

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 8 OCTOBER 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:

2026/0011/PO	AC	7, Vicarage Gardens, Marshfield, Cardiff. CF3 2PS	Single storey rear extension and changes to fenestration
2026/0369/BR	AC	Clarence Villa, 99, Windsor Road, Penarth, CF64 1JF	Proposed extension to side and rear, internal alterations and rear dormer
2026/0387/BR	AC	8 Highwalls Avenue, Dinas Powys, CF64 4AP	Internal alterations, removal of walls, relocation of kitchen and bathroom, and forming larger structural openings for new patio doors and windows. Living rooms to remain on ground floor, Bedrooms on first floor. First floor height above external ground level is max. 3.85m
2026/0391/BN	A	11, Dobbins Road, Barry. CF63 2NN	Through floor lift from ground floor dining room to first floor bedroom
2026/0408/BN	A	Block 1, Flats 1-12, Sea Point, The Knap, Barry. CF62 6TB	Wall ties renewal

2026/0409/BN	A	Block 2, Flats 13-26, Sea Point, The Knap, Barry. CF62 6TB	Wall ties renewal
2026/0410/BN	A	Block 3, Flats 27-35, Sea Point, The Knap, Barry. CF62 6TB	Wall ties renewal
2026/0414/BN	A	163, Pontypridd Road, Barry. CF62 7LW	Roof space conversion for fourth bedroom with ensuite, two dormer windows and new internal staircase and small landing
2026/0416/BR	AC	5, Maughan Terrace, Penarth. CF64 1DT	Create new balcony / terrace over existing rear extension flat roof
2026/0417/BN	A W	Morlais, Southerndown Road, St Brides Major. CF32 0SD	Two side glass conservatory with glass roof & new opening from existing dwelling into conservatory
2026/0419/BN	A	43, Glen Mavis Way, Barry. CF62 8JA	Removal of load bearing wall between kitchen and lounge area and install a steel
2026/0420/BN	A	Broadshoard House, 13, Westgate, Cowbridge. CF71 7AQ	Downstairs bathroom alteration, external knock through & internal knock through
2026/0421/BN	A	Limetree Cottage, 3 The Vines, Colwinston, CF71 7NB	Ground floor structural alteration for new kitchen
2026/0422/BN	A	32, Merthyr Dyfan Road, Barry. CF62 9TG	First floor single storey extension
2026/0423/BR	AC	The Elephant House, Welsh Hawking Centre, Waycock Road, Barry. CF62 3AA	Conversion & extension of the Elephant House to form a rural enterprise dwelling
2026/0424/BR	AC	20, Seaview Drive, Ogmore By Sea. CF32 0PB	Single storey rear extension

2026/0425/BN	A	4, Mallard Way, Penarth. CF64 5FG	Removal of a load bearing internal wall (knock through) on the ground floor that joins the kitchen to the living room. Installation of 2 RSJ's. Replacement of kitchen window and living room window. Installation of half partition wall. Removal of gas fire and in future installation of wood burning fire. All work is internal.
2026/0426/BN	A	12, Pembroke Terrace, Penarth. CF64 1DE	Kitchen renovation including replacement of window and single door with a sliding patio door. Roof replacement, removal of ceiling and installation of 4 velux windows
2026/0427/BN	A W	147, Lavernock Road, Penarth. CF64 3RN	Single storey rear extension and convert kitchen to shower room.
2026/0428/BN	A	10, Trinity Street, Barry. CF62 7EU	Velux loft conversion
2026/0430/BR	AC	Batslays Farm, Bro Tathan South, St Athan, CF62 4AG	Re roof
2026/0431/BN	A	Whitton Lodge, Five Mile Lane, Walterston. CF62 3AS	Replacement of existing conservatory with a single storey extension with slight increase in footprint and convert to open plan kitchen / living. Removal of existing wall to accommodate. Internal alterations to convert existing kitchen space into boot room and storage cupboards.
2026/0432/BN	A	3, The Oaklands, Pen Y Turnpike Road, Dinas Powys. CF64 4HH	Single storey extension

2026/0433/BR	AC	Daisy And Jack, 79, High Street, Cowbridge. CF71 7AF	Conversion of premises to 1 dwelling
2026/0434/BN	A	10, Torbay Terrace, Rhoose. CF62 3HB	Knock through between kitchen and living room
2026/0435/BN	A	4, Porfa Ballas, Rhoose. CF62 3LF	Integral garage conversion
2026/0436/BN	A	9, Maes Y Gwenyn, Rhoose. CF62 3LA	Internal knock through and external beam for bi-fold doors
2026/0437/BN	A	16, Alwen Drive, Barry. CF62 7LH	Removal of a load bearing wall between the kitchen and dining room
2026/0438/BN	A W	34, Tennyson Road, Penarth, CF64 2RZ	Erection of a single-storey rear extension and two-storey side extension.
2026/0439/BN	A W	Tanager, 13, Fairfield Close, Llantwit Major. CF61 2XL	Proposed single storey rear extension, front and rear dormers and internal alterations
2026/0441/BN	A	Pleasant Hill, Leckwith. CF11 8AS	2 Replacement balconies
2026/0442/BR	AC	Wick Village Shop, Wick, Cowbridge. CF71 7QB	Removal of wall on ground floor to make a bigger kitchen
2026/0443/BN	A	3, Dol Gwartheg, Penarth. CF64 3JW	Alterations to ground floor walls & installation of French door and structural beam
2026/0444/BN	A W	Rear of 30A, Hickman Road, Penarth. CF64 2AL	Build a new gable end & remove old stone end
2026/0445/BR	AC	73, Harding Close, Boverton, Llantwit Major. CF61 1GX	Single storey rear flat roof extension and part conversion of existing garage to create a utility room
2026/0446/BR	AC	Pencoedtre High School, Merthyr Dyfan Road, Barry. CF62 9YQ	Erection and conversion of two self-contained and powered metal containers to from youth space within the grounds

2026/0447/BN	A	21, Denys Close, Dinas Powys. CF64 4JR	Re Roof
2026/0448/BN	A	16, Evelyn Street, Barry. CF63 4EN	Re roof
2026/0450/BR	AC	Southway Residential Home, Town Mill Road, Cowbridge. CF71 7BE	Alterations to main entrance to create larger inner lobby and forming new doorway to reception
2026/0451/BN	A	17, Leigh Close, Boverton, Llantwit Major. CF61 1UL	Bathroom adaption will include extending bathroom by removing a build in cupboard
2026/0452/BN	A	10, Nicholl Court, Boverton, Llantwit Major. CF61 2LR	Stairlift from ground floor to first floor (straight flight). Widen 2nd ground floor door openings to 900mm & bathroom adaptations
2026/0453/BN	A	80, Heol Ty Draw, Barry. CF62 5DU	Forming a new internal doorway between main dwelling and attached garage (no garage conversion)
2026/0454/BN	A	42, Burdons Close, Wenvoe. CF5 6FE	Installation of new window to the side elevation

(b) Building Regulation Applications - Reject

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

NONE TO REPORT

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

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

2026/0151/AI	A	29, Grove Place, Penarth. CF64 2LB	Garage conversion to form habitable space (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
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2026/0152/AI	A	50, Smithies Avenue, Sully, Penarth. CF64 5SS	Proposed first floor extension above an existing ground floor
2026/0153/AI	A	Evelyn, St. Brides Major. CF32 0SD	New detached dwelling wprls to incorporate material alterations to structure, controlled services, fittings and thermal elements
2026/0154/AI	A	36, Cilgant Y Meillion, Rhoose. CF62 3LH	Renovation of existing conservatory roof to a solid guardian roof only
2026/0155/AI	A	24, Llanmaes Road, Llantwit Major. CF61 2XF	Garage conversion to create habitable space (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0156/AI	A	The Walled Garden, Wenvoe. CF5 6BE	Single storey extension
2026/0157/AI	A	10, Charteris Close, Penarth. CF64 5RT	New warm type roof to existing conservatory (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0158/AI	A	8, Village Farm, Bonvilston. CF5 6TY	Internal knock through

2026/0159/AI	53, Port Road East, Barry. CF62 9PY	Proposed single storey rear extension with two storey side (over existing ground) and a small alteration in the porch roof to the front
2026/0160/AI	25, Caynham Avenue, Penarth. CF64 5RR	Single storey rear extension and construction of additional dormers (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0161/AI	29, Rectory Close, Wenvoe. CF5 6AQ	Two storey side extension with internal alterations

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PLANNING COMMITTEE : **8 OCTOBER 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

2021/01461/1/NMA	A	Helios, Wesley Street, Llantwit Major	Non Material Amendment to reduce size of dummy chimneys of Planning Ref 2021/01461/FUL: Variation of Condition 2 of 2020/00882/FUL - Request for the addition of solar panels, either on the roof or on the plot - fulfilling sustainable energy brief. The removal of 2 chimneys on the plans - redundant (no fireplaces). Replace with a stainless-steel flue on the left side elevation to vent a small free-standing wood burner
2024/00306/1/NMA	A	Land to the south of Hood Road, Barry	Non Material Amendment - An amendment to Condition 19 for planning ref 2024/00306/FUL - Proposed redevelopment of vacant brownfield site at Barry Waterfront for a new educational campus for Cardiff and Vale College including landscaping, related infrastructure and engineering works
2024/00900/1/CD	A	Pantwilkin Stables, Aberthin	Discharge Conditions 3 (Landscaping scheme) and 7 (Biodiversity Enhancement Details) of Planning Permission 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

2025/00151/FUL	A	Ty Uchaf Farm, Llantrithyd	FYM (Farmyard Manure) Store
2025/00532/1/CD	A	The Station Hotel, 162 Windsor Road, Cogan	Discharge of Conditions 2. (Site Plan update - to clarify and match any changes for 2025/01012/FUL) & 3.(Biodiversity Enhancement Details) for planning ref 2025/00532/FUL - The Subdivision of the existing living accommodation at first and second floor of The Station Hotel into 3 self-contained apartments and external alterations.
2025/00888/FUL	A	4 Fitzhamon Close, Cowbridge	Retrospective application for garden landscaping to provide a level surface, 60cm retaining wall, new shed and increase in fence height.
2025/01008/1/NMA	A	Land East of Dunraven Close, Cowbridge	Non Material Amendment to Construction Traffic Management Plan (CTMP) , Change to acoustic fencing, and Minor landscaping changes of Planning Ref 2025/01008/RG3: Proposed new school - Ysgol Iolo Morganwg

2026/00106/1/NMA	A	Pant y Lladron, St Hilary, Cowbridge	Non Material Amendment to amend the colour and material of the proposed windows, external doors & rainwater goods of Planning Approval 2026/00106/FUL: Variation of Condition 2 (Plan Specification) of Planning Approval 2022/01085/FUL: Replacement dwelling and improved driveway access
2026/00106/2/CD	A	Pant y Lladron, St Hilary	Discharge of Conditions 4.(Biodiversity Enhancement Provision) 8.(Materials Details - slate - update) for planning ref 2026/00106/FUL - Variation of Condition 2 (Plan Specification) of Planning Approval 2022/01085/FUL: Replacement dwelling and improved driveway access at Pant y Lladron, St Hilary
2026/00138/FUL	A	Oakways Farm, Station Road, Peterston Super Ely	Retention of new turn out arena 22 x 23.6m with gravel hardstanding
2026/00164/FUL	A	Chy Avallon, Church Road, Llanblethian, Cowbridge	Demolition of existing covered porch to the utility room, rebuilding the porch to provide porch link corridor to the new garage. Building new garage with home office space above, installing integrated solar panels on the rear garage roof. Alterations to main parking area and parts of the garden.

2026/00171/FUL	A	Great House Farm, Llanmaes, Llantwit Major	Change of use from agricultural to include equestrian use, for the private keeping of horses. Also, retain two horse shelters/stables and remaining chicken coops.
2026/00180/FUL	A	Wellbrook House, Trerhyngyll, Cowbridge	Proposed garden shed
2026/00236/1/CD	A	Bonvilston Reading Room, Bonvilston	Discharge of Condition 3 (Biodiversity Enhancement) of Planning Ref 2026/00236/FUL: To install solar panels on the southernmost facing roof of Bonvilston Reading Room. To install a battery and inverter on the patio on the south side of the building. The footprint of the battery and inverter are approximately 0.126 sq m.
2026/00283/FUL	A	Hillside, Pendoylan	Proposed stables, access, track and associated works
2026/00300/FUL	A	74 Holton Road, Barry	Change of use of redundant offices on the second and third floors into one residential unit
2026/00328/FUL	A	Ty Ar Y Bryn, Pen-y-Turnpike Road, Dinas Powys	Variation of Planning Permission 2023/00193/FUL: Alteration to previously approved dwelling, to include loft conversion, minor window / door revisions, use of part of garage as habitable room with glazed corridor link, wall along site frontage

2026/00345/FUL	A	Bryn Y Fedwen Farm, Ystradowen	Proposed Replacement Dwelling (and various associated works)
2026/00372/FUL	A	27 Trem Y Bae, Penarth	To build sunroom extension on existing first floor terrace
2026/00380/FUL	A	1, 3, 5 and 7, Rectory Close, Wenvoe	Refurbishment and energy efficiency works to 4 No. properties
2026/00397/FUL	A	3, Handel Close, Penarth	Single storey living unit of 45.5m2 for elderly family member to be built within the rear garden of existing residential property
2026/00426/FUL	R	131 Stanwell Road, Penarth	To form a new crossover for off-road parking
2026/00427/FUL	R	St George's Yard, Opposite April Cottage, Drope Terrace, St George-Super-Ely	Amendment to Planning Approval 2025/00033/FUL. To create three additional family pitches with shared communal day room (incorporating one static caravan and one touring caravan, two parking places per pitch), a further small day room, installation of private treatment plant and ecological enhancements (partly retrospective)
2026/00441/FUL	A	Clinton, Eagleswell Road, Boverton, Llantwit Major	Proposed residential extension and associated works

2026/00442/FUL	A	The Cottage, Trerhyngyll Village, Trerhyngyll	Proposed pitched roof timber clad double garage and garden room on land to the south of the house.
2026/00460/LAW	R	Church Cottage, A48 Bonvilston, Bonvilston	Proposed Lawful Development Application for the Change of the Roof Covering from Thatch to a Slate/Tile
2026/00467/1/NMA	A	Beechwood House, Beechwood College, Hayes Road, Sully	Non Material Amendment for the variation of Conditions 1 and 3 (Timescales) of Planning Approval 2026/00467/FUL: Permanent retention of existing modular classrooms, in addition to external enhancement and landscaping works.
2026/00471/FUL	A	Mod Site, Building 64 Cowbridge Road, St Athan,	The proposed development include the following works: - Installation of mezzanine floor - Installation of external doors including fire escape doors - Installation of windows - Creation of external fire escape stairwell, including associated groundworks and installation of concrete hardstanding to accommodate staircase.- Erection of small lean-to structure outside the front of the warehouse to accommodate compressed air tank. - Installation of paint booths, sanding room and clean room internally

2026/00495/FUL	A	Nationwide Building Society, 21 Windsor Road, Penarth	Installation of combined defibrillator and bleed kit cabinet to external wall of Nationwide Building Society branch
2026/00496/FUL	A	Woodlands Cottage, Llandough, Cowbridge	Extension and alteration of existing dwelling, including the erection of a rear glazed extension and reconfiguration of internal layout.
2026/00511/FUL	A	8, 9 and 10 St Joseph's Mews, Penarth	Reroofing requiring increase in roof height of approx. 50mm
2026/00527/FUL	A	14 Robinswood Crescent, Penarth	External alteration to windows and doors and the removal of rear conservatory. Internal reconfiguration.
2026/00529/FUL	A	23, West Farm Road, Ogmore By Sea	Change of use of existing garage to annexed accommodation. A studio with shower room. To install a glazed balustrade on the roof of the existing garage roof to be used as a first-floor terrace. To install an external staircase to the rear of the dwelling to access the proposed first floor terrace.
2026/00531/FUL	A	25 Caynham Avenue, Penarth	Single storey rear extension, addition of two number front elevation dormer windows, addition of front porch and bay window, associated refurbishment and alterations.

