Settlement Boundaries) of the Local Development Plan.

9. Prior to the commencement of development and notwithstanding the submitted plans, engineering details of the proposed access arrangement and internal estate road shall be submitted to and approved in writing by the Local Planning Authority, which shall include road geometry and widths, vision splays, highway drainage, bus stops, active travel routes, crossing points, surface finish details, street lighting, turning facilities, onsite parking, construction details, road markings and signage, highway retaining structures. The development shall thereafter be implemented in accordance with the approved details.

These details shall fully comply with Design Manual for Roads and Bridges and Vale of Glamorgan Councils Standards for adoption.

Reason:

To ensure acceptable design and construction standards are achieved in the interests of highway and public safety and to ensure compliance with Policy MD2 (Design of New Development) of the Local Development Plan.

10. No development (including site clearance and demolition) shall take place until a Condition Survey of an agreed route along the adopted highway has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed with the Local Highway Authority prior to the survey being undertaken. The survey must consist of:

- A plan to an appropriate scale showing the location of all defects identified within the routes for construction traffic
- A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date

Reason:

To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer in accordance with Policy MD2 (Design of New Developments) of the Local Development Plan.

11. Within 1 month following the substantial completion of the development, a Second Condition Survey along the route agreed under Condition 10 shall be submitted to and approved in writing by the Local Planning Authority. The Second Condition Survey shall identify any remedial works to be carried out and shall include the timings of the remedial works. Any agreed remedial works shall thereafter be carried out at the developer's expense in accordance with the agreed timescales.

Reason:

To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer in accordance with Policy MD2 (Design of New Developments) of the Local Development Plan.

12. Prior to the first beneficial occupation of the development, a Travel Plan shall be prepared to include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use) which shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall thereafter be completed in accordance with the approved details and timings within.

Reason:

To ensure the development accords with sustainability principles and that site is accessible by a range of modes of transport in accordance with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

13. The landscaping works shall be carried out in accordance with the approved details referenced in Conditions 2 and 22 of this permission no later than during the first planting season immediately following completion of the development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development), MD2 (Design of New Developments), MD5 (Development within Settlement Boundaries) and MD9 (Promoting Biodiversity) of the Local Development Plan.

14. Prior to the first beneficial occupation of the development, a scheme of lighting and a mitigation strategy, including measures to reduce light spillage onto foraging habitats for bats, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

15. All means of enclosure associated with the development hereby approved shall be completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. This shall include details of suitable hedgehog gaps within enclosures across the site. The means of enclosure shall thereafter be completed in accordance with the approved details prior to the first beneficial occupation of the development.

Reason:

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

16. Prior to their use in the development hereby approved, a schedule and samples of materials to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policies SP1 (Delivering the Strategy), Policy MD2 (Design of New Development) and SP10 (Built and Natural Environment) of the Local Development Plan.

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

Reason:

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

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

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

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

Reason:

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

21. The internal estate roads, cycle paths, and footpaths shall be fully completed in accordance with the approved details and laid out and constructed to full extent of the site edged red as shown on plan ref: 'Ug2017 Urb Xx Xx Dr Ud Xx 410 D Site Location Plan' and be available for public use, prior to the substantial completion of the final dwelling.

Reason:

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

22. The development shall be carried out and thereafter maintained in accordance with the measures and recommendations contained in Section 7 of the Preliminary Ecological Assessment Update (Sep 2024), the Biodiversity Enhancement Mitigation Strategy (Sept 2025), and the Reptile Mitigation Strategy (April 2025).

Reason:

In the interests of ecology and to ensure the development accords with Policies SP1 (Delivering the Strategy), MD9 (Promoting Biodiversity), MG19 (Sites and Species of European Importance), MG20 (Nationally Protected Sites and Species) and MG21 (Sites of Importance for Nature, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species) of the Local Development Plan.

23. All vegetation and hedgerow clearance or translocation works must be undertaken outside the bird nesting season, from March to August inclusive.

Reason:

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

24. Prior to its construction, further details of the design and appearance of proposed pedestrian access to the south-eastern corner of the site (connecting to Heol y Pentir) shall be submitted to and approved in writing by the Local Planning Authority. The access shall be completed in accordance with the approved details prior to beneficial occupation of the last of the dwellings hereby approved.

Reason:

To safeguard visual amenity, ensure acceptable means of access, and protect the integrity of the embankment, as required by Policies Policy MD2 (Design of New Development), SP1 (Delivering the Strategy) and SP10 (Built and Natural Environment) of the Local Development Plan.

25. Notwithstanding the submitted plans, and prior to the first beneficial occupation of the blocks of flats, full details of the associated amenity spaces (layout, surfacing/landscaping, furniture etc.) shall be submitted to and approved in writing by the Local Planning Authority. The amenity spaces shall be completed in accordance with the approved details and thereafter be kept available for use of the occupiers.

Reason:

To safeguard residential amenity, as required by Policy MD2 (Design of New Development), SP1 (Delivering the Strategy), SP10 (Built and Natural Environment) of the Local Development Plan.

NOTE:

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

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

2. Please note that a legal agreement/planning obligation has been entered into in respect of the site referred to in this planning consent. Should you require clarification of any particular aspect of the legal agreement/planning obligation please do not hesitate to contact the Local Planning Authority.
3. The developer should enter into a highway agreement under S278/38 of the Highways Act 1980 with the Council to facilitate the construction of the proposed site access serving the development and associated offsite improvement works (including any required Traffic Regulation Orders), in accordance with a scheme which shall first have been submitted to and agreed in writing by the Local Highway Authority.

The gradient of the proposed vehicular / pedestrian access roads serving the development should not exceed 5% (1 in :20) for the first 10m and thereafter shall not be steeper than 8.33% (1 in 12).

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. Before work is commenced the applicant must ensure that, where necessary, the appropriate Building Regulation consent has been obtained.

6. The proposed development site is crossed by a public sewer. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line. For details of the safety zone please contact Dwr Cymru Welsh Water's Network Development Consultants on 0800 9172652.
7. Dwr Cymru Welsh Water (DCWW) have advised that some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. The applicant may contact Dwr Cymru Welsh Water on 0800 917 2652 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
8. 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.
9. Bats must not be disturbed or destroyed during tree work. A full visual inspection of the trees to be worked on must be carried out prior to intended work to check for the presence of bats. Advice on bats and trees may be obtained from the Natural Resources Wales. Bats may be present in cracks, cavities, under flaps of bark, in dense Ivy and so forth. Should bats be identified, please contact either Natural Resources Wales on 0845 1306229 or the Council's Ecology Section on 01446 704627.

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

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

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

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

APPLICANT: Oakley & Sons Ltd Unit 39, Vale Business Park, Llandow, Vale of Glamorgan, CF71 7PF

AGENT: J Jones 23 Hillside Drive, Cowbridge, CF71 7EA

Unit 1, Vale Business Park, Llandow

Construction of an industrial unit (Class B2), Associated access and car parking

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application is of a scale that is not covered by the scheme of delegation with the proposal being for a major application.

EXECUTIVE SUMMARY

The application proposes the construction of an industrial unit (Class B2), associated access and car parking. The building would measure 40m in width by 48m in depth. The steel portal frame building would have a shallow pitched roof with an eaves height of 6.45m and a maximum ridge height of 8.88m. The ground floor would be used as a joinery workshop with associated welfare facilities. A mezzanine level would provide ancillary office use.

Following consultation and publicity of the application, no representations have been received by neighbouring properties. Subject to conditions and informatives, no objections have been raised by the Council's Highway Authority, Drainage Section, Shared Regulatory Services, Welsh Water, Natural Resources Wales, South Wales Police or the Council's Ecologist.

Following consideration of the proposed development and viability assessment, no S106 contributions would be sought in this instance as it is considered to have been adequately demonstrated that the payment of required contributions would impact upon the viability of the site and the delivery of a policy compliant use on allocated employment land.

The recommendation is to approve the application.

SITE AND CONTEXT

The application site is an open area of level concrete hard standing, located at (part of) Unit 1 on Vale Business Park, formerly known as Llandow Industrial Estate, surrounded by other industrial units within an allocated existing employment area as defined on the Proposals Map of the adopted Vale of Glamorgan Local Development Plan 2011 – 2026.

A site location plan is attached below:

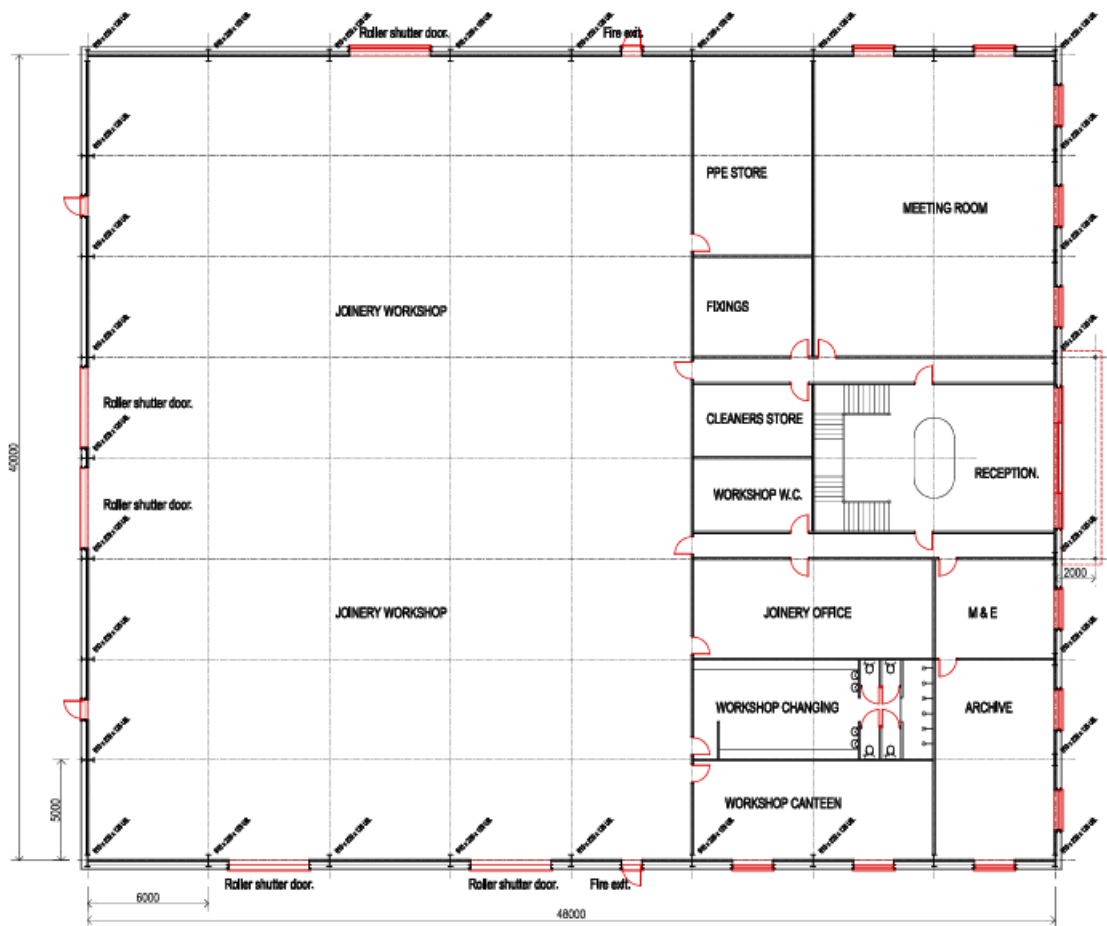


DESCRIPTION OF DEVELOPMENT

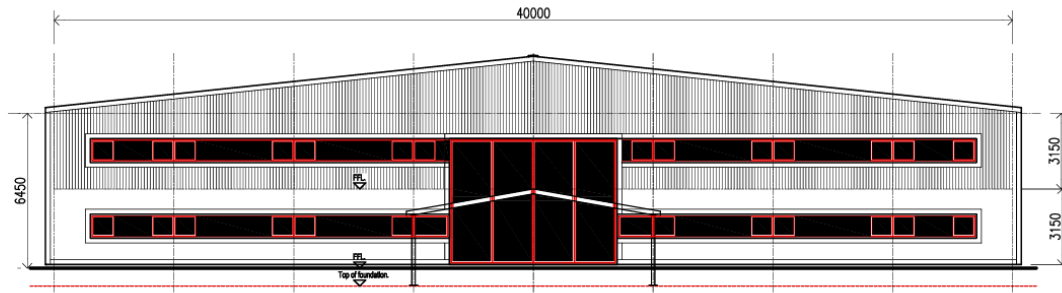
The proposed building would measure 40m in width by 48m in depth and have an overall footprint of circa 1920sqm. The ground floor would be used as a joinery workshop with associated welfare facilities. A first floor mezzanine level would provide ancillary office use. New vehicular access points would be created to the front of the proposed unit together with two additional accesses along the western side of the site to serve the operational requirements of the industrial use. As amended, 27 car parking spaces would be provided as well as approximately 1050sqm operational external space to the west of the building.

Proposed site layout and elevation plans are attached below:

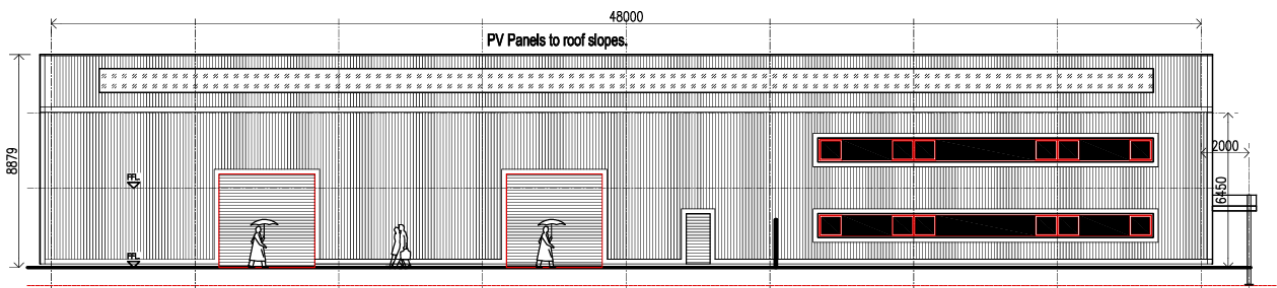




PROPOSED GROUND FLOOR PLAN.
(1:200)



PROPOSED FRONT ELEVATIONS.
(1:200)



PROPOSED SIDE ELEVATION.
(1:200)

PLANNING HISTORY

2024/00655/FUL, Address: 1 Vale Business Park, Llandow, Proposal: Construction of 2 no. buildings comprising a total of 8 no. Class B2 and/or Class B8 units and associated access and car parking. Decision: Approved

2011/00812/FUL, Address: Unit 1, Llandow Industrial Estate, Llandow, Proposal: Drill and test the insitu lower limestone and associated strata for the presence of gas, Decision: Refused

2011/00115/FUL, Address: Unit 1, Llandow Industrial Estate, Cowbridge, Proposal: Drill and test the insitu lower limestone shale and associated strata, Decision: Withdrawn

2001/01038/FUL, Address: Unit 1, Llandow Industrial Estate, Llandow, Proposal: Erection of precast concrete casting facility with batching plant, offices and stores. Full hardstanding for stacking/trafficking, Decision: Approved

1982/00088/RES, Address: Part of Llandow Industrial Estate, Cowbridge, Proposal: New roads and sewers, Decision: Approved

CONSULTATIONS

1. Llandow Community Council were consulted on 21 February 2025. No comments received to date.

2. The Council's Highway Development section were consulted on 21 February 2025 and commented that there are no objections to the proposals in principle subject to the applicant submitting revised details / additional information to satisfy requirements / conditions in the interest of highway / public safety and the free flow of traffic throughout the estate.

Following clarification, they advise that on the basis of the revised arrangements, the Highway Authority raises no objection to the proposal as submitted, subject to the following requirements:

1. *The visibility splays identified on Drawing No. 2065/901 Rev. 1 shall be provided and thereafter retained free from obstruction at all times.*
2. *No gates, fencing, walls, or other means of enclosure shall be erected along the western boundary which would impede vehicle manoeuvring or delivery access.*
3. *Any gate serving the car park shall be hung so as to open inwards only and shall not encroach onto the public highway.*

3. The Chief Fire Officer was consulted on 21 February 2025 and commented:

The Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation. The developer should also consider the need for the provision of:

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

4. The Council's Drainage Section were consulted on 21 February 2025 and commented:

This site is located within DAM Zone A which is not considered to be at risk to fluvial and coastal / tidal flooding. NRW flood maps (TAN15 2004) indicate that this site is at a very low risk of surface water flooding. The adjacent access road is at a medium risk of surface water flooding.

A drainage strategy has been provided indicating the use of a soakaway crate system to manage surface water via rain gardens and permeable block paving. While intent to seek SAB approval has been indicated, no application has been received as of yet.

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.

5. Shared Regulatory Services (Pollution) were consulted on 21 February 2025. No comments received to date.

6. Heneb, The Trust for Welsh Archaeology (GGAT) were consulted on 21 February 2025 and confirmed no objections and do not request conditions be attached to any permission given.

7. Dwr Cymru Welsh Water, were consulted on 21 February 2025 and confirmed no objection and provided advisory notes to be attached to any planning consent granted.

8. The Council's Ecology Officer was consulted on 21 February 2025 and confirmed no objection but initially requested further details, including those relating to biodiversity enhancements and landscaping. Following the provision of amended plans, updated ecology comments received identify the inclusion of planning conditions to secure biodiversity measures required. The conditions are summarised as follows:

- Lighting Strategy
- Bird and bat boxes
- Landscape and Ecological Management Plan (LEMP)
- Clearance Methodology

9. Contaminated Land, Air & Water Quality were consulted on 21 February 2025 and a summary of the comments is as follows:

Noting the site's previous use and potential contamination from historic materials, further investigation, risk assessment and if necessary, remediation are required before development proceeds. Conditions are recommended to ensure safe handling of contaminated land, verification of remediation, and strict controls on imported or site won soils and aggregates. The applicant is also reminded of their responsibilities to ensure materials are suitable and to prevent the import of controlled waste or spread of invasive species.

10. South Wales Police were consulted on 21 February 2025 and provided guidance on Secured By Design.

11. Llandow Ward Members were consulted on 21 February 2025. No comments received to date.

12. Natural Resources Wales, were consulted on 21 February 2025. Comments have been received and summarised as follows:

The desk study has been reviewed, and, due to the unknown use of the hangar/warehouse, a full site investigation is recommended, with previous requests for conditions and informatives remaining in place. These require a staged contamination assessment, remediation (if necessary), and verification, along with long-term monitoring and procedures for any unexpected contamination. The applicant must also provide missing report appendices in future submissions and ensure appropriate foul and surface water drainage arrangements, including evidence that infiltration is suitable and safe. Additional advice is provided regarding waste regulation, groundwater protection, potential protected species, and the need to obtain all relevant permits and consents.

REPRESENTATIONS

The neighbouring properties were consulted on 23 December 2024. The application was also advertised in the press on 09 January 2025.

No comments have been received to date.

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

Managing Growth Policies:

POLICY MG9 – Employment Allocations

Managing Development Policies:

POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
POLICY MD4 - Community Infrastructure and Planning Obligations
POLICY MD7 - Environmental Protection
POLICY MD8 - Historic Environment
POLICY MD9 - Promoting Biodiversity
POLICY MD14 – New Employment Proposals
POLICY MD16 - Protection of Existing Employment Sites and Premises

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

Future Wales: The National Plan 2040:

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

Chapter 3: Setting and achieving our ambitions

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

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

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

Chapter 5 – The Regions

- The Vale of Glamorgan falls within the South East region.

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

Policy 1 – Where Wales will grow

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

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
- Accessibility
- Previously Developed Land

Chapter 5 - Productive and Enterprising Places

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

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 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)
- Design in the Landscape
- Parking Standards (2019)

Other relevant evidence or policy guidance:

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

Equality Act 2010

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

Well-being of Future Generations (Wales) Act 2015

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

Issues

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

Principle of Development

Policies SP5- Employment requirements and MG9- Employment Allocations outline that in order to ensure the continued prosperity of the Vale of Glamorgan and promote growth in the capital region, 492 hectares (369 ha net) of land is allocated to meet regional and local employment needs. The land has been allocated to ensure that an appropriate range and choice of land is available throughout the Authority to meet future employment needs of B1, B2 and B8 uses.

Policy MD16 identifies the application site as part of an existing employment site for Classes B1, B2 and B8 uses. LDP Policy MD14 (New Employment Proposals) supports proposals for class B1, B2 and B8 employment uses, and complementary ancillary uses on existing and allocated employment sites. Planning Policy Wales and TAN23- Economic Development echo these sentiments and support the strategic approach to directing industrial development to allocated employment sites. The wider site has already been largely developed, and the proposal seeks to construct one building consisting of class B2 use, associated access and parking.

As such, the erection of the building for the identified use would be acceptable in principle subject to the proposal complying with the general criteria set out within relevant policies, inclusive of MD1, MD2, MD7 and MD16 of the adopted LDP 2011- 2026. These issues will be considered under the following headings of visual impacts, neighbouring impacts, parking and highway safety, flooding and drainage, ecology and S106 obligations.

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 unit, measuring 40m in width and 48m in depth, represents a building of a scale and footprint that is typical of a modern industrial development within established business parks. Its proposed form, massing and proportions are considered appropriate within the context of the surrounding built environment, where similarly sized units are prevalent. The visual impact of the development would therefore be limited, with the building integrating comfortably alongside adjacent structures.

The use of appropriate external materials will further assist in breaking up the overall mass of the unit and reducing visual bulk. In wider views, the development is not anticipated to appear prominent or incongruous, particularly given the prevalent commercial character of the area and existing presence of buildings of a similar scale.

The application also proposes the provision of approximately 27 parking spaces, along with appropriate hard and soft landscaping. This arrangement is considered acceptable in relation to visual amenity.

As such, when taking into account the character of the area, it is considered that the proposed units would not have an unacceptable visual impact on the site or the surrounding area. Accordingly, it is considered that the visual impact of the proposal would be acceptable, complying with the requirements of policies MD1

and MD2 of the Adopted LDP 2011-2026.

Neighbouring Impacts

The proposed B2 industrial unit is considered compatible with the established character and function of the surrounding business park, which comprises similar employment-generating uses. Given the nature of B2 operations, there is potential for increased noise and vehicle movements, however, these impacts are not expected to give rise to unacceptable harm to neighbouring units, which are already subject to comparable operational conditions.

Overall, the development is considered unlikely to result in significant adverse impacts on neighbouring occupiers and is consistent with the established industrial context of the site.

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 site is located on an industrial site where other units benefit from similar uses and as such it is considered, in principle that the proposed uses would not be likely to result in any unacceptable impact on residential amenity, arising from noise, vibration, odour nuisance, or light pollution. The site is situated within an established industrial estate where neighbouring units operate under similar commercial and industrial uses, ensuring that the proposal remains compatible with the character and function of the surrounding area. Furthermore, the nearest residential property is located in excess of 300 metres from the site, providing a substantial separation distance that effectively mitigates the potential for any adverse residential impacts. As such, the proposal is considered to have no material effect on residential amenity and complies with the requirements of Policy MD2 and MD7.

Parking and Highway Safety

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.*

Access to the site will be via the main entrance to Vale Business Park, off the Llantwit

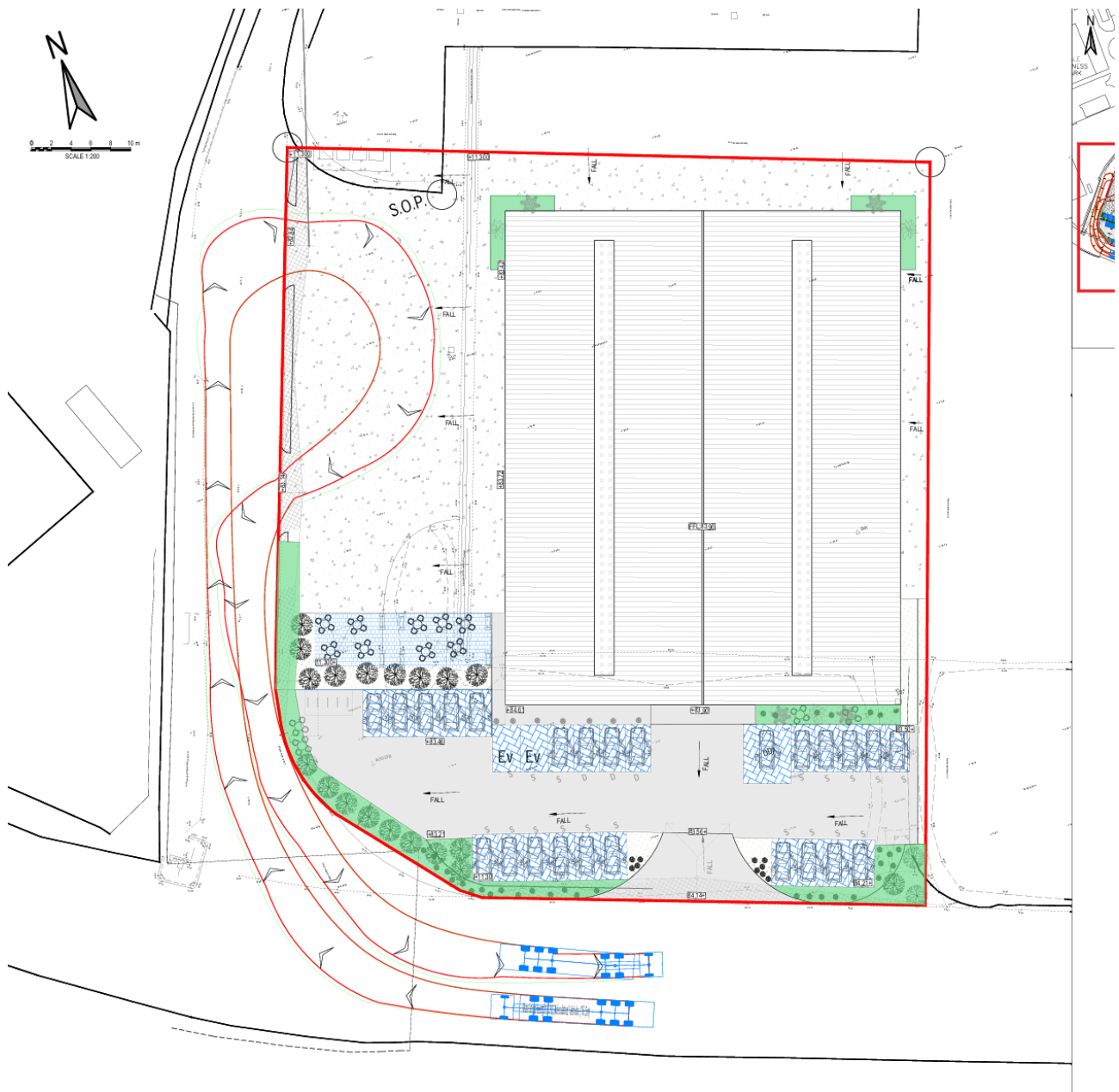
Major Road/B4270. The submitted Design and Access Statement notes: *The roads that serve Vale Business Park are not adopted highways and are under private ownership. Signage at the entrance to the Business Park stipulates the speed limit as 20mph. The existing access would be stopped up, and new vehicular access points would be created. The new access to the front of the proposed unit would be provided with 10m radius kerbing. The visibility splays at the junction would be 2.4m (X distance) by 25m (Y distance). The Y distance is based on stopping sight distances for 20mph roads, set down in Manual for Streets. Two further access points would be created from the side road for industry to serve the operational requirements of the premises. It is proposed that one access point will serve as an entrance and the other as an exit. The site layout provides for 1050sqm of operational space which is sufficient to allow HGVs to manoeuvre safely within the site.*

Notably, with regard to the proposed new access to the front (south) of the site, a 2.4x25m visibility splay is proposed. It is considered reasonable to conclude that the private access road to which the proposed front access would adjoin is wide enough to justify this extent of visibility splay, noting that Vale Business Park stipulates a 20mph speed limit, as outlined in the Design and Access statement above. Comments received from the Highway Authority notes that these splays must remain free of obstruction and the submissions demonstrate that these can be provided satisfactorily.

The revised proposal would provide approximately 27 parking spaces in total, including two EV parking spaces, together with cycle storage accessed from the front of the site. 33 parking spaces would be needed to comply with the maximum standards indicated within the Council's adopted Parking Standards SPG.

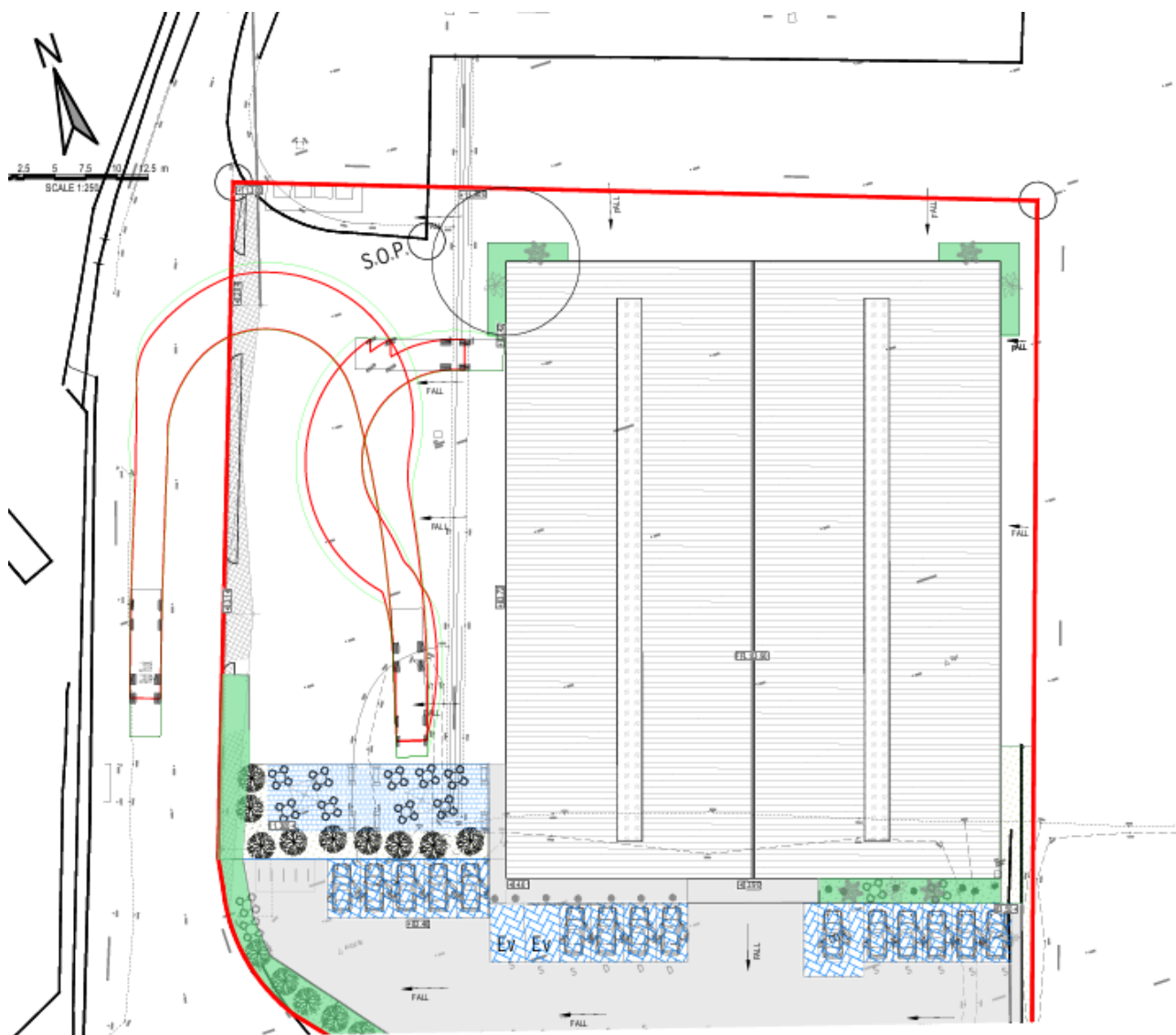
In considering the revised parking provision, regard has also been had to the Vale of Glamorgan Council Parking Standards Supplementary Planning Guidance (SPG), which establishes maximum parking standards rather than minimum requirements. Whilst the revised provision represents a shortfall when assessed against the maximum standard, the Standards recognise that parking requirements should be considered on a site-specific basis and that the maximum figures should not automatically be treated as a requirement to provide the full level of parking. In this instance, it is considered that the level of parking proposed remains appropriate having regard to the nature and operation of the development, the availability of the private access road to accommodate any limited overflow parking, and the provision of dedicated EV charging spaces and cycle storage. Any overflow parking would be confined to the private access road and would not result in an unacceptable impact on the surrounding highway network. On this basis, the parking provision is considered adequate and, importantly, the Highway Authority has raised no objection to the revised parking arrangement.