2026/00532/FUL	A	50 St David's Crescent, Penarth	Change of existing & proposed roof tile colour & change the existing approved lean-to roofs to the ground floor extensions to flat roofs. Extend at rear to provide store room.
2026/00534/LAW	A	Heddfa, Drangway, Llantwit Major	Installation of solar panels
2026/00537/FUL	A	13 Augusta Road, Penarth	New single-storey kitchen infill extension to the rear of the property, along with new windows and doors in the existing house
2026/00546/FUL	A	31 Caerwent Close, Dinas Powys	Two storey side extension
2026/00547/FUL	A	13 Knowbury Avenue, Penarth	New garden room in rear garden.
2026/00552/FUL	A	Land at Pencoedtre Park, St Brides Way, Barry	Construction of toilet block and associated works
2026/00557/FUL	A	20 Sycamore Crescent, Barry	Demolition of the existing porch and removal of the hedgerow, with a new porch and extension of the existing hardstanding to the front of the property. Demolition of existing conservatory to the rear of the property. Replacement doors and windows throughout the property.

2026/00566/FUL	A	17 Brean Close, Sully	It is proposed to add a double storey side extension to the property to increase the living and bedroom space. It is also proposed to replace the existing rear conservatory with a lean to style single storey kitchen extension. All materials will match the existing style as the existing house. The proposal also includes a small porch to the front of the property.
2026/00569/FUL	A	Angels Chinese Takeaway, 15, York Place, Barry	Proposed new shopfront
2026/00570/FUL	A	25 Borough Close, Cowbridge	Erect a storm porch to the front elevation
2026/00572/LAW	A	59, Meadowcroft, Rhoose	Retrospective Lawful application for the relocation of the front door to the side of the house.
2026/00581/FUL	A	28 Baruc Way, Barry	Conversion of existing integral garage to habitable room. Garage door replaced with window.
2026/00597/FUL	A	190, Colcot Road, Barry	Demolish existing rear conservatory, construct new single storey, pitched roof kitchen extension. Construct a new garage and garden room on site of existing (previously demolished) garage.

2026/00640/LAW	A	Barn 2, Prisk Farm, Prisk Village Road, Prisk	Lawful implementation of planning permission ref 2005/00528/FUL - within 5 years (in compliance with condition 1)
2026/00644/LAW	A	15 Court Close, Aberthin	New single storey extension to rear to increase kitchen / living space to garden

THE VALE OF GLAMORGAN COUNCIL

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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
E Split Decision

R - Refused

2026/00070/TPO	A	5, 6, 7, 8, Cwrt Yr Eglwys, Dinas Powys	Work to Trees covered by TPO No. 02 of 2018: T1 - T4 Sycamore - Reduce crowns by approx. 4m back to strong growth points
2026/00543/TPO	A	Sunny Glen, Port Road, Wenvoe	Work to Tree(s) covered by a Tree Preservation Order No 09 of 1995 - Application for removal of tree T2 and HG1.
2026/00596/TCA	R	25 Church Avenue, Penarth	Clear all trees to low stumps near ground level, cutting back all vegetation (brambles) to ground level. Trees consist of self-seeded sycamore, variety of sizes and ages, many within 5m of boundary of property, Hawthorn, self-seeded and lots of groups of buddleia.

2026/00623/TPO	A	Glanrhyd, Causeway Hill, Llanblethian, Cowbridge	Work to tree(s) covered by Tree Preservation Order No. 7 1973: Re-Pollard of Sycamore at the side of property adjacent to Factory Brook.
2026/00635/TPO	A	13 Laburnum Way, Dinas Powys	Works to trees protected by TPO No.02 of 1954: Carry out relatively minor pruning work to 3 mature English Oak trees situated along the driveway of the property: i) clean out low growing branches and shoots beneath the crown, on the trunks of all 3 trees ii) lightly crown reduce T1 iii) remove any dead or crossing branches that are hazardous and at risk of falling.
2026/00655/TCA	A	Westbury, Factory Road, Llanblethian, Cowbridge	T1 Mature beech tree (*Fagus sylvatica*) situated in the north-west corner of the rear garden - Crown reduce by approximately 2 metres in height and lateral spread, with particular attention given to reducing lateral growth extending towards and over the neighbouring garage. Branches will be pruned back to suitable secondary growth points to retain a natural, balanced and viable crown. Dead, damaged or crossing branches will be removed where appropriate. No topping or indiscriminate lopping is proposed.

2026/00664/TPO

A 11 Greenfield Avenue,
Dinas Powys

Work to Tee(s) covered by
Tree Preservation Order
No. 14, 1973: T1,
Sycamore. prune new
growth back to previous
point of reduction and
shorten limbs growing over
property in Millbrook Close

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **8 OCTOBER 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. PLANNING APPLICATIONS

2025/00823/FUL Castle Wood, Jewel Street, Barry

2025/01091/FUL Llantwit Major Football Club

2025/01296/FUL Former Gas Site, Barry (Aldi)

Background Papers

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

APPLICANT: Newydd Housing Association C/o Agent, Avison Young, One Kingsway, Cardiff, CF10 3AN

AGENT: Mr Owain Griffiths Avison Young, One Kingsway, Cardiff, CF10 3AN

Castle Hotel, Jewel Street, Barry

Retention of 14 no. apartments (Use Class C3) within the existing public house (Use Class A3) and 2-storey side extension (all approved under LPA Ref: 2019/1062/FUL), together with change of use of ground floor and remainder of first floor of existing public house (Use Class A3) to provide 8 no. apartments (Use Class C3), external alterations, repositioned vehicular access, provision of 15 no. car parking spaces, cycle storage, bin storage, drainage and ancillary works.

REASON FOR COMMITTEE DETERMINATION

The application has been called in for determination by planning committee by Councillor Collins if officers are minded recommending approval. The reason for the call in being that the application would result in the loss of a community facility which was approved under previous planning approval 2019/01062/FUL.

EXECUTIVE SUMMARY

The application is for the change of use of the remainder of the first floor and ground floor of the existing public house known as the Castle Hotel, from A3 use to provide 8 new affordable apartments (use class C3). The application also includes external alterations and amendments to the previously approved bin and cycle store. The repositioned vehicular access leading onto provision for 15 car parking spaces, cycle storage and bin storage, as well as the 14 apartments (C3) have previously been approved, including the change of use, under planning application 2019/01062/FUL within the existing public house along with a two storey side extension. These apartments are now occupied.

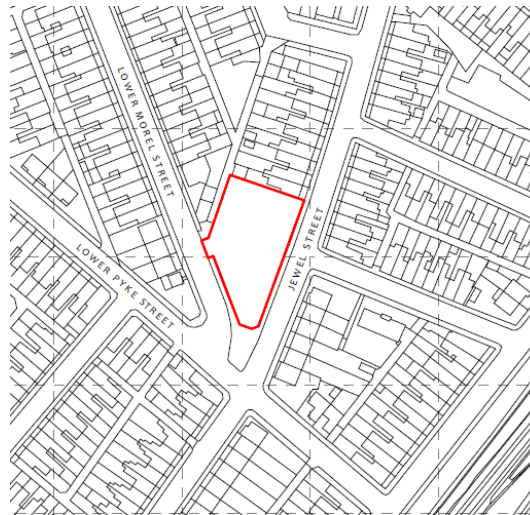
The main issues relate to the principle of residential development at the site and the loss of the remaining community facility, the design and visual impact, impact on residential neighbouring amenity, parking and highway safety and ecology.

There have been a total of 4 objections received by neighbouring residents, whilst Barry Town Council have also objected. Similar concerns have been raised by Councillor Collins and the Council's Regeneration team. Having considered the above issues, and all salient planning matters, the proposed development is recommended for approval subject to conditions and S106 financial contributions towards Community Facilities.

SITE AND CONTEXT

The application site relates to the Castle Hotel, 44 Jewel Street, Barry. The site lies within a predominantly residential context at the junction of Jewel Street, Lower Pyke Street and Lower Morel Street. The property is located on a prominent plot, on the corner of Lower Pyke Street, Lower Morel Street and Jewel Street. The property retains much of its Public House façade however it is not placed under any heritage designation.

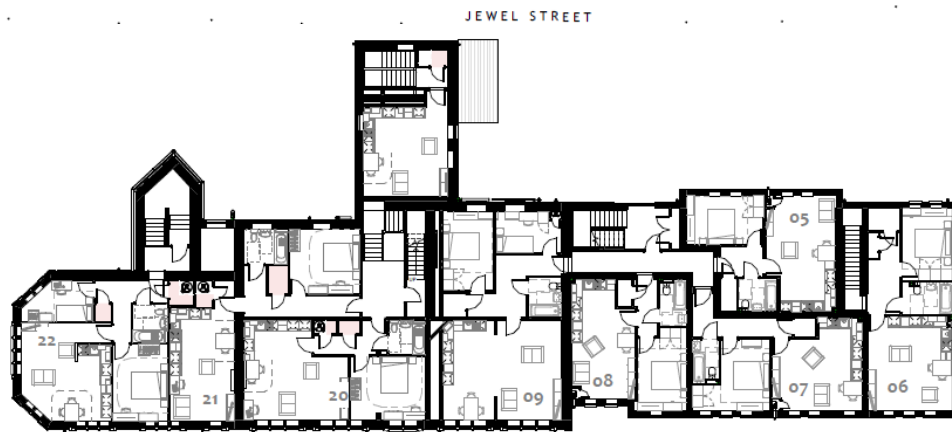
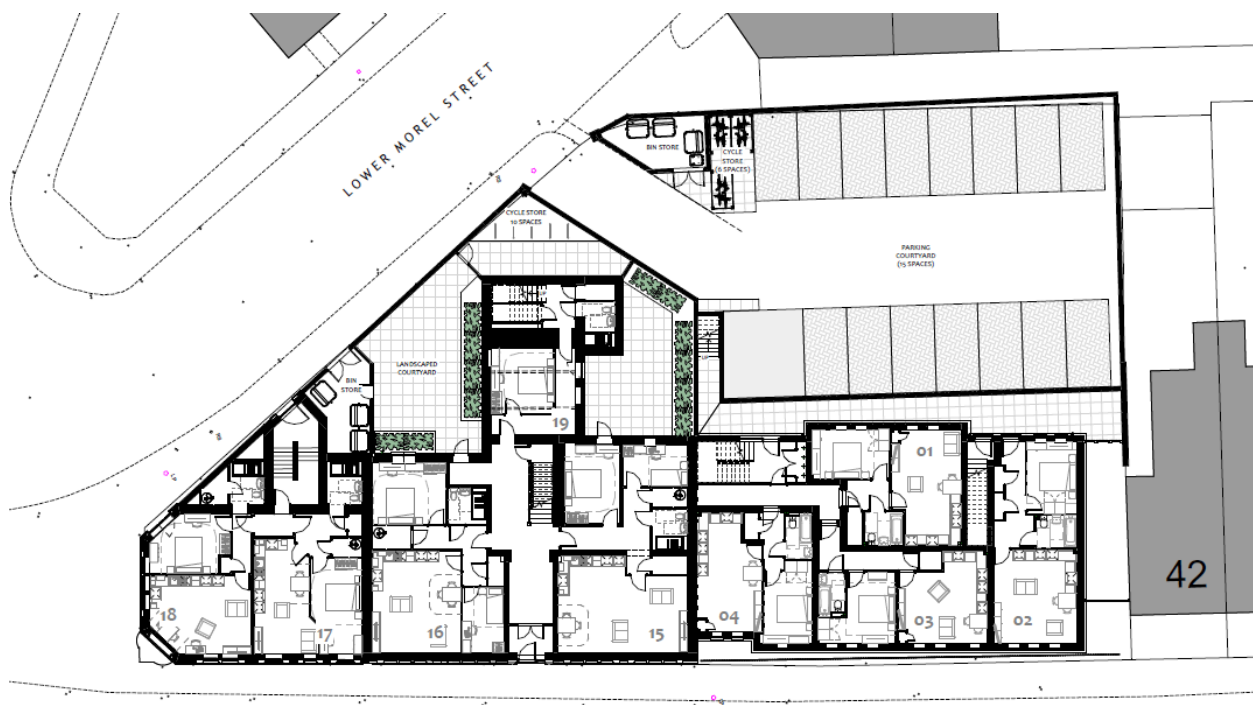
Permission was granted in 2019 (2019/01062/FUL) for a mixed-use pub/residential scheme on the site; the approved scheme for the re-use of the public house (Use Class A3 use/community facility) and 14 no. affordable apartments which has been implemented. Whilst all 14 flats are currently occupied, the A3 use public house/community facility remains unoccupied and subsequent planning application for the conversion of the public house to 8 additional flats along with associated works was withdrawn on 13th October 2023 due to a lack of marketing evidence.



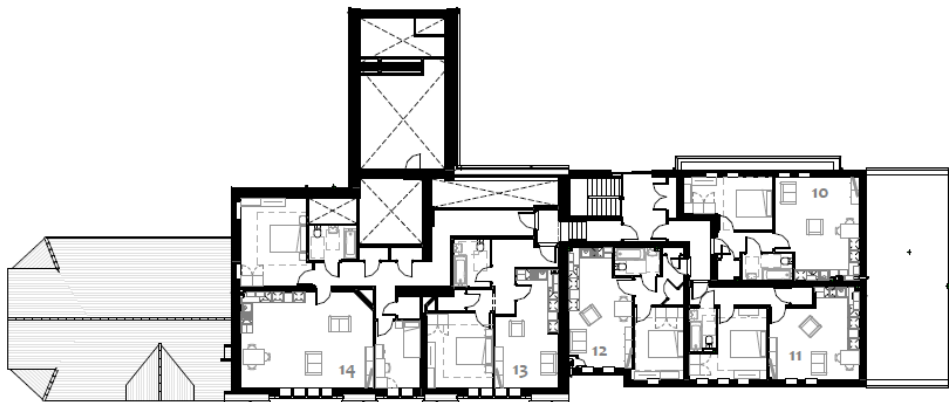
DESCRIPTION OF DEVELOPMENT

The application seeks full planning permission for the change of use of the ground floor and remainder of first floor of existing public house (Use Class A3) to provide 8 no. apartments (Use Class C3). Minor external alterations are also proposed including blocking up windows and doors. Amendments are also proposed to the cycle and bin storage in addition to the courtyard area.

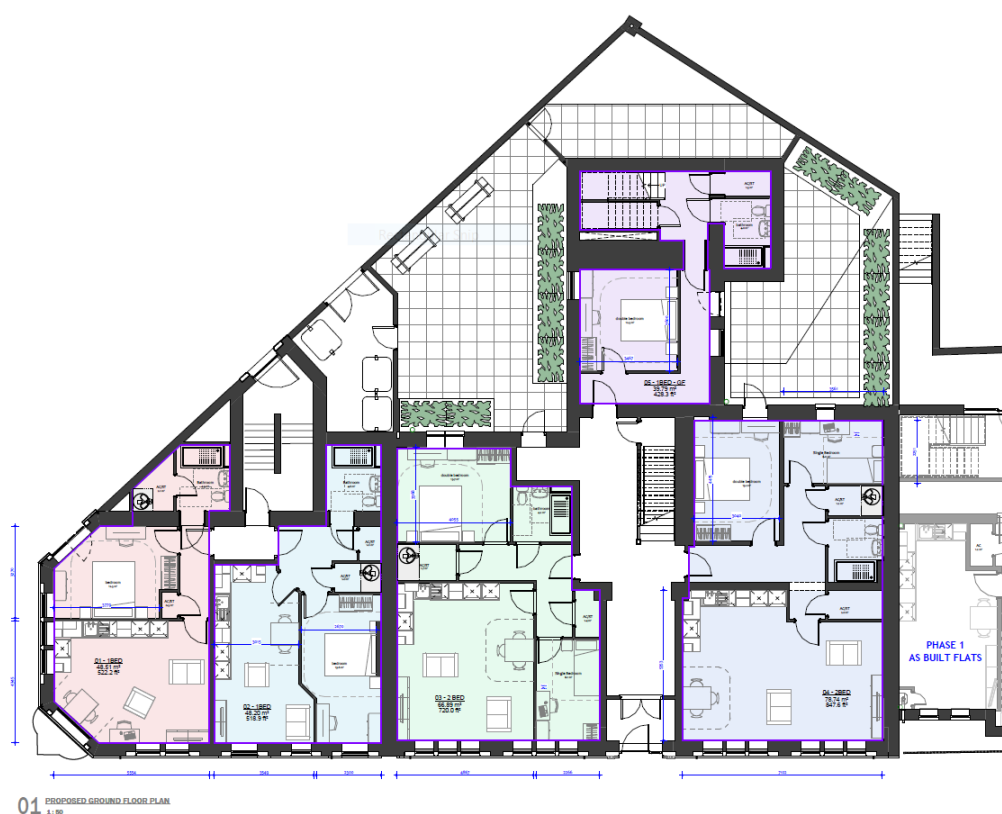
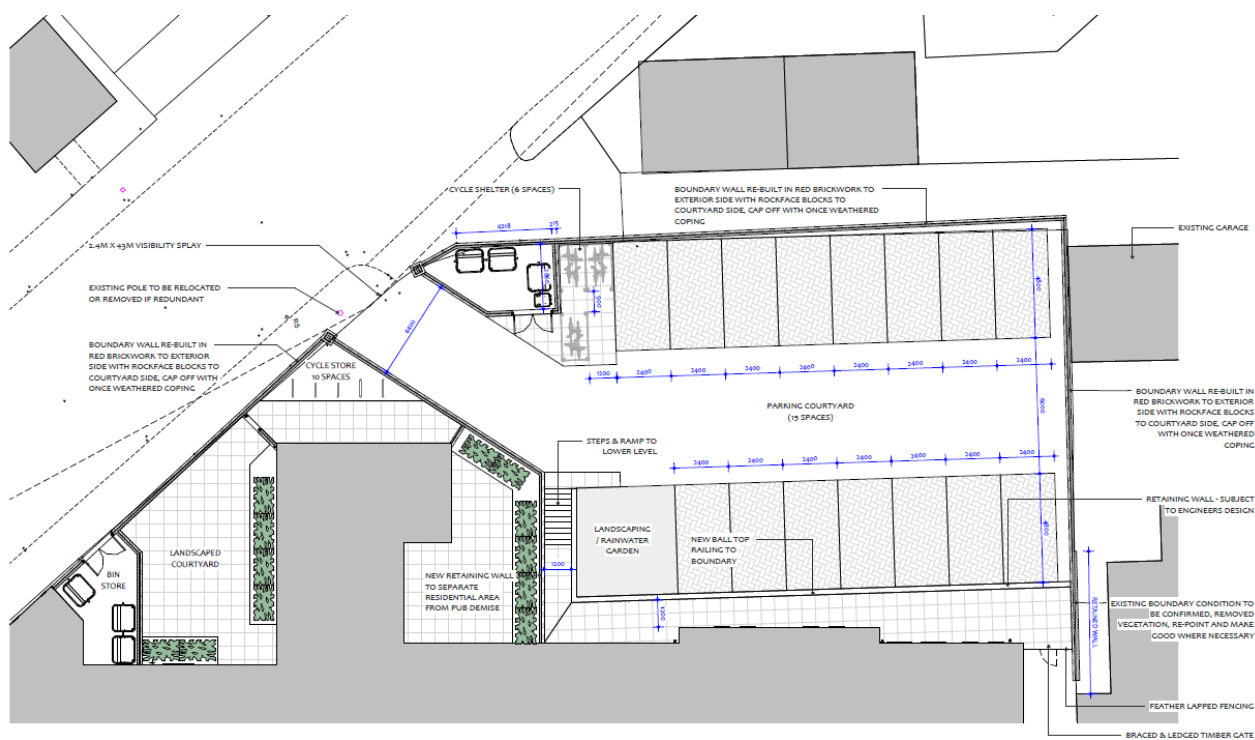
For clarity, whilst the description of development includes external alterations, a repositioned vehicular access, provision of 15 no. car parking spaces, cycle storage, bin storage, drainage and ancillary works in addition to 14 no. apartments (Use Class C3), these do not form part of the current proposals and were previously approved in 2019 within the existing public house (Use Class A3) and 2-storey side extension (all approved under LPA Ref: 2019/1062/FUL).



01 PROPOSED FIRST FLOOR PLAN
1:100



02 PROPOSED SECOND FLOOR PLAN
1:100





PLANNING HISTORY

1990/00136/FUL, Address: 'The Castle Hotel', 44, Jewel Street, Barry, Proposal: Proposed alterations and improvements to existing public house, Decision: Approved

1993/00791/ADV, Address: The Castle, Jewel Street, Barry, Proposal: 2 off double sided illuminated projecting signs, Decision: Refused

2012/00685/FUL, Address: The Castle Hotel, Jewel Street, Barry, Proposal: Partial demolition and conversion of The Castle Hotel for 5 No. 2 bed residential apartments and retention of Class A3 use in part of ground floor., Decision: Approved

2019/01062/1/CD, Address: Castle Hotel, Jewel Street, Barry, Proposal: Discharge of Conditions 6 (Drainage), 7 (Materials of Construction), 8 (CEMP) and 16 (Building Recording). Planning approval 2019/01062/FUL - Demolition of existing outbuildings and single storey side extension; the refurbishment, reconfiguration and re-use of the existing public house (Use Class A3)/community facility; the provision of 14 no. affordable apartments (Use Class C3) through change of use and a new build 2-storey side extension; together with the repositioning and widening of the existing vehicular access to car parking spaces, new paving to beer garden and play area, bin store, cycle store, ancillary works and uses, Decision: Approved

2019/01062/1/NMA, Address: Castle Hotel, 44, Jewel Street, Barry, Proposal: Non-material Amendment-Substitution of approved plans listed under Condition 2 and 5 of the planning permission 2019/01062/FUL, Decision: Approved

2019/01062/2/CD, Address: Castle Hotel, Jewel Street, Barry, Proposal: Discharge of Condition 3 (Means of enclosure). Planning approval 2019/01062/FUL - Demolition of existing outbuildings and single storey side extension; the refurbishment, reconfiguration and re-use of the existing public house (Use Class A3)/community facility; the provision of 14 no. affordable apartments (Use Class C3) through change of use and a new build 2-storey side extension; together with the repositioning and widening of the existing vehicular access to car parking spaces, new paving to beer garden and play area, bin store, cycle store, ancillary works and uses, Decision: Approved

2019/01062/3/CD, Address: Castle Hotel, Jewel Street, Barry, Proposal: Discharge of Condition 7 (Materials of construction). Planning approval 2019/01062/FUL - Demolition of existing outbuildings and single storey side extension; the refurbishment, reconfiguration and re-use of the existing public house (Use Class A3)/community facility; the provision of 14 no. affordable apartments (Use Class C3) through change of use and a new build 2-storey side extension; together with the repositioning and widening of the existing vehicular access to car parking spaces, new paving to beer garden and play area, bin store, cycle store, ancillary works and uses, Decision: Approved

2019/01062/4/CD, Address: Castle Hotel, Jewel Street, Barry, Proposal: Discharge of Conditions 11 (Biodiversity), 14 (Travel Plan), 16 (Building Recording) and 17 (Affordable Housing). Planning approval 2019/01062/FUL - Demolition of existing outbuildings and single storey side extension; the refurbishment, reconfiguration and re-use of the existing public house (Use Class A3)/community facility; the provision of 14 no. affordable apartments (Use Class C3) through change of use and a new build 2-storey side extension; together with the repositioning and widening of the existing vehicular access to car parking spaces, new paving to beer garden and play area, bin store, cycle store, ancillary works and uses, Decision: Approved

2019/01062/5/CD, Address: Castle Hotel, Jewel Street, Barry, Proposal: Discharge of Condition 7 & 9 - Demolition of existing outbuildings and single storey side extension; the refurbishment, reconfiguration and re-use of the existing public house (Use Class A3)/community facility; the provision of 14 no. affordable apartments (Use Class C3) through change of use and a new build 2-storey side extension; together with the repositioning and widening of the existing vehicular access to car parking spaces, new paving to beer garden and play area, bin store, cycle store, ancillary works and uses, Decision: Approved

2019/01062/FUL, Address: Castle Hotel, 44, Jewel Street, Barry, Proposal: Demolition of existing outbuildings and single storey side extension; the refurbishment, reconfiguration and re-use of the existing public house (Use Class A3)/community facility; the provision of 14 no. affordable apartments (Use Class C3) through change of use and a new build 2-storey side extension; together with the repositioning and widening of the existing vehicular access to car parking spaces, new paving to beer garden and play area, bin store, cycle store, ancillary works and uses, Decision: Approved

2023/00656/FUL, Address: Castle Hotel, Jewel Street, Barry, Proposal: Retention of 14 no. apartments (Use Class C3) within the existing public house (Use Class A3) and 2-storey side extension (all approved under LPA Ref: 2019/1062/FUL), together with change of use of ground floor and remainder of first floor of existing public house (Use Class A3) to provide 8 no. apartments (Use Class C3), external alterations, repositioned vehicular access, provision of 15 no. car parking spaces, cycle storage, bin storage, drainage and ancillary works, Decision: Withdrawn

CONSULTATIONS

1. **Barry Town Council** were consulted, and object to the proposals due to the loss of a public space, inadequate marketing and attempts to find a tenant for the public house and the over development of the site.
2. **The Council's Highway Development Section** were consulted and are unable to sustain an objection based on the surveys and information provided. Conditions were initially requested relating to the dropped kerb however following further discussion, this is not necessary.
3. **Shared Regulatory Services (Pollution)** were consulted, no comments have been received to date.
4. **Castleland Ward members** were consulted, Councillor Collins responded requesting that this planning application is determined by the Planning Committee, if officers are minded to approve the proposals given the loss of a community facility which was conditioned as part of the previous approval.
5. **Dwr Cymru Welsh Water** were consulted, who raised no objection subject to suitable condition relating to no surface water connecting to the public sewerage system and informatives.
6. **Shared Regulatory Services (Contaminated Land, Air & Water Quality)** were consulted and raised no objection.
7. **The Council's Ecology Officer** was consulted, and raised no objection, confirming that no further ecological assessments are required. Clarification was required in terms of proposed planting which have since been addressed.
8. **Natural Resources Wales** were consulted and raised no objection however noted that the Council's ecology officer should be consulted in relation to the ecological report.
9. **The Council's Regeneration Team** were consulted and raised concerns regarding the loss of the community facility, and queried whether a compromise whereby a proportion of the ground floor is retained as community space would be suitable.
10. **The Council's Housing Officer** was consulted, and evidenced the need for additional affordable housing, noting that the Homes4U waiting list for the Castleland Ward stood at 586 at the date of consultation. As such, the Council's Housing officers support this application.

REPRESENTATIONS

The neighbouring properties were consulted on 2 September 2025 and a site notice was also displayed on 12 September 2025.

To date, a total of four responses have been received concerning an increase in anti-social behaviour, loss of a community facility, increased noise pollution and smells from waste.

REPORT

Planning Policies and Guidance

Local Development Plan:

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

Strategic Policies:

POLICY SP1 – Delivering the Strategy
POLICY SP3 – Residential Requirement
POLICY SP4 – Affordable Housing Provision
POLICY SP10 – Built and Natural Environment

Managing Growth Policies:

POLICY MG1 – Housing Supply in the Vale of Glamorgan
POLICY MG4 – Affordable Housing
POLICY MG7 – Provision of Community Facilities
POLICY MG19 – Sites and Species of European Importance
POLICY MG20 – Nationally Protected Sites and Species

Managing Development Policies:

POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
POLICY MD3 - Provision for Open Space
POLICY MD4 - Community Infrastructure and Planning Obligations
POLICY MD5 - Development within Settlement Boundaries
POLICY MD6 - Housing Densities
POLICY MD7 - Environmental Protection
POLICY MD8 - Historic Environment
POLICY MD9 - Promoting Biodiversity

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 7 – Delivering Affordable Homes

- Focus on increasing the supply of affordable homes

Policy 9 – Resilient Ecological Networks and Green Infrastructure

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

Planning Policy Wales:

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Promoting Healthier Places
- Accessibility

Chapter 4 - Active and Social Places

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

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 11 – Noise (1997)
- 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). The following SPG are of relevance:

- Affordable Housing (2025)
- Biodiversity and Development (2018)
- Parking Standards (2019)
- Planning Obligations (2018)
- Residential and Householder Development (2018)

In addition, the following background evidence to the Local Development Plan is considered relevant to the consideration of this application insofar as it provides a factual analysis and information that is material to the issues addressed in this report:

- Community Facilities Assessment (2013)

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Welsh Office Circular 13/97 - Planning Obligations

Equality Act 2010

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

Well-being of Future Generations (Wales) Act 2015

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

Issues

The main issues involved in the assessment of the application are as follows:

- The principle of the use
- Loss of community facility
- Design and visual impact
- Impact on neighbours/residential amenity
- Parking and highways issues
- Ecology
- Drainage
- Section 106 issues
- Bin storage
- Green Infrastructure and Biodiversity Enhancement

Principle of Development

The site is located within the settlement boundary of Barry as identified by the Vale of Glamorgan adopted Local Development Plan and as established within the previous planning application considered under the same local policy framework, the proposed residential use is wholly compatible in principle with the adjoining residential areas. Policy MD5 states that new developments should not result in the unacceptable loss of public open space, community or tourism buildings or facilities. Critically in this case the proposal seeks to convert the element shown under the previous application as a public house, resulting in the loss of what is considered to be a community facility (as per the glossary of the LDP). This is considered further within the next section of the report.