In respect of operational space to the West of the site, vehicle tracking plans confirms that articulated HGVs can safely enter and exit in forward gear. Two identified accesses would provide an established entrance and exit for HGVs, complete with 2.4 x 25m visibility splays. Tracking analysis plans for max legal articulated vehicle (16.5m) and 12m rigid truck have been provided and are attached below:



Vehicle Tracking for Max Legal Articulated Vehicle (16.5m)





INTERNAL VEHICLE MOVEMENTS BAY 2
SCALE 1:250

Vehicle Tracking for 12m Rigid Truck

Following receipt of the revised site layout and vehicle tracking information, which included the removal of the boundary fencing along the western side of the site to facilitate improved access for delivery vehicles, the Highway Authority reviewed the amended proposals and confirmed that they had no objection subject to conditions requiring the identified visibility splays to be provided and thereafter retained free from obstruction at all times; no gates, fencing, walls, or other means of enclosure to be erected along the western boundary to allow for vehicle manoeuvring and access and any gate serving the car park to open inwards to prevent any associated obstruction to the estate road.

Furthermore, in the interests of planning for any future intensification of the use, it is considered appropriate to retain control over the introduction of an internal mezzanine floor. This is not considered to be a current concern, but rather a precautionary measure to ensure that any future increase in floorspace does not give rise to an unacceptable increase in parking demand or adverse highway implications. Accordingly, any future mezzanine should be limited to a scale that remains appropriate having regard to the parking provision and the Vale of Glamorgan Parking Standards SPG and as such, it is considered appropriate to control installation of a mezzanine floor by condition.

Noting the above, it is considered that subject to conditions, there are no highways reasons that would prohibit the grant of planning permission.

Flooding, Drainage

Vale Business Park is served by a private drainage system and treatment plant. A Drainage Strategy has been prepared by Vale Consultancy which accompanies the planning application. The Drainage Strategy indicates that the site will be served by a gravity foul drainage system. The proposed foul drainage system will connect to the existing sewerage system that serves the Business Park.

Notably, the site is located within an area identified as being at low risk of flooding. As such, the development is not considered to be at significant risk from flooding events, nor is it considered likely to exacerbate flood risk elsewhere. The Council's Drainage Section have not objected to the application but identified that the application is subject to SAB. Similarly, in terms of external consultees, Welsh Water (Dwr Cymru) have not objected to the scheme but have provided advisory notes for the applicant.

NRW comments also initially raised concerns with the application as submitted in relation to land contamination but confirmed that these concerns could be satisfactorily addressed through the imposition of appropriate conditions on any planning permission granted. NRW also provided advice in relation to foul and surface water drainage, and groundwater protection. These matters are therefore considered capable of being appropriately addressed through planning conditions, with no outstanding requirement for further information identified by NRW.

Overall, the proposed foul drainage arrangements are considered acceptable in principle. Dŵr Cymru Welsh Water raise no objection to the proposal and NRW have not objected to the use of the private sewerage system, subject to the recommended conditions and advisory notes. Accordingly, the proposed means of foul drainage does not provide grounds for refusal.

Surface water will be managed through sustainable drainage principles. In this regard, the development will be required to obtain approval from the Sustainable Drainage Approval Body (SAB) to ensure the drainage strategy complies with standards and does not adversely impact wider drainage network.

Noting comments provided by NRW, the acceptability of surface water infiltration at the site is dependent on the ability of the underlying ground to accommodate the proposed discharge volumes, which must first be confirmed through appropriate soakaway testing. Infiltration methods also have the potential to mobilise existing ground contamination, presenting a possible risk to controlled waters. It is considered that this matter can be satisfactorily addressed through the suite of conditions recommended by NRW/SRS, alongside the separate SAB approval process. The proposed approach does not preclude the use of infiltration or other SuDS measures; rather, it ensures that any infiltration-based solution is considered in the round and is only implemented where it has been demonstrated to be technically suitable and would not give rise to an unacceptable risk to controlled waters. Accordingly, it is recommended that an appropriate condition be attached to any planning permission granted to ensure that no infiltration of surface water drainage takes place without the express written consent of the Local Planning Authority.

A Preliminary Risk Assessment submitted within the supporting documents identifies no significant surface water features are indicated within 500m of the site, although several streams are present in the locality. The Vale of Glamorgan coastline is more than 5km to the southwest. The site is not indicated to be at risk from flooding from rivers and seas and its location outside an area of identified flood risk confirms to be at as being at very low risk of flooding from rivers, the sea, or surface water. This further demonstrates that the development does not raise concerns in respect of flood risk.

The Council's Drainage Section have also noted that the application is subject to SAB approval prior to any commencement of work. The absence of objection from Welsh Water, NRW and the Council's Drainage Section, alongside the Council's drainage advice, indicates that outstanding technical matters can be satisfactorily addressed through conditions and the separate SAB consent. Accordingly, there are no drainage or flood-risk considerations that would preclude the granting of planning permission.

Contaminated land

Policy MD7 (Environmental Protection) of the adopted Local Development Plan 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;

Given the site's previous use and potential contamination from historic materials, further investigation, risk assessment and if necessary, remediation are required before development proceeds, as requested by the Council's Contaminated Land Officer. Conditions are recommended to ensure safe handling of contaminated land, verification of remediation, and strict controls on imported or site won soils and aggregates. The comments received also remind the applicant of their responsibilities to ensure materials are suitable and to prevent the import of controlled waste or spread of invasive species.

Natural Resources Wales (NRW) similarly advises that, due to uncertainties regarding historic activities within the existing hangar/warehouse, conditions are requested which include a preliminary risk assessment, site investigation, detailed risk assessment, remediation strategy, verification plan and reporting, and any long-term monitoring. NRW also emphasises adherence to the Land Contamination Risk Management (LCRM) framework and the proper classification and management of any contaminated materials under relevant waste and permitting legislation.

Subject to the imposition of the recommended conditions and adherence to the regulatory requirements set out by NRW and the Council's Shared Regulatory Services, it is considered that the proposal can be delivered without resulting in unacceptable environmental impacts and would therefore comply with the provisions of Policy MD7.

Ecology

Policy MD9 of the LDP is most relevant to biodiversity, it requires new development proposals 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.

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

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

The site is identified as comprising a vacant hardstanding area of land with patches of ruderal vegetation along the north and south boundaries. A Preliminary Ecological Appraisal (PEA) has been undertaken the findings of which confirm that the site is of relatively low ecological value. The preliminary ecological proposal puts forward recommendations for the installation of two bat boxes and bird boxes at the site. The provision of bat and bird boxes would be secured by condition, as recommended by the Council's Ecologist.

In addition, a Green Infrastructure Statement (GIS) has been provided, to be read in conjunction with the PEA. The following green infrastructure is proposed to improve on-site biodiversity with higher quality habitats and increase site connectivity to greenspace in the wider landscape for wildlife:

Using species-rich native seed mixes that incorporate pollinator-friendly plant species to increase invertebrate populations on-site and increase foraging opportunities for bats.

- The installation of hedgehog houses near to retained vegetation to provide refuge for hedgehogs.
- Planting young/semi-mature native tree species to increase the connectivity of the site for bats, birds, etc.
- Planting of native hedgerows along site boundaries (e.g., hawthorn *Crataegus monogyna* or beech *Fagus sp.*) to improve site connectivity to other green corridors in the nearby vicinity.
- The installation of bat and bird boxes (such as those mentioned in the PEA) to support these species on-site.

Appendix 4, attached within the Green Infrastructure Statement and presented below, suggests the proposed locality of the identified enhancements:

Appendix 4: Habitat Plan – Post Works



Overall, owing to the nature and context of the site, which is within a built industrial environment, it is considered that the provision of the biodiversity enhancements noted, would provide a positive biodiversity net gain to the site and wider area. The Council Ecologist has also requested conditions relating to lighting strategy, Landscape and Ecological Management Plan (LEMP) and Clearance methodology. These conditions are considered appropriate to mitigate any potential impacts on wildlife and habitats and will be attached to any permission granted.

As such, the proposals are considered to comply with the relevant policies and guidance outlined above, including the requirements of MD9 and PPW 12, with regard to ecological impacts.

S106 Obligations

The Council has an adopted Supplementary Planning Guidance document entitled 'Planning Obligations' dated July 2018.

Following consideration of the proposed development and potential impacts and needs arising from the development, it was advised that the Council would be entitled to seek planning obligations for the following:

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

Consequently, the Council considered the need for contributions relating to sustainable transport facilities, training and development, public open space and public art. However, on being made aware of the S106 obligations for a

development of this scale, the applicant has advised that as a consequence of the cost of constructing the building and projected sales/rental values, the financial contributions of this amount would render the scheme unviable.

Development Viability

Paragraphs 6.3 and 6.4 of the SPG on Planning Obligations outlines that where a developer contends that the S106 requirements are too onerous and will potentially make the scheme unviable, they will be expected to submit a breakdown of the development costs and sales/rental values and anticipated profits based on properly sourced evidence. The assessment must be submitted to the Council to provide evidence of the scheme's viability issues. Developers will be required to highlight any abnormal development costs, in order that their impact on the viability of a scheme may be assessed.

A financial breakdown, including build costs and projected sales figure and rental values were submitted with the planning application and have been considered. The LPA are satisfied that the financial breakdown of the scheme is reasonable in respect of costs and sales, which ultimately means that the viability of the development would be undermined if the financial contributions were sought through a Section 106 agreement. No financial contribution for public open space has therefore been sought although on-site provision has been provided within the layout, shown adjacent to the Western boundary, that is indicated to provide amenity area for employees circa 150 square metres.

Policy MD3 indicates that 16 square metres should be provided per equivalent full-time employee. Whilst the number of employees is not currently known it is evident that the proposed provision would not meet this requirement albeit viability issues and operational requirements of the proposals are recognised. Nevertheless, the extent of space shown it is considered reasonable to take a pragmatic stance in this occasion and the level of space available would afford future employees with a suitable break out space during lunchbreaks and a like. As such subject to a condition requiring further details of the landscaping and equipment proposed within these areas, it is considered that the provision is acceptable and this does not represent a reason to refuse permission in this instance.

As such, no S106 contributions are sought in this instance as the submitted viability evidence has satisfactorily demonstrated that requiring the identified obligations would adversely affect the viability and deliverability of the development on allocated employment land.

REASON FOR RECOMMENDATION

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

Having regard to Policies SP1 – Delivering the Strategy, SP5 – Employment Requirements, MD1 - Location of New Development, MD2 - Design of New Development, MD3 - Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD7 - Environmental Protection, MD8- Historic Environment, MD9 – Promoting Biodiversity, 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:

01 Site Location Plan
04 Proposed First Floor Plan
05 Proposed Elevations (sheet 01 Of 02)
06 Proposed Elevations (sheet 02 Of 02)
03A Proposed ground floor plan.pdf
20065_500_r03 drainage strategy.pdf
20065 900 R03 Max Art Vehicle Tracking
20065 901 R01 Rigid Vehicle Tracking

Reason:

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

3. The use of the units hereby approved (including deliveries and all other external operations) shall be confined to 07:00 to 23:00 Monday- Saturday. There shall be no arrival, departure, loading or unloading of delivery vehicles outside the above hours nor shall vehicles be allowed to remain on site overnight with motors or compressors running.

Reason:

To ensure the amenities of adjoining occupiers are protected and to ensure compliance with the terms of Policies MD2 Design of New Developments, MD5 Development with Settlement Boundary and MD7 Environmental Protection 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 Classes B1, B2 and 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. The biodiversity enhancement measures 1No. Schwegler 1SP Sparrow Terrace box and 1No. woodcrete bird box (any type) shall be installed at eaves level on the northern or western elevations shall be carried out in full prior to the first beneficial occupation or use of the development and thereafter retained in accordance with the approved details whilst the development remains in existence. Where the enhancement relates to any planting, any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Within 4 weeks of their installation / planting photographic evidence showing the enhancements in place shall be submitted to the local planning authority via planning@valeofglamorgan.gov.uk quoting the planning application reference.

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.

6. Prior to the commencement of development, a lighting strategy shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the agreed scheme.

Reason:

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

7. Prior to beneficial use of the building hereby approved, a scheme of landscaping including details of equipment and layout of communal areas and associated Landscape and Ecological Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. The Plan shall include but not be exclusively limited to: details of all planting, equipment and ongoing management of the newly planted and proposed amenity areas to cover no less than 10 years.

Reason:

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

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

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

9. The staff amenity area shown on the approved plans shall be provided in accordance with the details approved pursuant to conditions 7 and 8 of this consent, within 3 months of the first beneficial occupation of the first unit hereby approved and maintained in accordance with the approved details in perpetuity thereafter.

Reason:

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

10. Prior to commencement of development, a Site clearance methodology shall be submitted to, and approved in writing by the Local Planning Authority; to prevent adverse impacts on reptiles and birds during clearance operations. The methodology shall be implemented as agreed.

Reason:

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

11. The visibility splays shown on plan no. 02F Proposed site plan.pdf, 20065 900 R03 Max Art Vehicle Tracking and 20065 901 R01 Rigid Vehicle Tracking shall be installed prior to beneficial use of the development and maintained free of any obstruction for as long as the development exists.

Reason:

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

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected along the Western boundary of the site.

Reason:

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

13. Any gate serving the car park to the south of the site shall be hung so as to open inwards only and shall not encroach onto adjacent road at any time.

Reason:

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

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, no internal mezzanine floor shall be installed within the building hereby approved unless and until details have been submitted to and approved in writing by the Local Planning Authority demonstrating that the additional floorspace would not result in an unacceptable increase in parking demand or an unacceptable impact upon highway safety, having regard to the Vale of Glamorgan Council Parking Standards Supplementary Planning Guidance.

Reason:

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

15. 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.
1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways, and receptors
 - potentially unacceptable risks arising from contamination at the site
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action. The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason:

To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination and to ensure compliance with Policy MD7 (Environmental Protection) of the adopted Local Development Plan.

16. 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.

17. Prior to the occupation of the development, a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required
- Timescales for submission of monitoring reports to the LPA e.g. annually
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason

A long term monitoring plan should be submitted prior to occupation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on controlled waters and to ensure compliance with the provisions of MD7 of the adopted Local Development Plan.

18. 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.

19. 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.

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

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

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

Reason:

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

NOTE:

1. **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.

2. 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).
3. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.

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

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

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

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

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

APPLICANT: Vale of Glamorgan Council The Alps Depot, Quarry Road, Wenvoe, CF5 6AA

AGENT: Mr Marcus Bayona-Martinez Hodge House, Suite 4d, 4th Floor, 114 - 116, St Marys Street, Cardiff, CF10 1DY

Biglis to Dinas Powys Active Travel Route

Full planning permission is sought for the provision of a shared pedestrian and cycle route (Active Travel Route), earthworks, landscaping and associated works from Biglis to Dinas Powys.

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 being a major development.

EXECUTIVE SUMMARY

- The proposal is recommended for approval.
- The proposal would provide beneficial infrastructure for sustainable active travel between Dinas Powys and towards Barry. This is supported by national planning guidance, and the route is identified in the LDP as a transport proposal for a walking and cycling route.
- The provision of the route is likely to result in a health and wellbeing gain for residents able to use the Active Travel Route.
- This proposal would provide a significant highway safety benefit by providing a separate route for more vulnerable users and away from vehicle traffic.
- In relation to flooding the proposal is for a 2.6km strategic active travel route between Barry and Dinas Powys, supported by national and local planning policy. The route follows the River Cadoxton corridor and passes through flood-prone areas, with fluvial flooding and tide-locking effects identified as the primary risk.

While parts of the route would be affected during flood events, the Flood Consequences Assessment confirms that risks are localised, predictable, and manageable, with safe access available. Mitigation measures ensure the scheme is broadly flood neutral, with only minor impacts elsewhere.

Although not fully compliant with all TAN 15 criteria, the scheme meets the justification test due to its strategic importance. Overall, the significant transport, environmental, and health benefits from the proposal are considered to outweigh the limited and manageable flood risks, making the proposal acceptable.

- In relation to the 'green infrastructure' impacts, the proposed active travel route is considered beneficial for highway safety and in the public interest. The route would

result in the loss of some grassland and generally lower quality trees. Existing trees to be retained would have protection measures during construction. A landscaping scheme would provide a greater number of trees and hedgerows than existing. This would provide acceptable mitigation for these impacts.

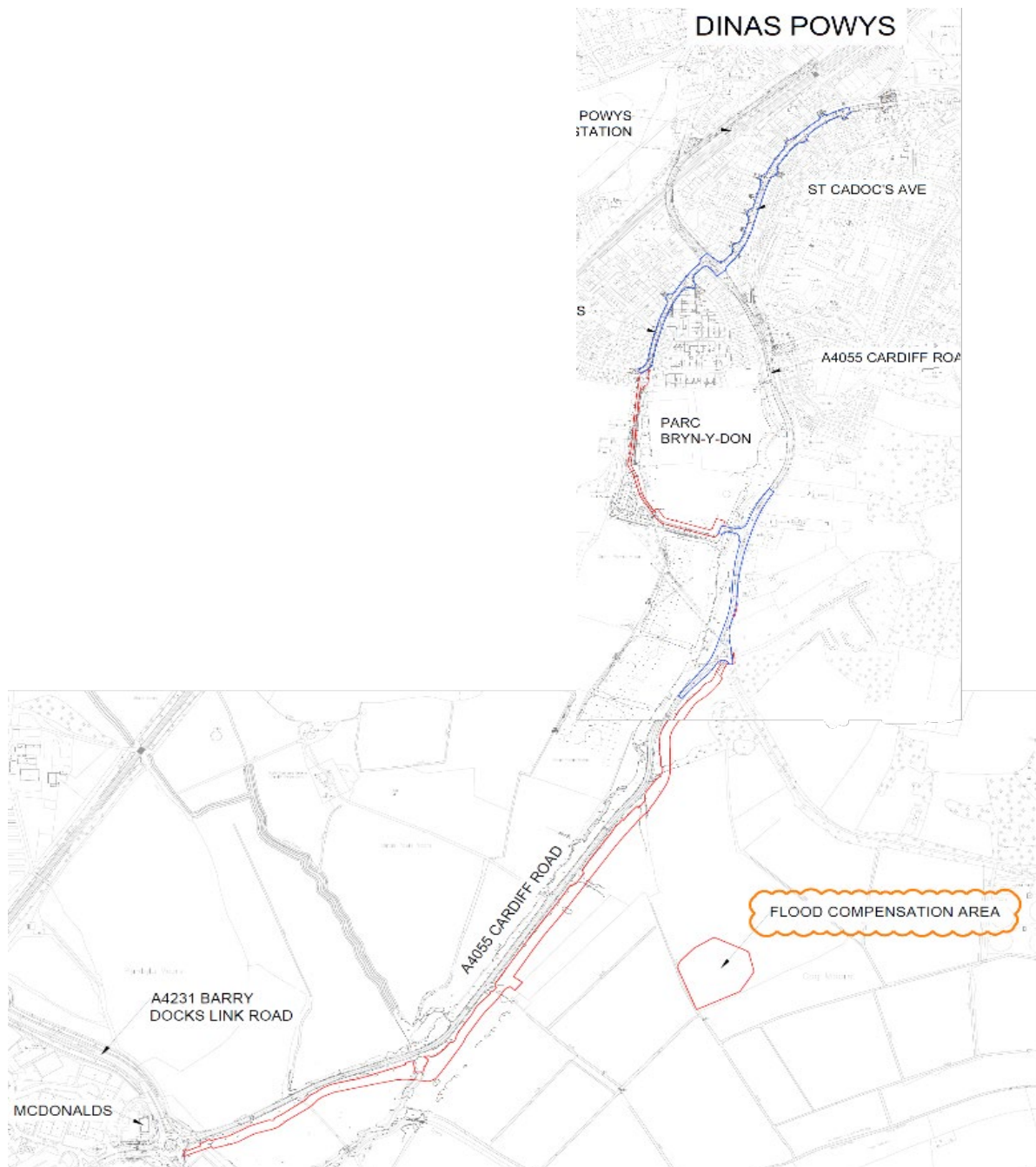
- The proposal would have some short-term impacts on ecology. NRW have not objected subject to conditions and licenses where required. The Council's Ecologist has raised no objection subject to conditions.
- Whilst there would be some short-term impacts on biodiversity that can't be avoided, the submitted details demonstrate that harm would be minimised during construction works. The proposed planting and habitat enhancements identified are considered sufficient to result in an overall biodiversity gain.
- It is considered that the associated landscape and visual impacts of the proposal would be only a local relevance/importance and would not give rise to any significant wider environmental effects.
- There is potentially some contamination, from former land uses, which may impact on the route. NRW and the Council's SRS (Environment) require conditions to investigate and mitigate any contaminants prior to use. Therefore, this issue would be considered acceptable.
- There would be no significant impacts of the new route on the amenity of nearby residents.
- In relation to heritage impacts there are some Scheduled Ancient monuments nearby, however Cadw have not objected due to the distance and type of development proposed. Similarly, there are also several listed buildings to the north and south of the A4055. As above, due to the distance and type of development being proposed the impacts would not be harmful to their setting.
- Turning to archaeology, Henneb (Welsh Trust for Archaeology) identify the proposal is located in a landscape of archaeological potential with finds recorded in the vicinity. A written scheme of investigation for a program of archaeological work is required prior to the development being completed in order to protect the archaeological resource.
- The proposal would not have a significant impact on agricultural land and on minerals reserves.

SITE AND CONTEXT

The site subject of this planning application comprises, in the main of two linear sections stretching between Biglis roundabout on the edge of Barry and Dinas Powys. Two smaller sections of land between the two larger areas are indicated to provide compensatory planting. A further area of land for a Flood compensation area is located to the east of the route in the southern section and measures 0.958ha.

The first main section from Biglis roundabout passes through a number of fields adjacent the A4055 and then joins the A4055. The second section starts at the entrance to Parc Bryn-y-Don, passes through the park and ends where it joins Heol y Frenhines in Dinas Powys. A Flood Compensation Area is identified within a field to the east of the A4055.

An extract from the Site Location Plan is provided below. It should be noted the land for the planning application is only within the red line. The blue line indicates sections of the route that are within the adopted public highway which do not require planning permission:



The following constraints are identified:

- Public Rights of Way S1/14/1, S1/15/1 and s1/41/1
- The site includes areas of zones 2 and 3 for rivers, seas and surface water as identified on the Flood map for planning which supports Tan 15: Development, Flood Risk and Coastal Erosion (2025).
- Mineral Safeguarding Area for category 2 superficial sand and gravel deposits.
- The land is mainly identified in the Agricultural Land Classification as category 3a (good quality).
- The following Scheduled Ancient monuments are situated nearby. Romano-British Farmstead (GM431) on Dinas Powys Common is approximately 400m to the north of the Heol y Frenhines junction with the start of the path and Middleton Moated Site (GM378) is situated approximately 670m to the south of Biglis roundabout.
- Dinas Powys Moors Site of Importance for Nature Conservation (SINC) is located to the southwest of the site, across from the section of Parc Bryn Y Don. Cog Moors Site of Special Scientific Interest (SSSI) occupies an area of 13ha, approximately 350m to the east of the Site.
- HSE Outer Zone (at the southern-most section for approx. 160m near Biglis Roundabout).

DESCRIPTION OF DEVELOPMENT

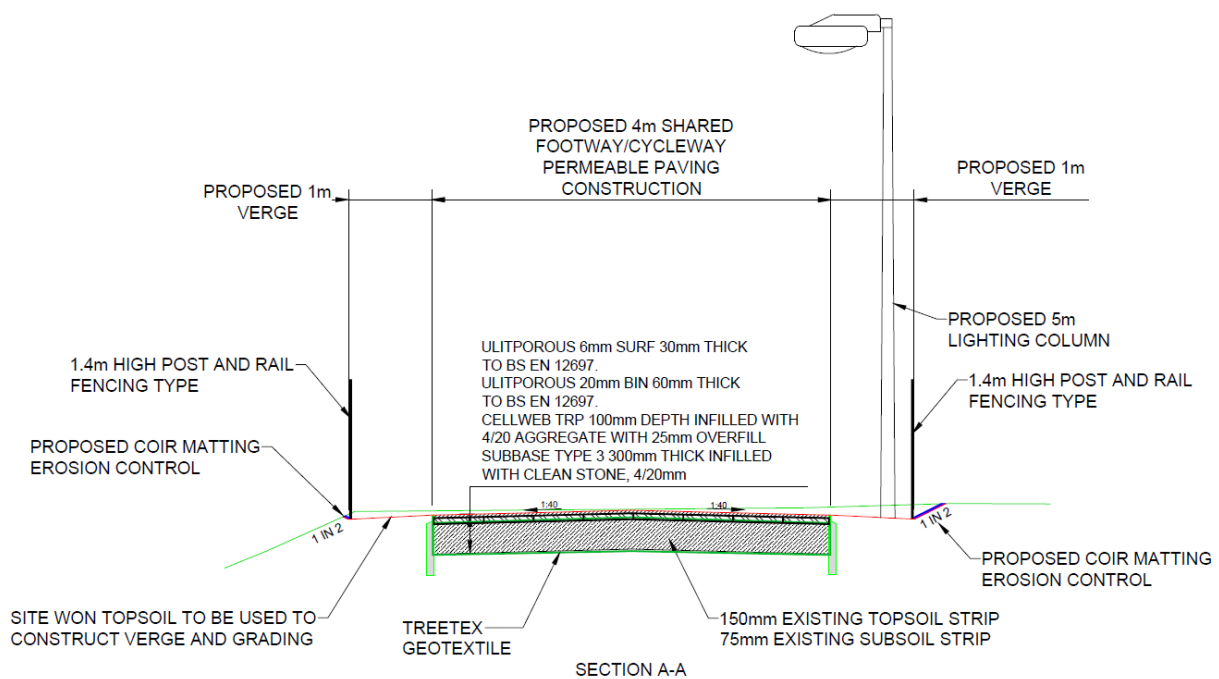
Full planning permission is sought for the provision of a shared pedestrian and cycle route (Active Travel Route), earthworks, landscaping and associated works from Biglis roundabout Barry to Dinas Powys within the red line area identified on the site location plan above.

The route would run mainly adjacent to and broadly parallel with the south side of the A4055 Cardiff Road, inside the existing hedge line which runs along the majority of the route, allowing for an off-road footway for use by bicycles and pedestrians. When joining Dinas Powys, the path would cross the A4055 utilising some existing footpaths within Parc Bryn-y-Don and on to Heol y Frenhines.

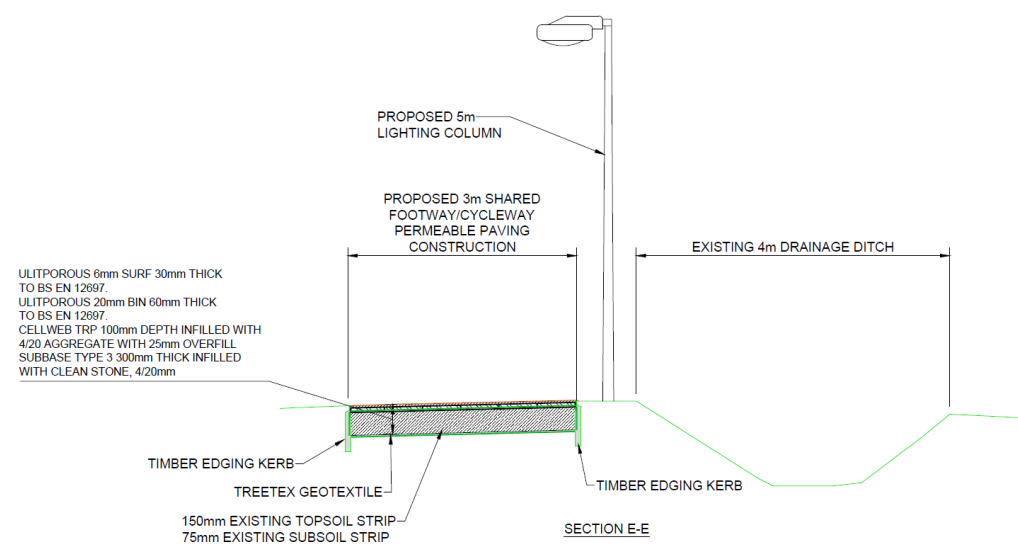
The proposal includes the provision of a 4m wide shared walking and cycling active travel route. Its construction would require earthworks and landscaping, lighting, bollards, signage and enclosures which would also be provided. The new path with the application site area would be surfaced with a porous asphalt, with 1.4m high post and rail fencing either side. An illustrated example of a typical section of the proposed path is provided below.



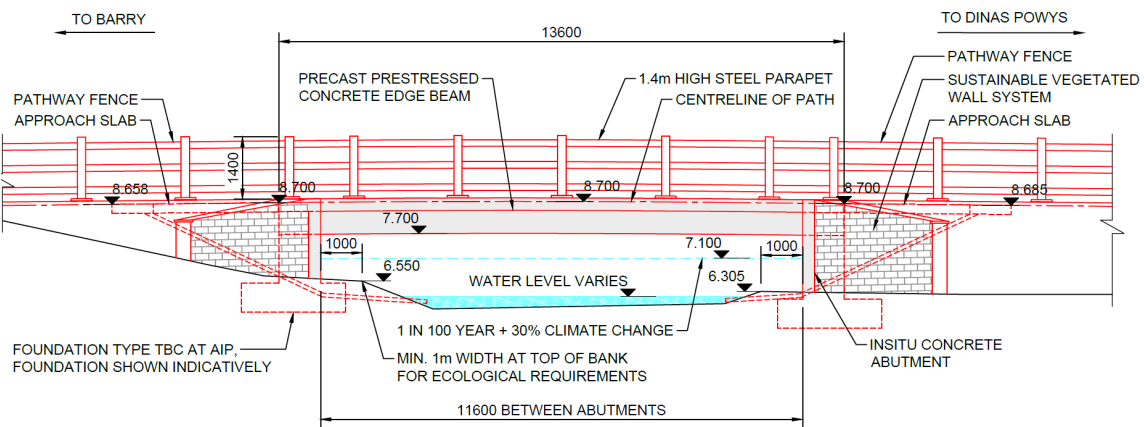
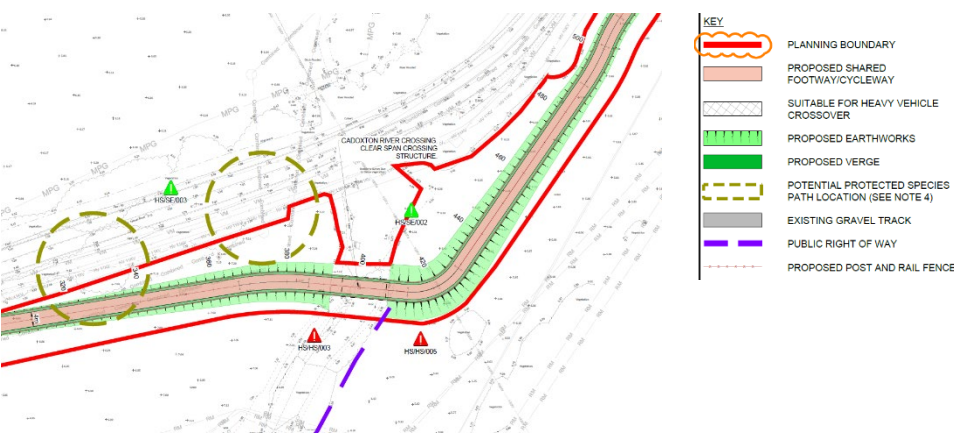
A section (A-A) identified on General Arrangement sheet 1 of 9 in the southern part of the path towards Biglis roundabout is provided below detailing the typical construction and earthworks required for the path.