Policy MD6 of the LDP sets out what represents an acceptable housing density, in order to ensure the efficient and best use of land. Noting its siting, and the established principle assessed as part of the previously approved submission in 2019, the proposed housing would represent particularly efficient use of land in a highly sustainable location and it would make a meaningful and positive contribution towards addressing affordable housing need. Along with the previously approved 14 apartments, the proposal is for 100% affordable housing comprising of an additional 8 units to be delivered by Newydd Housing Associated, one of the Council's partner RSLs. The need for affordable housing within the Vale is well evidenced by the Council's Local Housing Market Assessment which determined 1075 additional affordable housing units were required each year to meet housing need in the area. The need is further evidenced by the following figures from the Council's Homes4U waiting list in the area in the Castleland ward of Barry (as of 23/09/2026):

CASTLELAND	
1 bed	426
2 bed	121
3 bed	71
4+ bed	16
	634

Consequently, it is considered that there is an identified need for these units, which would assist the Council in meeting local affordable housing demand and this represents a material consideration in favour of the proposed development.

Loss of Community Facility

Policy MD5 (Development within Settlement Boundaries) of the LDP is a criteria based policy that is of relevance noting the location of the site. Of particular relevance is criterion 5 that states *new development within these settlements will be permitted where the proposed development:*

*5. Would not result in the unacceptable loss of public open space, **community** or tourism buildings or facilities;*

Although the proposal may generally accord with many of the provisions of this policy, regard must be had to the status of the building as a community facility as referred to within criterion 5, and whether the proposal amounts to an 'unacceptable loss'.

Indeed, the supporting text of Policy MD5 at paragraph 7.35 states: '*Where proposals involve the loss of open space, community or tourist facilities the Council will require robust evidence that demonstrates the facilities are no longer required or such a loss would not have a detrimental impact upon local service provision.*' Policy MG7 of the LDP relates explicitly to the provision of community facilities. The supporting text of this policy states: '*Community facilities such as community halls, libraries, schools and leisure centres are essential to the social and physical well-being of residents and are key components in maintaining the vitality and viability of community life in both urban and rural settlements*'.

The importance of community facilities is also highlighted in paragraph 4.4.1 of Planning Policy Wales (12th Edition) which states that *Community buildings and spaces provide an important focus for sustaining communities and their well-being. They cover a broad range of activities and services that can be delivered by the public, private and third sectors. Community facilities contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places.* It goes on to list that *they can include schools, cultural facilities, health services, libraries, allotments and places of worship.*

As per the adopted LDP, community facilities are defined as follows:

*Facilities used by local communities for **social**, leisure, recreational and cultural purposes. They include such amenities as community centres and meeting places, community halls, places of worship, libraries, life centres, leisure centres, allotments and burial land. Community facilities include non-commercial and not for profit facilities, however a **local 'pub' could be regarded as a community facility** especially where it is the only communal building in a small settlement (emphasis added).*

The Community Facilities Background paper associated with the existing LDP identified the settlement of Barry as being likely to require new or improved community facilities during the Plan Period as a result of planned growth. The background paper identifies a 341sqm deficit in community facilities within the Castleland Ward. This is also noted within the latest Community Facilities background paper (November 2025) prepared in formulation for the forthcoming RLDP, which identifies a small shortfall within the Castleland Ward based on a ratio of 1 community building to 4,000 population. The background paper includes two assessments to provide a thorough assessment of the current position. The first is an assessment of the number of community buildings assessed against the ratio of 1 building per 4,000 population. As there is only one community building to serve a current population of 4,912, there is a suggested shortfall if measured against this metric. However, a second assessment considers the total floorspace compared to the population based on a requirement of 0.07sq m per person. In this assessment, due to the size of the Castleland Community Centre, the floorspace to serve the population does not represent a shortfall at present. It should be noted however that the Castle Hotel Public House was not included within the calculation/assessment and as such the conversion from A3 to C3 would not necessarily result in a loss of community floorspace identified within the Background paper calculations. Nevertheless, noting the subtext of policy MD5 aforementioned and the accompanying definition of community facilities within the LDP, it is considered that appropriate marketing should be required to demonstrate if the community facility is no longer required or that such a loss would not have a detrimental impact upon local service provision.

The previous submission (2023/00656/FUL) was withdrawn following officer concerns relating to inadequate marketing being submitted in support of the application. A thorough marketing assessment has been submitted with the latest submission which outlines that the property was marketed for in excess of a 15-month period, during which the property was listed on commercial letting sites such as Rightmove, listed on EJ Hales Website and available to anyone undertaking a property search, offered on a new flexible lease at a rent of £17,500 per annum. Furthermore, according to the submissions, the sales particulars of the property were regularly e-shotted to the EJ Hales property database which has some 682 contacts including operators and agents. Finally, a V shaped 'To Let' board was erected on the property. It should however be noted that the property is not currently being actively marketed.

Despite multiple viewings taking place at the property between 20th February 2024 and 25th March 2025, the marketing particulars state that these viewings did not lead to any offers being received on the building. The marketing campaign carried out is considered by officers to be thorough and adequate, and as such complies with the subtext of policy MG14 (para 6.79) which outlines that the applicant will be required to demonstrate that the property has been actively marketed for a continuous period of at least 12 months. Furthermore, the modes of marketing are considered acceptable. It is also appreciated that the pub sector is facing significant challenges on a national level, and this is likely to be a significant factor in this regard.

Concerns were raised by officers during the course of the current application, that the property was only marketed as a 'pub', and not as a wider community use which may potentially have attracted interest such as a community café, drop-in hub or similar flexible facility. This view is shared by the Council's Regeneration Team, who sought to make enquiries with potentially interested parties, including Glamorgan Voluntary Services to ascertain what interest there was in alternative community ventures within this space.

In addition to the marketing information, the application is also accompanied by a Viability Appraisal prepared by Bruton Knowles which concludes that substantial capital investment is required to bring the premises back into operation, in the region of circa £450,000. The independent viability appraisal also concludes that the marketing activities carried out were comprehensive and consistent with the viability findings. As a result of this and the apparent lack of viable community uses for the building, whilst the conversion of this space is disappointing, it is considered that it has been demonstrated satisfactorily that the continued use of the premises as a public house or other potential community uses is not viable in this location. Officers have, at length, sought to test the viability and market for alternative uses, and have pushed the applicant to consider more than just the market for the existing use. However, regrettably these exercises have not generated genuine interest in the property for community type use. In the absence of demonstrable interest in the space, it is considered that it would be extremely difficult to justify refusing the application on this matter of principle.

The planning history at this site is however, considered to be of relevance in this regard. Members may recall that the previous application for the conversion of the Castle Hotel into 14 apartments (initially approved under application 2019/01062/FUL) was submitted and considered by members alongside the loss of two other public houses nearby, and resulted in a total of 60 AH units (14 units as part of the Castle Hotel conversion (2019/01062/FUL), 2019/01061/FUL (Sea View Labour Club- 28 units) and 2019/01060/FUL (Windsor public house Hotel- 18 units). In consideration of these applications weight was apportioned to the retention of a smaller public house at the Castle Hotel. The current application would when considered cumulatively, with these previous applications result in a net gain of 68 affordable units and the loss of the pub detailed to be retained previously.

Officers have therefore engaged in lengthy negotiations with the applicant to ensure that whilst this building itself would be lost to potential community use, any such loss would be mitigated far as practicable by way of facilitating improvements to other existing local facilities through an off-site contribution.

Members are advised that at the Council's Cabinet meeting of the 5th September 2016, there was a Council resolution approved to waive the requirement to seek financial obligations on 100% affordable housing sites of twenty-five units or less, where the development is made by the Council or the four housing associations zoned by Welsh Government to develop in the Vale. Within the Planning Obligations SPG, community facilities provision is triggered on residential development of 25 dwellings or more. Noting the planning history aforementioned, whilst the proposal in isolation would only result in the addition of 8 new units, noting the cumulative increase in units across the sites, a financial contribution would ordinarily be sought on the basis of 43 units (68 minus 25).

It is noted that for application 2019/01061/FUL at Sea View Labour Club, a contribution towards community facilities based on 3 units (£3,780) was secured and received in August 2022 (noting that development resulted in a net gain of 3 units above the 25-dwelling threshold). Therefore, it is considered reasonable to discount this previously paid contribution from the figure noted above, and as such the Council would calculate the contribution based on 40 units - **£1260 x 40 = £50,400**. This has been agreed by the applicant who has committed to providing a unilateral undertaking to provide the funds should permission be granted.

Following consultation with the Council's S106 officer they have confirmed that such funds could provide tangible improvements to local community facilities that could include Barry Library and Art Central Gallery; enhancements to Barry Leisure Centre; Castleland Community Centre and other nearby community buildings such as the YMCA or Scouts Hut (via a S106 grant).

Noting all of the above, whilst the loss of the building as a form of community facility is regrettable, given the marketing and viability exercises undertaken by the applicant and the engagement with the Council's regeneration team, unfortunately prospective community use of this building is not considered viable. A financial contribution, whilst not providing additional floor space, would allow for meaningful improvement to be made local community facilities. To this end, it is considered on balance that the proposals would not give rise to an unacceptable loss of community facilities for the purpose of Policy MD5.

Visual Impact

The development does not involve a significant amount of external/elevational alteration to the existing building and as such the visual impacts from Jewel Street and Lower Morel Street would be minimal. The change of use of the ground floor and remainder of the first floor of the existing building to provide 8 no. affordable apartments would require significant internal works that would however have no impact on the external façade of the building. Minor alterations are proposed involving the replacement of windows with doors and blocking up windows. Whilst these would be located on elevations visible from Lower Morel Street, they are considered minor and are not likely to result in adverse impact on the overall character and appearance of the former public house which would be preserved.

An additional 10 cycle store spaces are to be provided within the courtyard along bordering onto Lower Morel Street however these would be enclosed within the walled boundaries of the site and therefore have no visual impact from the public domain. All other aspects of the proposal including the two storey extension and widened highway access were approved in the previous permission and are to be retained.

Consequently, the proposal would comply with policies MD2 and MD5 of the adopted Local Development Plan 2011 – 2026 in this regard.

Impact on Neighbours/Residential Amenity

Criterion 8 of policy MD2 states that safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance. Additional guidance is contained within the Council's Supplementary Planning Guidance on Residential and Householder Development.

The conversion of the ground floor and remainder of the first floor of the property to 8 affordable apartments would bring existing community space into residential use, potentially increasing the scope of overlooking towards residential properties. This said, views from the apartments would primarily face the front elevations of opposing properties, with distances varying dependant on layout from 14m to over 21m. Whilst the shortest layout of 14m would fall short of the required 21m noted within the Residential and Householder SPG, noting the context of the site, with terraced streets forming the majority of the wider character, views towards opposing properties are common and established within this type of residential context and are therefore acceptable in this case.

Noting that the principle of 14 affordable residential units were approved in the previous permission, it is not considered that an increase of 8 units would detrimentally harm the amenities of neighbouring properties, particularly noting the existing residential context of the site.

In summary, it is considered that the proposed development would comply with policies MD2 and MD5 of the LDP and the aims of the Council's SPG.

Parking and Highways

The increase in the quantity of units would require a higher demand with regard to parking spaces. No further parking areas are proposed as a result of the proposal. As noted in the previous application, the development would be likely to lead to a modest increase in traffic within the immediate highway network, however, the development is not of a significant size and it is unlikely that the development would fundamentally affect traffic flows or cause additional localised congestion.

The layout approved under the previous consent included 15 spaces and the proposals would not alter the layout approved or provide additional parking. The parking surveys undertaken within the Transport Statement indicate that the observed parking demand equates to 0.67 spaces per dwelling unit and based on this evidence, the proposed total of 22 apartments will generate demand for 15 parking spaces and as such it is considered that this can be accommodated within the existing car park. The transport statement also demonstrates that there is ample provision in the area to accommodate visitor parking demand, with space available on local streets.

The Council's parking standards are 'maximums' and this is designed to encourage lower car use and less reliance on the car. The SPG recognises that there will be some circumstances where higher levels of parking will be more appropriate, however, sustainable edge of town centre locations such as this are examples of where lower parking levels can and should be accepted, particularly for this tenure type.

The site is one where occupants could realistically live without access to a car, given the very close proximity to bus and train links, and a very wide range of day-to-day services on Holton Road. Furthermore, the level of parking supports the aims of PPW to reduce over-reliance on the private car and encourage more sustainable modes of travel, whilst it is generally recognised and accepted that car ownership is lower amongst occupants of developments by housing associations.

The Council's Highway Development section were consulted and acknowledged that the parking court as amended would likely be fully utilised. They also note the parking survey conducted on the surrounding streets includes streets cannot be completely relied upon, due to the presence of residents parking permits requirement and other Traffic Regulation Orders that may limit the ability of future occupiers to park in these areas. However, there is sufficient parking provision along Jewel Street to cater for any additional parking demand and not subject to parking restrictions. As such it is considered that the level of parking provided and availability of on street parking is appropriate and does not represent a reason to refuse planning permission in this instance.

A condition was originally requested by the Council's Highway Development section for the applicant to apply for a vehicle crossover in order to construct the access correctly and to highway standards. However, no alterations are proposed to the existing parking area nor access. Confirmation has also been received by the applicant that the dropped kerb/vehicular crossover has been widened and carried out as approved under the previous consent. As such, it is not considered necessary to impose such a condition under the current proposals. The highway officers were consulted and confirmed that the conditions are no longer required.

Consequently, the proposal is acceptable with regard to parking and highway matters.

Open Space and Amenity Space provision

Similar to the existing flats, the proposed flats would not benefit from outdoor public open space nor substantial areas of amenity space, noting the constrained and brownfield nature of the site which does not present the opportunity to provide these areas. Whilst there is a landscaped courtyard included within the site, this would fall considerably short of the requirements within the SPG. Residents would, therefore, mainly be reliant upon nearby public open space to meet their amenity needs. The Council's Supplementary Planning Guidance aspires to 20m² per person, however, in densely developed, urban locations such as this it will often be necessary for the Council to adopt a pragmatic stance to open space provision, given that failure to do so would be likely to jeopardise the efficient use of such sustainable land. In such locations occupiers will usually be partially reliant at least on larger more strategic areas of public open space outside of the site itself.

The site is very well located for access to public open space, in particular the play area between Morgan Street and Coigne Terrace, the play area off Digby Street and Central Park. It is also within easy walking distance of open space on the Waterfront. The lack of on-site space must be weighed against the positive impacts of the development; in this case principally the provision of much needed affordable units. In light of this and given the close relationship the site has with nearby public open space, it is considered that the outdoor amenity needs of the occupiers can be met through the nearby public open space.

There is a refuse store on the ground floor and within the rear parking court which can be readily accessed from the pavement. It is considered that this represents an appropriate means of waste storage. These are required to be provided prior to the first beneficial occupation of any of the units hereby approved as per condition 3.

Ecology

The application is accompanied by a Bat Activity Survey Report and a Preliminary Roost Assessment.

The Council's ecologist was consulted and noted that the site was originally subject to a Potential Bat Roost Assessment by Wildwood Ecology in April 2018. Subsequently a Bat Activity Survey was undertaken by Wildwood Ecology and reported on in August 2018. This revealed that there was a day roost for an undisclosed species of Pipistrelle bat in the outbuildings. A license was issued by NRW for protected species for bats in April of 2021. Following on from this there was a storm in 2021 and a safety report by the South Wales Safety Consultancy recommended the soft stripping of the roof of the outbuilding which was losing slates. It appears that this took place sometime between 2021 and 2022 without an onsite bat worker being present. The next time Wildwood Ecology were on site, January 2023, the complete roof of the outbuilding had been stripped and as such any day roost destroyed. Following consultation with the Council's ecologist, it was considered that as the current application pertains to the existing building, there is no benefit to conducting any more bat assessments as the original building that contained bats has now been demolished and converted to a car park and other uses. Noting this, any related issues do not represent a reason to refuse the application currently before members.