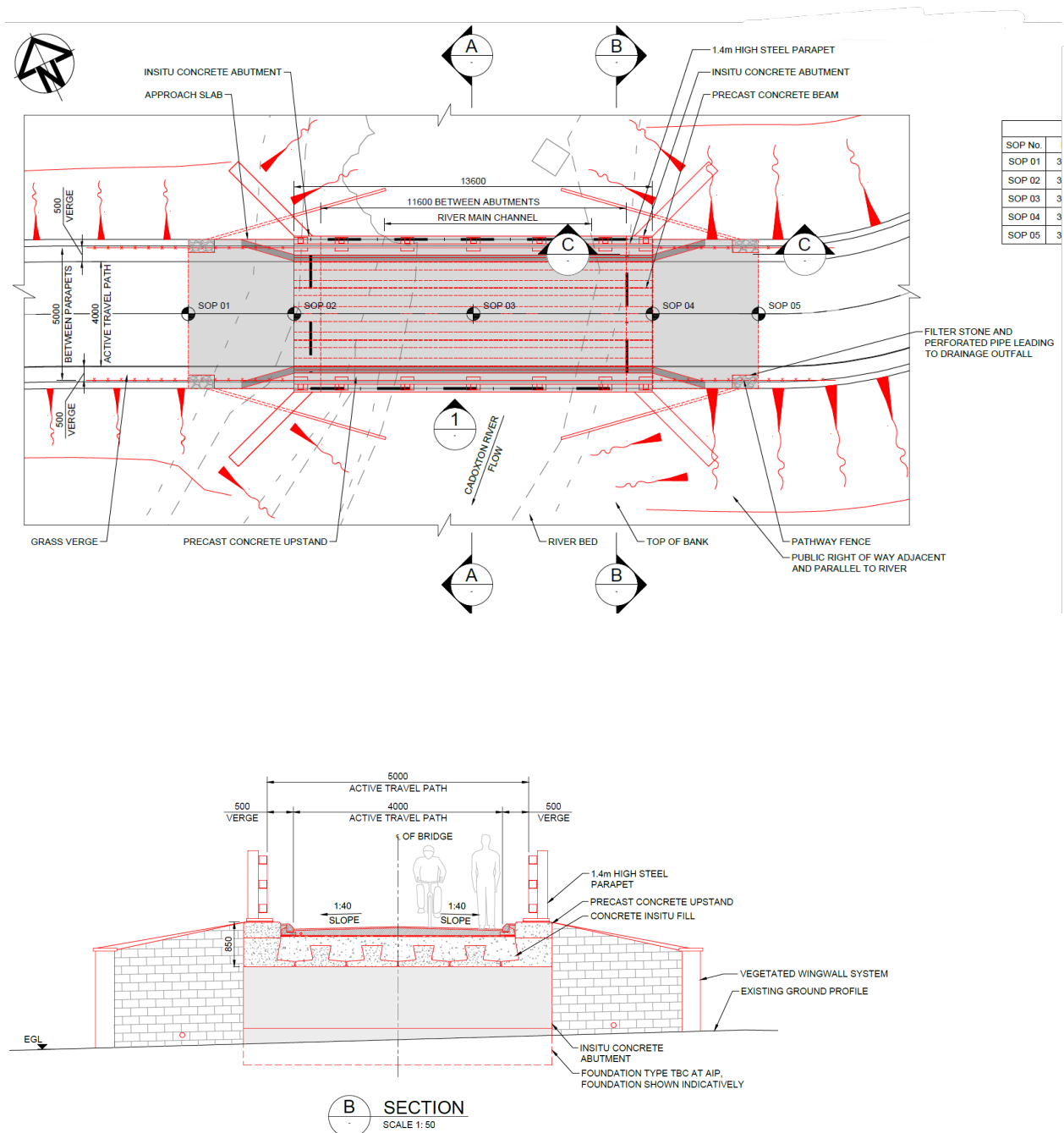


A section identified on General Arrangement sheet 6 of 9 in Parc Bryn y don is provided below



In addition, a new pedestrian/cycle bridge would be provided to allow the route to cross the Cadoxton River as identified on the extracts below.





Existing accesses, that the Active Travel Route would pass, would be maintained as the examples below show on Cardiff Road. In relation to the top example a compacted turning area to maintain access and manoeuvrability for vehicles in relation to the existing use by the landowner. The red line and development area would not impact on the existing buildings.

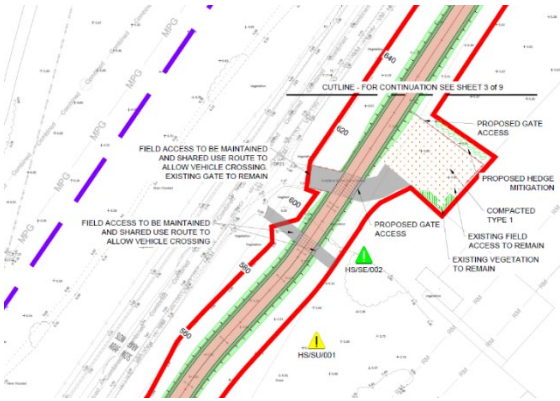


Image from Google Maps

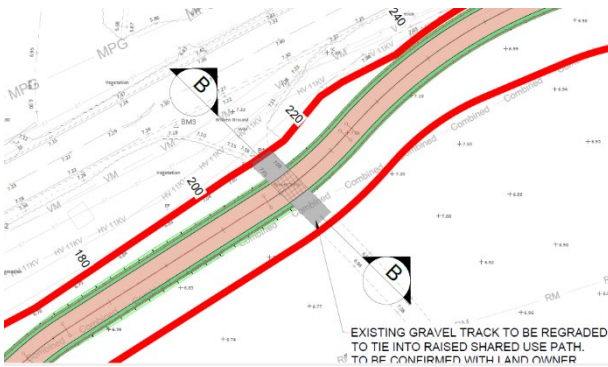


Image from Google Maps

Junction with access to Cog Moors Welsh Water Treatment Plant

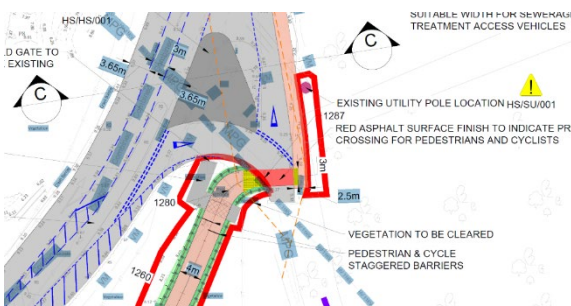


Image from Google Maps

Two small additional sections of red line area are also shown along the side of junction and Cardiff Road. These areas proposed as compensatory landscaping works in the adjacent highways and would provide native hedge/tree planting.

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In relation to the Flood Compensation Area, the FCA in section 5.5 details that the land would be excavated to create additional flood water storage. It would be planted with meadow grass for wet soils. It would be connected to the surrounding land by an existing ditch network. The agent has clarified that the material from the excavations would be used to develop the wider scheme and / or disposed of offsite in line with approved practices.

Outside the planning application area (i.e. blue line area) this includes work within the adopted highway which do not require planning permission and are not being assessed in this report. These works are identified as being permitted development under Class A Part 13: Development by Local Highway Authorities of the General Permitted Development Order (GPDO) 1995 (as amended) and Highways Act 2008.

These proposals would include a minimum 3m wide shared footway/cycleway along Heol Y Frenhines and St Cadocs Avenue utilising existing footpaths and roads, before adjoining an existing shared use route at its northeastern end. The section of A4055 road between the two application sites would also be upgraded with a shared footway/cycleway. As part of these works this would include signage, markings, lighting and crossings at key intersections along the roads.

The application is supported by the following documents:

- Planning Statement March 2025
- Design & Access Statement March 2025
- Preliminary Ecological Report December 2023
- Ecological Impact Assessment June 2025
- Ecological Technical Note June 2025
- Hazel Dormouse Survey Report December 2023
- Bat Roost Assessment Report March 2025
- Water Vole and Otter Survey Report November 2023
- Agricultural Land Classification Report October 2024
- Geotechnical Desk Study September 2024
- Landscape and Visual Appraisal October 2024
- Arboricultural Report November 2024
- Email from agent dated 15/05/2026 with update to NRW planning response
- Surface Water Drainage Strategy November 2024
- Green Infrastructure Statement October 2024
- Cultural Heritage Desk Based Assessment February 2025
- Flood Modelling Inception Report December 2023
- Bridge Crossing - Optioneering Report May 2025
- Letter to Planning Department with Summary of Flood Impacts and Response to Planning Comments Dated 23 July 2026
- Flood Consequences Assessment Rev 4 July 2026

PLANNING HISTORY

1976/00281/FUL, Address: Thurston Nurseries and OS plot 3659 and Part OS 0943, Dinas Powys, Proposal: Proposed to develop the site for 265 dwellings including roadworks, drainage etc and the provision of 2 public open spaces, Decision: Approved.

1976/01296/FUL, Address: Land at Old Thurston Nurseries and OS 3659 and part OS 943, Dinas Powys, Proposal: 151 Dwellings, Decision: Appeal Allowed.

1986/00714/FUL, Address: Penarth Dock, location to be varied as work progresses, Proposal: Portakabin for the purpose of a snack bar, Decision: Approved.

1989/01067/REG4, Address: Fields south of Southra Park, off Cardiff Road, Dinas Powys, Proposal: Playing fields, Decision: Approved.

1992/00555/REG3, Address: Land at Dinas Powys, O.S. parcel nos. 0943, 1634, 1630, 2634 and 2041, Proposal: Change of use to recreational open space (Regulation 3), Decision: Approved.

1994/00439/REG3, Address: Parc Bryn-y-Don, Dinas Powys, Proposal: Provision of temporary changing accommodation to enable use of playing fields prior to construction of permanent facilities, Decision: Approved.

1999/01005/PNA, Address: Field Nos. 7017, 7700 and 9208, Cardiff Road, Barry, Proposal: Reinstatement of previous municipal tip, Decision: Refused.

1999/01403/FUL, Address: Previous Municipal Tip, Cardiff Road, Biglis, Barry, Proposal: Farm access track to skirt previous tip area, Decision: Refused.

2008/00772/FUL, Address: Skate Park at Bryn-y-Don Playing Fields, Dinas Powys, Proposal: Steel cabin to be used for youth initiatives on the site, Decision: Approved.

2010/00386/FUL, Address: Land at Cog Moors, Cardiff Road, Dinas Powys, Proposal: Retention of engineering works which include the raising of the ground levels by deposit of recycled stone and tarmac plainings. Erection of a barn for hay storage and horses feed and flooding offset works by reduction of the ground levels on land, Decision: Refused.

2011/00177/FUL, Address: Land at Cog Moors, Cardiff Road, Dinas Powys, Proposal: Erection of hay barn, together with provision of storage areas for polythene wrapped hay bales and corral for horses to facilitate loading and unloading and use as a feeding area during extreme weather conditions and retention of historic tipping and alterations to access, Decision: Approved.

2013/00172/SC1, Address: Biglis Farm, Sully, Proposal: Proposed wind turbines, Decision: Environmental Impact Assessment (Screening).

2013/00479/SC2, Address: Land at Biglis Farm, Barry, Proposal: Proposed wind turbines, Decision: EIA (Scoping) - Further info required.

2014/00126/PNA, Address: Reg Forse Land, Cog Moors, Nr. Barry, Proposal: Stable block, Decision: Refused.

2014/00583/PNA, Address: Reg Forse Land, Cog Moors, Nr. Barry, Proposal: Proposed building, Decision: Refused.

2015/00775/FUL, Address: Cog Moors, Dinas Powys, Proposal: Timber Barn, Decision: Withdrawn.

2015/01335/FUL, Address: Farmland adjacent to A4231 Barry Docks Link Road, A4055 Cardiff Road and B4267 Sully Moors Road, Barry, Proposal: Proposed underground cable linking approved Biglis Solar Farm (application 2015/00573/FUL) to WPD substation on Sully Moors Road. Cable length approximately 916m, Decision: Approved.

2017/01203/1/CD, Address: Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys, Proposal: Discharge of Condition 3 - Lighting details. Planning Permission ref. 2017/01203/FUL : Change of use of land as an extension to the existing wastewater treatment works site and to the compensatory dormouse habitat and for the construction of an Advanced Anaerobic Digestion (AAD) Plant, together with associated landscaping and mitigation measures and the formation of a temporary construction compound at Cog Moors Wastewater Treatment Works (WwTW), Cardiff Road, Dinas Powys at Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys, Decision: Approved.

2017/01203/1/NMA, Address: Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys, Proposal: Non-material Amendment- Refined the detailed design of the proposed development. Planning Ref: 2017/01203/FUL: Change of use of land as an extension to the existing wastewater treatment works site and to the compensatory dormouse habitat and for the construction of an Advanced Anaerobic Digestion (AAD) Plant, together with associated landscaping and mitigation measures and the formation of a temporary construction compound at Cog Moors Wastewater Treatment Works (WwTW), Cardiff Road, Dinas Powys, Decision: Approved.

2017/01203/2/CD, Address: Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys, Proposal: Discharge of Condition 9 - Remediation scheme, Condition 12 - Importation of soil and Condition 13 - site won materials - Planning Permission ref. 2017/01203/FUL : Change of use of land as an extension to the existing wastewater treatment works site and to the compensatory dormouse habitat and for the construction of an Advanced Anaerobic Digestion (AAD) Plant, together with associated landscaping and mitigation measures and the formation of a temporary construction compound at Cog Moors Wastewater Treatment Works (WwTW), Cardiff Road, Dinas Powys at Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys, Decision: Approved.

2017/01203/3/CD, Address: Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys, Proposal: Notification of Condition 10 - Planning Permission ref. 2017/01203/FUL : Change of use of land as an extension to the existing wastewater treatment works site and to the compensatory dormouse habitat and for the construction of an Advanced Anaerobic Digestion (AAD) Plant, together with associated landscaping and mitigation measures and the formation of a temporary construction compound at Cog Moors Wastewater Treatment Works (WwTW), Cardiff Road, Dinas Powys at Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys, Decision: Approved.

2017/01203/4/CD, Address: Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys, Proposal: Discharge of Condition 7-Surface Water Drainage Systems Details, Decision: Approved.

2017/01203/5/CD, Address: Cog Moors Sewage Treatment Works, Barry Road, Dinas Powys, Proposal: Discharge of Condition 6 - Longterm management of doormice. Previous permission 2017/01203/FUL - Change of use of land as an extension to the existing wastewater treatment works site and to the compensatory dormouse habitat and for the construction of an Advanced Anaerobic Digestion (AAD) Plant, together with associated landscaping and mitigation measures and the formation of temporary construction compounds at Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys, Decision: Approved.

2017/01203/FUL, Address: Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys, Proposal: Change of use of land as an extension to the existing wastewater treatment works site and to the compensatory dormouse habitat and for the construction of an Advanced Anaerobic Digestion (AAD) Plant, together with associated landscaping and mitigation measures and the formation of a temporary construction compound at Cog Moors Wastewater Treatment Works (WwTW), Cardiff Road, Dinas Powys, Decision: Approved

2024/00999/FUL, Address: Land at Pen Y Maes, Ashby Road, Sully, Proposal: Construction and operation of a battery energy storage system (BESS) and associated infrastructure, Decision: Refused.

CONSULTATIONS

Dinas Powys Community Council were consulted on 16 April 2025. They have responded and support the application.

Dinas Powys Ward Members were consulted on 16 April 2025
Councillor C Franks has responded as follows:

“Good news. Ensure in interests of safety that pedestrians and cyclists are separated from each other with their parts clearly delineated”.

The Council’s Drainage Section were consulted on 16 April 2025. They have responded as follows:

Tidal flood risk is indicated as low due to being within a tidal defended zone. The majority of the scheme is indicated to be at very low risk of surface water flooding, with the exception of localised areas in Parc Bryn yr Don and St Cadoc’s Avenue which are indicated as being situated within Flood Zones 2 and 3 for surface water and small watercourse.

It is understood that Natural Resources Wales (NRW) are to undertake a detailed review of a flood modelling assessment and as such the LLFA will defer to the position of NRW regarding this aspect.

With regard to surface water drainage, the submitted Strategy (Arcadis, 2024) outlines the use of permeable surfaces and existing drainage infrastructure. This application is subject to schedule 3 of the Flood and Water Management Act 2010 and as such it is requested that the detailed design for surface water drainage is submitted through the SAB process.

Council's Ecology Officer were consulted on 16 April 2025. A response has been received as follows:

The initial Preliminary Ecological Appraisal (PEA) of December 2023 identified a number of habitat and species that could be adversely affected by the proposed development and put in place a number of surveys and reports to address those concerns. It is positive that such a comprehensive approach has been adopted.

The only two areas where the PEA was lacking to some extent was the need to understand the full impact of lighting the route especially the section over Cog Moors and the need to describe the Section 7 habitats impacted along the route, notably hedgerows.

Planning Conditions are required for a Construction Environmental Management Plan (CEMP) and a Landscape and Ecological Management Plan (LEMP).

The approach to developing the scheme and the work undertaken means that, in principle, I support the proposed development. It just needs to demonstrate through the points raised that the impacts and the benefits are more transparent and auditable.

Following further information being submitted further comments were requested. These are summarised below:

The applicant has responded through an Ecological Technical Note dated June 2025.

This responds to my observations, as well as those made by other parties, and I am satisfied that the response is thorough and where there is any need for further refinement that this can be dealt with through the CEMP.

The source seed for the wet grassland locally can be dealt with through the CEMP.

My original observations on needing both a CEMP and a LEMP remain valid. For example, the wet grassland needs to be established properly, to be monitored and the right and timely management of it secured. The same will be true for other features. Lighting is to be dealt with under the CEMP.

In principle I have no objection on the grounds of biodiversity to this planning application being approved.

The Council's Estates Team (Strategic Property Estates) were consulted on 16 April 2025. No response received to date.

The Council's Highway Development Team were consulted on 16 April 2025. They have responded with the following observations in summary:

There is a concern with regard to the flooding of the fields currently which the route will travel through, however it is understood this will be overcome via engineering solutions. The application will need to ensure this issue is mitigated and safety of

users of the route prioritised. Comments were provided on various aspects of the proposal including in relation to highways land outside the application area. They detail when the comments are responded to the Council can then recommend conditions if the scheme is deemed suitable from a highway perspective.

The Council's Street Lighting Officer also commented and requested some changes to the proposed lighting scheme.

Following further information being submitted, they were re-consulted. The following comments and conditions have been received in addition to the above comments:

The highway authority still has concerns that the proposals have not addressed how cyclists will behave on the Western side of the route and there are concerns that this could lead to crossing Sully Moors Road or another location along the roundabout which could increase hazards/danger for highway users. There also a number of details and structures which will need to be checked to ensure they are designed and constructed in accordance with standards.

Finally, an area of no overtaking restrictions near the junction of Cardiff Road and Green Lane/Cog Moors has been removed on the drawing and these restrictions will need to be reinstated and contained in the engineering details.

It is also noted that the width of the A4055 Cardiff Road is being reduced in width to 6.5m in some areas. Generally main arterial routes need to be maintained as 7.3m wide minimum so this will need to be confirmed in technical checking of engineering details.

Therefore, the highway authority has no objection subject to conditions requiring engineering details and a scheme to cross Sully Moors Road to continue along Cardiff Road.

The Council's Landscape Section were consulted on 16 April 2025. No response received to date.

The Council's Leisure Services Section were consulted on 16 April 2025. No response received to date.

The Council's Public Rights of Way Officer were consulted on 16 April 2025. They have responded as follows:

Public Rights of Way Nos.14 and 41 St Andrews Major will be crossed by the proposed works and it appears access to No.15 St Andrews Major will be blocked. The paths must be kept open and available for safe use by the public at all times.

No barriers should be placed across the legal alignment of the paths. Should the Public Rights of Way require temporary closure to assist in facilitating works an order should be sought under the Road Traffic Regulation Act 1984. Temporary closure should not be sought in order to allow construction of permanent obstructions.

If new structures are required for stock control at the points where the public rights of way connect to the new path, then please contact David Hunt to discuss options.

No adverse effect should result to the path, the applicant should ensure that materials are not stored on the paths and that any damage to the surface as a result of the development is made good at their own expense.

Please ensure your builders and delivery drivers are aware that members of the public might be passing very close to the site boundary.

The Council's Shared Regulatory Services Team (Environment) were consulted on 16 April 2025. They have responded as follows:

The proposed ATR development site has been identified as predominantly agricultural land. The most southerly section from the start of the ATR to the proposed Cadoxton River crossing includes land formerly used for potentially contaminative activities: The former Taff Vale Railway, Globe Brickworks and Biglis Landfill (No.1 Tip). These parts of the site will need to be assessed in relation to potential contamination risks to human health/environment and the suitability of materials for re-use.

Should there be any importation of soils to develop the landscaped areas of the development, 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 of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

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

The Council's Shared Regulatory Services (Pollution) were consulted on 16 April 2025. No response received to date.

The Council's Tourism & Marketing Section were consulted on 16 April 2025. No response received to date.

Cadw, Ancient Monuments were consulted on 16 April 2025. No response received to date.

Dŵr Cymru / Welsh Water were consulted on 16 April 2025. They have responded as follows and initially raised a holding objection.

Following the clarification of points originally raised, an updated response has been sought, and the following comments have been received:

If permission is granted a condition requiring no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. The reason for this is to prevent hydraulic overloading of the public sewerage

system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Advisory Notes are provided with regard public sewers, watermains and Sustainable Drainage Systems.

Health and Safety Executive planning advice web app was consulted. The advice is that they do not advise against the granting of planning permission.

Heneb, The Trust for Welsh Archaeology (GGAT) were consulted on 16 April 2025. They have responded as follows:

We have consulted the regional Historic Environment Record (HER) and note the submission of a Cultural Heritage Desk-Based Assessment by Arcadis (report no. 100058585, dated February 2025). Whilst there are no known sites within the proposed development area, the proposal is located in a landscape of archaeological potential. Flint scatters, Bronze Age mounds, Roman agricultural settlement, Roman artefacts, Early-medieval burials, Old Court and medieval manor court, as well as lime kilns and clay pits are all recorded in the vicinity. Additionally the Desk-Based Assessment has noted two brick structures and identified historic hedgerows that could be impacted.

As such there is the potential for encountering archaeological material during the course of the proposed works.

Therefore, it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached.

Natural Resources Wales were consulted on 16 April 2025. They have responded as follows:

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding Flood Risk. If this information is not provided, we would object to this planning application. Further details are provided below.

We also advise that based on the information submitted to date, conditions regarding European protected species, land potentially affected by contamination, pollution prevention/protected sites should be attached to any planning permission granted. Without the inclusion of these conditions, we would object to this planning application.

Flood Risk

The planning application proposes less vulnerable development, with the provision of an active travel route. Our Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding within the TAN15 Defended Zone, Flood Zone 2 & 3 – Rivers, Flood Zone 3 - Sea. We refer you to Section 10 of Technical Advice Note 15: Development, flooding and coastal erosion, dated 2025 (TAN15) for advice on how you should consider this application in line with current planning policy. Our role is to provide you with detailed advice on the findings and

conclusions of the Flood Consequences Assessment (FCA) in relation to flooding from rivers and/or the sea, including the impact on flooding elsewhere. Therefore, we have reviewed the following FCA undertaken: - Flood Consequences Assessment, Dinas Powys Active Travel Route, Document Ref: 10058585-ARC-AT-260-TR-CW-00001, Revision 2, prepared by Arcadis, dated January 2025.

Our advice to you is that the FCA fails to demonstrate that the potential risks and consequences of flooding are manageable for the reasons explained below.

The FCA states:

- It has been informed by detailed fluvial and tidal flood modelling undertaken to assess the risk to the proposed scheme and to help develop flood mitigation measures to ensure the development is safe and does not impact third party flood risk.*
- A new bridge crossing of the River Cadoxton is proposed, consisting of a 12 m wide single span structure with a soffit level of 7.70 metres (m) Above Ordnance Datum (AOD) (to give 0.55 m freeboard above the 1 in 100 (1%) plus climate change peak fluvial flood level).*
- While flood maps indicate the existing tidal defences provide a high standard of protection to the site, detailed flood modelling of the scheme has been undertaken to confirm the risk and the findings are discussed in Section 5.*

Due to the complex nature of the risk and consequences of flooding associated with the proposed development, we wish to undertake a detailed review of the hydraulic modelling information to ensure that it is fit to inform the FCA. This review may find anomalies/discrepancies in the model which will need to be addressed to ensure that it is representative of the risk of flooding and fit to inform the FCA. This review is likely to take 8 weeks to complete. We reserve the right to request further information to establish the risks and consequences of flooding if necessary.

Therefore, until we confirm that the model is representative of the flood risk we are unable to advise whether the consequences of flooding outlined in the latest FCA can be managed to an acceptable level. The FCA also references an Inception Report (Dinas Powys Active Travel Route Flood Modelling, Inception Report, Arcadis 2023. Ref: 10048848_ARC_XX_ZZ_RP_DH_0001_P02). However, we note that this report doesn't appear to have been submitted in support of the application. We request that this report is also made available for review.

Paragraph 15.4 of TAN15 is clear that where insufficient information is provided, the planning authority should use its powers to request further information.

Furthermore, should you be minded to go against our advice, you should inform us at the earliest opportunity prior to granting consent and allow reasonable time for us to make further representations. Please note, if any subsequent FCA fails to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of the development, then we are likely to object to the application.

Flood Risk Activity Permit (FRAP)

The proposed development involves a bridge over the River Cadoxton. A Flood Risk Activity Permit will be required for the proposed development. We refer you to our website for further advice.

European Protected Species We have considered the following information submitted in support of the application:

- *Ecological Impact Assessment, Biglis to Dinas Powys ATR, Document Ref: 10058585-ARC-XXX-XX-TR-EC-00001, Rev 02, by Arcadis, dated March 2025.*
- *Proposed Street Lighting Layout Sheets 1- 9, Biglis to Dinas Powys, by Arcadis.*
- *Pre-Application Consultation Report, Active Travel Route: Biglis to Dinas Powys, Document ID: 10058585-ARC-AT-XXX-TR-TC-00001, prepared by Arcadis, dated March 2025.*

European Protected Species – Legislation and policy Great crested newts dormouse, bats, and otter as well as their breeding sites and resting places, are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where these species are present and where a development proposal is considered likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

- The proposed works to be authorised satisfy an appropriate derogation purpose, which in the case of development are for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;*
- There is no satisfactory alternative; and*
- The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.*

These requirements are translated into planning policy through Planning Policy Wales (PPW) Edition 12 dated February 2024, sections 6.4.35 and 6.4.36 and Technical Advice Note (TAN) 5, Nature Conservation and Planning (September 2009). To avoid developments with planning permission subsequently not being granted a licence, the planning authority should take them into account when considering development proposals where a European Protected Species is present.

Water voles are fully protected under the Wildlife and Countryside Act 1981 (as amended). There is no licensing provision for development purposes, therefore developments must be able to demonstrate a conservation benefit where water voles are likely to be affected.

Great Crested Newt (GCN)

NRW undertook a site visit to the site on 7th May 2025, and a waterbody approximately 5m x 30m was present at the northern end of the location of Pond 1. Historic records exist for presence of GCN at this pond with the latest records dated 2008.

Notwithstanding this, we note the assessment of impacts in the PAC report, which notes historic presence of GCN in Pond 1 but highlights the minor impacts of the proposal on terrestrial habitat for this species, and no impacts to the pond.

We note the precautionary methods of works set out in the Ecological Impact Assessment (EclA) and the minimal habitat impacted, as shown on the Habitat Impact Plan drawings in the EclA.

We are satisfied that the scale of this vegetation clearance is small, and any potential impacts to great crested newts can be managed with use of precautionary measures included in a CEMP. We advise a condition is included on any permission granted for a CEMP which includes the precautionary methods of works for GCN, as set out below.

Dormouse

Dormouse have been confirmed on site at the southern end of the scheme. We welcome the clarification that 0.06ha of woodland, 0.2ha of scrub and 24m of hedgerow is to be lost as part of the scheme. Landscaping proposals include planting 1.2km of new hedgerow along the route. We note the proposals for habitat clearance to be supervised by an ecologist, and for methods of works to minimise harm to dormouse to be included in a CEMP.

We advise a condition is included on any permission granted for a CEMP which includes precautionary methods of works for dormouse, as set out below.

Lighting

We welcome the proposals set out in the EclA to manage lighting and note the Lighting Proposal drawings. We welcome the break in lighting at the crossing over Cadoxton Brook and note the proposals for light falling on to the route surface of 2-5 lux, with lighting dimmed between 12 midnight and 5:00am (except on the existing highway network).

The EclA and Lighting proposals do not refer to use of baffles or louvres. These have been used on other schemes to limit light spill behind column lights and we advise their use is considered to minimise light spill on retained and proposed habitats along the route (particularly between Biglis roundabout and Green Lane). We advise a condition is included on any permission granted to finalise and agree lighting proposals prior to installation.

Water vole and otter

Water vole burrows were identified on the River Cadaxton, however none were observed in the location of the proposed river crossing. Presence of otter was recorded along the river, though no holts were observed during survey. We concur with the EclA which advises further survey for water vole and otter 8-10 weeks prior to commencement of construction, and a second check immediately prior to starting works. As advised in the EclA, if water vole burrows are found, the need for a licence should be discussed with the scheme ecologist.

We advise that pre-construction survey for water vole and otter is included in a CEMP, as set out below.

Bats

We welcome clarification in the updated EcIA that the trees with moderate potential to support bats are not being impacted by the proposals, and that a method statement for felling/pruning of low potential trees will be included in the CEMP.

Summary

In this instance, NRW considers that there should not be a detriment to the maintenance of the favourable conservation status of the great crested newts, dormice or water vole present, providing that the mitigation measures set out in the Ecological Impact Assessment are implemented, and the planning obligations set out below are included:

Conditions

*Protected Species Construction Environmental Management Plan (CEMP)
Prior to works commencing on site, a CEMP shall be submitted for approval, in consultation with NRW.*

Justification: A CEMP should be submitted to ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction.

Prior to its installation, full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of external lighting to be used, including use of louvres as appropriate, and*
- Updated lux drawings are provided which set out light spillage in key sensitive areas.*

The lighting shall be installed and retained as approved during construction and operation.

Justification: A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species.

Pollution Prevention

The proposed development site runs alongside the River Cadoxton and is also adjacent to the Cog Moors Site of Special Scientific Interest (SSSI). We recommend a Construction Environmental Management Plan (CEMP) is submitted in order to protect surface water/road drains from construction runoff and due to the complexity of the water network throughout the Vale of Glamorgan. We advise that a CEMP is either submitted for review prior to any planning permission being granted or that the Local Authority to impose the following condition. Details of the CEMP are provided above.

Land potentially affected by contamination

We note that no site-specific ground investigation report has been submitted. We also note that the submitted report appears to be for the proposed bridge crossing only and not the entire development site. Any land contamination reports will need to cover the entire proposed development site.

We note that the proposed development is on/adjacent/runs between the Biglis No 1 and No 2 Historic Landfills. It is unknown if significant cut will be required for the construction of the path. It is considered to be unlikely as the path appears to follow the existing A4035 however this should be confirmed.

The nature of any ground preparations and engineering required for the route have not been determined to date, such as if current drainage provisions can be used along the cycle route or if additional drainage will be required. Given that there is landfill within the southern portion of the route, the nature of any stormwater management for the scheme above what currently exists, must be agreed with the local SAB.

No information is provided on the quality of the ground conditions along the proposed scheme route including in the vicinity of the landfilled areas in the south of the proposed development site. Such information would generally come from a site investigation which would typically consist of trial pits, boreholes and monitoring wells located at intervals along the proposed scheme. The need for any of these would be contingent on the degree to which existing ground conditions would be disrupted, that is dug into, to prepare the site for the construction of the cycle path. If the proposed cycle path will be built at existing grade, with no excavations required, then it is unlikely that a site investigation would be needed.

Please note if ground materials are excavated, they would also need to be managed so that they do not pose a risk to the wider environment. That would require such provisions as ensuring that any temporary stockpiles of excavated materials cannot mobilise contaminants, for example from stormwater/rainfall, causing contamination runoff. From a best practice/sustainability perspective, excavated materials should be assessed through the following reuse evaluation methodology and guidance: DoW:CoP

In the absence of the above information, we would advise the planning authority to include the conditions below on any permission granted:

- I. Site Investigation*
- II. Verification report*
- III. Unsuspected contamination*
- IV. Piling*

Other Matters

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Following updated information being received including an updated Flood Consequence Assessment rev 3 NRW were reconsulted. They have responded with concerns about flooding as follows and detail they refer to their previous comments on European Protected Species, contamination and pollution prevention/protected sites:

Our advice to you is that the FCA fails to demonstrate that the potential risks and consequences of flooding are manageable for the reasons explained below.

Figure 5 TAN15

Sections 5.4.6 and 5.4.7 of the FCA demonstrate the northern section of the scheme, and a small part of the southern section near the new bridge crossing, are shown to be at risk of flooding during the 1% (1 in 100 year) plus climate change (CC) fluvial event with predicted flood depths of 0.8m (northern section) and 0.25m (southern section). The proposed development is therefore not compliant with Figure 5 of TAN15.

Figure 6 TAN15

Section 5.4.12 of the FCA demonstrates that during the 0.1% (1 in 1000 year) plus CC fluvial event the maximum depth of flooding is predicted to be 0.9m along the northern section. This depth of flooding is above the tolerable conditions as prescribed in Figure 6 TAN15. Therefore, the proposed development is not compliant with Figure 6 TAN15.

During this event velocities reach 0.6m/s in places along the route which exceeds the amounts in Figure 6 of TAN15.

Within the southern section of the scheme, flooding is predicted along sections of the raised embankment with a peak flood depth of 0.4 m along the western section and 0.15m on the eastern section. These depths of flooding are within the tolerable limits as prescribed in TAN15.

The route is not shown to be at risk during the tidal scenario due to protection offered by defences, the main risk arises from backing up of the watercourses that cannot discharge into the sea.

Flood Risk Elsewhere

A section of the proposed active travel route will be located on a new raised embankment and as such this will result in a loss of floodplain storage and has potential to increase flood risk to third party land. Proposed mitigation to minimise this risk comprises culverts through the embankment to allow flood flows to pass through. A flood compensation area is proposed on land outside of the current flood extent to accommodate a like for like storage volume up to the 1%+CC flood level.