Concerns have been raised by the council's ecologist regarding the addition of Hornbeams, *Carpinus betulus*, which are not native to the Vale of Glamorgan and are particularly poor for invertebrates, being wind pollinated, lichens, ferns and mosses. These comments have been noted and species have been altered to a native species. Additionally, there is an area of ground near to the western entrance to the existing flats which currently has a variety of wildflower species, where an 'bee hotel' is to be installed on the south-facing wall, in order to provide potential nesting sites for solitary bee species and other invertebrates. These additions will be secured and controlled via conditions 4 and 5.

Green Infrastructure and Biodiversity Enhancement

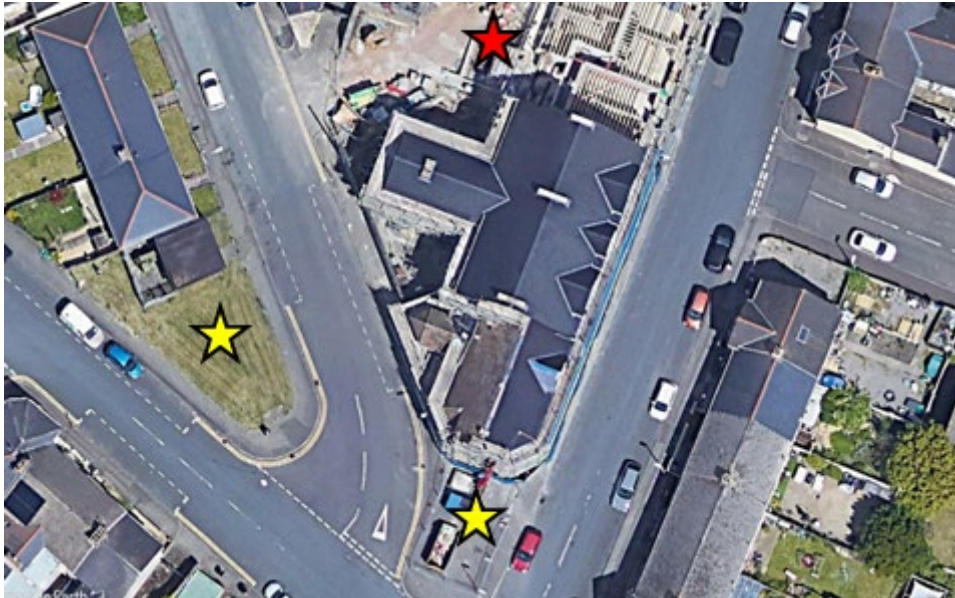
Policy MD9 'Promoting Biodiversity' of the Adopted LDP requires new development to conserve and where appropriate, enhance biodiversity interests unless it can demonstrate that:

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

Furthermore, Planning Policy Wales Edition 12 (PPW12) Chapter 6, as amended 2024, places increased emphasis on the protection and enhancement of the natural environment. It states that all developments must achieve a biodiversity benefit and also that Green Infrastructure Statements should accompany all planning applications albeit that this will be proportionate to the scale and nature of the development proposal. Furthermore Policy 9 of

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

The application is accompanied by an ecology statement which outlines the green infrastructure and net benefits for biodiversity. It notes that noting the constraints of the site itself, there are limited opportunities for enhancement features. However, the proposal would seek to plant a hawthorn tree on the pavement to the front of the site and on an area of open space to the side of the site. Furthermore, planting is proposed within the courtyard and a bee hotel is proposed on the south facing wall. These provisions are deemed acceptable by the Councils ecologist.



Drainage

The previous approval established a baseline position in respect of foul and surface water drainage. The proposals are not anticipated to cause any issues with regard to drainage capacity. The application is accompanied by a Drainage statement which confirms that the existing public sewer network serving the site and surrounding area has sufficient capacity to accept flows for the proposed development, for both foul and surface water, for the additional change of use from commercial to residential, providing an additional 8 No. flats.

Dwr Cymru were also consulted and acknowledged that the proposal would rely on existing sewer connections and no new connections are to be made with the public sewerage system. Furthermore, there will likely be no increase in impermeable area as part of the development noting that the permission would relate to the conversion of an existing building. Additionally, full drainage details for the site were approved under permission 2019/01062/1/CD which allowed surface water flow to discharge to the public combined sewer, and foul flows to discharge to the public combined sewer. As such, it is not considered necessary to place a condition relating to surface water drainage on this consent. A water supply can be made available to serve this proposed development however the developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to Dwr Cymru. As such, no objection was raised subject to the inclusion of advisory notes.

RECOMMENDATION

Approve, subject to the developer first entering into a legal agreement to secure the following:

- Pay a sum of £50,400 towards improvement to local community facilities

and subject to the following conditions:

APPROVE subject to the following condition(s):

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

Reason:

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

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

L 805 A215 Site Location Plan ()
L 805 A221 Proposed Site Layout ()
L 805 A222 Proposed Ground Floor Plan (a)
L 805 A223 Proposed First And Second Floor Plan ()
L 805 A224 Proposed Elevation Sheet 1 ()
L 805 A225 Proposed Elevation Sheet 2 ()
L 805 A227 Proposed Boundary Elevations ()
L 805 A228 Parking Courtyard Layout ()
L 805 A230 Proposed Ground Floor Plan ()
L 805 A231 Proposed First Floor Plan ()
Drainage Concept Plan
L 805 A226 Material Schedule ()
Redacted Preliminary Roost Assessment

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 cycle and bin storage area shown on plan 'L 805 A222 Proposed Ground Floor Plan (a)' shall be provided prior to the first beneficial occupation of any of the units and shall be so retained at all times thereafter.

Reason:

In order to ensure that adequate cycle storage is provided and to ensure compliance with Policy MD2 of the LDP.

4. The bee hotel shall be installed 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.

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.

5. The two Hawthorn trees (one to the front of the property and the other on the section of open space to the west) shall be planted 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), MD1 (Location of New Development), MD2 (Design of New Developments) and MD9 (Promoting Biodiversity) of the Local Development Plan.

6. This permission relates specifically to the provision of 8 affordable housing units. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of the Welsh Government Technical Advice Note 2 on Affordable Housing or any future guidance that replaces it.

Reason:

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

REASON FOR RECOMMENDATION

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

Having regard to policies SP1 – Delivering the Strategy, SP3 – Residential Requirement, SP4 – Affordable Housing Provision, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG19 – Sites and Species of European Importance, MG20 – Nationally Protected Sites and Species, 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 and MD9 - Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, national planning policy in the form of Planning Policy Wales, Technical Advice Notes 1, 2, 12, 16 and 24 and the Council's Supplementary Planning Guidance on Affordable Housing, Biodiversity and Development, Parking Standards, Planning Obligations, Residential and Householder Development, Sustainable Development and Travel Plans, the proposed development is considered acceptable in principle and in terms of visual impact, residential amenity, parking, highway safety, open space, 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.

NOTE:

- 1. The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water Industries Act 1991.**

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections.

- 2. The applicant is also advised that some public sewers and lateral drains may not be recorded on our 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. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water 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.**

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

- 3. Please note that a legal agreement/planning obligation has been entered into in respect of the site referred to in this planning consent. Should you require clarification of any particular aspect of the legal agreement/planning obligation please do not hesitate to contact the Local Planning Authority.**

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

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

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

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

APPLICANT: Mr Phil Grafton Llantwit Major Football Club, Windmill Lane, Off Frampton Lane, Llantwit Major, CF61 2UZ

AGENT: Mr Wayne Reynolds Llwyntreharne, Llangynin, St. Clears, SA33 4LA

Llantwit Major Football Club, Windmill Lane Off Frampton Lane, Llantwit Major

Proposed two-storey side and rear extension with balcony to AFC Clubhouse, creation of extended car park and associated landscape works.

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application has been called in for determination by Cllr Edward Williams following concerns with overdevelopment, access to the site up a narrow lane and loss of field area for car parking.

EXECUTIVE SUMMARY

The application seeks planning permission for the partial demolition of the existing Llantwit Major AFC clubhouse to facilitate the construction of a two-storey side and rear extension, together with an enlarged car park, alterations to the site access and associated landscaping works. The proposed extension would provide improved clubhouse facilities, together with a multi-purpose event space and balcony at first floor level. The submissions indicate that the development is intended to support the continued use and growth of Llantwit Major AFC and its wider recreational and community functions.

Amendments have been made during the application to increase the width of the site entrance and provide a passing bay along the access road (Windmill Lane) following consultation with the Highway Authority.

Subject to conditions and informatives, no objections have been raised by the Council's Highway Authority, Drainage Section, Shared Regulatory Services, Welsh Water, South Wales Police or the Council's Ecologist.

The recommendation is to APPROVE subject to conditions.

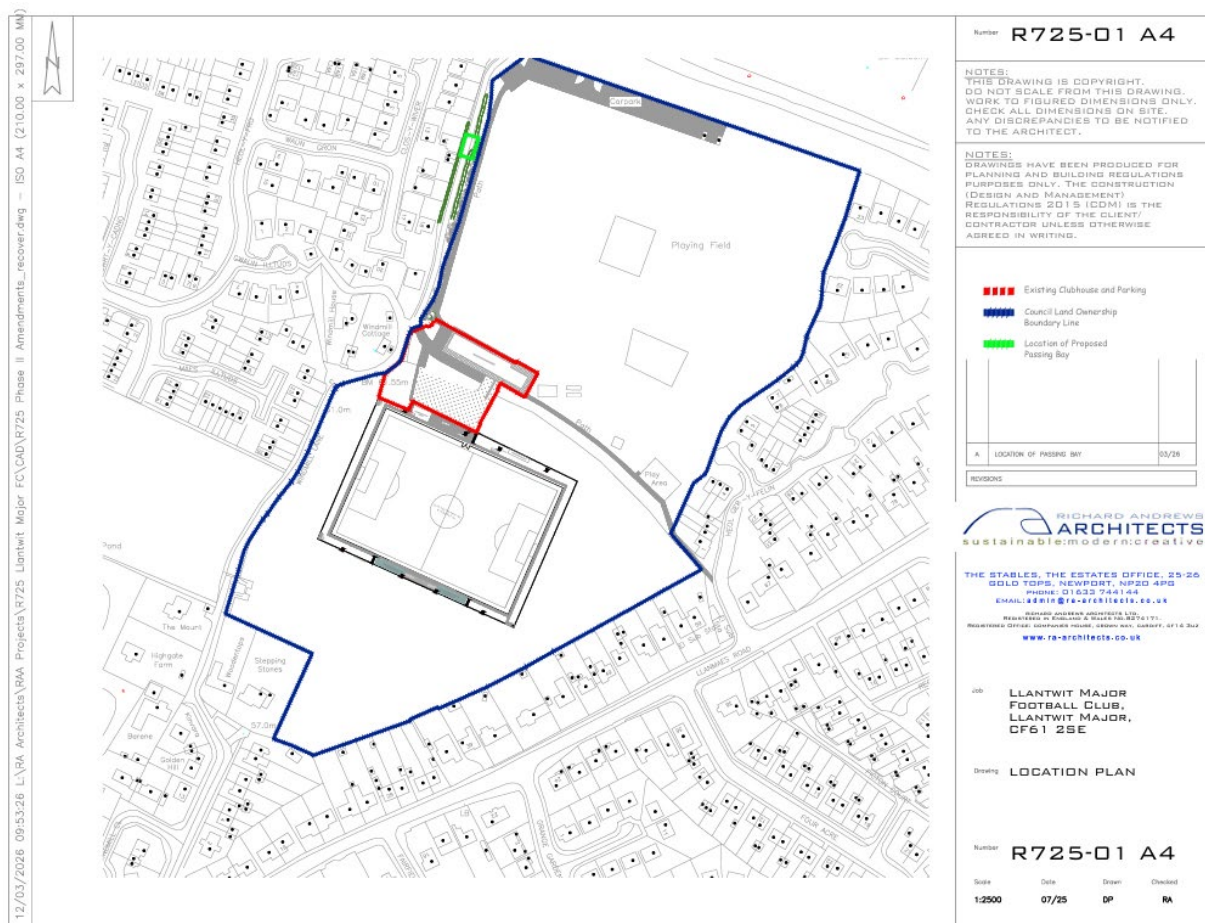
SITE AND CONTEXT

The site is Llantwit Major Football Club, located on Windmill Lane off Frampton Lane, sited within the Llantwit Major Settlement Boundary, as outlined within the Vale of Glamorgan Local Development Plan 2011-2026.

The application site comprises the existing football clubhouse and associated playing fields and ancillary areas. The clubhouse is an established facility serving the Llantwit Major football club and is situated within a recreational context. The site includes areas of existing hardstanding and car parking, together with the sports pitches, including cricket fields to the North and football fields to the South and associated infrastructure.

The surrounding area comprises residential dwellings and an existing access to the site from Windmill Lane, serving the clubhouse and associated parking.

A site location plan is attached below:



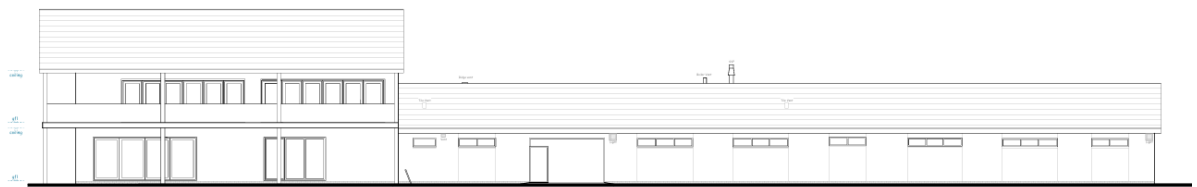
DESCRIPTION OF DEVELOPMENT

The application proposes a two-storey side and rear extension with balcony to AFC Clubhouse, creation of extended car park and associated landscape works.

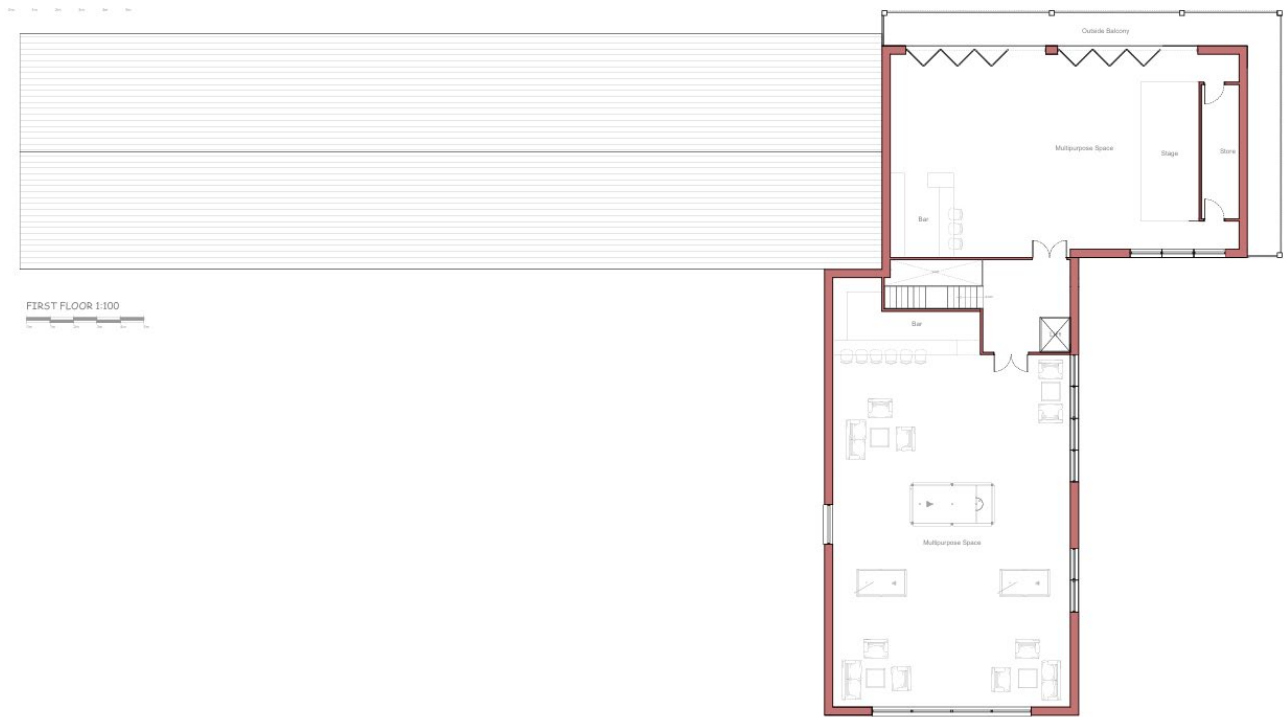
The proposed plans seek to partially demolish the existing bar area (circa 68sqm) and replace it with a two-storey side and rear extension (circa 700sqm across two storeys). The proposed development would incorporate a new bar area along with male and female toilet and shower areas on the ground floor. The upper floor would provide for a new multi-purpose bar and event space.

28 car parking spaces are proposed; 1 motorbike space, 1 ambulance parking area, 2 associated services spaces beside the ambulance parking area and 1 loading bay for deliveries and media companies.

Proposed plans are attached below:



PRO-UK RENDERED
BUILD-IN SWIFT BOX



PLANNING HISTORY

1982/01534/REG4, Address: North of Llanmaes Road, Llantwit Major, part of OS 3441, Proposal: Change of use from agricultural land to recreational purposes, Decision: Approved

1989/01326/OUT, Address: Between Llantwit Major Road & Llanmaes Road, Llantwit Major, Proposal: Residential development and public open space along with community facilities and local shops, Decision: Approved

1991/01068/RES, Address: Land adjacent to the B4265, comprising O.S. parcels 9027, 0344 and 1450, Llantwit Major, Proposal: Construction of roundabout, spine road and associated engineering works, Decision: Approved

1995/00232/REG3, Address: Playing Fields, Windmill Lane, Llantwit Major, Proposal: New changing rooms, showers, toilets, kitchen and clubroom on existing playing fields site, Minute No. 1732, Decision: Approved

2006/00032/FUL, Address: Windmill Lane Playing Fields, Windmill Lane, Llantwit Major, Proposal: Perimeter fencing and stand, Decision: Approved

2019/00886/FUL, Address: Playing Fields, Windmill Lane, Frampton, Proposal: Removal of existing planning restriction of the 22.00pm closing of the clubhouse building, Decision: Refused

2020/00428/1/CD, Address: Playing Fields, Windmill Lane, Llantwit Major, Proposal: Discharge of condition 3 - Management Plan. Planning approval 2020/00428/FUL - Variation of Condition 8 of Planning Permission 1995/00232/RG3 - to amend the existing planning restriction of the closure of the clubhouse from 22.00p.m. to 23.00p.m, Decision: Approved

2020/00428/FUL, Address: Playing Fields, Windmill Lane, Frampton, Llantwit Major, Proposal: Variation of Condition 8 of Planning Permission 1995/00232/RG3 - to amend the existing planning restriction of the closure of the clubhouse from 22.00p.m. to 23.00p.m., Decision: Approved

CONSULTATIONS

Llantwit Major Town Council were consulted on 11 November 2025 and commented objection to this application due to concerns that increased traffic on the single-track access road will endanger pedestrians and drivers, with no traffic management plan provided to address this. They also raised concern about potential drainage issues from the enlarged parking area and increased light pollution from additional external lighting. Previous objections to application 1995/00232/RG3 are relevant, by increasing vehicle access and extending operating hours beyond 22:00, leading to greater noise and disturbance for nearby residents. Finally, the facility was originally approved as a community sports changing facility for teams of all ages and genders, not as a clubhouse with bar facilities.

The Council's Highway Development section, were consulted on 11 November 2025 and comments received on 14th January 2026 noted that the Highway Authority raises no objection to the proposal in principle, subject to conditions requiring the existing access and on-site driveway to be widened to a minimum width of 6 metres in the interests of highway safety and traffic flow. A passing place must also be provided on Windmill Lane, with its location to be agreed by the Highway Authority and designed to adoptable standards, measuring a minimum of 12 metres in length and 2.5 metres in width. Revised drawings demonstrating these highway improvements are required prior to the determination of the application.

Following the provision of revised plans in relation to the passing bay, the Highway Authority were reconsulted and commented on 29 April 2026: *The Highway Authority have reviewed the submitted plans, and does not object to the revised proposal in principle, subject to the following conditions:*

1. The existing access is to be widened to a full 6m.

Reason: In the interest of highway safety and the free flow of traffic.

2. The proposed passing bay identified on r725-11 must be constructed prior to beneficial occupation of new facilities.

Reason: In the interest of highway safety and the free flow of traffic

3. Details of the construction of the proposed passing bays shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority) prior to the commencement of any works. No works to form the passing bays shall take place until the necessary Highway Authority permissions/consents have been obtained.

Reason: In the interests of highway safety and to ensure that any works affecting the adopted highway are designed and constructed to an appropriate standard

Sport Wales were consulted on 11 November 2025. No comments received to date.

Councils Drainage Section were consulted on 11 November 2025 and commented:

This site is located within Rivers and Sea Flood Zone 1 which is not considered to be at risk to fluvial and coastal / tidal flooding. The NRW Flood Map for Planning (TAN15 2025) shows this site as being in Surface Water and Small Watercourses Flood Zone 1 – considered to be at a low risk of surface water flooding.

Although a comprehensive Drainage Statement has not been submitted for this Planning Application, it is indicated in the Planning Statement that a sustainable drainage system in the form of soakaway beneath the proposed grass-crete area is intended to be the means of disposing of surface water. The usage of water-butts for the reuse of rainwater is identified as a possibility. In principle, the reuse of rainwater and the discharge of surface water to ground would be acceptable surface water runoff destinations; however, the feasibility of these methods would have to be demonstrated as part of the SAB application required for this development. It is acknowledged that the requirement for SAB approval is stated in the Planning Statement.

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.

The Council's Shared Regulatory Services (Pollution) were consulted on 11 November 2025 and requested a CEMP for the site to control hours of work. It was further advised that noise arising from traffic associated with the development cannot be assessed by their service. Potential impacts from noise and music generated by activities at the clubhouse are matters that may be controlled through the premises licence under separate licensing legislation. In relation to lighting, clarification is sought as to whether any additional external lighting is proposed; if so, careful consideration should be given to the location, direction and illuminance of the lighting to minimise impacts, as modern LED fittings can produce significant levels of brightness irrespective of their wattage.

It was clarified during correspondence with the Agent that no external lighting is proposed under the current application. It is considered that a condition can be applied to ensure if any external lighting is to be installed, details are to be submitted to the LPA and agreed, prior to installation.

Heneb, The Trust for Welsh Archaeology (GGAT) were consulted on 11 November 2025. No comments received to date.

Dwr Cymru Welsh Water, were consulted on 11 November 2025 and request a condition preventing any surface water from new roofs or impermeable areas from draining into the public sewer, to avoid overloading and protect health and the environment. Advisory notes clarify that permission does not grant rights to work on water or sewer systems without consent under the Water Industry Act 1991, and some assets may be unrecorded, requiring checks with Welsh Water. Developers are also advised to adopt sustainable water use measures, improve efficiency, and liaise with Building Control on water-saving requirements.

The Council's Ecology Officer were consulted on 11 November 2025 and comments were received on 5th December 2025. The Council's Ecologist considered the submitted bat and nesting bird assessment to be comprehensive and raised no objections to the proposal on biodiversity grounds. Appropriate precautionary measures were recommended during construction, including ecological supervision of roof removal works and the cessation of works should bats be discovered. The ecological enhancements identified within the report were supported and should be implemented as part of the development.

Further comments were received on 15th April 2026, stating: *We note the revised plans now include a passing bay in the lane, which requires the removal of a substantial length of native hedgerow. The Green Infrastructure Statement, produced prior to this amendment does not address the loss of hedgerow, therefore the Green Infrastructure Statement will need to be revised and resubmitted. We note previous ecology comments regarding the bat survey and have no comments to make regarding this survey report at this stage.*

Following submission of a revised Green Infrastructure Statement on 16th July 2026, the Council's Ecologist was re-consulted and commented: *We note the revised plans now include a passing bay in the lane, which requires the removal of a substantial length of native hedgerow. We welcome the measures in the Green Infrastructure Statement to*

translocate the hedgerow and plant an additional 3 trees in the site application boundary, together with the provision of 3No. planters.

Fields in Trust Cymru, were consulted on 11 November 2025. No comments received to date.

Estates (Strategic Property Estates) were consulted on 11 November 2025. No comments received to date.

Shared Regulatory Services Contaminated Land, Air & Water Quality were consulted on 11 November 2025 and their comments have been summarised as follows: The Shared Regulatory Services (SRS) Environment Team requires conditions to manage land quality during development. If unforeseen contamination is discovered, work must stop and be reported to the Local Planning Authority (LPA within two days), followed by investigation, remediation, and verification measures agreed with the LPA. Imported aggregates (excluding virgin quarry stone) must be tested for contaminants under an approved scheme before use, with sampling to confirm compliance. An advisory note reminds developers that they are responsible for assessing contamination and land stability, ensuring imported materials are chemically suitable, and avoiding controlled waste or invasive species such as Japanese Knotweed. Safe development and occupancy remain the developer's responsibility.

Llantwit Major Ward members were consulted on 11 November 2025 and Cllr Norman has objected to the proposal.

Neighbourhood Services Manager were consulted on 11 November 2025. No comments received to date.

The Operational Manager for Leisure Services was consulted on 11 November 2025. No comments received to date.

19. **South Wales Police** commented guidance relating to Secured by Design.

REPRESENTATIONS

The neighbouring properties were consulted on 10 November 2025. A site notice was also displayed on 19/11/2025. Approximately five letters of objection were received, and twenty-six letters of support were received. The contents of the letters of objection and support are summarised below:

Letters of Objection:

- Noise pollution and anti-social behaviour
- Large number of pre-existing bar and pub facilities in Llantwit Major that are currently struggling, that already provide dedicated purpose-built function rooms ideally setup for hosting social events.
- The country lane that would be utilized to support the traffic for this proposed venue is not fit for the purpose of high-volume traffic.
- Concern due to noise pollution for neighbouring houses and increased traffic adding to the loss of the rural character that many residents use for walking.
- Concern that the venue will be used regularly for parties and other loud social events.

- Balcony feature will introduce privacy and light issues
- Traffic reduction and calming measures should be put in place in the event that this application is successful.
- Concerns about access to the proposed extended parking facilities - A larger, more open parking area will become an even greater attraction for car meets, late-night gatherings, engine revving and reckless driving, all of which are already evident at current levels.
- Want assurance that no further requests for later licencing hours will be accepted

Letters of Support:

- The football club has driven excellent positive publicity for the town, and it is only right that future growth and development be promoted
- Allow the community to use a building for supporting activities such as football, cricket games.
- Good asset to the community with the new function room, an opportunity to bring people together in a time where third spaces are lacking
- By these plans going ahead, children of the town will have a fantastic place to play football for years to come. Not only this, but the first team will be able to reach their full potential, bringing in more visitors to the town and boosting the local economy.
- Upgraded infrastructure will allow the club to expand its programs, host more community events, and continue offering a welcoming environment for players, families, and visitors. These enhancements will also support the long-term sustainability of the club, which relies heavily on volunteers and community engagement.
- The facilities that are in place now do not match where the team is on the field. The facilities as they stand, in comparison to all other clubs in the Cymru South league are very dated and well past providing intended purposes.
- The expansion will also encourage more clubs outside of sports to use the rooms for leisure and meeting purposes.
- The additional parking would also help as the current setup is no longer adequate for what is required.

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 DEVELOPMENT

POLICY MD2 - Design of New Development

POLICY MD5 - Development within Settlement Boundaries

POLICY MD7 – Environmental Protection

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.

Policy 9 – Resilient Ecological Networks and Green Infrastructure

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

Planning Policy Wales:

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places

Technical Advice Notes:

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

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

Welsh National Marine Plan:

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

Supplementary Planning Guidance:

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

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

Other relevant evidence or policy guidance:

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

Equality Act 2010

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

Well-being of Future Generations (Wales) Act 2015

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

Issues

The main issues to consider in the determination of this application are the design and visual impact of the proposals on the wider visual amenities, impact on neighbouring amenities, highway safety, access and parking, amenity space, green infrastructure and biodiversity enhancement provision.

Principle of Development

It is acknowledged that the existing clubhouse and associated football facilities are well established and the current application seeks to enhance facilities associated with the existing use within the defined settlement boundary of Llantwit Major. Therefore, it is considered that the proposal is acceptable in principle subject to consideration against relevant policies including MD1, MD2 and MD5 of the adopted Local Development Plan.

Policy MD13 (Tourism and Leisure) supports the provision of enhanced leisure facilities where they would be located within the key settlement, the service centre settlements, primary settlements and minor rural settlements. As the facility is located within the key settlement of Llantwit Major, it is considered that the proposal is supported by policy MD13.

The proposal would provide additional and improved facilities for an established football club and its users. The development would therefore provide a community and recreational benefit.

Design and Visual Impact

The site is located within a settlement boundary and as such, policies MD2 and MD5 are of relevance. Policy MD2 (Design of New Development) states the following (inter alia): 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) states the following (inter alia): Settlement boundaries have been defined around all the settlements within the LDP settlement hierarchy. New development within these settlements will be permitted where the proposed development:

2. Is of a scale, form, layout and character that is sympathetic to and respects its immediate setting and the wider surroundings and does not unacceptably impact upon the character and appearance of the locality;

The proposed extensions would provide additional community space associated with the continued operation of the football club. The development would increase the floorspace available within the existing clubhouse, including improved changing rooms and recreational facilities. The proposed two storey side and rear extensions would be attached to the existing clubhouse and would be of a scale and form intended to expand and modernise the existing building.

In terms of scale, the proposed side extension would measure approximately 16m wide, 9m deep and 8.5m in total height. In addition, a wraparound balcony would serve the side extension to the North and East, measuring approximately 1.5m deep. The rear extension proposed, would measure approximately 19m deep and 10.9m wide and 8.5m total height. Materials proposed would consist of render and stonework walls, glass balustrade to the balcony, UPVC gutters and downpipes, aluminium frame windows and interlocking roof tiles.