The FCA is supported by a hydraulic model which has been checked and is considered suitable to support the FCA. The model has assessed the flood risk in the baseline scenario and then compared this to the “with scheme” scenario to demonstrate any differences in flood depths and extents because of the scheme.

Table 5-4 in the FCA highlights where there are impacts greater than +5mm, as a result of the scheme, resulting in detriment to third parties, which is contrary to TAN15 policy. However, the FCA states that all affected landowners and the highways authority for Sully Moors Road have been notified and confirmation of their acceptances of this has been requested.

Paragraphs 11.3 and 11.4 of TAN15 provide guidance on the acceptability criteria of flooding consequences, whether the consequences of flooding can be safely managed and its effects on flood risk elsewhere. The advice in TAN15 is clear that local planning authorities should ensure that requirements are met for any development that is to be permitted in flood risk areas.

Following an updated Flood Consequences Assessment and an accompanying letter summarising the flood impacts on 13 August 2026 they were re-consulted. They have responded that they have no further comments to the previously issued responses.

Open Spaces Society were consulted on 16 April 2025. No response received to date.

South Wales Police were consulted on 16 April 2025. No response received to date.

The Badger Group were consulted on 16 April 2025. No response received to date.

REPRESENTATIONS

The neighbouring properties were notified on 16 April 2025, and a site notice was also displayed on 16 April 2025. The application was also advertised in the press on 1 May 2025.

Three letters of objection have been received, including one from Friends of the Earth Barry & Vale as summarised below:

- Owner of WA42811(at junction with Heol y Frenhines) as shown on Sheet 7 - We object to this application and refuse permission for this cycle path / pedestrian walkway to be built on our land.
- Occupier of Arnold House, Barry Road objects to the cycle path on their side of the road. It is difficult to enter exit property and adding cyclists moving at speed will make it worse, making it much more likely for an accident to happen and someone getting hurt.
- Concerned about the flooding impact.
- Concerned about contamination as site is near historic landfill.
- Rights of way need to be taken into account.
- An Environmental Impact Assessment could be required.
- No justification has been submitted to running the route along the current highway or along existing right of way.

One letter of support has been received as summarised below:

- This facility is sorely needed to encourage safe and convenient travel options for pedestrians and cyclists between Dinas Powys and Barry.

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 SP7 – Transportation
POLICY SP10 – Built and Natural Environment
POLICY SP11 – Tourism and Leisure

Managing Growth Policies:

POLICY MG16 – Transport Proposals
POLICY MG18 – Green Wedges
POLICY MG19 – Sites and Species of European Importance
POLICY MG20 – Nationally Protected Sites and Species
POLICY MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species
POLICY MG22 – Development in Minerals Safeguarding Areas
POLICY MG29 – Tourism and Leisure Facilities

Managing Development Policies:

POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
POLICY MD5 - Development within Settlement Boundaries
POLICY MD7 - Environmental Protection
POLICY MD8 - Historic Environment
POLICY MD9 - Promoting Biodiversity
POLICY MD13 - Tourism and Leisure

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

Future Wales: The National Plan 2040:

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

Chapter 3: Setting and achieving our ambitions

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

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

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

Chapter 5 – The Regions

- The Vale of Glamorgan falls within the South East region.
- Regional policies provide a framework for national growth, for regional growth, for managing growth and supporting growth.

- In the absence of SDPs, development management process needs to demonstrate how Future Wales' regional policies have been taken into account.

Policy 1 – Where Wales will grow

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

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

- Based on strategic placemaking principles.

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

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

Policy 4 – Supporting Rural Communities

- Supports sustainable and vibrant rural communities.

Policy 5 – Supporting the Rural Economy

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

Policy 8 – Flooding

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

Policy 9 – Resilient Ecological Networks and Green Infrastructure

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

Policy 12- Regional Connectivity

- Priority in urban areas is improving and integrating active travel and public transport.
- Active travel must be an essential and integral component of all new developments.
- New development and infrastructure should be integrated with active travel networks and where appropriate ensure new development contributes towards their expansion and improvement.
- Supports reduced levels of car parking in urban areas, car free developments in accessible locations and developments with car parking spaces that can be converted to other uses over time.

Planning Policy Wales:

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Promoting Healthier Places
- Accessibility
- The Best and Most Versatile Agricultural Land
- Development in the Countryside (including new housing)
- Supporting Infrastructure

3.43 In developing their spatial strategy planning authorities must prioritise the use of suitable and sustainable previously developed land and/or underutilised sites for all types of development. When identifying sites in their development plans planning authorities should consider previously developed land and/or underutilised sites located within existing settlements in the first instance with sites on the edge of settlements considered at the next stage. It is recognised, however, that not all sites of this nature are suitable for all types of development.

3.55 Previously Developed Land Previously developed (also referred to as brownfield) land (see definition overleaf) should, wherever possible, be used in preference to greenfield sites where it is suitable for development.

Chapter 4 - Active and Social Places

- Transport
- Recreational Spaces

4.1.27 The Active Travel (Wales) Act 2013 makes walking and cycling the preferred option for shorter journeys, particularly everyday journeys, such as to and from a workplace or education establishment, or in order to access health, leisure or other services or facilities. The Active Travel Act requires local authorities to produce Active Travel Network Maps (ATNMs), identifying the walking and cycling routes required to create fully integrated networks for walking and cycling to access work, education, services and facilities.

4.1.29 The planning system has an important role to play in promoting and supporting the delivery of the Active Travel Act and creating the right environments and infrastructure to make it easier for people to walk and cycle, including new and improved routes and related facilities.

Chapter 6 - Distinctive and Natural Places

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

6.6.5 The Welsh Government aims to secure the provision of water services whilst minimising adverse impacts on the environment, amenity, health and communities, in light of the consequences of climate change. Development which is poorly designed or badly located can exacerbate problems associated with resource depletion, exposure to surface water flooding and diffuse pollution. The planning system should:

- *protect and improve water resources by promoting and encouraging increased efficiency and demand management of water as part of new developments, particularly in those areas where water resources may be under pressure or may not be available;*
- *ensure that the infrastructure on which communities and businesses depend is adequate to accommodate proposed development so as to minimise risk to human health and the environment and prevent pollution at source;*
- *ensure sustainable drainage systems are an integral part of design approaches for new development; and*
- *ensure the protection of the quantity and quality of surface and ground water supplies is taken into account as part of development proposals.*

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 12 – Design (2016)
- Technical Advice Note 13 – Tourism (1997)
- Technical Advice Note 14 – Coastal Planning (1998)
- Technical Advice Note 15 – Development, Flooding and Coastal Erosion (2025)
- Technical Advice Note 18 – Transport (2007)
- Technical Advice Note 24 – The Historic Environment (2017)

Welsh National Marine Plan:

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

Supplementary Planning Guidance:

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

- Biodiversity and Development (2018)
- Design in the Landscape
- Economic Development, Employment Land and Premises (2023)
- Minerals Safeguarding (2018)
- Sustainable Development - A Developer's Guide
- Tourism and Leisure Development (2019)
- Travel Plan (2018)
- Trees, Woodlands, Hedgerows and Development (2025)

Other relevant evidence or policy guidance:

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

Equality Act 2010

The Equality Act 2010 identifies 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.

Active Travel (Wales) Act 2013

The Active Travel (Wales) Act 2013 makes walking and cycling the preferred option for shorter journeys, particularly everyday journeys, such as to and from a workplace or education establishment, or in order to access health, leisure or other services or facilities. The Active Travel Act requires local authorities to produce Active Travel Network Maps (ATNMs), identifying the walking and cycling routes required to create fully integrated networks for walking and cycling to access work, education, services and facilities.

Environmental Impact Assessment (EIA) Screening Opinion

The proposed development falls within Schedule 2, Section 10(f) (Infrastructure Projects – Roads) of the EIA Regulations. The application site extends to approximately 3.42 hectares and therefore exceeds the applicable 1-hectare threshold.

Notwithstanding this, having regard to the criteria set out in Schedule 3, including the characteristics of the development, its location, and the nature and extent of potential impacts, the Local Planning Authority considers that the proposal is not likely to result in significant environmental effects.

The development therefore does not constitute EIA development, and the submission of an Environmental Statement is not required. Relevant environmental matters will however be appropriately considered through the planning application process.

Issues

Taking account of the above policies and guidance, the main issues to consider are: the principle of development, highway safety, surface water drainage, the impact of flooding, green infrastructure, trees and hedges, ecology and biodiversity enhancement, the visual impact, the impact on heritage assets, the impact from potential contamination, neighbour amenity, impact on agricultural land and impact on minerals.

Principle of the Development

The provision of 'Active Travel Routes' is supported by Planning Policy Wales (PPW) and the Active Travel Act (2013).

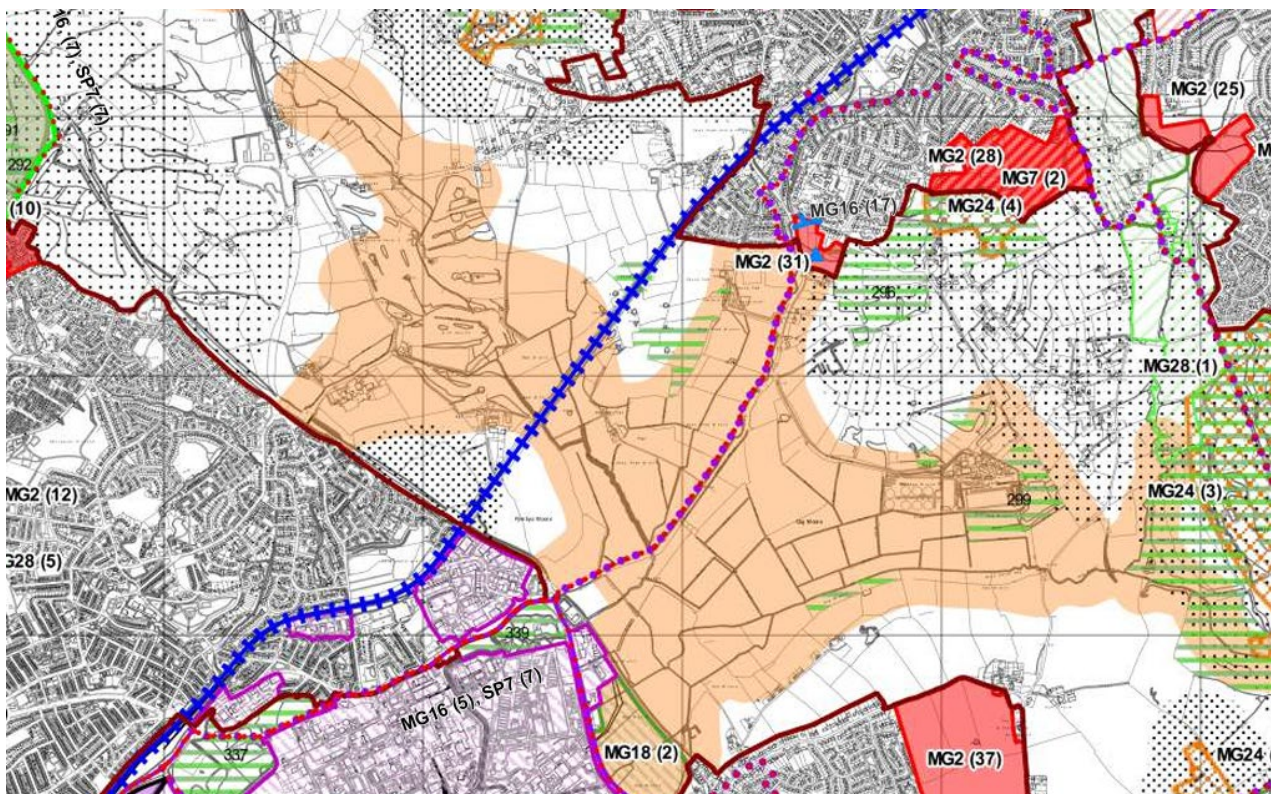
PPW details, *"4.1.26 Walking and cycling are good for our health and well-being. They support valuable social and recreational opportunities and are integral to placemaking, creating life and activity in public places and providing the opportunity to meet people. Sustainable places invite people to walk and cycle as part of their everyday routine"*.

The Active Travel Act requires local authorities to produce Active Travel Network Maps (ATNMs), identifying the walking and cycling routes required to create fully integrated networks for walking and cycling to access work, education, services and facilities.

Local Development Plan Policy MG16–Transport Proposals identifies and safeguards land required for transport proposals in the LDP. This includes '5. Barry Waterfront to Dinas Powys' under the schemes for walking and cycling. The following paragraphs from the LDP are relevant:

6.90 Walking and Cycling are sustainable and practical alternatives to the private car, supporting healthy lifestyles and reducing the impact on the environment. An essential element in encouraging an increase in walking and cycling is the provision of a network of high quality dedicated routes that link communities and provide access to local retail, employment and recreation opportunities. The LDP will seek to encourage and give priority to those proposals that enhance opportunities for walking and cycling.

6.96 Barry Waterfront to Dinas Powys is identified as a major strategic transport corridor connecting the settlement of Barry to Cardiff. Currently there are no walking and cycling facilities linking the Waterfront to Dinas Powys between the Biglis Roundabout on the outskirts of Barry to Dinas Powys on the corridor to Cardiff. Sewta has already funded the feasibility of a walking and cycling route along this corridor and the Council is currently considering the land options to deliver a dedicated off road shared walking and cycling route to connect these settlements. Walking and cycling provision has already been provided from Dinas Powys to Llandough along the Merrie Harrier bus priority corridor and on Cardiff Road Barry and Hayes Road Sully. This missing link is considered important to build upon the previous successful projects that have been implemented by the Vale of Glamorgan Council through the Regional Transport Plan programme and the Safe Routes in Communities programme.



Extract of Local Development Plan Proposal Map

An objection has been raised that alternative routes have not been considered. The Design & Access statement however, demonstrates the evolution of the proposed route that has been submitted.

In summary, the proposal would in principle, provide beneficial infrastructure for sustainable active travel links between Dinas Powys and towards Barry. This is supported by national planning guidance, and the route is identified in the LDP as a transport proposal for a walking and cycling route. The provision of the route is likely to result in a health and wellbeing gain for residents able to use the Active Travel Route. Therefore, in principle the proposed Active Travel Route is considered acceptable.

Highway Safety

The proposal is an active travel route for pedestrians, cyclists and other non-motorised vehicle travel. Its route would be mainly offline from Cardiff Road, where currently users have to share the road with vehicle traffic. By providing a separate route, this proposal would likely provide an increased level of safety for people using the more vulnerable methods of travel and result in the potential for less conflict with existing vehicle users in Cardiff Road. Therefore, this proposal can be said to likely deliver a significant positive beneficial impact on highway safety for all users in the local area, along this key corridor.

One letter of objection has raised to a highway safety issue with the path to the front of houses along the opposite of the junction to Parc Bryn y Don. Whilst the proposal would likely increase pedestrian and cyclist movements in this area, these would be on the Active Travel Route separate to the vehicle highway or by a crossing of the vehicle highway.

The Council's Highways Section raise no objection and comment initially that further information is required with various issues. The majority of these are minor issues and relating to works within the adopted highway, rather than in the planning application site. Updated comments have been received from the Council's Highways Section requiring a condition to cover the engineering details of the issues raised (**Condition 10 refers**).

They also raise an issue with the start/end of the route to the West onto the Cardiff Road/Sully Moors Road roundabout that needs to be fully considered. The Highway Engineer is concerned that the proposal would likely increase pedestrian and cyclist movements in the area to gain access or leave the route. As such they detail that the safety implications of pedestrians looking to cross the busy intersection without a controlled crossing needs to be justified as minimal risk, when the scheme is finished otherwise further mitigation is required to prevent this. This is noted and updated comments from the Council's Highways Section recommend a condition to provide this detail (**Condition 11 refers**).

Councillor Franks supports the application, however comments, "*in interests of safety that pedestrians and cyclists are separated from each other with their parts clearly delineated*". These comments are noted, however the path has been designed at the outset as a shared path, similar to other active travel routes. The agent for the applicant details a segregated dual use path would require it to be wider and the land take would be more significant, in addition to cost. Furthermore, the path is mostly straight with long site lines, and it is not expected that use would be significantly heavy enough to result in ongoing conflicts between cyclists and pedestrians that would warrant the required additional width to secure segregation. The use would be a 'common sense' approach as in normal shared road/path usage.

For the off-highway cycleway, lighting is provided by luminaires mounted on 5m columns. It is detailed that the proposed scheme has been designed in accordance with standards

to strike a balance between safety, increase a sense of security and the impact on key receptors including wildlife.

The Council's Public Rights of Way Section comment that it appears access to path No.15 St Andrews Major will be blocked and that the paths must be kept open and available for safe use by the public at all times. Whilst they have commented as above that this path starts outside the application site area, and the plans do not show the path would be blocked. An informative detailing the paths should remain open, and further advice can be provided by a suitable informative if permission is granted (**Informative Note 2 refers**).

In summing up, this proposal would provide a significant highway safety benefit by providing a separate route for more vulnerable users and away from vehicle traffic. Issues have been raised by the Council's Highway Section and that these can be overcome by providing engineering details and details of how users would exit safely at the Biglis roundabout end. Acceptable details can be obtained by condition.

Surface Water Drainage

Surface Water flooding and drainage is the responsibility of the Lead Local Flood Authorities, and the application is supported by a Surface Water Drainage Strategy. This details that the route will be raised to provide a predominantly flood free travel route. The surface would be permeable, and water would percolate through the porous asphalt g into the surrounding land. Some culverts would be utilised through the raised embankment, and surface water would pass across the fields as existing. It is detailed that the raised embankment does result in a loss of flood storage; however, they note an area of land in the field would be excavated to create a flood compensation area. In the section, through Parc Bryn-y-Don, a small area of impermeable surface would be provided from the widening of an existing footway. It is detailed the existing method of discharge would be used to the adjacent field.

The Council's Drainage section have been consulted and comment that the flood risk for the majority of the site is low and very low in other sections. They identify two areas of localised flooding with one on St Cadoc's Avenue and being outside the planning application site area. To advise on the acceptability of flooding they note NRW are carrying out a detailed review and defer to their position. With regard to surface water drainage, they note the submitted strategy and advise that detailed design would be needed to be submitted separately from the planning process and to the Sustainable Drainage Approving Body (SAB). An advisory note is therefore recommended if permission is granted (**Informative Note 1 refers**).

Impacts of Flooding.

There are several watercourses within the vicinity of the scheme. For much of its length, the route would run alongside the River Cadoxton, crossing it twice via existing highway bridges and a third time by means of a new crossing. At its southern end, the route also runs adjacent to an unnamed watercourse near Biglis roundabout.

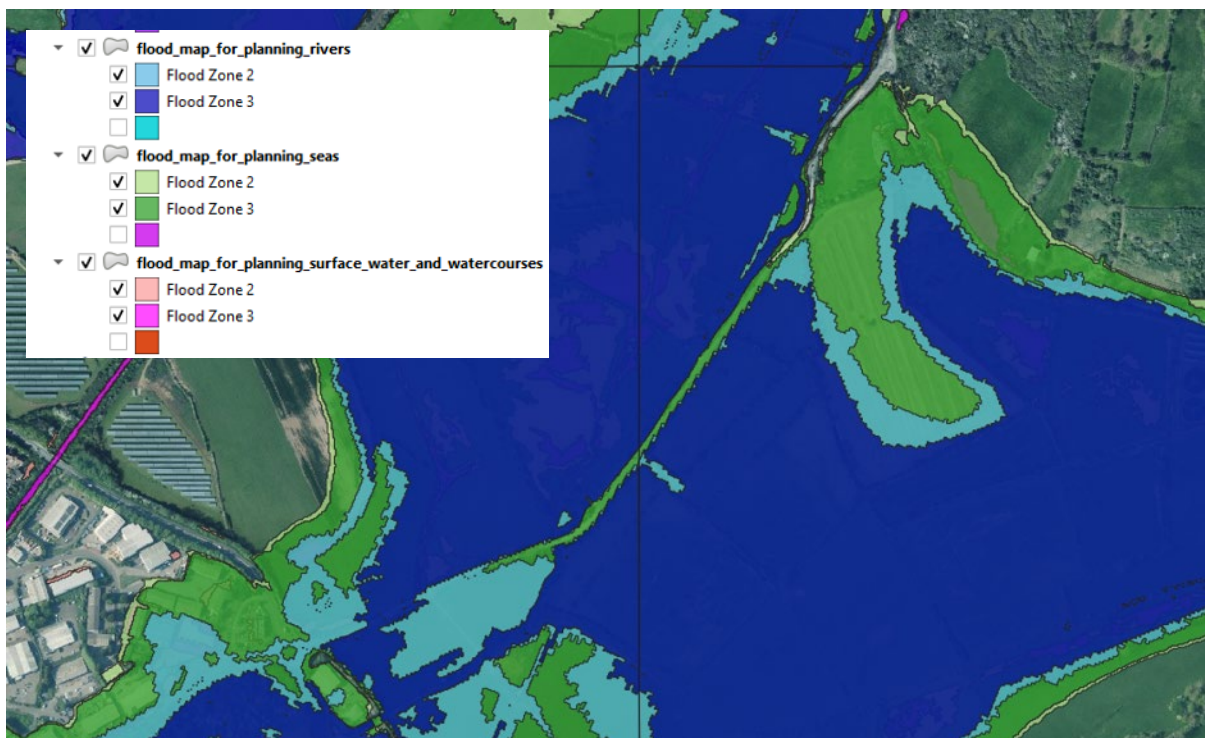
The route passes through a range of areas with differing flood characteristics, including sections of existing highway (outside the application boundary), Bryn y Don Park, and land near the Welsh Water Treatment Plant and Cog Moors. This latter area is predominantly agricultural and is known to flood regularly, particularly during winter months.

Flood risk is assessed against Technical Advice Note 15 (TAN 15): Development, Flooding and Coastal Erosion. Although the application was submitted prior to the updated TAN 15 (31 March 2025), it was registered after that date and therefore falls to be assessed under the current guidance.

The proposed development comprises a strategic active travel route between Barry and Dinas Powys. Under TAN 15, this is categorised as “less vulnerable” development. The scheme is strongly supported by the Active Travel (Wales) Act 2013, Planning Policy Wales and the Vale of Glamorgan Local Development Plan, including Policies SP1-Delivering the Strategy, SP7-Transportation, MG16-Transport Proposals and MD2-Design of New Development. It would provide a continuous 2.6km link, improve connectivity to employment and services, and support a shift away from private car use.

Given its strategic function and locational requirements, the development is considered to meet the TAN 15 justification test in principle, for development within a flood risk area.

The site lies within areas identified as being at risk of flooding from rivers and the sea. However, the submitted Flood Consequences Assessment (FCA) confirms that the primary source of risk is fluvial flooding, influenced by tide-locking effects, rather than tidal inundation.



Extract of existing flood maps

Natural Resources Wales (NRW) raise concerns that parts of the route would flood during more frequent flood events, and that in rarer, more extreme events, flood depths and flow velocities would exceed guideline thresholds. They also identify small, localised increases in flood levels elsewhere. NRW however advise that the acceptability of this risk is

ultimately a matter for the Council, having regard to the nature of the development. Following an update to the FCA and a summary of the impacts being provided, NRW were re-consulted and have responded that they do not change their comments.

The FCA confirms that parts of the route would not remain entirely flood-free during significant flood events. This reflects the constraints of following existing highway corridors and the river floodplain. However, large sections of the route, particularly the raised southern sections, would remain largely unaffected. Any flooding would be localised and predictable, and the route cannot reasonably be relocated without undermining its purpose.

In more extreme events, there are limited areas where flood depths and velocities exceed guideline thresholds, particularly along existing highway sections. However, the majority of the newly constructed route complies with acceptable conditions. The assessment demonstrates that safe access to higher ground is available and that flood events would generally develop gradually, allowing time for users to leave the area safely. Given the transient nature of use, the level of risk is considered manageable.

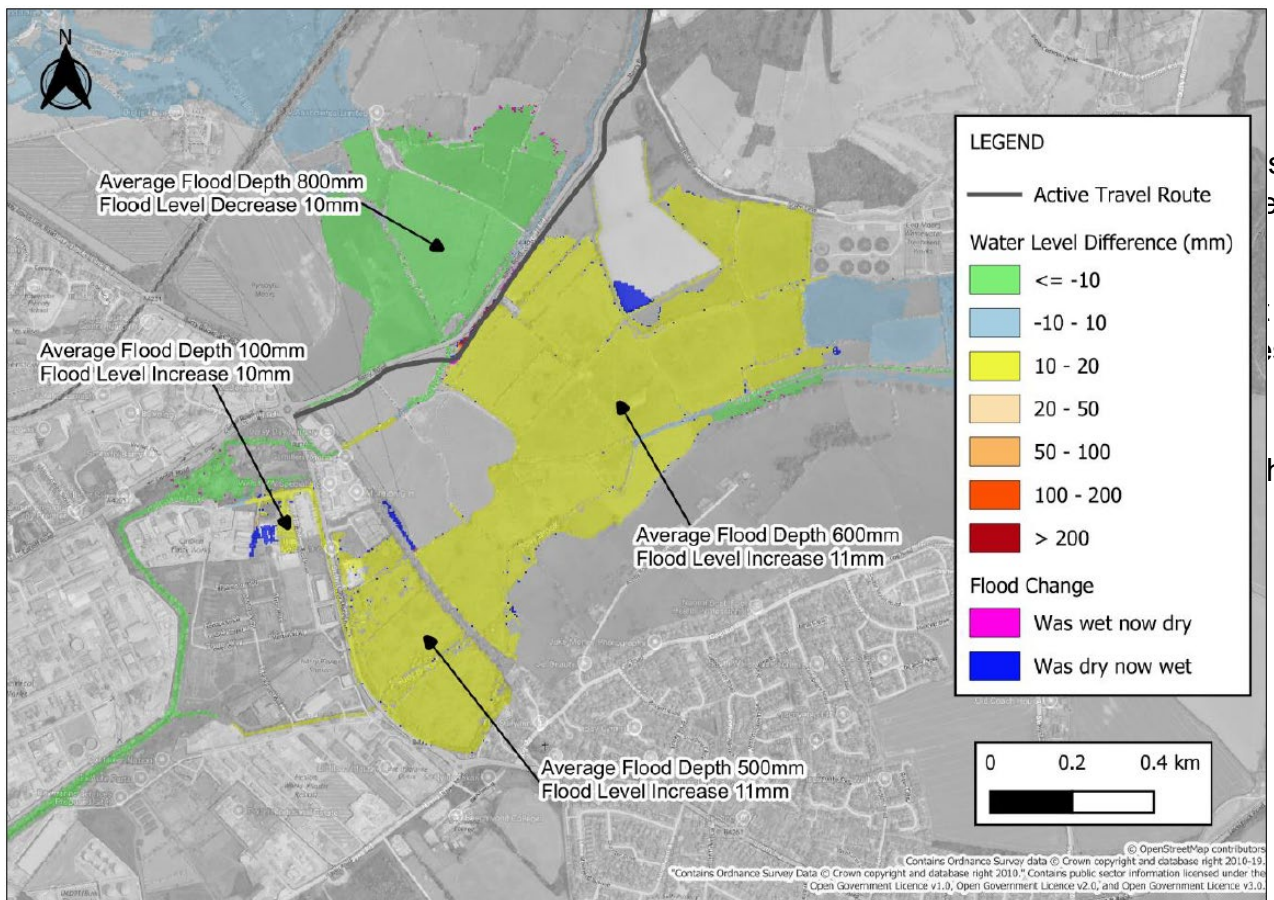
The scheme incorporates mitigation measures to minimise impacts elsewhere. These include floodplain compensation, culverts to maintain water flows, and enhanced bridge capacity. Modelling indicates that the scheme would be broadly flood neutral, with only very minor increases in flood levels in isolated areas. These changes are minimal in scale, fall within normal modelling tolerances, and affect land already subject to flooding. There would be no material impact on residential or other built development.

The following table submitted by the applicant's agent summarises the proposed development in response to the TAN 15 requirements:

TAN15 Item Relevant requirement	Requirement met / position	Comment
Figure 5 – Flood events in which development must be flood-free		
River 1 in 100 (1%) plus climate change Sea 1 in 200 (0.5%) plus climate change	No	Within the planning application boundary, an approximately 300m section near Biglis Roundabout is predicted to experience shallow flooding during the 1 in 100 (1%) plus climate change fluvial event. The flooded section has a Low flood hazard rating. The scheme remains compliant for tidal flooding.
Figure 6 – Tolerable conditions in an extreme flood event – (1 in 1000 (0.1%) extreme flood event, including an allowance for climate change)		
Maximum flood depth of 600mm	Yes	Within the planning application boundary, modelled flood depths remain below 600mm during the 1 in 1,000 (0.1%) annual chance event including climate change.
Maximum velocity of flood water: 0.3m/s	No	Peak velocity exceeds the 0.3m/s threshold in some locations. Given the long linear nature of the ATR, the velocity results have been considered alongside flood hazard mapping, which combines depth and velocity and is referenced in TAN15. Hazard is Low along the majority of the route, with a localised approximately 300m section near Biglis Roundabout classified as Medium / “Danger for Most”.

Acceptability criteria for flooding consequences – 11.4		
No increase in flooding elsewhere	No material increase	Minor localised changes in flood depth are predicted, typically in areas already inundated. These changes are small in magnitude and are not expected to affect sensitive receptors. Further commentary is provided below.
Occupiers aware of flood risk	Yes	Appropriate signage will be used.
		signage and operational measures to manage residual risk.
Acceptable consequences for type of use (• minimal risk to life; • minimal disruption to people living and working in the area; • minimal potential damage to property; • minimal impact of the proposed development on flood risk generally; and • minimal disruption to the sustainable management of natural resources).	Yes	The scheme design, mitigation measures, shallow flood depths, predominantly Low hazard rating, and available egress, support the conclusion that flood consequences are acceptable for the proposed less vulnerable use.

In relation to the impact on third party land, the proposal is likely to provide betterment in some areas and increase in others but would generally be neutral overall. The greatest increases are shown in the modelling carried out in the 1 in 10 event and identified in the map below. The areas in green show a decrease in flooding and the area in yellow shows an increase. However, it should be noted that the increases are relatively minor in the region of 10-11mm in areas that already flood to depths of 500/600mm.



Green Infrastructure, Ecology and Biodiversity.

Chapter 6 of Planning Policy Wales relates to green infrastructure, ecology and biodiversity and has been updated recently paying greater emphasis to the planning system delivering a net benefit for biodiversity and protecting trees.

Paragraph 6.4.5 of Planning Policy Wales states that, *“Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity……”*

The issues are discussed below:

Green Infrastructure

A Green Infrastructure Statement has been submitted. This concludes, *“that the design and mitigation proposals have been designed to protect and reinforce local distinctiveness, notably in consideration of landscape character and local habitat typologies”*. The following impacts are of relevance:

Loss of grassland

The main loss of land would relate to grassland to provide the surfaced active travel route. The Ecological Mitigation report details existing amenity and semi-improved grassland would be reduced. This loss of green infrastructure is noted and could not be avoided in providing the surfaced route, given the design constraints. The information submitted supports these impacts which have been minimised where the route adjoins existing infrastructure. Furthermore, species rich and wet species-rich grassland would be provided along the route and in the flood compensation area which would be better for biodiversity.

Trees and hedges

Chapter 6 of Planning Policy Wales (Edition 12) (PPW) requires protection of trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function. It continues that the removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits.

Firstly, as discussed above in the section on the 'Principle of the Development', it is clear that the proposal would result in a public benefit for highway safety and health and well-being. Whilst this is the case, the impact on trees would need to be carefully assessed. The Council's SPG Trees, Woodlands, Hedgerows and Development states the following guidance:

7.3.3 Trees which are protected by a TPO or classified within retention category A or B in a BS5837: 2012 survey should be retained on the site. If it is proposed to remove any A or B category trees, then the Council will require the applicant to demonstrate how the removal is necessary and outline any mitigation measures to be provided.

7.3.4 Trees achieving 'A' (high quality and value) or 'B' (moderate quality and value) categorisation following a Tree Survey should be retained on site and the development design adapted to protect them from unacceptable harm. This means that development should not incur into their Root Protection Area (RPA), or their current or likely ultimate branch spread. Where incursions are proposed, an Arboriculturist should explain how it will not result in unacceptable harm.

The application is supported by a tree survey by TR33 Environments Limited. It identifies the removal of 2no. low quality common (Category C) Ash trees, 4 no. low quality mixed broadleaved wooded areas and 2no. low quality mixed-broadleaf tree group are needed to provide the development. Approximately 0.13ha of tree scrub cover could be removed. The plans detail 16 new specimen trees would be planted to replace that removed and would exceed the required 3:1 planting ratio. The Ecological Impact Assessment also details new woodland planting amounting to an increase from circa 0.07ha to 0.68ha would be provided and hedgerows increasing on site from approximately 24m to 570m.

It also assesses the construction and other impacts on for example root protection areas of trees to be retained. It identifies that some tree's roots may be damaged during construction works and could become 'at risk'. These impacts are proposed to be minimised or avoided through review and modifications and adoption of tree friendly design in specific locations. It is stated that any potential adverse impacts with 'at risk' trees would be compensated through the replacement planting. The adverse impacts are

to be avoided by the adoption of an Arboriculture Method Statement and a draft is provided.

Table 1 Assessment against the attributes of the DECCA framework pre- and post- development

Attribute	Baseline	Post Development	Assessment
Diversity	Woodland (10 species) Scattered trees (4) Scrub (2) Hedgerow (8) Amenity grass (6 species) Semi-improved grassland (8)	New Woodland (10) New Scattered trees (8) New Hedgerows (10) Amenity grassland in verges (4) New semi-improved grassland in meadows (14) Hedgerow grass margins (30) Flood compensation area (10)	Loss of semi-improved grassland to accommodate the ATR replaced by additional woodland and shrub planting and species rich grassland mixes.
Extent¹	Woodland (0.07ha) Hedgerow (24m) Scrub (0.13ha) Amenity grassland (0.16ha) Semi-improved grassland (1.93ha) Arable (0.75ha) Tall ruderal (0.18ha) Bare ground (0.04ha) Hardstanding (2.36ha)	Woodland (0.68ha) Hedgerow (570m) Species-rich and wet species-rich grassland (0.68ha) Amenity grassland (0.35ha) Meadow grass for wet soils (0.96ha) Hardstanding (2.95ha)	Reduction in extent of grassland (2.09ha to 1.99ha) to accommodate the footprint of the ATR. Replacement grassland planting is species-rich, and landscaping includes priority woodland and hedgerow habitats. Replacement tree planting is greater than 3:1 (in area).

A condition requiring the final details is therefore recommended. This should also include details to ensure construction works and storage of materials are kept outside the root protection areas (**Condition 3 refers**). In addition, a condition that the 'at risk' trees are monitored for a period of five years after construction to ensure if their health is impacted either works are carried out or they can be replaced with suitable native species trees at a ratio of 3:1 (**Condition 4 refers**).

In summing up the above green infrastructure impacts, the proposed active travel route is considered beneficial in the public interest and highway safety. The trees to be removed are judged as being lower category. A replanting scheme and tree protection measures during construction would maintain existing trees and provide acceptable mitigation. This should also provide a benefit in terms of the number and quality of trees. Taking the above the impact on trees is considered acceptable.

Ecology

The application is supported by an Ecological Impact Assessment and this concludes potential for impacts on Pwll Erw-Naw SINC, North of North Road SINC, loss of habitats of principal importance (lowland mixed deciduous woodland and hedgerows), potential for damage to habitats of principal importance (watercourses due to pollution incidents), potential for harm to reptiles, amphibians, birds, bats, badger, water vole, dormouse,

hedgehog, harvest mouse and polecat due to the construction of the Active Travel Route. It however also considers that these can be adequately mitigated for through:

- sensitive site clearance and pollution prevention control, in line with method statements to be detailed in the CEMP;
- implementation of the landscaping plan to replace loss planting and re-enforce existing green infrastructure, and
- a sensitive lighting design.

Natural Resources Wales (NRW) have pointed out the legislation and policy requirement for European Protected Species. Great crested newts, dormouse, bats, and otter as well as their breeding sites and resting places, are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where these species are present and where a development proposal is considered likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by NRW, having satisfied the three requirements set out in the legislation. A licence may only be authorised if the following tests can be met. An assessment of each test is provided below:

i The proposed works to be authorised satisfy an appropriate derogation purpose, which in the case of development are for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;

As detailed above, the active travel route is identified in the LDP. It is considered the proposal would result in a highway safety benefit and significant benefit to the public to their health and well-being.

ii There is no satisfactory alternative; and

The alternative to do nothing would not provide the stated highway safety and health and well-being benefits. The proposed route has evolved by prior assessment from the applicant and is the preferred route. Notwithstanding this, any alternative route through open countryside between Barry and Dinas Powys, is likely to have similar impacts.

iii The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

NRW have not objected to the impacts on the above protected species and comment further that a Construction Environmental Management Plan is required for precautionary methods of work (**Condition 7 refers**). In addition, they note the sensitive lighting scheme submitted with lighting dimmed between 12:00 midnight and 5:00am. They recommend a condition to finalise an acceptable scheme (**Condition 8 refers**). NRW states they consider there should not be a detriment to the maintenance of the favourable conservation status providing that the mitigation measures in the Ecological Impact Assessment are implemented and conditions for a CEMP and lighting are applied.

In addition, in relation to pollution prevention, NRW highlight the site runs alongside the River Cadoxton and is adjacent the Cog Moors Site of Special Scientific Interest (SSSI).

They detail the required CEMP would mitigate in order to protect surface water/road drains from construction run-off (**condition 7 refers**)

The Council's Ecologist originally raised issues and requested clarification on a number of matters and an Ecological Technical Note was submitted. Further comments were received from the Ecologist that has addressed the majority of issues. One issue not addressed, was the source of seed for the wet grassland; and the Ecologist detailed it can be adequately addressed in the CEMP condition (**Condition 7 refers**). The Ecologist has also requested a Landscape Ecological Management Plan (LEMP) as a number of features are being created that need management in the longer term. This can also be required by condition (**Condition 9 refers**)

Therefore, taking account of the above submissions and consultee responses, the proposal, would have some short-term impacts on ecology. NRW have not objected subject to conditions and licenses where required. Similarly, no objection has been raised by the Council's Ecologist subject to conditions. Following the completion and implementation of planting and replacement habitats this element of the proposal would be considered acceptable.

Net Biodiversity Gain

As detailed above, whilst there would be a loss of grassland and some lower quality trees during construction, there would however be a gain in trees, woodland cover, hedgerows and species rich grassland overall following completion of the development. These are proposed to be native species and would enhance habitats (**Condition 5 refers**).

The proposed landscape planting will reinforce north-south connectivity especially south of the Cardiff Road, the A4055. The openness of the path and boundary treatment would also not prevent animals crossing the path. Furthermore, the planting will provide replacement foraging habitat for birds, bats, dormouse, hedgehog, reptiles and common amphibians. The removal of grazing along a section of Cadoxton Brook may also encourage water vole dispersal further north; east-west connectivity will be re-enforced through planting, and any north-south connectivity fragmentation will be minor.

The Preliminary Ecological Appraisal proposes suitable bat and bird boxes, the provision of habitat piles. Full details of these would be required for approval (**Condition 6 refers**).

Summing up

Whilst there would be some construction impacts, that can't be avoided, the submitted details demonstrate that harm would be minimised. Proposed planting and habitat enhancements, identified above, are proposed. It is considered the proposal should not cause any significant loss of habitats or populations of species, locally or nationally and would provide a net benefit for biodiversity. As such the proposal would comply with Policy MD2-Design of New Development, MD9-Promoting Biodiversity, PPW12 and guidance in the Biodiversity and Development SPG.

Visual Impact

Policy MD2 (Design of New Development) is a criteria-based policy requiring development proposals to, amongst other things:

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

As detailed above, the planning application covers two sections of the route proposed and a Landscape and Visual Impact Assessment (LVIA) has been submitted. This concludes its location adjacent existing highway infrastructure means it is in context with its surroundings. It envisages the effects are localised and would be more noticeable during construction and would reduce once operational and further once the proposed mitigation planting has matured. The path itself and related fencing would be generally low lying with the required lights being considered the main impact.

The section of path within Parc Bryn y Don would partly utilise existing infrastructure and follow existing routes from Heol y Frenhines. Whilst it would result in some degree of a more formal visual appearance, this would not be significantly harmful to the landscape qualities along this stretch.

The section of path from Biglis roundabout to the junction with the Dŵr Cymru/Welsh Water plant access is mainly within the fields alongside the A4055. The field is mainly lower in level than the road and the assessment within the LVIA is accepted. It is likely that the route would be visible, however would be seen in context particularly from the southeast in the context of the road. Screening from the proposed planting, when established would also help reduce the impact.

Lighting would be provided by luminaires mounted on 5m columns. It is proposed to have a sensitive lighting scheme particularly to reduce the impact on wildlife and balance the need for highway safety of users of the route. This sensitive lighting scheme would also reduce the overall visual impact on the landscape. Lighting would be single sided to minimise light spill and dimmed by 30% between 12am and 5 am and a gap would also be present along Cadoxton Brook to reduce the impacts on otters. The scheme is to be finalised by condition if permission is granted (**Condition 08 refers**).

It is considered that the associated landscape and visual impacts of the proposal would be localised and would not give rise to any significant wider environmental effects. As such it is considered the visual impact on the site and wider area is acceptable and complies with Policy MD2 of the LDP.

Potential Contamination

Concern has been raised by the impacts of potential contamination taking into account the location of the proposed route near to former landfill sites. The route is mainly on agricultural land; however, the southerly section is near the River Cadoxton. The application is supported by a Geotechnical Desk Study.

The proposed route has been identified as predominantly agricultural land. However, the proposed development is on/adjacent/runs between the Biglis No 1 and No 2 Historic Landfills. In addition, the most southerly section from the start of the Active Travel Route to the proposed Cadoxton River crossing includes land formerly used for potentially contaminative activities: The former Taff Vale Railway and Globe Brickworks. These parts of the site will need to be assessed in relation to potential contamination risks to human health/environment and the suitability of materials for re-use.

Shared Regulatory Services (Environment) and NRW requests the inclusion of the following conditions for: a contaminated site investigation and verification report, unforeseen contamination, imported soil, imported aggregates use of site won materials and piling. It is considered acceptable details could be obtained and that these details can be required by suitably worded conditions suggested (**Conditions 13-19 Refers**)

In summing up, there is potentially some contamination from former land uses that may impact on the route. NRW and the Council's SRS (Environment) require conditions to investigate and mitigate any contaminants prior to use. Therefore, this issue would be considered acceptable.

Neighbour Amenity

The northern part of the route is mainly across an existing public park (Parc Bryn y Don), and the southern section is through fields away from residential dwellings. Other parts of the route (in the blue line area) are outside the planning application area. Whilst these parts of the route would pass close to residential properties, the route would utilise the existing adopted highway and there would be no significant impact from any increased movements along the route.

For the off-highway cycleway route, new lighting would be provided. Due to the distance from the nearest residential properties, this impact is unlikely to result in a significant impact. Furthermore, the lights are designed to reduce light spill, and a sensitive scheme is proposed to reduce the impacts.

In summing up, there would be no significant impacts of the new route on the amenity of nearby residents. As such in these terms the application would be acceptable.

Heritage and Archaeology Impacts

The following Scheduled Ancient monuments are situated nearby: Romano-British Farmstead (GM431) on Dinas Powys Common is approximately 400m to the north of the Heol y Frenhines junction with the start of the path and Middleton Moated Site (GM378) is situated approximately 670m to the south of Biglis roundabout. No objection has been received by Cadw and due to the distance and type of development being proposed the impacts would not be harmful to warrant a refusal reason.

There are also a number of listed buildings to the north and south of the A4055 including Biglis Farm, Downs Farm and a lime kiln off Ashby Road in Sully. As above, due to the distance to these heritage assets and type of development being proposed the impacts would not be harmful to their setting.

Turning to archaeology Heneb have been consulted. They acknowledge the submission of the Heritage Desk-Based Assessment by Arcadis and comment that whilst there are no known sites within the proposed development area, the proposal is located in a landscape of archaeological potential with finds recorded in the vicinity. Additionally, the Desk-Based Assessment has noted two brick structures and identified historic hedgerows that could be impacted. They conclude there is the potential for encountering archaeological material during the course of the proposed works and recommend a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached (**Conditions 19 and 20 refers**).

Taking account of the above and condition requirements the impacts would not be significantly harmful to heritage and archaeological assets.

Impact on Agricultural Land

With regard the impact Agricultural land, it is predicted as being category 3a (good quality) and this is identified in PPW as being "best and most versatile" (BMV) agricultural land. Policy MD1-Location of New Development permits development subject to criterion 9, in that it should, *have no unacceptable impact on the best and most versatile agricultural land*.

The application is supported by an Agricultural Land Classification Report which has analysed the soils and concludes due to greying and presence of clayey horizons in combination with the high river flood risk the land, predicted to be grade 3a is however, likely to be grade 3b or lower. This category is not the "best and most versatile" agricultural land. It also details there would be a minimal loss of land (approx. 3ha).

Further to the above the general route has been identified in Policy and the impacts on agricultural land was expected and assessed as part of the LDP process. Notwithstanding this, the application would be considered acceptable in principle

Impact on Mineral Resources

The site is identified as being a resource for category 2 superficial sand and gravel deposits. LDP policy MG22 (Development in Mineral Safeguarding Areas) states that:

Known mineral resources of sandstone, sand and gravel and limestone are safeguarded as shown on the proposals map. 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; or*
- 2. 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.*

The development proposal, because of its nature and the size of the application site, would have 'no significant impact on the possible working of the resource'. It therefore complies with criterion three of LDP policy MG22.

Other Matters

The site is on the edge of Health and Safety Executives designated Outer Zone at the southern-most section for approx. 160m near Biglis Roundabout). This is in relation to gas distribution stations off Sully Moors Road. Using the methodology from their website (<https://www.hse.gov.uk/landuseplanning/methodology.htm>) this identifies the risks and hazards from the major hazard are greatest in the Inner Zone and hence the restrictions on development are strictest within that zone. The proposal site is in the Outer Zone and considered to be a sensitivity level of 1. The decision matrix details that the advice would be "Do not Advise Against". Therefore, the development would be acceptable in these terms.

The issue of the landowner objecting to the cycle path / pedestrian walkway to be built on their land is noted. The applicant has been notified of this and is in discussions with the landowner. However, it is noted this is a matter outside the decision on the planning application and this issue would not warrant a refusal reason.

It is noted that the site area and proposed route would cross the access to a recent application for the construction and operation of a battery energy storage system (BESS) and associated infrastructure at land at Pen Y Maes, Ashby Road, Sully (2024/00999/FUL). This application has however now been refused. Whilst this is the case, the Active Travel Route should not prejudice any future applications, that would be accessed over the route.

REASON FOR RECOMMENDATION

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

Having regard to policies SP1– Delivering the Strategy, SP9– Minerals, SP10- Built and Natural Environment, MG17- Special Landscape Areas, MG22 – Development in Minerals Safeguarding Areas, MD1 - Location of New Development, MD2 - Design of New Development, MD7 - Environmental Protection, MD8-Historic Environment & MD9- Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040 and the advice contained within the Council's Supplementary Planning Guidance on Design in the Landscape, Biodiversity and Development and Minerals Safeguarding and national guidance contained in Future Wales – the National Plan 2040, Planning Policy Wales 12th Edition and Technical Advice Notes 12- Design and 15-Development, Flooding and Coastal Erosion, the development is considered acceptable in terms of the principle of development, highway safety, green infrastructure, trees and hedges, ecology and biodiversity enhancement, the impact of

flooding and drainage, the visual impact, the impact on heritage assets, the impact from potential contamination, neighbour amenity, impact on agricultural land and Impact on mineral reserves.

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

Planning permission be GRANTED 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 unless otherwise required by another condition to this permission:

10058585-ARC-XX-010-DR-C-00019 Rev P02 Site Location Plan
10058585-ARC-XX-010-DR-C-00004 Rev P02 General Arrangement Overview
10058585-ARC-XX-010-DR-C-00005 Rev P02 General Arrangement Sheet 1 of 9
10058585-ARC-XX-010-DR-C-00006 Rev P02 General Arrangement Sheet 2 of 9
10058585-ARC-XX-010-DR-C-00007 Rev P02 General Arrangement Sheet 3 of 9
10058585-ARC-XX-010-DR-C-00008 Rev P02 General Arrangement Sheet 4 of 9
10058585-ARC-XX-010-DR-C-00009 Rev P02 General Arrangement Sheet 5 of 9
10058585-ARC-XX-010-DR-C-00010 Rev P02 General Arrangement Sheet 6 of 9
10058585-ARC-XX-010-DR-C-00011 Rev P02 General Arrangement Sheet 7 of 9
10058585-ARC-XX-010-DR-C-00012 Rev P02 General Arrangement Sheet 8 of 9
10058585-ARC-XX-010-DR-C-00013 Rev P02 General Arrangement Sheet 9 of 9
10058585-ARC-XX-300-DR-A-00001 Rev P02 Soft Landscape Design Sheet 1 of 8
10058585-ARC-XX-300-DR-A-00002 Rev P02 Soft Landscape Design Sheet 2 of 8
10058585-ARC-XX-300-DR-A-00003 Rev P02 Soft Landscape Design Sheet 3 of 8
10058585-ARC-XX-300-DR-A-00004 Rev P02 Soft Landscape Design Sheet 4 of 8
10058585-ARC-XX-300-DR-A-00005 Rev P02 Soft Landscape Design Sheet 5 of 8
10058585-ARC-XX-300-DR-A-00006 Rev P02 Soft Landscape Design Sheet 6 of 8
10058585-ARC-XX-300-DR-A-00007 Rev P02 Soft Landscape Design Sheet 7 of 8
10058585-ARC-XX-300-DR-A-00008 Rev P02 Soft Landscape Design Sheet 8 of 8
10058585-ARC-XX-0072-DR-C-00001 Rev P01 Typical Cross Sections

10058585-ARC-XX-170-DR-C-00001 Rev P01.1 Bridge Option 1
 10058585-ARC-XX-030-DR-C-00001 P01 Fencing & Bollard Construction Details
 10058585-ARC-XX-130-DR-C-00001 Rev P02 Proposed Street Lighting Layout Sheet 1
 10058585-ARC-XX-130-DR-C-00002 Rev P02 Proposed Street Lighting Layout Sheet 2
 10058585-ARC-XX-130-DR-C-00003 Rev P02 Proposed Street Lighting Layout Sheet 3
 10058585-ARC-XX-130-DR-C-00004 Rev P02 Proposed Street Lighting Layout Sheet 4
 10058585-ARC-XX-130-DR-C-00005 Rev P02 Proposed Street Lighting Layout Sheet 5
 10058585-ARC-XX-130-DR-C-00006 Rev P02 Proposed Street Lighting Layout Sheet 6
 10058585-ARC-XX-130-DR-C-00007 Rev P02 Proposed Street Lighting Layout Sheet 7
 10058585-ARC-XX-130-DR-C-00008 Rev P02 Proposed Street Lighting Layout Sheet 8
 10058585-ARC-XX-130-DR-C-00009 Rev P02 Proposed Street Lighting Layout Sheet 9

Planning Statement March 2025
 Design & Access Statement March 2025
 Preliminary Ecological Report December 2023
 Ecological Impact Assessment June 2025
 Ecological Technical Note June 2025
 Hazel Dormouse Survey Report December 2023
 Bat Roost Assessment Report March 2025
 Water Vole and Otter Survey Report November 2023
 Agricultural Land Classification Report October 2024
 Geotechnical Desk Study September 2024
 Landscape and Visual Appraisal October 2024
 Arboricultural Report November 2024
 Email from agent dated 15/05/2026 with update to NRW planning response
 Surface Water Drainage Strategy November 2024
 Green Infrastructure Statement October 2024
 Cultural Heritage Desk Based Assessment February 2025
 Flood Modelling Inception Report December 2023
 Bridge Crossing - Optioneering Report May 2025
 Letter to Planning Department with Summary of Flood Impacts and Response to Planning Comments Dated 23 July 2026
 Flood Consequences Assessment Rev 4 July 2026

Reason:

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

3. Notwithstanding the submitted details and prior to any works or land clearance commencing, an Arboriculture Method Statement including tree protection measures shall be first submitted to and approved in writing by the Local Planning Authority. All the construction works shall be carried out in accordance with the approved details.

Reason:

In the interest of the health of the trees and biodiversity, and to ensure compliance with the terms of Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, MG17-Special Landscape Areas, MD2-Design of New Developments, MD8-Historic Environment and MD9-Promoting Biodiversity of the Local Development Plan and Supplementary Planning Guidance on Trees, woodlands, Hedgerows and Development.

4. The retained trees, as identified in the Arboricultural Impact Assessment, shall be monitored annually for a period of five years starting from the commencement of the development.

A monitoring report shall be provided to the Local Planning Authority within 28 days of the date of each annual survey, for their approval in writing. The report shall include details of any works and/or replacement trees (3:1 planting ratio) required by the survey.

Any works and/or new tree planting shall be carried out in accordance with a timetable to be agreed in the monitoring report. Any works or removal of trees should avoid the nesting bird season.

Any new tree planted which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interest of the health of the trees and biodiversity, and to ensure compliance with the terms of Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, MG17-Special Landscape Areas, MD2-Design of New Developments, MD8-Historic Environment and MD9-Promoting Biodiversity of the Local Development Plan and Supplementary Planning Guidance on Trees, woodlands, Hedgerows and Development.

5. All planting, seeding or turfing comprised in the Soft Landscaping Design Sheets 1 to 8 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, MG17-Special Landscape Areas, MD2-Design of New Developments and MD9-Promoting Biodiversity of the Local Development Plan.

6. Prior to the first beneficial use of the development, a Biodiversity Enhancement Strategy addressing enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved strategy and timings set out within and thereafter retained in accordance with the approved details whilst the development remains in existence. The Strategy shall include the following:
 - a) Details of any bird/bat box provision
 - b) Details of any landscaping features
 - c) Details of any additional ecological enhancements

Within 4 weeks of their installation / planting photographic evidence showing the enhancements in place shall be submitted to the local planning authority via planning@valeofglamorgan.gov.uk quoting the planning application reference.

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.

7. Notwithstanding the submitted details, no development shall take place, including site clearance, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include:
- 1) Locations where vegetation clearance shall be supervised by a suitable qualified ecologist,
 - 2) Avoidance and mitigation measures to avoid potential killing or injury of great crested newts and dormice during works.
 - 3) Tree felling and pruning methods to avoid potential killing or injury of bats.
 - 4) Actions to be taken if a great crested newts, dormouse and/or bats, or dormouse nest, are found during works.
 - 5) Timing of vegetation management works, to avoid impacts on dormouse breeding season or hibernation period.
 - 6) Pre-construction survey for otter and water vole. If the survey confirms the presence of otter holts or water vole burrows the results of the survey together with proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority.
 - 7) Construction methods: details of materials.
 - 8) General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
 - 9) Soil Management: details of topsoil strip, storage and amelioration for re-use.
 - 10) CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
 - 11) Control of Nuisances: details of dust control measures.
 - 12) Resource Management: details of fuel and chemical storage and containment.
 - 13) Traffic Management: details of wheel wash facilities.
 - 14) Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention (e.g. GPP5) and best practice will be implemented, including details of emergency spill procedures and incident response plan.
 - 15) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
 - 16) Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.
 - 17) Source of seed for wet grassland.

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

Reason:

In the interests of ecology and protection of the environment during construction to ensure compliance with Policies SP1-Delivering the Strategy, MD9-Promoting Biodiversity, MG19-Sites and Species of European Importance, MG20-Nationally Protected Sites and Species, MG21-Sites of Importance for Nature, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species of the Local Development Plan.

8. Notwithstanding the submitted plans and prior to the erection of the lighting shown on the lighting plans, a light mitigation strategy, including measures to reduce light spillage onto foraging habitats for bats, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety, visual amenity and ecology and to ensure compliance with In the interests of ecology and to ensure compliance with Policies SP1-Delivering the Strategy, MD2-Design of New Development, MD9-Promoting Biodiversity, MG19-Sites and Species of European Importance, MG20-Nationally Protected Sites and Species, MG21-Sites of Importance for Nature, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species) of the Local Development Plan.

9. A Landscape and Ecological Management Plan, shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the active travel route hereby approved. The Landscape and Ecological Management Plan shall be carried out as approved.

Reason:

In the interest of ecology and to ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies MD2-Design of New Developments and MD9-Promoting Biodiversity of the Local Development Plan.

10. Prior to commencement of development and notwithstanding the submitted General Arrangement Plans and other approved plans, full engineering details of the proposed active travel route shall be submitted to and approved in writing by the local planning authority. The engineering details shall include visibility, geometry, long and cross sections, drainage, lighting, construction details, highway structures, boundary treatments, markings and signage and any information deemed necessary.

Reason:

In the interests of highway safety, to ensure satisfactory development of the site and to ensure Active Travel Routes are designed and constructed to a suitable and safe standard in accordance with Policy MD2-Design of New Development.

11. Notwithstanding the submitted plans and prior to beneficial use of the Western section of the route between Cardiff Road Roundabout to Cog Moors (Phase 2), a scheme shall be submitted to and approved in writing by the Local Planning Authority for the continuation of the Active Travel route to the West of the route to cross Sully Moors Road and enable users to safely and conveniently gain access to Cardiff Road and the surrounding area and continue the journey to the West. The scheme shall thereafter be implemented on site in accordance with the approved details.

Reason:

In the interests of highway safety, to ensure satisfactory development of the site and to ensure Active Travel Routes are designed and constructed to a suitable and safe standard in accordance with Policy MD2-Design of New Development.

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

Reason:

To prevent hydraulic overloading of the public sewerage system, 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 MD7-Environmental Protection of the Local Development Plan.

13. No development or phase of development along the travel route between Biglis and Dinas Powys for the purposes of constructing a bike path shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

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

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

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

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

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

Reason:

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

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

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

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1_Delivering the Strategy and MD7-Environmental Protection of the Local Development Plan.

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

Reason:

To ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development and to ensure accordance with Policies SP1-Delivering the Strategy, MD2-Design of New Developments and MD7-Environmental Protection of the Local Development Plan.

20. 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.

21. The archaeological report, as specified and required by condition 20, shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork.

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. **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

2. **Public Rights of Way Nos.14 and 41 St Andrews Major will be crossed by the proposed works and it appears access to No.15 St Andrews Major will be blocked. The paths must be kept open and available for safe use by the public at all times.**

No barriers should be placed across the legal alignment of the paths. Should the Public Rights of Way require temporary closure to assist in facilitating works an order should be sought under the Road Traffic Regulation Act 1984. Temporary closure should not be sought in order to allow construction of permanent obstructions.

If new structures are required for stock control at the points where the public rights of way connect to the new path, then please contact David Hunt to discuss options.

No adverse effect should result to the path, the applicant should ensure that materials are not stored on the paths and that any damage to the surface as a result of the development is made good at their own expense.

Please ensure your builders and delivery drivers are aware that members of the public might be passing very close to the site boundary.

3. The Council's Highways Section detail the following requirements to the related conditions:

- Design calculations, duly certified by a Professional Engineer, full Engineering details of any structures, drainage systems, water culverts etc. abutting or within close proximity to the existing / proposed highway will need to be submitted to and approved by the Local Planning Authority.
- Confirmation will be required as to whether the route is proposed to become adopted highway following completion. Highway agreements may need to be entered into for the adoption.

4. The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

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

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

(iii) the safe development and secure occupancy of the site rests with the developer.

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

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

5. We refer to the attached Statutory Public Sewer and Watermain Records and advise of the following protection zones:

- 375mm public combined sewer – 3 metres either side of the centreline;
- 450mm public combined sewer – 3 metres either side of the centreline;
- 600mm public combined sewer – 3 metres either side of the centreline;
- 675mm public combined sewer – 3.5 metres either side of the centreline;
- 700mm public combined sewer – 3.5 metres either side of the centreline;
- 200mm public combined rising main – 4.5 metres either side of the centreline;
- 800mm public combined rising main – 5.5 metres either side of the centreline;
- 6" public trunk watermain – 4 metres either side of the centreline;
- 300mm public raw watermain – 4.5 metres either side of the centreline;
- 12" public raw watermain – 4.5 metres either side of the centreline;
- 12" public trunk watermain – 4.5 metres either side of the centreline;
- 15" public trunk watermain – 5 metres either side of the centreline.

In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to the 'General Arrangement Sheet 1 – 9' (Drawing Nos. 10058585-ARC-XX-010-DR-C-00005 – 00013), it appears the proposed Active Travel Route would be situated directly and within the protection of our public assets as stated above, and will comprise alteration of land levels as well as ancillary features. Please note, the distance specified for these protection zones are indicative and based on industry standard guidelines. However, the depth of the assets will need to be verified on site which may infer a greater protection zone. For completeness, we recommend the developer refer to their title deeds to confirm if there are any covenants or restrictions associated with the assets crossing the proposed development site.

Accordingly, in the absence of any asset location surveys to date, we maintain concerns with the proposed development and recommended the developer contact our Plan and Protect team (PlanandProtect@dwrcymru.com) to carry out a survey to verify the location of these assets and establish their relationship to the proposed development. In certain phases of the proposed Active Travel Route, it appears there is sufficient space and scope to re-position the development outside the protection zone of our assets and is strongly recommended that plans are amended to take into account the location of the asset(s) crossing the site.

In addition, as of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. However, in this instance, the accompanying 'Surface Water Drainage Strategy' (Ref: 10058585-ARC-XX-050-RP-C-00001) indicates proposals to dispose surface water flows at the northern section into a combined sewer and we would advise that there is no agreement to communicate such flows into the public combined sewerage system. Furthermore, Planning Policy Wales highlights that any surface water from new developments should not be discharged to combined systems because of the risk of pollution when combined systems overflow (Para 6.6.3).

Accordingly, for the reasons outlined above, we offer a Holding Objection until such time as additional/amended information has been submitted and request we are re-consulted on receipt of this information.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

6. The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

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

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

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

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

2025/00889/FUL Received on 12 September 2025

APPLICANT: Mansbridge 25 Teifi Drive, Barry, CF62 7TL

AGENT: Mr Darren Evans 7 Herbert Terrace, Penarth, CF64 2AH

Unit 12a Part 2, Atlantic Trading Estate, Barry

New industrial building to provide 10no units (planning use class B1, B2 and B8) to replace existing industrial units burned down in October 2023.

REASON FOR COMMITTEE DETERMINATION

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

EXECUTIVE SUMMARY

The site is located within the Atlantic Industrial Estate, Barry and consists of 0.405 hectares. The proposal is for a light industrial employment building consisting of B1, B2, and B8 industrial units, which is formed of one portal frame building separated into ten individual units, together with associated landscaping, sustainable drainage and parking.

The development would occupy a broadly similar footprint to the former building on the site, which was destroyed by fire in October 2023. A total of 20 parking spaces are proposed, comprising 18 standard spaces and 2 disabled spaces.

No public representations have been received in response to the application. Following the submission of amended plans and additional information, no objections have been received from statutory consultees, subject to conditions where appropriate.

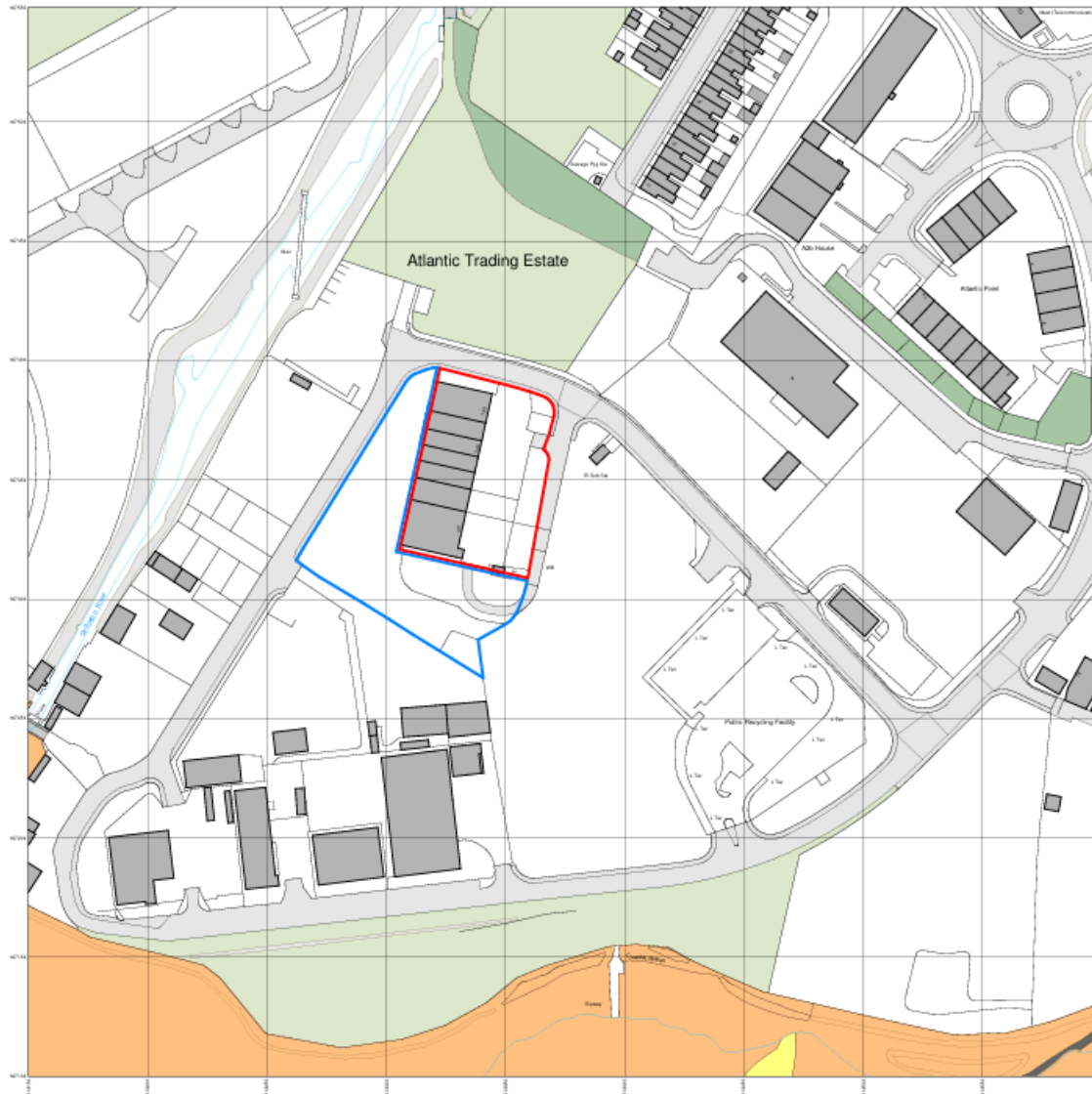
The proposal is considered acceptable in principle as redevelopment within an established employment area and would not result in unacceptable impacts in respect of design, neighbouring amenity, highways, ecology, contamination, drainage or flood risk.