Plans seek to partially demolish the existing bar area, which is not considered to be of any architectural merit or historical value. In terms of the visual impact from the scale of the proposed extensions, it is considered the addition of the two storey extensions would not be excessive in the context of the site and would be easily read as an extension to the existing building. Notably, the proposals would be of a modern contemporary design with a continuous gable pitch roof form and first floor balcony, thereby resulting in a betterment of the existing facilities.

The proposals would be widely visible from the public domain, noting the nature of the site which is widely accessible to the public and it is acknowledged that the side extension and subsequent balcony would be largely visible from Frampton Lane, with the rear extension partially screened by this built form.

Although the proposal would introduce a new form of built development at the site of increased height, its general form, massing and design would reflect the existing function of the building and whilst visible from near and more distance viewpoints, the extension will be read and viewed against the surrounding sports grounds within this part of the settlement. Furthermore, whilst taller than existing development within the wider open space area, the development would be read in a wider context of 2 storey development and as such would not be incongruous within its wider context. The proposals are considered to represent a good quality form of development that would improve the visual appearance of what is a fairly functional utilitarian building.

The existing car parking area would also be extended to provide additional parking provision within the site. The enlarged parking area would utilise the existing access, which would be widened to a width of 6m. Whilst there would be an increased area of hardstanding in this respect, the proposed parking area would be surfaced using grass-crete, which would assist in maintaining a verdant visual character of the site whilst being viewed in the context of the existing parking and sports-related infrastructure. Limited works are also proposed to provide an enlarged parking bay, albeit this would not cause unacceptable impact, noting the low-level nature of the works and the indication that hedgerow would be translocated to mitigate for any harm to existing landscaping.

Whilst it is noted that the proposed enhanced parking area would result in a loss of an existing grassed field to the north of the existing football pitch the area in question is located immediately adjacent to the existing car park and clubhouse and does not form a formal recreational area. The siting of the additional parking in this location is considered logical in terms of visual and function terms, as it would consolidate parking alongside the existing provision and avoid extending into established areas of recreational space.

As noted above, the visual impact of the additional parking would be further mitigated through the use of grass-crete surfacing, which would allow the area to retain a grassed, verdant appearance in comparison to conventional hard surfacing. The proposal also incorporates additional landscaping, including additional trees, hedgerow enhancement and planter boxes which would assist in integrating the enlarged clubhouse and associated parking areas into the wider setting.

On balance, whilst the proposed parking area would result in a change to the character of the existing open grassed area, the parking is appropriately located adjacent to the existing developed area, and the proposed landscaping and surfacing would assist in minimising visual prominence. The resulting visual layout is therefore considered acceptable in the context of the established use of the site.

Overall, the proposals are not considered to result in an unacceptable impact upon the character or appearance of the surrounding area. The development is therefore considered to accord with policies MD2 and MD5, in respect of design and visual impact of the proposal.

Impact on Residential Amenity

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

The submitted Planning Statement identifies that the small balcony area to the upper floor would provide an area to view cricket matches (off the main field).

The club house is set well away from residential properties with properties to the East being circa 100m from the clubhouse as extended and properties to the West being approximately 30m from the existing clubhouse. Due to the proximity of the proposal from residential properties, it is considered that there would be no adverse impact of the proposal in terms of loss of light, privacy or overbearing impact.

Comments have been received in relation to noise generated by events held at the club house. Whilst it is acknowledged that there would be some intensification of the use of the site owing to increased capacity generated by the proposed extension, this is considered to be a relatively modest increase, noting there is already an established bar and function area at the site in a commensurate location. No objections have been received from the Council's Shared Regulatory Services in relation to noise and given the nature of the existing use. Noting this it is considered that there would not be a demonstrable unacceptable impact in terms of residential amenity arising from the development. Any such nuisance that may occur in the future could be suitably monitored and enforced against by the Council's Shared Regulatory Services and licensing sections. As such, whilst noting the proposed expansion of the clubhouse facilities at the site it is considered that this does not represent a reason to refuse planning permission in this instance.

No external lighting is proposed to serve the clubhouse as extended and access to the balcony would be limited by clubhouse opening hours and licensing. However, it is considered appropriate to condition that if any future external lighting is to be installed, details are to be submitted to the LPA and agreed, prior to installation. Furthermore whilst the proposals would introduce manoeuvring vehicles within the site, any associated noise and light disturbance would not give rise to reason to refuse permission in this instance, noting the separation from neighbouring properties.

Furthermore, construction-related noise and disturbance will be managed through the submission and implementation of a Construction Environmental Management Plan (CEMP). The CEMP can secure appropriate controls over the construction phase, including restrictions on hours of work, the operation of plant and machinery, delivery times, and measures to minimise noise and disturbance to neighbouring occupiers. By controlling construction activities in this manner, the development can proceed without causing unacceptable impacts on residential amenity, and any temporary effects associated with the building works can be satisfactorily mitigated.

It is noted that concerns have been raised in relation to increased anti-social behaviour. The Council's Shared Regulatory Services Section have confirmed that they have not received any complaints in relation to Anti-social behaviour at the clubhouse as existing. Notably, the proposal is not considered to give rise to any different use beyond the established uses of the club, and it is considered that hours relating to the serving of alcohol can be controlled by licensing and are outside the remit of planning control.

Overall, the proposal is considered to comply with policy MD2, criterion 8 with regard to impact on residential amenity.

Parking Impacts and Highway Safety

Policy MD2 (Design of New Development) considers that proposals should provide a safe and accessible environment for all users and have no unacceptable impact on highway safety nor cause or exacerbate existing traffic congestion to an unacceptable degree.

The application proposes an extension to the existing car park in association with the increased clubhouse facilities. The submitted planning statement identifies:

As part of this proposal, amendments to the external landscape are proposed to allow for better vehicular movement and parking on site. The proposed parking area is currently largely laid to grass, with a road surface adjacent to the main clubhouse. To maintain a free-drainage and green aspect, it is proposed that the current grassed area would be replaced with grasscrete surfacing. The proposed development would provide for:

- x28 car parking spaces*
- x1 motorbike parking space*
- x1 ambulance parking area*
- x2 parking spaces adjacent to the ambulance area (for use by associated services), and*
- 1x loading bay, to be used by the club for deliveries and/ or, an area for S4C to locate a mobile TV studio vehicle (for televised matches).*

The enlarged car park would provide additional spaces and improved capacity within the site, reducing the potential for vehicles associated with the clubhouse to park informally on surrounding roads, which is considered to be a significant benefit from the works. The existing access would be retained. Although, it is noted during consideration of the application, amendments were made following consultation with the Highway Authority. These would include increasing the width of the main entrance to 6m to allow better access and egress to the site and introducing a new passing bay along the existing access road (Windmill Lane). The internal layout would provide appropriate space for vehicles to enter, park and manoeuvre.

It is acknowledged that concerns have been raised regarding the suitability of the existing highway network serving the site. With regard to these concerns, it is not considered that the nature and scale of the development would generate a level of traffic that would result in an unacceptable impact on highway safety or the surrounding road network. The proposal includes the provision of a passing bay and formalised on-site parking facilities, which are considered to represent an improvement over the existing arrangements. These measures would facilitate the safe movement of vehicles within and to and from the site, whilst also ensuring that parking associated with the football club can be accommodated on-site, thereby reducing the potential for informal parking on surrounding land or within the public highway. No objections have been received in this regard from Council Highways Officers. On balance, it is considered that any additional vehicle movements associated with the development would be relatively limited and would be offset by the highway and parking improvements proposed, such that there are insufficient grounds to justify refusal on highway safety grounds.

Notably, the Council's Highway Authority has reviewed the revised proposal and raises no objection in principle, subject to the imposition of conditions to ensure highway safety and the efficient movement of traffic, including the widening of the existing access, in addition to additional details and subsequent provision of the proposed passing bay prior to the beneficial occupation of the new facilities. Noting this it is considered that the Council's Highway Development section are satisfied that the proposals are acceptable and would not give rise to highway safety concerns.

On this basis, and subject to the recommended conditions, the proposal is not considered to give rise to unacceptable highway impacts.

Flooding and Drainage

Comments received from the Council's Drainage Section acknowledge that the site lies within Flood Zone 1 for rivers and the sea and is therefore not considered to be at risk from fluvial or coastal/tidal flooding. The NRW Flood Map for Planning (TAN 15, 2025) also identifies the site as being within Surface Water and Small Watercourses Flood Zone 1, indicating a low risk of surface water flooding.

Whilst a detailed Drainage Statement has not been submitted in support of the application, the accompanying Planning Statement indicates that surface water is intended to be managed through a sustainable drainage system, comprising a soakaway beneath the proposed Grasscrete area. The potential use of water butts for rainwater harvesting and reuse has also been identified. In principle, both the discharge of surface water to ground and the reuse of rainwater are considered acceptable drainage solutions. However, the suitability and feasibility of these measures would need to be demonstrated through the Sustainable Drainage Approval Body (SAB) application process.

As the development is subject to SAB approval prior to the commencement of works, a detailed surface water drainage scheme will be required and assessed through the SAB process.

Similarly, in terms of external consultees, Welsh Water (Dwr Cymru) have not objected to the scheme but have requested a condition related to no surface water connecting directly or indirectly to public sewerage network. The absence of objection from Welsh Water, and the Council's Drainage Section, 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.

Green Infrastructure and Biodiversity

Policy MD9 of the LDP states: New development proposals will be required to conserve and where appropriate enhance biodiversity interests unless it can be demonstrated that:

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

Planning Policy Wales Edition 12 provides the key legislative and national planning policy context for GI Statements. The Local Development Plan (LDP) and Supplementary Planning Guidance (SPG) for the Vale of Glamorgan Council provide the policies regarding biodiversity.

The application is supported by a Green Infrastructure Statement, which considers the existing green infrastructure features within the site and sets out measures proposed to avoid, minimise and mitigate any potential impact arising from the development.

The site forms a wider sports area, comprising football and cricket pitches, with existing vegetation located principally around the edges of the site. The submitted GIS states that the redevelopment of the clubhouse would not cause the loss of existing green infrastructure on site and the proposed parking layout has been designed to retain the existing hedgerow located to the south of the existing clubhouse. Whilst some grass would be lost the use of grasscrete surfacing would not result in its complete loss. In addition, the proposal incorporates a number of GI enhancements, included the retention and enhancement of existing hedgerow, additional planting, tree planting and three planter boxes incorporating wildflower planting adjacent to the clubhouse.

Initial comments received from the Council's Ecologist noted that they had reviewed the submitted bat and nesting bird assessment and raised no objections on biodiversity grounds. The report was considered comprehensive, although a photograph of the clubhouse roof structure would have been beneficial. A precautionary approach was recommended, requiring the roof to be soft-stripped under the supervision of, or with access to, a bat ecologist. Should bats be discovered during works, all works must cease immediately, and a protected species licence must be obtained from Natural Resources Wales.

Noting the above, whilst it is recommended that the roof is soft-stripped under ecological supervision and that works cease should bats be encountered, these are procedural matters that can be addressed through an informative attached to any planning permission. The informative will advise the applicant of their responsibilities under wildlife legislation, including the requirement to contact an ecologist and obtain the necessary licence from Natural Resources Wales should protected species be discovered during construction. Accordingly, the proposal is not considered to give rise to any unacceptable ecological impacts in relation to bats and is compliant with relevant biodiversity policies on this matter.

Under the amended scheme, a new passing bay is proposed along the main access road, and this requires the relocation of approximately 12m of existing hedgerow. The submitted GIS proposes that the hedgerow be relocated and subsequently infilled with approximately 3-4m of additional planting. Further tree planting consisting of beech, rowan and silver birch is proposed alongside the hedgerow. The statement also advises that the relocation would be undertaken outside of the bird nesting season.

Comments received from the Council's Ecologist note: *We note the revised plans now include a passing bay in the lane, which requires the removal of a substantial length of native hedgerow. We welcome the measures in the Green Infrastructure Statement to translocate the hedgerow and plant an additional 3 trees in the site application boundary, together with the provision of 3No. planters.* The Council's Ecologist has suggested a condition to secure the above-mentioned enhancements **(condition 3)**.

It is also acknowledged that bird boxes are proposed on the clubhouse and no trees would be removed. Overall, the proposal would retain the existing green infrastructure features within the site, with additional planting and enhancements in compliance with the above policies and guidance referenced above, namely PPW 12. Overall, the proposal would provide a positive biodiversity net gain, in compliance with LDP policies MD2 and MD9.

Other Matters

The comments raised by Shared Regulatory Services (Contaminated Land, Air & Water Quality) are noted. Noting the likely low risk of contamination this is not considered to represent a reason to withhold planning permission and the requested conditions, including those relating to dealing with any unforeseen contamination and the importation of material to the site shall be attached to any planning permission.

Concerns have been raised regarding the hours during which the premises may operate. These matters are controlled through a separate licensing regime. Any concerns regarding compliance with or variation of the premises license should be directed to the Council's Licensing Authority through the appropriate licensing process.

RECOMMENDATION

RL 25/09/26 IR 25/9/26

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:

R725 07 A1 Proposed Plans And Elevations 1 of 2 Rev B
R725 08 A1 Proposed Plans And Elevations 2 of 2 Rev B
- R725-01-A4 - Location Plan REV A.pdf
- R725-09 A1 - Site Plan REV A.pdf
R725 11 A1 Existing And Proposed Passing Bay Rev A

Reason:

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

3. The biodiversity enhancement measures set out in document ref: Green Infrastructure Statement of 22/6/2026 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 6 months of the completion of construction works, a photograph showing the biodiversity measures 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.

4. Prior to the commencement of works to construct the extensions hereby approved or the beneficial use of the proposed parking area, whichever is sooner, the access shall be widened to 6m in accordance with the approved details and retained as such for as long as the development remains in existence.

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.

5. Prior to the commencement of works to the proposed passing bay identified on r725-11, engineering and construction details of the proposed passing bay shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details and the passing bay must be constructed prior to beneficial use of the extension and car park hereby approved.

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.

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

- i) loading and unloading of plant and materials;
- ii) storage of plant and materials used in constructing the development;
- iii) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- iv) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- v) hours of construction;
- vi) lighting;
- vii) management, control and mitigation of noise and vibration;
- viii) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
- ix) a system for the management of complaints from local residents which will incorporate a reporting system.

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

Reason:

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

7. 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.

8. 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.

9. 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.

10. No external lighting shall be installed or erected on the site unless details of the lighting scheme have first been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the location, height, design, orientation, luminance levels and hours of operation of all proposed lighting. The approved lighting scheme shall be implemented in full prior to its first use and shall thereafter be retained and operated in accordance with the approved details.

Reason:

In the interests of protecting the amenities of neighbouring occupiers and to minimise light pollution and impacts on biodiversity, in compliance with policies SP1 (Delivering the Strategy), MD2 (Design of New Development) and MD9 (Promoting Biodiversity).

REASON FOR RECOMMENDATION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the

Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales – the National Plan 2040.

Having regard to Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MG7 (Provision of Community Facilities), MD1 (Location of New Development), MD2 (Design of New Development), MD3 (Provision for Open Space), MD5 (Development within Settlement Boundaries), MD7 (Environmental Protection), MD9 (Promoting Biodiversity) and MD13 (Tourism and Leisure) it is considered that the proposal would have an acceptable impact in terms of visual and residential amenity, highway safety, community facility and open space provision 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.