The recommendation is to approve the application.

SITE AND CONTEXT

The site is located within Atlantic Trading Estate, outside of the settlement boundary, but forms part of an established employment area protected under Policy MD16 (3). Whilst the site is not located directly within the five boundaries that make up the employment allocation at Atlantic Trading Estate (MG9 (4)), it sits directly adjacent to Plot C. The entirety of the site is located within a Defended Zone in respect of sea flooding on the Flood Map for Planning.

A site location plan is attached below:

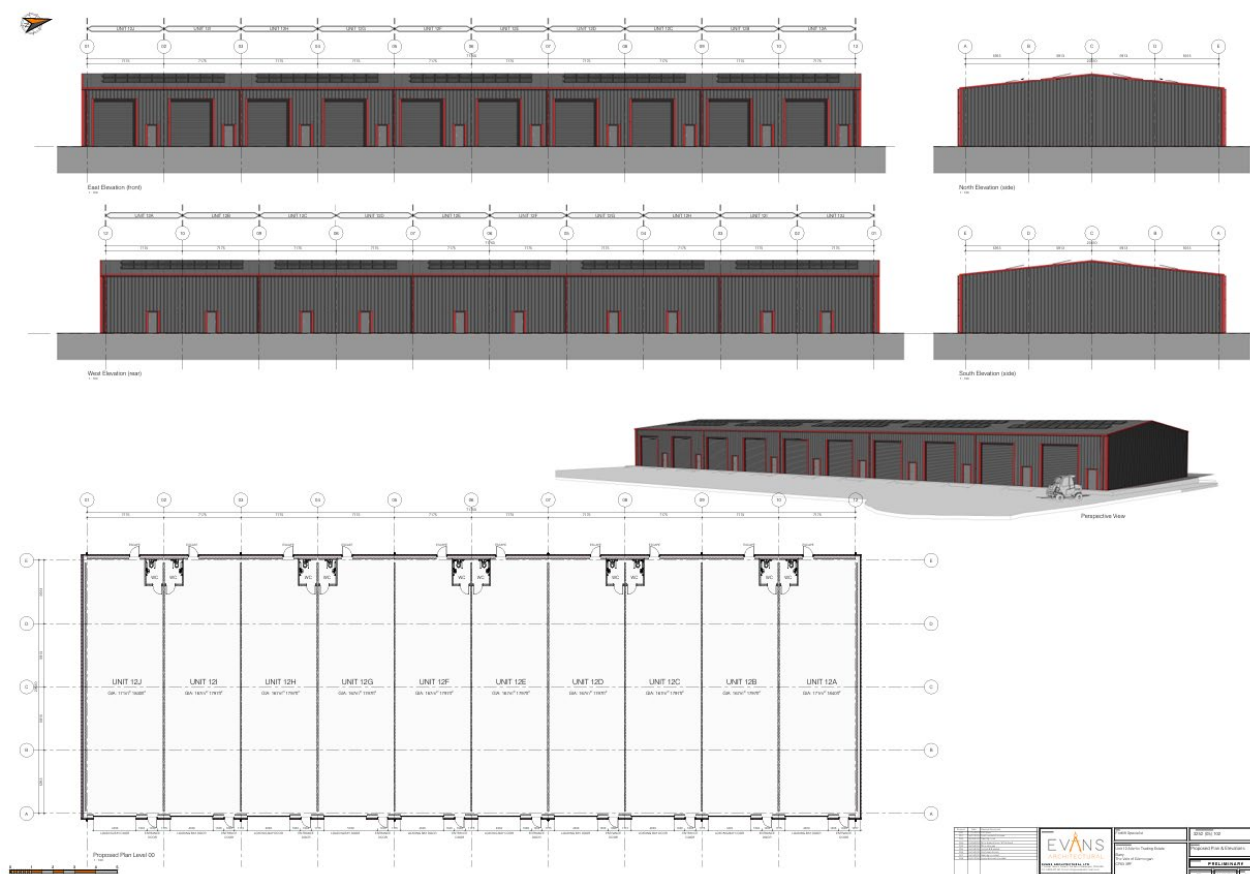


DESCRIPTION OF DEVELOPMENT

The proposal is for a light industrial development consisting of B1, B2 and B8 industrial units, which is formed of one portal frame building separated into 10 individual units with associated landscaping, sustainable drainage and parking at Atlantic Industrial Estate, Barry. The previous portal frame structure, which stood for 27 years, was destroyed by a fire in October 2023 which left only the original concrete slab and foundations. The shared access from Atlantic Trading Estate is existing and will be retained.

Existing and Proposed plans are attached below:





PLANNING HISTORY

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

1985/00550/OUT, Address: Atlantic Trading Estate, Barry, Proposal: Residential development, including public house, retail and community facilities, Decision: Refused

1986/00534/OUT, Address: Atlantic Trading Estate, Barry, Proposal: Residential development, pub, retail and community facilities, Decision: Appeal Dismissed

1995/00496/FUL, Address: Unit 12, Atlantic Trading Estate, Barry, Proposal: Construction of industrial/factory unit, Decision: Approved

1995/00926/REG3, Address: Atlantic Trading Estate, Barry, Proposal: Upgrading of derelict trading estate including demolition of derelict structures, new landscaping and the construction of a new access road (Minute No. 302(2) 10th July, 1995), Decision: Approved

1996/00494/FUL, Address: Unit 12, Atlantic Trading Estate, Barry, Proposal: Construction of industrial/factory unit, Decision: Approved

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

1998/00916/REG3, Address: Atlantic Trading Estate, Barry, Proposal: Construction of new estate roads & associated infrastructure (Minute No. 1558, 4th March, 1998 refers) to extend works completed under planning permission 96/01073/REG3, Decision: Approved

2001/01222/FUL, Address: Atlantic Trading Estate, Barry, Proposal: Extension to existing workshop, Decision: Approved

2015/00425/FUL, Address: Unit 12F, Atlantic Trading Estate, Barry, Proposal: Change of use to a non hazardous waste transfer station, Decision: Approved

2016/00762/OBS, Address: Unit 12F, Atlantic Trading Estate, Barry, Proposal: A16- Non-hazardous waste physical treatment facility, Decision: Approved

2020/01367/RG3, Address: Plot C, Atlantic Trading Estate, Barry, Proposal: Proposed resource recovery facility and associated works, Decision: Approved

2022/00167/FUL, Address: Unit 12F, Atlantic Trading Estate, Barry, Proposal: New access road from public highway to industrial unit, Decision: Approved

2022/00576/OBS, Address: Atlantic Trading Estate Waste Transfer Station, Atlantic Crescent, Barry, Proposal: A11 - Household, commercial and industrial waste transfer station, Decision: No observations (OBS)

2023/00823/FUL, Address: Land at rear of 12F, Atlantic Trading Estate, Barry, Proposal: New crossover access way to land to the rear of Unit 12F Atlantic Trading Estate, Decision: Approved

CONSULTATIONS

1. Barry Town Council were consulted on 18 September 2025 and confirmed no objection.

2. The Council's Highway Development Section, were consulted on 18 September 2025. Updated comments received on 17th June 2026 note that the Highway Authority are satisfied that the amended plans have addressed the majority of previously raised highway concerns, including pedestrian crossing facilities, access arrangements, gate operation, parking provision and vehicle manoeuvrability. A minor amendment was required to show the appropriate road markings at the give-way junction where vehicles emerge onto the estate road, in addition to those already shown within the site access. Subject to this amendment and compliance with previous comments, the Highway Authority confirmed no objection to the proposed development.

In regard to comments received above, following the provision of amended Proposed Site Plan and Highway Details on 7th July 2026, the Highway Authority has since confirmed they are satisfied with the proposal from a Highways standpoint.

3. Chief Fire Officer were consulted on 18 September 2025 and commented: *The Fire Authority has no objection to the proposal and refers the Local Planning Authority to current standing advice issued by the Authority.*

4. The Council's Drainage Section were consulted on 18 September 2025 and have commented as follows:

The Lead Local Flood Authority (LLFA) has reviewed the submitted Flood Consequences Assessment in respect of surface water and ordinary watercourse flood risk and defers to the position of Natural Resources Wales (NRW) in respect of main river and coastal flood risk. With regard to TAN 15 (2025), the development is considered less vulnerable and is predominantly located within Flood Zone 1, with limited areas of Zones 2 and 3 associated with localised topographic depressions at the site access. The assessment appropriately identifies the sources and mechanisms of surface water flooding and provides a proportionate evaluation in accordance with TAN 15 (2025). The supporting drainage strategy is consistent with that previously submitted under SAB pre-application reference SAB/PRE/2026/003, which confirmed no objection in principle to an infiltration drainage approach, subject to detailed design. The Lead Local Flood Authority therefore raises no objection to the proposed development on surface water flood risk grounds.

5. Shared Regulatory Services (Pollution) were consulted on 18 September 2025. No comments received to date.

6. Heneb, The Trust for Welsh Archaeology (GGAT) were consulted on 18 September 2025 and confirmed no objections.

7. Cadw, Ancient Monuments were consulted on 18 September 2025 and confirmed no objections.

9. Castleland Ward Members were consulted on 18 September 2025. No comments received to date.

10. Dwr Cymru Welsh Water, were consulted on 18 September 2025 and initially confirmed a Holding Objection owing to the siting of the proposal within an asset protection zone. Following receipt of amended plans, updated Welsh Water comments were received on 24/02/2026 excluding their previous objection which requested a condition that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

11. The Council's Ecology Officer was consulted on 18 September 2025 and comments received on 05/03/2026 update and replace prior Ecology comments of 1/12/2025 and note: *We welcome the revised planting scheme to sedum for the green roofs and the provision of native trees at the entrance. However, an aftercare and maintenance plan will be required, covering no less than 10 years, we recommend a planning condition to secure this.*

Following the submission of further amended plans, the Ecologist confirmed on 9 June 2026 that they were satisfied with the proposals and raised no objection to the development, notwithstanding the omission of the sedum roof from the revised scheme.

12. Natural Resources Wales were consulted on 18 September 2025 and requested conditions relating to land contamination and controlled waters and had no objections in relation to flood risk.

13. Western Power Distribution were consulted on 18 September 2025. No comments received to date.

14. Contaminated Land, Air & Water Quality were consulted on 18 September 2025 and comments have been summarised as follows:

The SRS Environment Team advises that the former industrial site, recently affected by fire, may be contaminated and requires a full land contamination assessment and, if necessary, remediation before development. Conditions are proposed to ensure proper investigation, remediation, verification, and safe use of any imported or site-won soils or aggregates. Developers must follow national guidance, stop work if unexpected contamination is found, and ensure all materials used are chemically suitable. An advisory note reminds the developer that responsibility for identifying and managing contamination and land stability rests with them, and approval does not confirm the land is contamination-free.

15. South Wales Police were consulted on 18 September 2025 and comments received have been summarised as follows:

The comments received highlight existing crime levels in the area and outlines Secured by Design (SBD) recommendations to reduce opportunities for crime, antisocial behaviour, and violence against women and girls. Key advice includes upgrading perimeter security, installing certified fencing and gates, improving surveillance opportunities (including potential CCTV), enhancing lighting to national standards, managing roof and wall vulnerabilities, ensuring secure door and window specifications, preventing recessed or concealed areas, addressing parking and access control, and incorporating safe design of reception, mail handling, waste storage and landscaping.

REPRESENTATIONS

The neighbouring properties were notified on 18 September 2025, and a site notice was displayed on 6 October 2025. The application was also advertised in the press on 30 October 2025. No comments have been received to date.

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 SP8 – Sustainable Waste Management

Managing Growth Policies:

POLICY MG9 – Employment Allocations

Managing Development Policies:

POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
POLICY MD14 - New Employment Proposals
POLICY MD15 - Protection of Allocated Employment Sites
POLICY MD16 - Protection of Existing Employment Sites and Premises

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

Future Wales: The National Plan 2040:

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

Planning Policy Wales:

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places

Chapter 5 - Productive and Enterprising Places

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

Technical Advice Notes:

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

- Technical Advice Note 12 – Design (2016)
- 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:

- Barry Development Guidelines
- Biodiversity and Development (2018)
- Economic Development, Employment Land and Premises (2023)
- 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

It is considered that the main issues relating to this application are:

- The principle of the use;
- The scale, form, design and visual impact of the building;
- Potential impact upon neighbours;
- Adequacy of parking/access arrangements proposed;
- Flooding/Drainage;
- Ecology;
- Contamination.

Principle of Development

LDP Policy MD16 protects Atlantic Trading Estate as an existing employment site and states that:

At existing employment sites and premises proposals for non B1, B2 and B8 employment uses will only be permitted where:

1. *The proposal is for ancillary or sui generis uses that would not singularly or cumulatively lead to a material change in the nature of the employment site;*
2. *The existing employment use has unacceptable adverse impacts on amenity or the environment; or*
3. *Land of equal or better quality is made available for employment uses elsewhere;*
4. *It is demonstrated that the site or premises is no longer suitable or viable for employment purposes; and*
5. *The proposal would not prejudice existing or neighbouring employment uses, have an unacceptable impact on amenity or the environment and would not lead to a material change in the nature of the employment site*

The Economic Development, Employment Land and Premises SPG 2023 defines 'employment uses' as B1, B2 and B8. LDP Policy MD14 further supports proposals for new B1, B2 and B8 employment uses on existing and allocated employment sites in order to support economic growth and the long-term viability of existing employment areas. Therefore, noting the nature of the development and proposed use classes, the proposal is supported in principle.

Design and Visual Impacts

The proposed layout for the site reflects the planning permission for the original unit that was approved in 1996 (1996/00494/FUL), that as aforementioned has previously experienced extensive fire damage. The design of the proposal is appropriate for the location as the character and scale of the building are suitable to the type of development and the surrounding industrial uses in the area and will retain the existing shared access. The proposed building would be of a wholly industrial appearance, which reflects the character of the adjacent buildings and the land use of the wider industrial estate. Given this, it is considered that the proposed building would be in keeping with the surrounding built form and would not cause undue harm to the visual amenities of the industrial estate.

Accordingly, it is considered that the visual impact of the proposal would be acceptable, complying with the requirements of policies MD2 & MD5 of the Adopted LDP 2011-2026.

Impacts on Neighbouring Units and Residential Amenity

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.

Additional guidance is contained in the Council's SPG on Residential and Householder Development (2018). Paragraph 9.3.2. states: *Noise can adversely affect neighbouring amenity. Activities that may be incidental to a residential use (e.g. music studio, hobby mechanics etc.) can be noisy. Therefore, careful consideration should be given to the siting of buildings for such activities relative to neighbouring properties and the need for appropriate sound insulation.*

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.*

Given the use of this and adjoining sites as employment land, it is generally accepted that the noises, traffic and odours that would be generated from the B1, B2 and B8 employment uses are acceptable. As such, the use of the site for an industrial use within the employment site would not harmfully impact upon the adjoining units by virtue of the traffic generation, noise or odours. In addition, the building is of a scale and design appropriate for the industrial setting and would therefore not impact upon neighbouring buildings by way of being overbearing.

The site is situated within an established industrial estate where neighbouring units operate under similar commercial and industrial uses, ensuring that the proposal remains compatible with the character and function of the surrounding area. Furthermore, the nearest residential property, No.2, Bendrick Road, is located in excess of 100 metres from the site, providing a substantial separation distance that effectively mitigates the potential for any adverse residential impacts. As such, the proposal is considered to have no material effect on residential amenity and complies with the requirements of Policy MD2 and MD7.

Highway Safety and Access Arrangements

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 submitted Design and Access statement identifies that the site is fully accessible to pedestrians and cyclists. An area of the site has been dedicated to the storage of cycles (for up to 6 bicycles). Pedestrians can access the site via Hayes Road and the Atlantic Trading Estate internal road network, which has pedestrian footways with dropped kerbs and tactile paving.

In addition, there are four bus stops along Hayes Road, with the nearest to the site being 600m away from entrance. There are two routes that serve this area: No.88 Penarth to Barry which frequents every hour and No.94 Cardiff to Barry which frequents 2 per hour. There are also 4 train stations within a 1.5-mile radius of the site, but due to the surrounding topography there is no direct route. The furthest station- Cadoxton has the shortest route of approx. 3 miles via Hayes Road, Sully Moors Road and then Cardiff Road.

Updated comments received from the Highway Authority on 17 June 2026 confirmed that the amended plans had satisfactorily addressed the majority of previously raised highway concerns. The Authority was satisfied with the proposed pedestrian crossing facilities, pedestrian access arrangements, gate positioning and opening direction, parking provision and vehicle manoeuvrability, as demonstrated through the submitted swept path analysis. The only remaining matter related to the inclusion of appropriate road markings at the give-way junction where vehicles would emerge onto the estate road, in addition to those already shown within the site access arrangement, that was addressed through the submission of an amended Proposed Site Plan and Highway Details drawings submitted on 7 July 2026, incorporating the requested changes.

Following review of these revised details, the Highway Authority has since confirmed that it is satisfied with the proposal from a highways and access perspective and raises no objection to the development. Consequently, it is considered that the scheme would provide safe and suitable access arrangements for all users and would not result in an unacceptable impact on highway safety or the operation of the local highway network.

Parking

The Parking Standards SPG identifies the site as falling within Zone E (Deep Rural). Within Zones D and E, industrial development is required to provide parking at a ratio of 1 space per 80 sq.m of floorspace. The proposed development provides approximately 1,600 sq.m of floorspace, generating a requirement for 20 parking spaces. The proposal provides 20 spaces in total, comprising 18 standard spaces and 2 disabled spaces, together with loading and servicing areas. The proposal therefore complies with the Council's Parking Standards SPG.

Flood Risk and Drainage

The Flood Map for Planning identifies the application site to be at risk of flooding and within Flood Zone 2 and 3 (Rivers/ Sea) Technical Advice Note (TAN) 15 Defended Zone.

In line with the principles of TAN15, development in a Defended Zone would be acceptable where the site is brownfield and where the redevelopment proposals do not intensify the use:

10.17 Applications for new development on Greenfield sites are not appropriate in Defended Zones unless they are allocated in development plans. On brownfield sites redevelopment proposals should not over intensify use neither should they reduce the area's ability to absorb flood water nor cause problems with flooding elsewhere. All applications should consider opportunities to incorporate flood resilient design as appropriate and any proposal involving highly vulnerable development must be compliant with the tolerable conditions set out in section 11.

As the site had a previous use and the footprint of the new development broadly replaces what was there previously, it is considered that these criteria above are met. Furthermore, comments received from NRW note that the proposed siting and nature of the new building does not constitute a change in vulnerability.

Nevertheless, the site is still required to demonstrate that the development will meet the requirements of TAN 15 in respect of the acceptability of flood consequences through the submission of a Flood Consequences Assessment (FCA). In accordance with TAN 15, a Drainage Strategy Report (DSR) and drainage layout has been prepared and submitted in support of a full SuDS Approval Body (SAB) application for Vale of Glamorgan County Council. An FCA was also submitted on 3rd October 2025.

Comments received from the Council's Drainage Section confirm they have reviewed the submitted Flood Consequences Assessment and raise no objection to the proposed development on surface water flood risk grounds. Comments state that the development is classified as less vulnerable and is located predominantly within Flood Zone 1, with only limited areas of Flood Zones 2 and 3 affecting localised depressions near the site access. The assessment appropriately considers surface water flood risk in accordance with TAN 15 (2025), and the proposed drainage strategy aligns with the principles previously accepted through the SAB pre-application process, which supported an infiltration-based approach subject to detailed design. The Council's Drainage Section therefore considers the proposal acceptable in surface water flood risk and drainage terms.

The FCA has also considered the wider flood consequences of the development having regard to the requirements of TAN 15 (2025). The site is identified as being within Flood Zones 2 and 3 (Rivers/Sea) and a TAN 15 Defended Zone, with tidal flooding identified as the principal source of flood risk. Notwithstanding this, the proposed development comprises 'Less Vulnerable' industrial use and represents the redevelopment of a site which was previously occupied by industrial units of a similar footprint and nature. NRW, in its formal consultation response, acknowledged that the proposed development does not constitute a change in vulnerability and considered that the proposals could be acceptable, subject to appropriate consideration of the potential flood risks, incorporation of flood resilient design where feasible and a flood management plan.

The submitted FCA concludes that the development can be safely accommodated subject to appropriate mitigation. This includes raising the site and finished floor level to a minimum of 8.34m AOD, with the finished floor level at least 150mm above surrounding ground levels, together with flood resilience measures and a Flood Warning and Evacuation Plan. The FCA identifies a safe evacuation route to land outside the flood extents and notes that tidal flooding is expected to develop relatively slowly, providing sufficient time for warning and evacuation. The assessment also concludes that the development would not materially increase flood risk elsewhere.

Having regard to the findings of the FCA, the nature and vulnerability of the proposed use, the previous use of the site, and the consultation response from NRW and the Council's Drainage Section, it is considered that the potential flood consequences can be satisfactorily managed through the proposed mitigation measures. Accordingly, subject to appropriate conditions, the proposal is considered acceptable in respect of flood risk and consistent with the requirements of TAN 15 (2025).

In addition, Dŵr Cymru Welsh Water has confirmed that there is currently sufficient capacity within the local water supply network to accommodate the proposed development and has identified that a connection can be made to the existing 160mm diameter HPPE water main. However, Welsh Water notes that network capacity will be subject to confirmation through the formal water mains application process.

Welsh Water has also requested the imposition of a planning condition preventing surface water and land drainage from connecting, either directly or indirectly, to the public sewerage network. Subject to the inclusion of this condition and associated advisory notes, no objection has been raised by Welsh Water, and it is therefore considered that the proposal can be adequately served by the existing water infrastructure without causing unacceptable impacts on the public sewerage system or the wider environment.

The absence of objection from Welsh Water, NRW and the Council's Drainage Section, alongside the Council's drainage advice, indicates that outstanding technical matters can be satisfactorily addressed through conditions. Accordingly, there are no drainage or flood-risk considerations that would preclude the granting of planning permission.

Ecology and Green Infrastructure

Policy MD9 of the LDP is most relevant to biodiversity, it requires new development proposals 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.

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

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

A Green Infrastructure Statement received on 3rd December 2025 outlined biodiversity enhancement including new grassland to the soft landscaping areas that flank the entry into the site which may include the following grass and meadow plant species: Grasses: Field Wood-Rush/ Yorkshire Fog; Meadow Plants: Agrimony, Birds foot Trefoil, Common Knapweed, Yellow Rattle. Furthermore, two new trees are proposed adjacent to the site entrance. The following tree species are suggested: - Betula Pendula (Silver Birch).

Following the submission of amended plans, the Biodiversity Enhancement proposals no longer include the green roof originally proposed within the initial Green Infrastructure Statement. The revised landscaping proposals have, however, been considered acceptable by the Council's Ecologist, who confirmed on 9 June 2026 that they raised no objection to the development. The Ecologist advised that appropriate aftercare and maintenance should be secured to ensure the successful establishment and ongoing management of the landscaping and ecological features. Accordingly, subject to the imposition of an appropriate condition requiring the submission and implementation of a long-term landscape and ecological management plan, the proposals are considered acceptable from an ecological perspective.

The requirement for a Landscape and Ecological Management Plan (LEMP) is considered necessary to ensure the successful establishment, retention and long-term management of the approved landscaping and ecological enhancements. Such a plan would provide a framework for the ongoing maintenance of planting, replacement of failed specimens and management of biodiversity features, thereby ensuring that the environmental benefits associated with the development are delivered and maintained for a minimum period of 10 years. Subsequently, a Landscape and Ecological Management Plan (LEMP) will be secured through the imposition of a planning condition.

Contamination

Policy MD7 (Environmental Protection) of the adopted Local Development Plan 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;

Notably, the proposal seeks to replace an existing facility that was damaged in a fire in 2023. Comments received from the Council's Shared Regulatory Services (SRS) Environment Team advise that, having regard to the site's former industrial use and the recent fire incident, there is potential for land contamination that must be appropriately assessed and addressed prior to the commencement of development. Comments received from Natural Resources Wales (NRW) similarly note the historic industrial land uses within the application site and surrounding area, which may represent potential sources of contamination. NRW further advises that the site is located above a Principal Bedrock Aquifer and lies approximately 70 metres east of the Cadoxton River, making it an environmentally sensitive location where any contamination could pose a risk to controlled waters.

In addition, NRW further note that it is currently unknown whether piled foundations will be required as part of the proposed development, which may have implications for potential contamination pathways and groundwater protection and a related condition is proposed to be attached to any consent given requiring further details to be provided if piling is required.

Considering the above, both SRS and NRW recommend that planning conditions be attached to any permission granted to secure a comprehensive programme of land contamination investigation and assessment. These conditions should require the submission of a site investigation and risk assessment, together with any necessary remediation strategy, validation and verification reporting, to demonstrate that the land is suitable for its intended use and does not pose an unacceptable risk to human health, controlled waters, property or the wider environment. Further conditions are recommended to control the importation and use of soils, aggregates and other fill materials, ensuring that all materials brought onto the site are chemically suitable and free from contamination.

The developer would also be required to follow relevant national guidance and cease works should any previously unidentified contamination be encountered during construction, with appropriate measures agreed with the Local Planning Authority before works recommence. An informative note is also recommended to make clear that responsibility for identifying, assessing and mitigating any contamination or land stability issues rests with the developer. NRW also clarify that the granting of planning permission should not be taken as confirmation that the site is free from contamination, and it remains the developer's responsibility to ensure the site is safe and suitable for its proposed use.

Subject to the imposition of the recommended conditions and adherence to the regulatory requirements set out by NRW and the Council's Shared Regulatory Services, it is considered that the proposal can be delivered without resulting in unacceptable environmental impacts and would therefore comply with the provisions of Policy MD7.

Officers consider that the redevelopment of this previously developed site would support economic activity within an established employment area, safeguard and enhance employment land, and provide modern industrial accommodation without giving rise to unacceptable impacts in respect of visual amenity, neighbouring uses, highways, ecology, drainage or flood risk. The proposal is therefore considered to accord with the Development Plan when read as a whole.

REASON FOR RECOMMENDATION

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

Having regard to Policies SP1– Delivering the Strategy, SP5 – Employment

Requirements, MG9 – Employment Allocations, MD2 - Design of New Development, MD5- Development within Settlement Boundaries, MD7 Environmental Protection, MD9 - Promoting Biodiversity, MD14 - New Employment Proposals, MD15 – Protection of Allocated Employment Sites and MD16 Protection of Existing Employment Sites and Premises, Planning Policy Wales Ed.12 and TAN11 – Noise (1997), TAN12 – Design (2016), TAN15 – Development, Flooding and Coastal Erosion (2025) & TAN23 – Economic Development (2014) and the Council Supplementary Planning Guidance on Biodiversity and Development (2018); Parking Standards (2019) & Residential and Householder Development (2018) 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:

3252 (90) 001 Location Plan P02
21130 501 R01 Drainage Details
3252 (20) 101 Section Sheet 01-P04
21130_500_r03 - DRAINAGE LAYOUT.pdf
3252 (05) 102 Proposed Plan and Elevations-P08.pdf
3252 (20) 202 Highways Details P02
3252 (05) 101 Proposed Site Plan P11

Reason:

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

3. The approved scheme of access and parking as well as cycle stores shall be laid out in accordance with the approved details, prior to the first beneficial use of any of the units hereby approved and shall thereafter be so retained at all times to serve the units hereby approved.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policies MD1 and MD2 of the Local Development Plan 2011-2026.

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 Classes B1, B2 and 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. The biodiversity enhancement measures set out in document ref: Green Infrastructure Statement shall be carried out in full prior to the first beneficial occupation or use of the development and thereafter retained in accordance with the approved details whilst the development remains in existence. Where the enhancement relates to any planting, any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Within 4 weeks of their installation / planting photographic evidence showing the enhancements in place shall be submitted to the local planning authority via planning@valeofglamorgan.gov.uk quoting the planning application reference.

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.

6. Prior to beneficial use of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and be approved in writing by the Local Planning. The plan shall include aftercare measures for a period of no less than 10 years, including replacement planting details for any failures. All planting shall be undertaken in the first planting season following completion of construction works and within 6 months of the completion of biodiversity enhancement measures, photographs showing the measures in situ shall be submitted to the Local Planning Authority. The approved plan shall be implemented as agreed.

Reason:

To conserve and enhance biodiversity by protecting retained habitats on site, in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024) and Tan 5 Nature Conservation and Planning (2009).

7. 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 Policies SP1 (Delivering the Strategy) of the Local Development Plan.

8. 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.

1. A preliminary risk assessment which has identified:

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

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

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

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

Reason:

To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination and to ensure compliance with Policy MD7 (Environmental Protection) of the adopted Local Development Plan.

9. 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.

10. 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.

11. 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.

12. 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.

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

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

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

Reason:

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

NOTE:

1. **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.

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

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

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

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

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

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

2026/00299/FUL Received on 23 April 2026

APPLICANT: Mr Ryan Pike 17 Rutland Close, Barry, CF62 8AR

AGENT: Mr Trystan Foote 4 Hawthorn Close, Dinas Powys, CF64 4TD

17 Rutland Close, Barry

Retrospective application for single storey side & rear extension for garage, utility, Enlarged Kitchen & Living area

REASON FOR COMMITTEE DETERMINATION

The application has been called in By Councillor Goodjohn.

Members will recall that this application was previously reported to the July 2026 planning committee where members resolved to defer the application to allow members of the planning committee to undertake a site visit.

EXECUTIVE SUMMARY

In September 2021, full planning permission was approved (application 2021/00177/FUL) for a rear and side extension. In October 2025, full planning permission was approved under application 2025/01028/FUL for the variation of condition 2 (Plan Specification). This application proposed an additional metre in depth, as recommended by Welsh Water due to the presence of a pipe, and the alteration of the rear wall material to a concrete render.

In 2021/00177/FUL the extension was considered to be acceptable, and it was noted that the dimensions were not dissimilar to works that could be carried out under permitted development. The additional depth proposed in 2025/01028/FUL was similarly deemed acceptable as any potential overbearing or overshadowing impacts were sufficiently limited.

Subsequent to the previous grants of planning permission, an extension has been constructed, however, it does not comply with the approved plans, principally the roof is steeper, resulting in a highest point where the roof adjoins the house, of 20cm higher.

Objections have subsequently been received from neighbouring properties and Councillors due to the extension being considered to impact neighbouring amenity. The concerns raised are noted, however, it is considered that the scheme now proposed, while larger, would not appreciably alter the neighbour impacts. It is considered that the proposal remains acceptable and compliant with the LDP policies and SPG, and consequently a recommendation for approval is made.

SITE AND CONTEXT

The site the application relates to is 17 Rutland Close, a detached two-storey property which is located within the Barry Settlement Boundary as identified by the Local Development Plan 2011-2026.



DESCRIPTION OF DEVELOPMENT

The application seeks permission for a retrospective alteration of the previous planning permission 2025/01028/FUL. This application relates to the retrospective increase in height of the extension, as shown on the plans below. The pitch/angle of the roof is steeper, as constructed, than the approved extension. Consequently, the roof of the extension meets the original dwelling house approximately 20cm higher than as approved. The rear windows have also been amended, and this is shown on approved/proposed plans in the body of the report below.



PLANNING HISTORY

2025/01028/FUL, Address: 17 Rutland Close, Barry, Proposal: Variation of Condition 2 (Plan Specification) for planning ref 2021/00177/FUL- Proposed single storey side and rear extension for garage, utility, enlarged kitchen and living area, Decision: Approved

2021/00177/FUL, Address: 17, Rutland Close, Barry, Proposal: Proposed single storey side and rear extension for garage, utility, enlarged kitchen and living area, Decision: Approved

2021/00177/1/NMA, Address: 17 Rutland Close, Barry, Proposal: Non Material Amendment - An amendment to extend building works by 1 metre. for planning ref 2021/00177/FUL - Proposed single storey side & rear extension for garage, utility, enlarged kitchen and living area, Decision: Withdrawn

1978/01205/RES, Address: Highlight Park Development, Barry - Phase 4 (substitution of house types), Proposal: Regrouping of approved house types and introduction of two new types, Decision: Approved

1976/01097/RES, Address: Highlight Park Development, Barry, Proposal: Extension of development. Phases 2B, 3 and 4 (plots 219-435 incl), Decision: Approved

1974/00075/RES, Address: Highlight Lane, Barry, Proposal: Residential Development of 136 dwellings with associated garages roads and sewers etc. Decision: Approved

CONSULTATIONS

1. Barry Town Council- commented with no objection.
2. Highway Development- commented with no objection but requested conditions.
3. Dyfan Ward Members (Cllr E Goodjohn)- commented with the following concerns: overlooking issues, structure is on higher ground, built out of character, non-matching materials, overbearing, drainage issues.

REPRESENTATIONS

The neighbouring properties were notified on 24 April 2026.

Neighbouring comments were received detailing the following concerns:

- Loss of privacy
- Patio doors 1m away from fence line
- 1m higher in elevation looking directly into rear garden
- Loss of light
- Flood risk
- Incorrect materials, no building control inspections

All comments will be addressed within the report.

REPORT

Planning Policies and Guidance

Local Development Plan:

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

Strategic Policies:

POLICY SP1 – Delivering the Strategy

Managing Development Policies:

POLICY MD1 - Location of New Development

POLICY MD2 - Design of New Development

POLICY MD5 - Development within Settlement Boundaries

POLICY MD9 - Promoting Biodiversity

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

Future Wales: The National Plan 2040:

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

Chapter 3: Setting and achieving our ambitions

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

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 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 12 – Design (2016)

Welsh National Marine Plan:

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

Supplementary Planning Guidance:

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

- Residential and Householder Development (2018)

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 application seeks permission for the retrospective alteration in the height of the extension, from previously approved plans. The primary issues to consider are the impacts on visual and neighbouring amenity. Consideration will also be given to the impact on green infrastructure and biodiversity.

Visual amenity

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

1) Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest.

2) Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix and density.

Policy MD5 – Development within settlement boundaries. This states that new development within these settlements will be permitted where the proposed development:

3) is of scale, form, layout and character that is sympathetic to and respects its immediate setting and the wider surroundings and does not unacceptable impact upon the character and appearance of the locality.

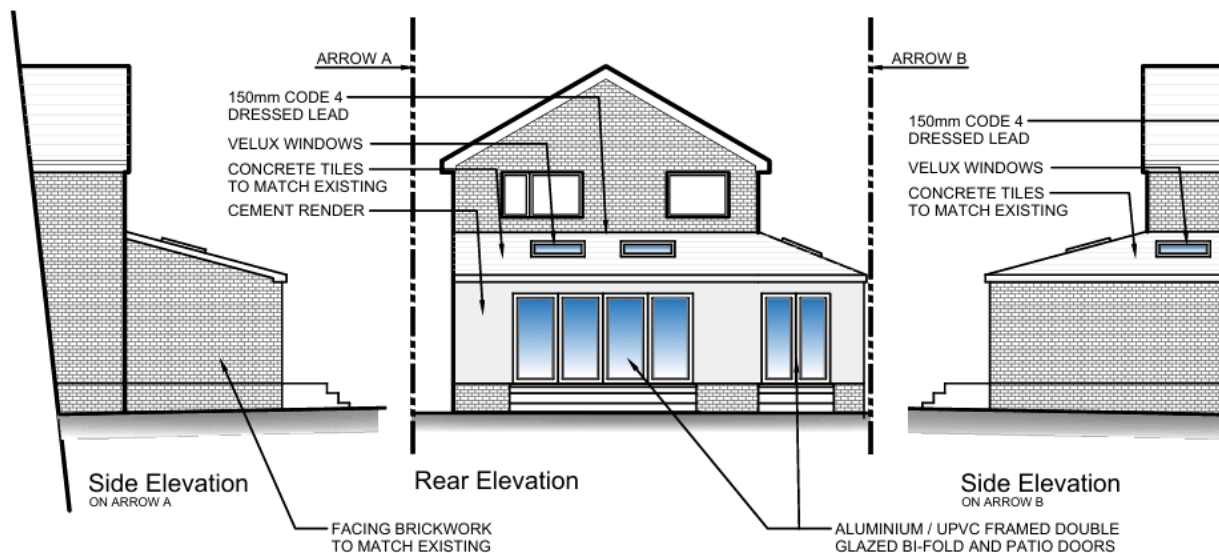
The principle of the development has been established as acceptable in previous planning permissions. The principal alteration to be assessed within this application is the increase in height as a consequence of a change to the roof pitch. Initially, permission was granted for a lean-to roof, with a hipped corner, with a height of approximately 4m (to the highest point) and 3.2m to the eaves. The retrospective alteration increases the height at the top of the roof to approximately 4.2m, siting it just below the windows of the first floor. The eaves remain at a height of approximately 3.2m. The design and general form of the extension is extremely similar to the approved scheme, and it is considered to also be compatible with the character of the dwelling and the wider street scene. The roof has been constructed in the previously permitted materials and so its character is not considered to be impacted. The nominal change to the rear doors has not materially impacted upon the appearance of the development. The application is therefore considered to comply with policies MD2 and MD5.

Neighbouring amenity

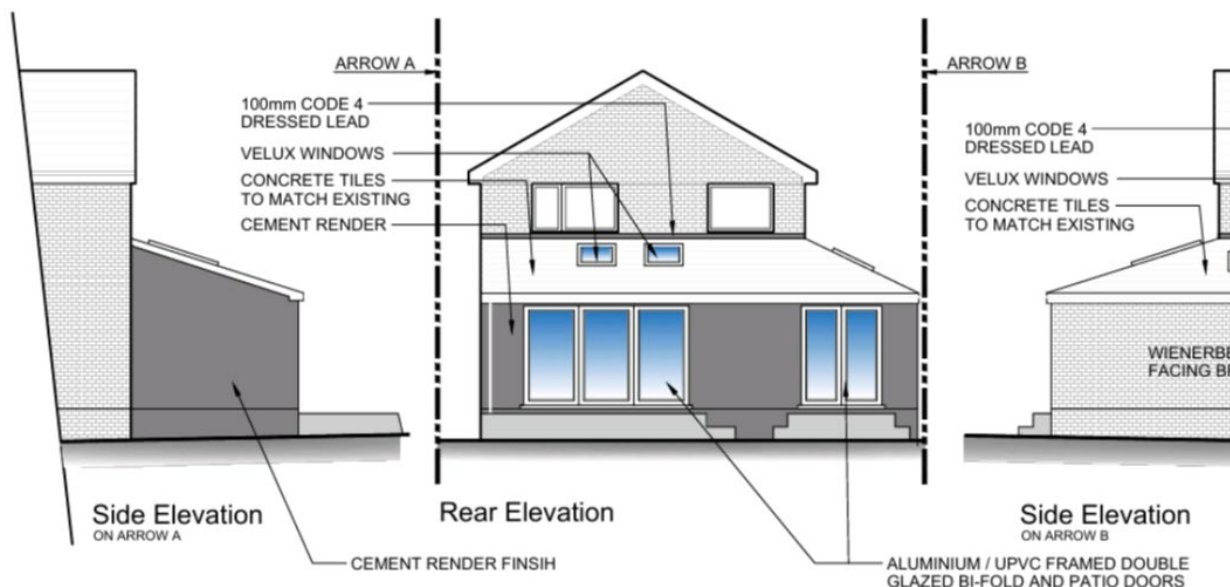
Criterion 8 of policy MD2 states that in order to create high quality, healthy, sustainable and locally distinct places, development proposals should:

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

The retrospective permission seeks an additional height of 20cm in the height of the lean to roof. Noting that it is a lean-to roof, which slopes away from the neighbouring property, the impact of the additional height is considered to be minimal. It is not considered that this change would result in an overbearing form of development, or overshadowing impacts. It is considered that this change would have a very modest impact on the outlook from number 15, and the proposed extension would not have appreciably different impacts from the previously approved scheme (or from one that could be built under permitted development regulations). It should be noted that the eaves height near the boundary with 15 remains as per the approval, and it is only the increase in roof pitch that has materially changed. This is reflected in the plan comparison below.



Approved plans under 2025/01028/FUL



Plans seeking permission under 2026/00299/FUL

It is noted that, of the three windows facing the new extension, one is an obscured window serving a bathroom and another serves a hallway which would not be considered a habitable space. The remaining window does serve the kitchen of the neighbouring property; however, this room is also served by a rear facing window that also allows light into the property. Based on these considerations, it is considered that the proposal would not have a materially different impact on the amenity of the neighbouring dwelling (inside the house. While visible, it is also considered that the change would not result in appreciably different impacts when viewed from the neighbouring garden spaces (numbers 15 and 19 to the other side). The extension would not have an appreciably different shadowing impact, given the location of the existing two storey houses, relative to those windows and amenity space.

The increase in height has not introduced any overlooking relationships and while there has been a nominal alteration to the windows on the rear (compared to the approved plans) there is no demonstrably greater or different overlooking impact from the current proposal. The application is therefore considered to comply with criterion 8 of policy MD2.

The neighbouring resident's objections have been fully considered in this assessment, however, for the reasons above, it is considered that the development as constructed continues to comply with the above stated policies and would not result in materially different impacts from the approved scheme.

Green infrastructure and biodiversity

Chapter 6 of Planning Policy Wales Ed.12 states that *Green infrastructure is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places* and that the planning system must maximise its contribution to the protection and provision of green infrastructure assets and networks by adopting a strategic and proactive approach to green infrastructure, which is an important way for local authorities to deliver their Section 6 Duty. Consequently, a green infrastructure statement is necessary for all planning applications to describe how green infrastructure has been appropriately incorporated into the proposal and wider application site, and how the quality of the built environment has been enhanced by integrating green infrastructure through the application of the stepwise approach within the statement.

The statement submitted details that the existing green infrastructure and biodiversity on site is of low value. The increase in the height of the roof pitch is therefore not considered to harm green infrastructure or biodiversity. The statement proposes the installation of 2 nesting boxes and additional planting of pollinator friendly plants. The proposed enhancements are considered to be acceptable in relation to the level of development taking place on the site. The application is therefore considered to comply with policy MD9 and PPW.

Other matters

Whilst the extension is built on higher ground, this is due to a slight levels difference within the street and the implications of this have been deemed unimpactful in previous permissions granted. The additional height that this application seeks permission for is not considered to harm neighbouring amenity space, noting the minimal increase in height and the nature of that impact, at the point where the extension adjoins the original house.

Drainage concerns are addressed where necessary by the Building Regulations process and it is noted that Building control has been involved with permissions previously granted on site.

Highway standards

The site currently has two parking spaces at the front of the property which will be retained by the proposed development. The Parking Standards (2019) SPG has a maximum requirement of three parking spaces for properties with three or more bedrooms, so in addition to the on-street parking that can supplement the two existing spaces provided the proposed development is deemed to have adequate parking provision acceptable with regards to parking.

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 MD2 (Design of Development), MD5 (Development within Settlement Boundaries) and MD9 (Promoting Biodiversity), the application is considered acceptable.

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 conditions:

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

Existing & Proposed Plans and Elevations 17RC-PP-01 2

Reason:

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

2. The biodiversity enhancement measures set out in Green Infrastructure Statement & Biodiversity enhancement shall be carried out in full prior to the first beneficial occupation or use of the development and thereafter retained in accordance with the approved details whilst the development remains in existence. Where the enhancement relates to any planting, any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Within 4 weeks of their installation / planting photographic evidence showing the enhancements in place shall be submitted to the local planning authority via planning@valeofglamorgan.gov.uk quoting the planning application reference.

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.

NOTE:

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

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

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

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

2026/00387/FUL Received on 3 June 2026

APPLICANT: Mrs Markella Asprou 120 Cornerswell Road, Penarth, CF64 2WB

AGENT: 1010 Architects, Mr. Tasos Asprou, Studio 2, The Coachouse, Stanwell Road, Penarth, CF64 3EU

3 White House, Barry

Variation of Condition 1 - 2022/00401/FUL- We wish the condition 1 to be changed so that it extends the Full Planning Permission for another 5 years

REASON FOR COMMITTEE DETERMINATION

The application has been requested to be heard by Planning Committee by Cllr Shirley Hodges, for the following given reason *'local residents have raised concerns about the proposal and the site's history including the previous planning process and PEDW involvement. Also considering matters previously raised by Cllr. Wiliam regarding lack of amenity space and insensitive nature of the development...* and also lacking their previous involvement as was not previously an elected member when application previously determined.

EXECUTIVE SUMMARY

In 2022, application 2022/00401/FUL was approved at Planning Committee. Condition 1 of this approval stated that works must begin within 5 years of 9th June 2022. This approval would therefore expire 9th June 2027.

This application, 2026/00387/FUL, seeks to vary Condition 1 relating to the time period for commencement of development to allow for an additional 5 years to implement the proposal. Whether permission is granted or not under this application, the applicant can still carry out the works prior to 9th June 2027.

Representations have been received in relation to parking; scale of development and impacts on character of the road; impact upon neighbouring residential properties by way of overbearing, overshadowing and impacts upon privacy; construction impacts and proposals being incorrectly assessed based on bedrooms.

As noted, an extant planning permission exists for the same works at the property that was subject to a previous decision to approve by members of the Planning Committee. Given the absence of a substantive shift in planning policy and the absence of any material change in circumstances at the site, it is considered by officers that the development remains acceptable in planning policy terms. As such there is not considered to be a material reason to differ from the Council's previous resolution to grant planning permission and as such the application is recommended for approval.

SITE AND CONTEXT

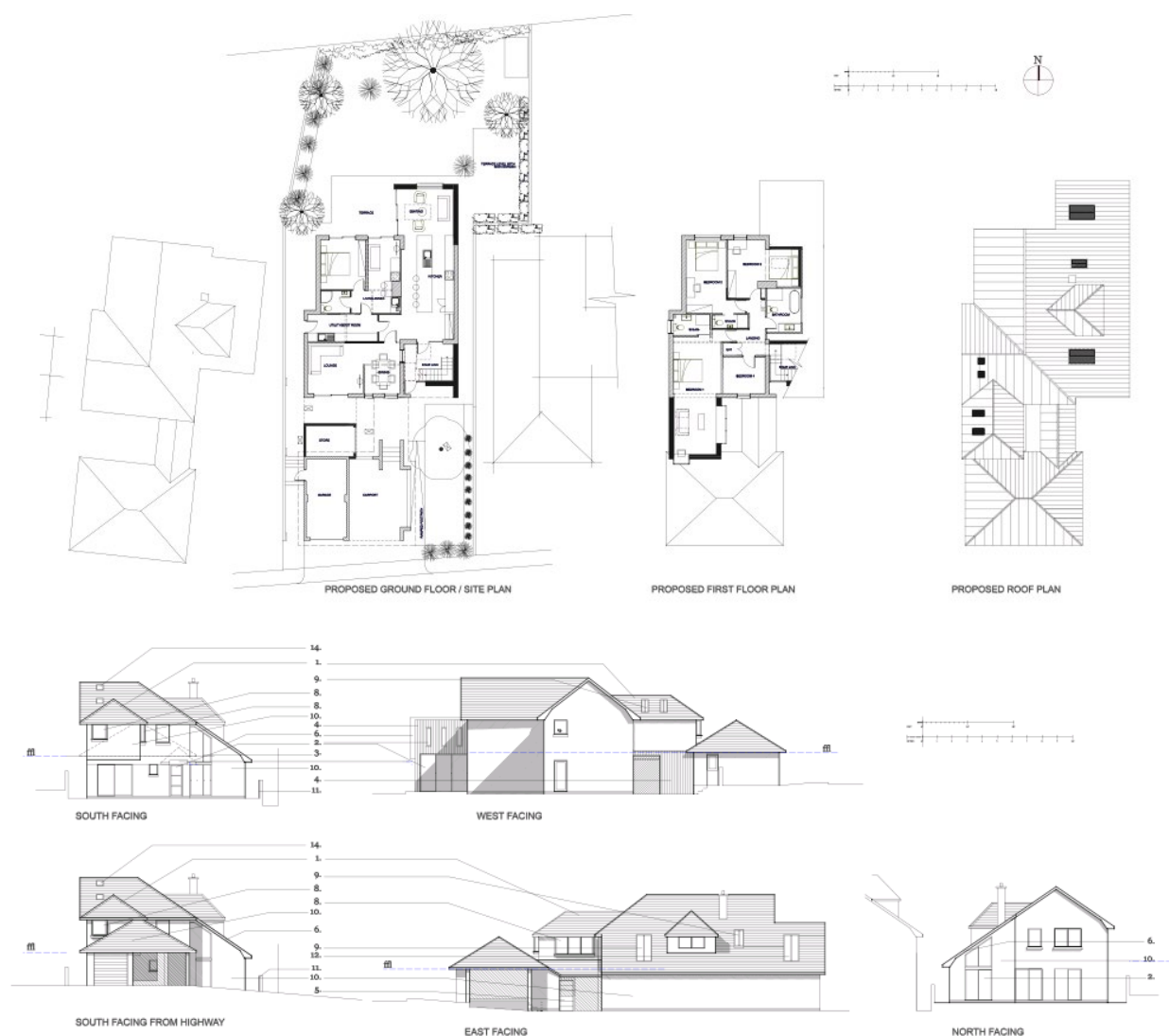
The site the application relates to is 3 White House, which is a detached dwelling within the Barry settlement boundary, as identified by the adopted Local Development Plan 2011-2026. The site also sits within the Barry Marine Conservation Area.



DESCRIPTION OF DEVELOPMENT

The application seeks permission for the proposed variation of condition 1 of 2022/00401/FUL relating to the time period for commencement of development. The applicant seeks a further period of 5 years for the commencement of the approved development.





PLANNING HISTORY

1979/00199/FUL, Address: The White House, Cold Knap Way, Barry, Proposal: Residential development, Decision: Refused

1981/00627/OUT, Address: The White House, Cold Knap Way, Barry, Proposal: Land to be used for residential purposes (private) erection of 48 luxury flats with associated garage blocks and hard and soft landscaped areas, Decision: Withdrawn

1981/00630/OUT, Address: The White House, Cold Knap Way, Barry, Proposal: Land to be used for residential purposes (private) erection of 24 luxury dwellings with integral garages in grouped landscaped courts, Decision: Approved

1982/01363/FUL, Address: The White House, 24, Cold Knap, Barry, Proposal: Proposed residential development 12 no. dwellings with carports/garages, Decision: Approved

1985/00495/FUL, Address: White House Site, Cold Knap, Barry, Proposal: Residential development, Decision: Approved

1987/00625/FUL, Address: 3, White House, Cold Knap, Barry, Proposal: Erection of a balcony, Decision: Approved

1990/00002/FUL, Address: Land at White House, The Knap, Barry, Proposal: 14 no. linked 2 bedroom and 3 bedroom cottages, Decision: Approved

2007/00099/TCA, Address: 3, White House, Barry, Proposal: Work to trees, Decision: Finally Disposed of

2016/00006/TCA, Address: 3, White House, Barry, Proposal: The removal of a mature Cherry tree located in the front garden of the site. Reason for removal due to excessive root growth damaging the underground drainage, Decision: Approved

2021/00020/FUL, Address: 3, White House, Barry, Proposal: Single and two storey extensions to the front and rear of property to include annex; single storey extension to the side, including material and other alterations. Rear terrace and alterations to front boundary treatments. Internal alterations., Decision: Refused

2022/00401/FUL, Address: 3, White House, Barry, Proposal: Single and two storey extensions to the front and rear of property to include annex; single storey extension to the side, including material and other alterations. Rear terrace and alterations to front boundary treatments. Internal alterations, Decision: Approved

CONSULTATIONS

1. **Barry Town Council**- no comments have been received to date.
2. **The Council's Heritage Officer**- commented there is no alterations from previous permission and so no objection.
3. **Baruc Ward Members**- no comments have been received to date.
4. **The Council's Highway Development Section** have confirmed they have no objection to the proposals.

REPRESENTATIONS

The neighbouring properties were notified on 5 June 2026, and a site notice was also displayed on 20 July 2026.

Neighbouring comments were received detailing the following concerns:

- The site would not have sufficient parking space.
- The street does not benefit from "residents only" on-street parking
- The scale of development would unacceptably harm the character of the site and street scene
- The extension would be imposing and overbearing to neighbouring dwellings
- Impacts on neighbouring privacy
- Overshadowing impacts
- Impacts on neighbouring health and utility during and after construction
- The proposal will be assessed incorrectly based on bedrooms

All comments will be addressed within the report.

REPORT

Planning Policies and Guidance

Local Development Plan:

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

Strategic Policies:

POLICY SP1 – Delivering the Strategy

Managing Development Policies:

POLICY MD2 - Design of New Development

POLICY MD5 - Development within Settlement Boundaries

POLICY MD8 - Historic Environment

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

Future Wales: The National Plan 2040:

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

Chapter 3: Setting and achieving our ambitions

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

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 3 - Strategic and Spatial Choices

- Good Design Making Better Places

Chapter 6 - Distinctive and Natural Places

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

Technical Advice Notes:

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

- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 24 – The Historic Environment (2026)

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:

- Residential and Householder Development (2018)

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

Number 3 White House has been subject to previous planning applications relating to similar development to that subject of this application, with the initial application being submitted under application 2021/00020/FUL. This initial application was called in for determination by Planning Committee and was overturned from the officers' recommendation for approval. It was subsequently refused on grounds owing to its scale and design and impact upon the Conservation Area; impact upon neighbouring properties by reason of overbearing and impacts upon parking. The Inspector when considering the subsequent appeal did not uphold the reasons for refusal offered by the Council but dismissed the appeal because of harm to the living conditions of residents at 3 White House (the application site). The Inspector stated that the use of a non-opening and obscurely glazed window would cause harm to the applicants living conditions with regards to outlook and ventilation.

As such a subsequent application (2022/00401/FUL) was submitted to address the issue identified by the Inspector and was considered by members of the Planning Committee in June 2022, where members resolved to approve the application in line with the officer recommendation. For completeness, the previous application report has been attached as an **Appendix 1** for Members' information.

This planning permission granted under application 2022/00401/FUL remains extant and may be implemented at any time prior to 9 June 2027. The application before Members seeks to vary Condition 1 relating to the time period for commencement of development.

The key issue is therefore whether there have been any material changes in planning policy or site circumstances since planning permission was granted in 2022 that would justify a different conclusion. The approved plans remain unchanged and the Local Development Plan has not been revised since the previous decision. Whilst there have been some changes to national planning policy, including requirements relating to green infrastructure and biodiversity enhancement, these matters are considered below.

Visual amenity

The dwelling itself has not changed since planning permission was granted in 2022, whilst the planning policy framework relating to visual impacts, including the Conservation Area Appraisal, has not changed since the 2022 resolution by committee. In the absence of any material change in circumstances, there is no reason to reach a different conclusion to that previously reached by Members. It remains the case that the alterations taking place would not harm the character or visual amenity of the dwelling or host Conservation Area. There have not been any noticeable changes to the street scene and so the character remains largely similar. It was noted in previous assessments that the street scene lacked coherency within the 'built line' and character of front elevations. The development would therefore not be considered to harm the character of the wider Conservation Area. Accordingly, the application is considered to comply with policies MD2, MD5 and MD8 of the Adopted Local Development Plan.

Neighbouring amenity

Criterion 8 of policy MD2 states that in order to create high quality, healthy, sustainable and locally distinct places, development proposals should:

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

There are no additional windows on either neighbouring dwelling since the previous application. There have been no planning permissions granted for either neighbouring dwelling since the previous permission and so the relationships between the dwellings remain the same, which was deemed appropriate. Neighbouring amenity space is therefore not considered to be harmed by the implementation of the development. There is no material reason to depart from the previous conclusion that the development would not result in unacceptable harm to neighbouring amenity and the application remains compliant with policy MD2.

Parking provision

The Council's adopted Parking Standards SPG states that a maximum of 3 spaces can be required for a residential dwelling. Post development, the dwelling would be a 4-bedroom property with an additional bedroom in the annex, that would as per the Parking Standards require a maximum of 3 spaces, the same as the existing requirement for the property as a 4 bedroom dwelling. The Highways department commented on the previous application and concluded that there is ample on-street parking availability within the vicinity of the site to mitigate any increase in vehicle movements to and from the site. An officer site visit was undertaken and no material change in parking conditions within the vicinity of the site was observed. On this basis there is not considered to be a material reason to reach a view different to that in resolving to approve the previous application. It remains the officer view that ample on-street parking remains to mitigate any potential shortfall on-site, whilst it is noted that standards are maximum standards that can be relaxed in highly sustainable locations such as this. Noting this it is considered that this does not represent a reason to refuse permission in this instance.

Green infrastructure and Biodiversity

Chapter 6 of Planning Policy Wales Ed.12 states that Green infrastructure is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places and that the planning system must maximise its contribution to the protection and provision of green infrastructure assets and networks by adopting a strategic and proactive approach to green infrastructure, which is an important way for local authorities to deliver their Section 6 Duty. Consequently, a green infrastructure statement is necessary for all planning applications to describe how green infrastructure has been appropriately incorporated into the proposal and wider application site, and how the quality of the built environment has been enhanced by integrating green infrastructure through the application of the stepwise approach within the statement.

The development would take place on both permeable surfaces and existing hard standings and include some localised shrub loss and a small area of lawn. Whilst there would be a loss of permeable surface, the site benefits from an ample rear amenity space and so the remaining permeable surface is deemed acceptable, whilst the submitted Green Infrastructure statement also details that a Lawson Pine would be planted in the rear garden to assist in mitigating the loss associated with the proposals. Plans provided also detail a bird box is proposed to be installed to enhance biodiversity on site. The enhancement is considered to be appropriate in relation to the development. Noting the above, the application is considered to be compliant with policies MD9 and PPW.

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 MD2 (Design of Development), MD5 (Development within Settlement Boundaries), MD8 (Historic Environment), MD9 (Promoting Biodiversity), The Parking Standards SPG and The Residential and Householder SPG, the application is deemed acceptable.

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:

AE 01 rev5.pdf - Amended Proposed Elevations - Submitted to the LPA on 24/05/2022

AL 01 rev5.pdf - Amended Proposed Floor Plans - Submitted to the LPA on 24/05/2022

Reason:

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

3. The roof-light located in the East facing elevation serving the proposed first floor stairway shall be obscurely glazed to a minimum of level 3 of the "Pilkington" scale of obscuration and fixed pane at the time of installation and so retained at all times thereafter.

Reason:

To ensure that the privacy and amenities of adjoining occupiers are safeguarded, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

4. The roof-light located in the East facing elevation serving 'bedroom 3' shall be obscurely glazed to a minimum of level 3 of the "Pilkington" scale of obscuration and fixed pane at the time of installation and so retained at all times thereafter.

Reason:

To ensure that the privacy and amenities of adjoining occupiers are safeguarded, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

5. The rooflights approved shall be conservation style rooflights and should be retained as conservation style rooflights in perpetuity.

Reason:

To protect the wider conservation area and to comply with policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Council's Local Development Plan.

6. The render and slate to be used in the construction of the external surfaces of the extensions shall match those used in the existing dwelling that exist at the time of this approval.

Reason:

To safeguard local visual amenities, as required by Policies SP1 (Delivering the Strategy), MD2 (Design of New Development), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Local Development Plan.

7. The biodiversity enhancement measures set out in the submitted Green Infrastructure and the bird box shown on the submitted plans] shall be carried out in full prior to the first beneficial occupation or use of the development and thereafter retained in accordance with the approved details whilst the development remains in existence. Where the enhancement relates to any planting, any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Within 4 weeks of their installation / planting photographic evidence showing the enhancements in place shall be submitted to the local planning authority via planning@valeofglamorgan.gov.uk quoting the planning application reference.

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.

NOTE:

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

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

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

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

Appendix 1

2022/00401/FUL Received on 28 March 2022

APPLICANT: Mr and Mrs Markos, and Markella Asprou 3 White House, Barry, CF62 6FB

AGENT: Mr Tasos, Asprou Studio 2, The Coach House, Stanwell Road, Penarth, CF64 3EU

3, White House, Barry

Single and two storey extensions to the front and rear of property to include annex; single storey extension to the side, including material and other alterations. Rear terrace and alterations to front boundary treatments. Internal alterations

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 Steffan William for the following reasons:

- Overbearing scale of proposed extension on neighbouring properties.
- Loss of light to neighbouring properties.
- Harmful impact on the character of Barry Marine Conservation Area.
- Increase in habitable rooms to cause unsustainable increase in on-street parking.
- Lack of amenity space within applicants' property.
- Harmful overlooking impacts from Velux windows on neighbouring properties.

EXECUTIVE SUMMARY

The application relates to 3, White House, a detached dwelling located within the Barry Marine Conservation Area. Permission is sought for front and rear extensions – in addition to other alterations.

Number 3 White House has been subject to a previous planning application 2021/00020/FUL. Those councillors present at the planning committee on 20/09/2022 will recall this application as the application was overturned by members from the officers' recommendation for approval and refused on the following grounds:

1. By reason of its scale and design, the proposal would result in an incongruous addition to the property that would detrimentally impact upon the appearance and character of the streetscene and wider Conservation Area.
2. By reason of its scale, form, proximity to the boundary with the neighbouring property and projection past the neighbour's front elevation, the proposed extension would result in an imposing and overbearing impact on the neighbour at number 1, White House to such an extent that it would unacceptably impact upon the living conditions of the occupiers.
3. The proposals would result in an unacceptable demand for parking which cannot be provided on site or within the immediate streetscene.

The refusal was appealed by the applicant and then dismissed by the Planning Inspector (Case Ref: CAS-01460-H4F0F7).

The current application, as amended, is a resubmission for a broadly similar form of development to that previously proposed albeit with altered aspects:

- Reconfiguration of internal floor plans, including window arrangement serving 'bedroom 1'.
- Removal of the fence on the eastern boundary with number 5 White House.
- Addition of obscurely glazed and non-opening features for the roof-lights serving the first-floor hallway and bedroom number 3.

Four representations were received during the course of the application raising the following main issues:

- There has been no material difference in the proposed application from the previously submitted and later refused application.
- Due to the additional proposed bedroom within the dwelling, there are harmful impacts surrounding the quantity and quality of parking provision to serve the additional bedrooms.
- Harmful overlooking impacts from proposed roof-lights as well as first floor proposed windows.
- Unneighbourly overbearing impacts from all proposed (front, side/front and rear) extensions, harming the neighbouring amenity, privacy as well as overshadowing impacts.
- Harmful overdevelopment of the plot with disregard to original design not being suited for multi-occupation.

The primary issues considered throughout the application are the potential impact upon the character of the property and conservation area and the potential impact upon the amenity of neighbouring residential properties and the living conditions in the applicants' property in terms of outlook and ventilation.

Having considered all of the above, including the alterations from the previously refused proposals and the comments of the Inspector within the relevant appeal decision, on balance, the proposals are considered acceptable, and the application is recommended for approval.

SITE AND CONTEXT

The application relates to 3, White House, a detached dwelling located within the Barry Settlement Boundary. The property is located within the Barry Marine Conservation Area. The surrounding street scene contains a degree of varying designs and scale, albeit the overall style and character (including the materials) is generally consistent throughout. A site location plan is shown below:



DESCRIPTION OF DEVELOPMENT

Consent is sought is for the following to the property:

1. First floor extension on the front of the property.
2. Two storey in-fill extension on the south-eastern corner.
3. Storeroom to the rear of the garage at the front of the property.
4. Single storey rear extension.

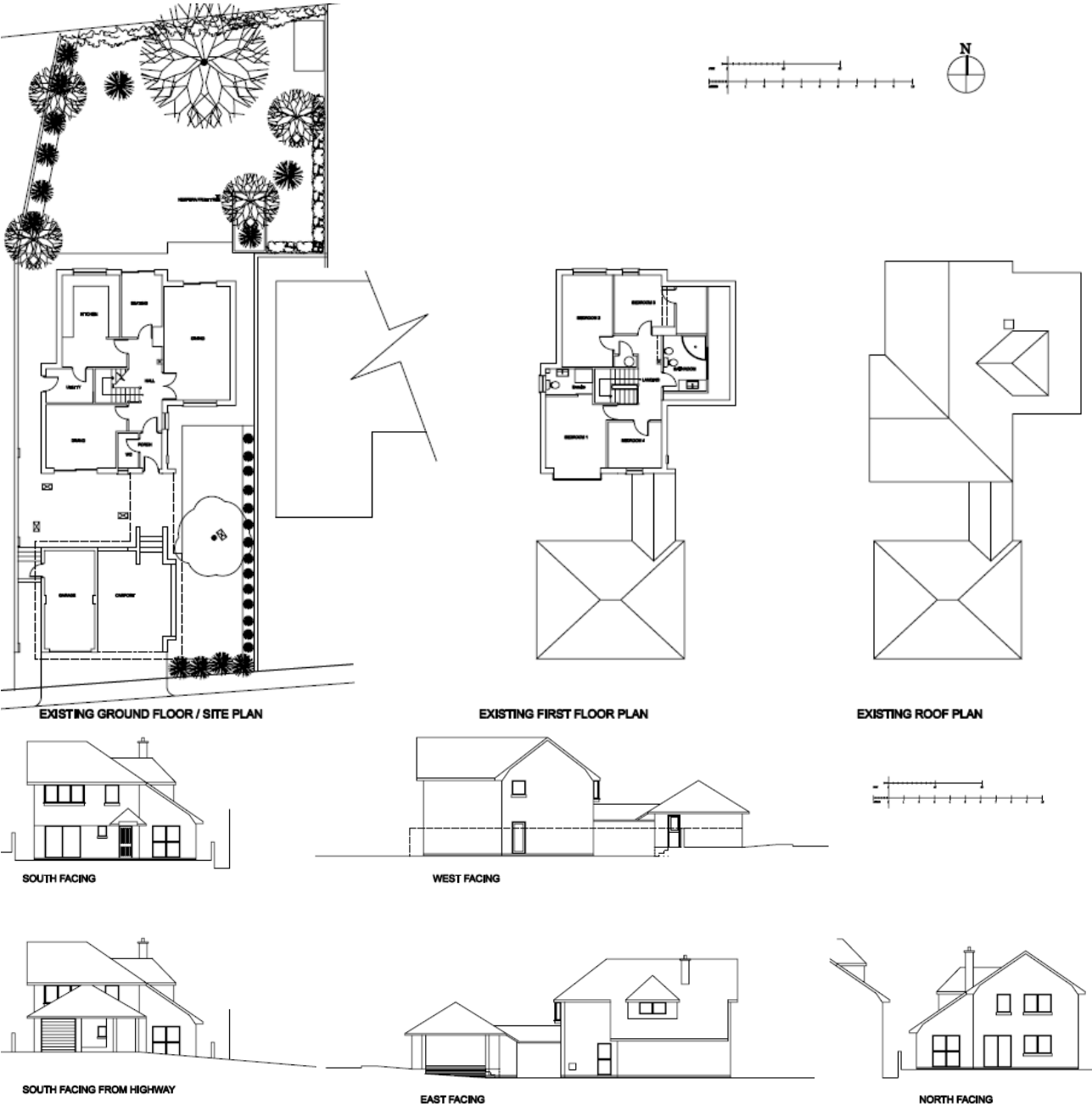
The proposed first floor extension on the front of the property would be approximately 4.2m deep and would have a ridge height approximately 1.1m shorter than that of the ridge on the existing dwelling. This element would be approximately 3.5m wide and would have a matching eaves height with the existing dwelling. Below, the ground floor element would be part covered walkway and part storeroom. The storeroom is located at the rear of the garage and measures 2.2m in depth and 3.5m in width. The storeroom has a flat roof sitting below the eaves height of the garage, from ground level measuring 2.7m.

A two-storey extension is proposed on the south-eastern corner, approximately 3.7m deep and flush with both the front and side elevations of the existing dwelling. The proposed extension would continue the existing roof slope on the eastern elevation with matching eaves and ridge height of the original dwelling.

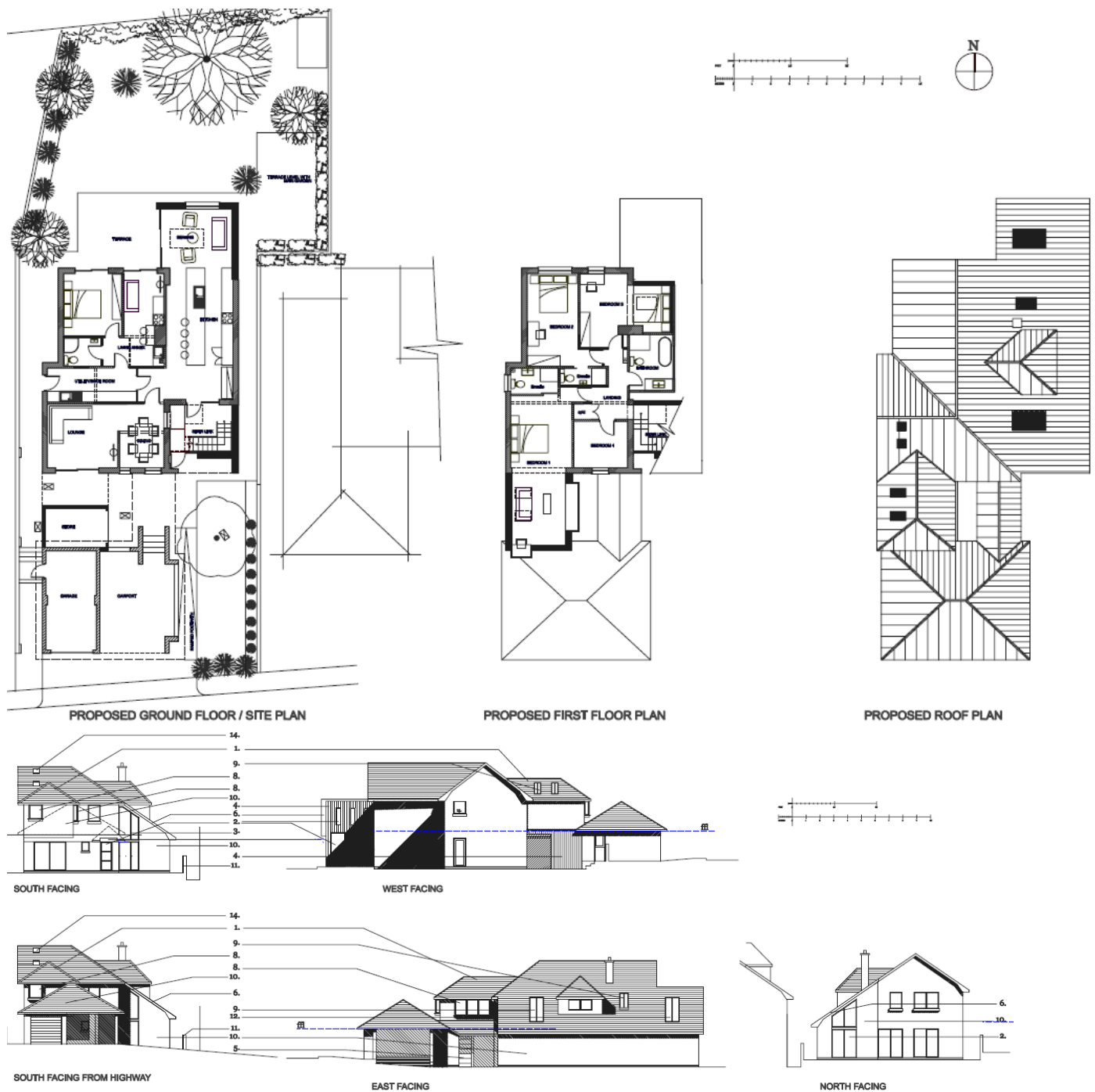
A rear extension on the ground floor would be approximately 3.2m deep and 4.2m in width. The extension measures 2.5m to the eaves and measures 4.8m at maximum height.

A wooden fence to the front of the property on the boundary with 5 White House was originally proposed although this has been withdrawn from the application following discussion with the agent.

Existing

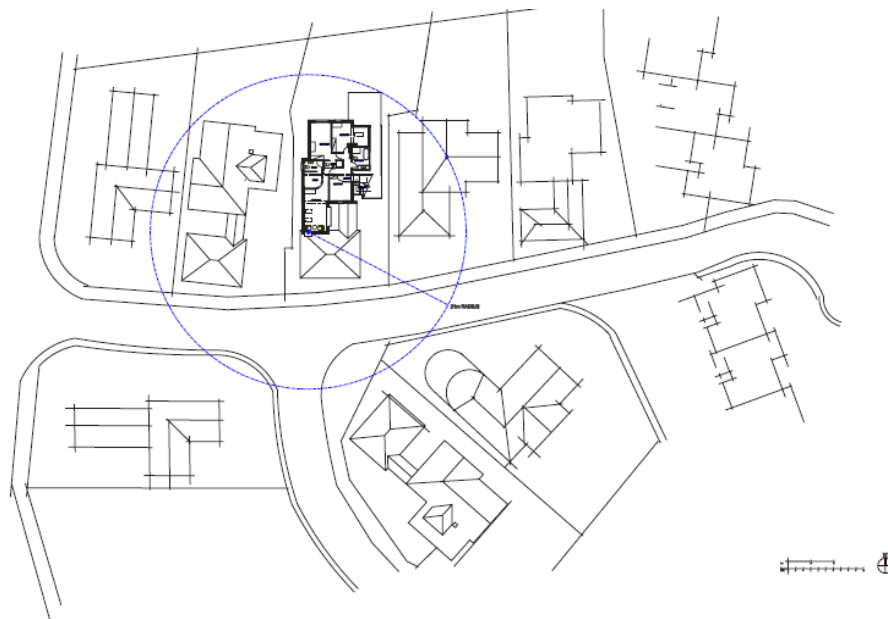


Proposed



- Material Key:**
1. Slate tiles to match existing
 2. Hardwood timber windows and doors to match the existing, painted grey RAL 7023
 3. Timber frame window to match existing
 4. Blackened Larch vertical timber cladding
 5. Sectional door - black
 6. Timber fascia and soffit to match existing, painted black
 7. Black rainwater goods to match the existing
 8. Projecting window bay to replace the existing
 9. Conservation style window, obscure and non opening
 10. Smooth sand cement render painted white to match the existing
 11. Timber fence same height as the existing boundary wall - to match cladding of main house
 12. Conservation style velux roof lights
 14. Sunpipe
 15. Obscure glazing as existing

Block Plan



PLANNING HISTORY

1981/00627/OUT, Address: The White House, Cold Knap Way, Barry, Proposal: Land to be used for residential purposes (private) erection of 48 luxury flats with associated garage blocks and hard and soft landscaped areas, Decision: Withdrawn

1981/00630/OUT, Address: The White House, Cold Knap Way, Barry, Proposal: Land to be used for residential purposes (private) erection of 24 luxury dwellings with integral garages in grouped landscaped courts, Decision: Approved

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1987/00625/FUL, Address: 3, White House, Cold Knap, Barry, Proposal: Erection of a balcony, Decision: Approved

1990/00002/FUL, Address: Land at White House, The Knap, Barry, Proposal: 14 no. linked 2 bedroom and 3 bedroom cottages, Decision: Approved

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2016/00006/TCA, Address: 3, White House, Barry, Proposal: The removal of a mature Cherry tree located in the front garden of the site. Reason for removal due to excessive root growth damaging the underground drainage, Decision: Approved

2021/00020/FUL, Address: 3, White House, Barry, Proposal: Single and two storey extensions to the front and rear of property, including material alterations, Decision: Refused for the following reasons:

1. By reason of its scale and design, the proposal would result in an incongruous addition to the property that would detrimentally impact upon the appearance and character of the streetscene and wider Conservation Area.
2. By reason of its scale, form, proximity to the boundary with the neighbouring property and projection past the neighbour's front elevation, the proposed extension would result in an imposing and overbearing impact on the neighbour at number 1, White House to such an extent that it would unacceptably impact upon the living conditions of the occupiers.
3. The proposals would result in an unacceptable demand for parking which cannot be provided on site or within the immediate streetscene.

A subsequent appeal against refusal of the application was dismissed by the Inspector.

CONSULTATIONS

Barry Town Council were consulted and commented stating the following:

No objection due to the concerns of the Inspector being addressed (subject to the bathroom on the first floor having obscure glazing).

Baruc Ward Members were consulted, one objection was received from Cllr Steffan Williams, stating the following points:

- The new proposal does not materially differ from the previous application.
- Overbearing nature and loss of light to neighbouring properties.
- Negative impact on conservation area.
- Harmful impact on parking provision from the proposed fifth bedroom.
- Lack of amenity space.
- Harmful overlooking impacts from proposed Velux windows.

The Council's Highway Development Section were consulted and raised 'no objection' with the following points:

- The uplift in bedrooms should not have a material impact on traffic and parking.
- The proposed new annexe should remain ancillary to the existing dwelling of 3 White House.
- There is ample on-street parking availability within the vicinity of the site to mitigate any increase in vehicle movements to/from the site.
- No objection the proposals subject to the following:

The proposed new annexe shall remain ancillary to the dwelling of 3 White House in perpetuity and any changes shall be first approved in writing by the local planning authority.

REPRESENTATIONS

The neighbouring properties were consulted. To date four responses have been received.

One response has been received in support of the application.

The remaining three responses received have been made in objection to the application. A summary of those comments are as follows:

- Harmful impact on the appearance and character of the streetscene.
- Overbearing and overshadowing impact on neighbouring properties.
- Planning application does not address grounds of refusal from previous application.
- Harmful impact on parking from additional bedroom and increased demand for on-street parking.
- Negative impacts on neighbourly privacy.
- Original dwelling house is overdeveloped.
- Harmful impact to the original building line.
- Negative impacts on the health and wellbeing of occupiers and utility of neighbouring properties
- Proposed fence out of context with wider conservation area.
- Proposals do not comply with the '45 degree rule'.
- Concerns that proposal is for a house of multiple occupation.

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:

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POLICY SP1 – Delivering the Strategy

POLICY SP10 – Built and Natural Environment

Managing Development Policies:

POLICY MD2 - Design of New Development

POLICY MD5 - Development within Settlement Boundaries

POLICY MD8 - Historic Environment

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

Future Wales: The National Plan 2040:

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

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 11, 2021) (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,

Technical Advice Notes:

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

- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 24 – The Historic Environment (2017)

Welsh National Marine Plan:

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

Supplementary Planning Guidance:

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

- Parking Standards (2019)
- Residential and Householder Development (2018)
- Trees, Woodlands, Hedgerows and Development (2018)
- Barry Marine Conservation Area Appraisal and Management Plan

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, imposes a duty on the Council with respect to any buildings or other land in a conservation area, where *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

Well-being of Future Generations (Wales) Act 2015

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

Issues

The primary issues to consider are the potential impact upon the character of the property and the conservation area, as well as the potential impact upon the amenity of neighbouring residential properties.

Background

Number 3 White House has been subject to previous planning application 2021/00020/FUL. This initial application was called in for committee and was overturned from the officers' recommendation for approval and refused on the following grounds:

1. By reason of its scale and design, the proposal would result in an incongruous addition to the property that would detrimentally impact upon the appearance and character of the streetscene and wider Conservation Area.
2. By reason of its scale, form, proximity to the boundary with the neighbouring property and projection past the neighbour's front elevation, the proposed extension would result in an imposing and overbearing impact on the neighbour at number 1, White House to such an extent that it would unacceptably impact upon the living conditions of the occupiers.
3. The proposals would result in an unacceptable demand for parking which cannot be provided on site or within the immediate streetscene.

The planning committees' refusal was appealed by the applicant and then dismissed by the planning inspector (Case Ref: CAS-01460-H4F0F7).

The Inspector refused the application because of harm to the living conditions of residents at 1 White House (the application site). The Inspector stated that the use of a non-opening and obscurely glazed window would cause harm to the applicants living conditions with regards to outlook and ventilation.

The current application is a resubmission for a very similar form of development to that previously proposed albeit with a reconfiguration of the internal floor plans including a rearrangement of the spaces in bedroom 1.

The primary issues considered throughout the application are the potential impact upon the character of the property and conservation area, the potential impact upon the amenity of neighbouring residential properties and the living conditions to the applicants' property in terms of outlook and ventilation.

Design and Visual Amenity

The proposed extensions at the front of the property would be highly visible from the street to the front.

Policy MD2 of the Council's LDP states that development proposals should

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

This is echoed in policy MD5 which states that development proposals should be *"of a scale, form, layout and character that is sympathetic to and respects its immediate setting and the wider surroundings and does not unacceptably impact upon the character and appearance of the locality"*.

The location of the property within a conservation area also adds additional requirements to ensure that a proposed development does not detrimentally impact upon the character of the conservation area. As stated within Policy MD8 of the adopted LDP, development proposals in such areas should either preserve or enhance the character of the conservation area.

From the previous appeal decision the following comments are of relevance in regard to the character and appearance of the conservation area and street scene at White House.

- The Inspector did not consider the pattern of development as particularly spacious.
- The similarity in the general scale, typology and palette of materials of dwellings on White House contributes to the appearance of a coherent planned development. However, there is little notable consistency in the design of dwellings, with various roof types, patterns of fenestration and design details evident within the streetscape.

1. First floor extension on the front of the property.

The proposed first floor extension on the south-western corner of the property would project past the existing first floor front elevation by approximately 4.2m and would have a matching eaves height with the existing dwelling. However, the proposed ridge would be approximately 1.1m shorter than that on the main dwelling. The front elevations of the properties situated within White House are of a mixed style. It is notable that there is not a particularly clear and consistent 'building line' along the street, with the series of front elevations being staggered from one another with several garages/car ports to the front.

The proposed plans for the front extension in terms of scale and massing are the same as proposed within the previous (2021/00020/FUL) submission. The appeal decision states the following regarding this front extension:

Whilst it would be visible from White House, its limited width, hipped roof form and subordinate ridge relative to the main roof would mitigate its prominence within the

street scene, and it would not unacceptably reduce notable gaps in built form, including at first floor and roof level. The extension's roof form would reflect that of the garage and would be comfortably contained within the existing pitched and gabled roof form. From several viewpoints much of the front extension would be well screened by the garage/car port positioned to its fore, and it would not break any clearly established front building line. Its siting to the rear of the garage would also assist in reducing its apparent bulk and mass from the street, with cladding on part of the flank walls providing elevational interest.

The Inspector concludes the following:

Due to the site context and the sensitive design of the front extension, it would not harm the character or appearance of the vicinity.

The extension is commensurate with that proposed under the previous application. Noting the staggered nature of the property frontages and mix in design of the front elevations and the comments received by the Inspector, it is considered that the proposed extension, while visibly altering the front elevation, would not be out of context with the remainder of the street and would not appear visually incongruous by reason of its depth and size.

2. Two storey in-fill extension on the south-eastern corner.

The two-storey extension is of the same design as previously submitted within planning application (2021/00020/FUL). Because of this, the comments from the Inspectors' report are of relevance. The Inspector states that the proposed extension has a "*discreet profile of which would reflect that of an existing projecting element of the appeal property*". The Inspector also compliments the flush design with the front elevation and concluded that this extension would "*read as a complementary and subsidiary element of the dwelling as a whole*".

Noting the above, the proposed south-eastern two storey front extension is considered to be of a modest scale and would be sympathetic to the style and character of the existing property, with matched eaves height and material finishes. It is therefore considered that this element would be subservient and would not adversely affect the character of the dwelling or conservation area.

3. Boundary Fence

The original plans for the application included the retention of a horizontal 1.3m high fence alongside the boundary with number 5 White House. As noted within the appeal report, the planning inspector considered the proposed fence to fail to preserve the character of the conservation area. The amended plans show the removal of this fence.

4. Rear single-storey extension

The proposed rear extension would be partially visible from the streetscene. The modest height, positioning and general design is in character with the dwelling as a whole. The proposed material finish in blackened larch cladding would complement the overall modern design and slate roofs of the surrounding properties. Overall, it is considered that the rear extension is acceptable in terms of design and scale.

The comments from the neighbour objections as well as those comments received from Cllr Steffan Williams regarding design have been taken into consideration. In particular, objections have been raised in respect of an asserted failure to comply with the Council's Residential and Householder Development SPG. While this SPG is a material consideration, it is guidance and cannot be applied in a 'blanket' way to all proposals and for the above reasons the design of the proposed extensions is considered to be acceptable. In particular, objections centre around the disregard for the building line, and this is outlined below.

The concerns raised over the building line are in regard to the front two storey extension. In this case the councils residential and householder development SPG states the following in section 8.7.2 in relation to front extensions:

ii. Two storey developments will in many cases not be acceptable; however this will depend on the context of the site.

Whilst the proposal does include a two-storey element, key to the application is the different '*context of the site*'. As previously acknowledged, the appeal decision confirms that there is '*little notable consistency in the design of dwellings, with various roof types, patterns of fenestration and design details evident within the streetscape.*' It is considered in the context of White House that there is no clear building line. For this reason and the relevant context of the site at White House, the proposed front extension is considered acceptable and is therefore consistent with the aims and guidance in this SPG.

Subject to appropriate conditions, the proposal would accord with the design and conservation objectives of LDP policies MD2, MD5, MD8 and SP10, which amongst other things seek to preserve or enhance the character or appearance of Conservation Areas, and with the general aims of the Council's CAAMP and 'Residential and Householder Development' SPG.

Amenity Space

The Council's approved supplementary planning guidance (SPG) requires 20sq.m of amenity space per person and states that a 3+ bedroom property would be likely to have 4 people occupying it, thus requiring 80sqm. It also states that the amenity space should be mostly private garden. In this instance, there would be approximately 15sq.m lost in the rear garden as a result of the extension – leaving an approximate total of 175sq.m as private amenity space at the rear. At the front, there would be approximately 51sq.m of amenity space remaining, a loss of approximately 11sq.m. Having regard to this, the proposal is compliant with the SPG and there is sufficient amenity space to serve the needs of occupants of the dwellinghouse.

Parking

The existing property has a carport and single garage located at the property. The proposal would have no impact on either. The existing property has 4 bedrooms. The application proposes the addition of a living annex raising the number of bedrooms to 5. The Council's parking SPG recommends there should be a maximum requirement for 3 spaces. The Council's Highways Department were consulted on the proposal and concluded that there is ample on-street parking availability within the vicinity of the site to mitigate any increase in vehicle movements to and from the site. To mitigate against any harmful future impacts, the Highways department has requested a condition to be attached

to any consent given for the annex to remain ancillary to the host dwelling. Officers consider that the annex accommodation is integrated within the dwelling and would not be easily divisible. In any event the independent use of the annex as a self-contained dwelling would require planning permission in its own right and to this end, it is not considered necessary to attach a condition for this purpose.

Noting the above comments and the availability of on-street parking, the proposed level of parking is acceptable.

Trees

The proposal would result in the loss of a tree in the rear garden and given the location within a conservation area, it is protected. However, the tree is modest in scale and limited in prominence, and it is considered that its loss would have a negligible impact on the character of the conservation area.

Impact on Neighbours

To the rear, the proposed single storey rear extension would be located approximately 9.5m away from the boundary of the neighbour at number 5, Cold Knap Way, which owing to the extensions relatively modest mass and bulk is considered a sufficient distance to ensure no detrimental impacts.

The proposed ground floor extensions would have windows offering views towards neighbours. However, given their ground floor nature, no detrimental overlooking would occur from these windows.

1 White House

The proposed first floor extension on the front elevation would be located approximately 1m away from the boundary to this neighbour. The neighbour's dwelling is located a further 2-2.5m away from the boundary and is angled, albeit very slightly, away from the application dwelling. Facing number 1 White House, the application proposes two Velux roof lights serving the bedroom. Further to this, a window is proposed on the front elevation of the extension facing the streetscene.

The neighbour has raised strong objections regarding the harmful privacy impact from the proposed west facing Velux windows. It should be noted that the neighbour has a living room window on the front elevation. These proposed rooflights are situated approximately 2.7m from finished first floor level. As the Velux windows are proposed to sit above 1.7m of the internal first floor level, the windows are considered to not result in any unreasonable overlooking towards this neighbour.

It is of note that the principal reason for dismissing the previous appeal, was the Inspector's concern with regard to the outlook from the side facing bedroom window and conflicting requirements of future users of that room and privacy implications for occupiers of No 1. The current proposals have amended the layout of the first floor and 'Bedroom 1' to ensure that it is served by suitable openings that do not result in similar conflicting issues in terms of outlook and privacy as previously. The existing side facing bathroom window within the property will serve an en-suite rather than being the principal window to a habitable room as proposed under application 2021/00020/FUL. Given this window is

shown to be obscure glazed to serve a non-habitable room, there is no objection and it is considered the principal concerns of the Inspector have been suitably addressed.

The neighbour has also raised strong objections regarding the harmful overbearing and outlook impacts from the proposal. The proposed extension will alter the outlook from south and east facing windows to some degree as well as from the front/side garden. In consideration of the previous appeal, in consideration of the impact upon No 1, the Inspector states:

'The most marked visual effect would be some reduction in sky views and there would also be a moderate enclosing effect on the front/side garden space. However, views of the proposed front extension from French windows serving No 1's living room would be oblique rather than direct, with a largely open aspect retained to the south and a second aspect obtained from rear-facing windows. Direct views of the extension would be experienced from an east-facing ground floor window in No 1, but as that does not serve a principal living space the magnitude of the visual effect would be lessened as a result.'

The proposed extension would be located approximately 3-3.5m away from the side elevation. Whilst the extension would have a closer relationship with both the front garden and the neighbouring dwellinghouse, given the subservience of the extension and its relatively modest depth, it is considered that the extension would not appear as unacceptably overbearing. Whilst the impact upon the front garden is considered, it is noted that the rear garden providing the primary area of amenity space would not be affected by the extension and remains as a sufficient amenity space for the residents at number 1 White House.

The Inspector concludes that because of the extension's hipped roof and set-down ridge, the front extension would *'avoid any harmful overbearing on No 1's side/garden area'*. It is therefore considered that whilst the proposal would be visible from number 1 White House, any impacts are not considered unacceptably detrimental to neighbouring amenity of its occupiers.

The neighbour has also objected to the application in relation to a loss of light and overshadowing as a result of the proposed front extension. The location of the application site to the east / south-east may result in a degree of loss of light and overshadowing impacts for a limited duration during the early morning hours within principal living spaces and the side/garden area. However, any such impact would not be significant (given the orientation) and the development is considered to be sufficiently spaced from the neighbour to ensure that there would not be a significant natural daylight impact. This echoes the conclusions of the Inspector who states that the proposed extension would *'not amount to an unacceptable interference with adjacent occupants' living conditions.'* Whilst it is considered that there would be a minimal shadowing impact on the property at number 1 White House, the degree of this is deemed acceptable.

Having considered all of the above, it is considered that the proposals would not result in unacceptable detriment to the amenity of occupiers of No 1 White House.

5 White House

It should be noted that there is a ground level variation between the application site and this neighbour and as such, the neighbouring property at No 5 is slightly lower than the application site.

The neighbour has raised strong objections regarding potential for harmful privacy and overlooking impacts. The application proposes 3 Velux windows facing this neighbour. The first rooflight serves a hallway. This window is proposed to serve a non-habitable room but due to the low height level above first floor level is proposed to be obscurely glazed and non-opening. In order to ensure these glazed and non-opening features will be conditioned (see condition 3). This will ultimately reduce the potential for any direct overlooking into the property at number 5 White House. The second rooflight serves bedroom 3, this rooflight is proposed to be non-opening and obscurely glazed, the Council proposes this to be conditioned to ensure no potential for any overlooking impacts from this opening (see condition 4).). The third Velux window is proposed within the roof plane of the rear extension. This rooflight is located approximately 3.3m from ground level, this significant distance from ground level ensures no potential for overlooking impacts to the rear garden.

The proposed first floor front extension in the south-western corner would have a side elevation window on the first floor serving a bedroom. The proposed side facing window would be located approximately 7.5m away from the boundary and whilst views would be offered towards this neighbour, given the nature of these views towards the front of the property (views that are already visible within the public domain), such views would not be harmful to the privacy and living conditions of the neighbour. This is reiterated within the previous appeal decision that states:

‘Whilst a side-facing window serving a first floor bedroom in the front extension would face towards No 5’s front garden, this amenity space is already visible from the public realm.’

The neighbour raises that the proposed window on this extension ‘directly looks at our ensuite bathroom and shower.’ Due to the angle of the proposed window relative to these openings and relationship with the proposed two storey front extension, it is considered that there would be limited potential for overlooking into these windows from this proposed window and not to a degree to warrant refusal of planning permission.

The neighbour has also raised strong objections regarding the harmful overbearing and outlook impacts from the proposal. The proposed height to the eaves would be approximately 2.4m, gradually rising to match the height of the existing roof. This neighbour has doors on the side elevation and a narrow pathway between the side elevation and the boundary. The outlook would be altered, however, given the modest height to the eaves; the slope of the roof away from the neighbour; the secondary nature of windows within the adjacent side elevation and use of the area adjacent to the extension (side access path), it is considered that this element of the proposals would not result in unacceptable impact upon the outlook enjoyed by occupiers of No 5.

The neighbour has a first floor bathroom window fronting the application site. Within their decision, the Inspector notes that whilst the front/side extensions would be situated in close proximity to the boundary of No 5 White House, the low eaves of the extended roof slope would considerably lessen any impacts on the neighbouring property. The report goes on to state that despite the close proximity to the boundary, *'an acceptable outlook would be retained, including from west-facing windows and doors and that property's side passage.'* Noting the above, it is considered that the proposals would not result in unacceptable harm to the outlook enjoyed by occupiers of No 5.

The proposed rear extension would be located approximately 1m away from the boundary to this neighbour at its closest point. The proposed extension would alter the outlook for this neighbour from their rear elevation and garden as the proposed extension does extend beyond No 5's rear elevation. The ridge height for this extension would be approximately 5.9m in height – however, the tallest section of the extension is located approximately 5.5m away from the boundary. Therefore, given the modest height to the eaves and the slope of the roof away from this neighbour, it is considered that despite the difference in levels previously noted the rear extension it would not result in an unacceptable impact in terms of outlook or light on this neighbour. This is also stated within the appeal decision where the Inspector states that the *'modest height and sloping roof would ensure that unacceptable overbearing effects would not arise to the rear of No 5'* whilst with respect to loss of light they state *'a negligible impact on the enjoyment of that property's rear amenity area or on main living spaces.'*

7 White House

The property at number 7 White House objected to the proposal on overlooking impacts from the proposed Velux windows. This is because the 'land level falls towards the sea'. Whilst there is a moderate difference in height levels between the applicant's property and number 7 White House, the properties are separated by both number 3 White House and a 21m distance. As such, it is considered that there is sufficient distance between these properties for any unneighbourly impacts.

Noting all of the above, it is considered subject to conditions, that the proposals would not result in unacceptable impact upon the amenity enjoyed by occupiers of neighbouring residential properties and as such would comply with Policies MD2 and MD5 that seek, amongst other things, to protect the amenity of neighbouring residential properties.

Other Issues

The neighbour comments refer to the need to provide further clarity of issues concerning construction methodology and disruption. Regarding disruption, the impacts are considered to be temporary in nature and unlikely to be significant in magnitude. In terms of construction methodology, as this is a householder planning application this is not required as a material planning consideration.

Neighbour comments also include objections to the proposed use of the extended dwelling as a house of multiple occupation (HMO). Although the proposals look to provide annexed accommodation, the application has not been submitted for a change of use to HMO and there is no evidence to suggest that this is the case. As such this does not represent a reason to refuse planning permission in this instance.

It is noted that occupiers of neighbouring dwellings have requested that the Council undertake an assessment of light impacts using the BRE '25 degree rule' and '45 degree rules' in terms of daylighting. Firstly, these are not formally adopted as best practice within adopted Council policy or guidance. In any event, it is considered that the above report above provides a robust assessment of potential impacts upon light to neighbouring residential properties that are consistent with consideration of a commensurate scheme by an Inspector. As such the absence of any such assessment does not represent reason to refuse planning permission in this instance.

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:

AE 01 rev5.pdf - Amended Proposed Elevations - Submitted to the LPA on 24/05/2022

AL 01 rev5.pdf - Amended Proposed Floor Plans - Submitted to the LPA on 24/05/2022

Reason:

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

3. The roof-light located in the East facing elevation serving the proposed first floor stairway shall be obscurely glazed to a minimum of level 3 of the "Pilkington" scale of obscuration and fixed pane at the time of installation, and so retained at all times thereafter.

Reason:

To ensure that the privacy and amenities of adjoining occupiers are safeguarded, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

4. The roof-light located in the East facing elevation serving 'bedroom 3' shall be obscurely glazed to a minimum of level 3 of the "Pilkington" scale of obscuration and fixed pane at the time of installation, and so retained at all times thereafter.

Reason:

To ensure that the privacy and amenities of adjoining occupiers are safeguarded, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

5. The rooflights approved shall be conservation style rooflights and should be retained as conservation style rooflights in perpetuity.

Reason:

To protect the wider conservation area and to comply with policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Council's Local Development Plan.

6. The render and slate to be used in the construction of the external surfaces of the extensions shall match those used in the existing dwelling that exist at the time of this approval.

Reason:

To safeguard local visual amenities, as required by Policies SP1 (Delivering the Strategy), MD2 (Design of New Development), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Local Development Plan.

REASON FOR RECOMMENDATION

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

Having regard to Policy SP1 –delivering the strategy, SP10 – Built and Natural Environment, Policy MD 2 – design of new development, Policy MD 5 – development within settlement boundaries and MD8 – Historic Environment of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice contained within the Council's Supplementary Planning Guidance on Residential and Householder Development and Parking Guidelines, Planning Policy Wales 11th Edition, Technical Advice Note 12- Design, the Welsh National Marine Plan (2019) and Future Wales – the National Plan 2040, Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 the development is considered acceptable in terms of its scale, design, impact on conservation area, impact on neighbours, parking and impact on amenity space provision.

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

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

NOTE:

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

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

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

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