NOTE:

- 1. The applicant is advised by the Local Planning Authority that any works immediately adjacent to or within the limits of the adopted highway, such as the construction of a vehicular access / crossover, will require authorisation from the Local Highway Authority.**
- 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

- 3. Bats use buildings for roosting and a bat roost may be present at the property and/or be affected by the works. Bats are secretive by nature and their roost site is not apparent from the outside and many householders are unaware that they have a bat roost at their property. The applicant is responsible for ensuring that a bat roost will not be affected by the works. If bats are found during the course of the works, all work must cease immediately and Natural Resources Wales contacted at the earliest opportunity for further advice on 03000 653000. A licence may be required to resume works. Bats and their roosts are protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended).**

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 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.**

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: Aldi Stores Limited c/o Avison Young, One Kingsway, Cardiff, CF10 3AN

AGENT: Mr Owain Griffiths One Kingsway, Cardiff, CF10 3AN

Former Gas Holder Site, Cardiff Road (A4055), Barry

Proposed development of a discount retail foodstore (Use Class A1), together with access, car parking, external lighting, landscaping, drainage, and other associated site works.

REASON FOR COMMITTEE DETERMINATION

The application is of a scale required to be determined by Planning Committee under the Council's approved scheme of delegation.

EXECUTIVE SUMMARY

The application site comprises a redundant gas storage facility that is currently accessed off Verlon Close, Barry. A new vehicular access is proposed via Cardiff Road to the south with a pedestrian access via Laura Street to the west. The site is surrounded by a mixture of residential and commercial uses, including the employment land at (Ty Verlon) to the east and the Dow chemical facility to the south.

The proposed development is for a discount retail foodstore (Use Class A1), together with access, car parking, external lighting, landscaping, drainage, and other associated site works.

There were 24 public representations received, of which 2 raised concerns with the proposals. The remainder expressed support. The concerns related primarily to access and highway safety (related to the pedestrian access and proposed alterations adjacent to Laura Street). Those in support highlighted the benefits of increased consumer choice, the sustainability of the proposed location, reduced travel times, and the positive re-use of brownfield land.

Barry Town Council stated no objection subject to The Vale of Glamorgan highways being satisfied that the proposal can be accessed safely. An objection was received on behalf of Dow UK due to the increase in transient population close to the chemical facility and potential implications on health and safety risk, as well as highway safety.

Following consideration of all these matters, Officers consider that the proposal is compliant with retail planning policy and guidance due to a demonstrable demand for the development, the sustainable location, a lack of alternative town centre sites, and that it would not result in an unacceptable impact on the vitality of Barry town centre or other identified centres. There are also no objections from any other statutory consultees, including on flood risk, highway safety and drainage. The applicant has agreed to provide policy-compliant planning obligations (or direct works in lieu of these) as requested by officers. Where biodiversity and green infrastructure impacts occur, acceptable mitigation, compensation and enhancement have been proposed.

Members should note the Health and Safety Executive automated advice 'against' the proposal. However, this appears to be due to the presence of an extant consent for

Hazardous Substance Consent on the application site (for the redundant gas storage facility), opposed to residual risk relating to the Dow chemical facility.

Having regard to the above, as well as other matters discussed in the main body of the report Officers recommend that it is approved.

SITE AND CONTEXT

The application site is located at the site of a redundant gas storage facility that is accessed off Verlon Close, Barry. The site bounds Cardiff Road to the south, employment land (Ty Verlon) to the east, residential properties to the west (Laura Street), and retail stores to the north (currently Home Bargains/ Food Warehouse). The application site totals c. 0.95ha of previously developed land.

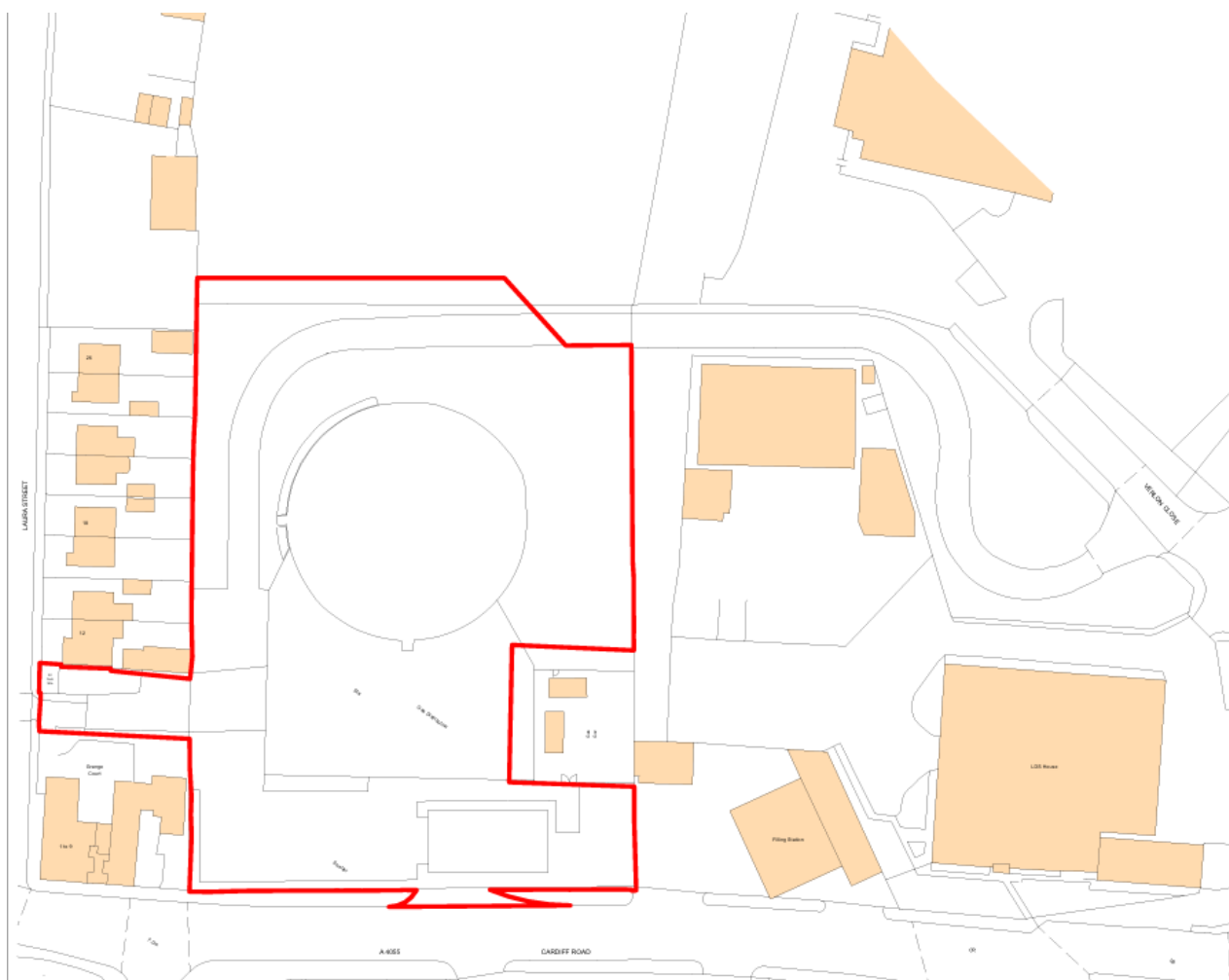
A small section of the site is within FMfP Flood Zone 2 (Rivers) and most of the site is within Flood Zone 3 (Seas).

The site lies immediately adjacent to, but outside of allocated existing employment land within the Local Development Plan (LDP) (Ty Verlon employment site).

The site is also located within a HSE consultation zone owing to the proximity of the Dow Corning chemical facility.

The Site of Interest for Nature Conservation (SINC) land 'North of North Road' is located c.30m east of the site.

The site location is shown edged red on the below plan extract: -



DESCRIPTION OF DEVELOPMENT

The proposed development is for a discount retail foodstore (Use Class A1), together with access, car parking, external lighting, landscaping, drainage, and other associated site works.

The proposals are shown in the below plan extracts: -

Site Layout Plan:



Proposed Elevations:



The proposals contain the following key elements: -

A food store building positioned to the north-west of the site and occupying an external footprint of c. 2,008sq.m and containing 1,154sq.m net retail sales area. The proposed retail sales mix is 923sq.m (80%) convenience goods and 230sq.m (20%) comparison goods.

Creation of a new vehicular access from Cardiff Road (A4055), comprising of a simple T junction with a ghost island right-hand turn lane from Cardiff Road, and a new pedestrian and cycle access from Laura Street.

Provision of 113 car parking spaces, including:

- 87 standard spaces
- 6 accessible spaces
- 1 accessible EV charging bay
- 7 parent and child spaces
- 1 parent and child EV charging bay
- 10 EV charging spaces
- 1 taxi bay
- 8 cycle parking spaces (4 Sheffield stands).

Public transport improvements:

- Relocation of the existing eastbound bus stop on Cardiff Road approximately 50m westwards.
- New bus shelter and high-access kerb stop to improve public transport facilities.
- Upgrading of zebra crossing to the west of the site to a signalized crossing.

A service yard and delivery bay is located on the northern side of the store, as well as new lighting columns to serve the car park and accesses.

Incorporation of hard and soft landscaping along the northern and western boundaries

Provision of SuDS (Sustainable Drainage Systems) and drainage features.

A totem sign is shown in addition to advertisements on the retail building albeit the acceptability of these would be subject to a separate advertisement consent application.

PLANNING HISTORY

1992/01179/HAZ, Address: Gas Works, Verlons Industrial Estate, Barry, Proposal: Natural gas storage site, Decision: Approved.

2000/00227/ADV, Address: British Gas Holder Site, Cardiff Road, Barry, Proposal: 4 x 48 sheet advertising hoardings. Decision: Refused.

2000/00578/HAZ, Address: Verlons Holder Station, Verlons Industrial Estate, Cardiff Road, Barry, Proposal: Storage of natural gas, Decision: Approved.

2000/01187/PNT, Address: British Gas Compound, Cardiff Road, Barry, Proposal: 15m extendable and shareable telecommunications tower with antennae, transmission dishes, equipment cabinets and a fenced compound, Decision: Approved.

2001/00008/HAZ, Address: Verlons (Barry) Holder Station, Verlons Industrial Estate, Cardiff Road, Barry, Proposal: Continuation of storage of Natural Gas, Decision: Approved.

2022/00790/ADV, Address: Former Gas Works, North side of Cardiff Road, Barry, Proposal: Display of 2 no. illuminated signboards, Decision: Refused

CONSULTATIONS

Barry Town Council stated no objection, subject to The Vale of Glamorgan highways being satisfied that the proposal can be accessed safely.

Health and Safety Executive (web application) – The assessment tool result was to ‘advise against’. It concludes that *“The assessment indicates that the risk of harm to people at the proposed development site is such that HSE’s advice is that there are sufficient reasons on safety grounds, for advising against the granting of planning permission in this case.”*

Members should note that the assessment appears to have factored in the risk associated with an extant Hazardous Substance Consent on the application site land - related to the redundant gas storage facility. This is discussed in additional detail within the body of the report below.

VoGC Highway Authority stated no objection subject to the inclusion of planning conditions related to highway matters.

In their detailed response, they noted that Cardiff Road is a busy A-Class road and that the development proposes a new simple T-junction access, complete with radius kerbing and new footway fronting the site, and a new ghost island right hand turn lane. They also noted the sustainable location with the site accessible by foot and via bus stops nearby. They advised that they were satisfied with the revised Transport Assessment, that it included robust calculations, and concluded that the new junction will operate within capacity according to the modelling and that the layout also ensures that there is no left turn into a parking area immediately adjacent to the new access as this could create congestion and obstruction along Cardiff Road.

In addition, they stated that the swept paths provided show that while deliveries and customers would share the same access, HGVs should be able to manoeuvre in and out of the site and service bay with minimal conflict for customers. The delivery management plan also indicates most deliveries would occur outside of peak times.

They also noted that to promote sustainable modes of transport the applicant is providing a new bus stop and shelter on the development side of Cardiff Road, noting an existing shelter needs to be relocated to facilitate the access. Furthermore, there are proposals to upgrade an existing zebra crossing to the west of the site to a new signal-controlled pedestrian crossing, which will provide a safer means of crossing and access to the westbound bus stop.

In relation to parking provision, they noted that a total of 113 total spaces is proposed, whereby the Parking Standards show 96 spaces as the maximum provision for this size of development. They supported the case for higher parking levels due to the nature of the site and it being situated directly off a busy A-road.

The Highway Authority requested planning conditions relating to detailed highways plans, engineering details, and specifications including for public transport infrastructure improvements, to secure compliance with the Delivery Management Plan, submission and agreement of a Construction Traffic Management Plan, and road condition surveys.

South Wales Fire and Rescue Service stated no objection and referred to their current standing advice and that the developer should consider the need for adequate water supplies and site access for fire appliances.

VoGC Economic Development Section – no response.

VoGC Drainage Section (LLFA/ SAB) stated no objection. In their detailed response they noted that parts of the site are located within Surface Water Flood Zones 2 and 3, with the mapped risk principally associated with ponding within the existing depression formed by the former gas holder.

They noted that the FCA considers the implications of this flood risk and the proposed redevelopment of the site, including the removal of the existing depression and provision of a formal drainage system. They stated they were satisfied that the FCA provides a suitable and proportionate assessment of surface water flood risk for the scale and nature of the proposed development, that adequately identifies the sources of surface water flood risk affecting the site and demonstrates, in principle, that the consequences of surface water flooding can be appropriately managed.

They also advised that the development is subject to Schedule 3 of the Flood and Water Management Act 2010, requiring a separate SAB pre-application for approval of a detailed scheme of surface water disposal.

The Council's Shared Regulatory Services (Pollution Control) did not object but requested a planning condition requiring that deliveries be restricted to the hours of 7am – 11pm.

Heneb, The Trust for Welsh Archaeology – stated no objection, noting that the site was in an area of low archaeological potential, where the ground has also been disturbed by previous development.

Dwr Cymru/ Welsh Water stated that the site is in the Cog Moors Wastewater Treatment Works (WwTW) catchment and that foul flows generated by the proposed development can be accommodated within the public sewerage system. They requested a planning condition that would prohibit the disposal of surface water via the foul sewer and provided advice about asset protection, new connections, and surface water (SAB) regulations.

VoGC Ecology Officer stated no objection (following the submission of additional and revised information and documentation) and recommended a planning condition requiring submission and approval of a Habitat Management and Monitoring Plan.

VoGC Landscape Officer – no response.

Natural Resources Wales – do not object subject to the imposition of planning conditions relating to submission and approval of further details for a land contamination assessment being carried out, remediation, verification, and surface water drainage, as well as adherence to the submitted Construction Management Plan.

They also provided detailed comments in relation to flood risk. They stated that the proposal was for less vulnerable development in Flood Zone 2 (Rivers) and Flood Zone 3 (Seas). They reviewed the Flood Consequence Assessment (FCA) and advised that it satisfactorily demonstrates that the risks and consequences of flooding are manageable to an acceptable level.

They concurred with the assessment that the site (sic: the food store would not flood in these events) would not flood in a 1% (1:100 year) fluvial flood event, nor a 0.5% (1:500 year) or 0.1% tidal flood event, in compliance with Figure 5 of TAN15. They also describe the external flood depth affecting the south of the site (up to 70mm) as being tolerable and in compliance with Figure 6 of TAN15 and did not object in relation to the breach/ overtopping assessment or in relation to any consequential increase in flood risk elsewhere.

Shared Regulatory Services (Environment) stated that the previous uses may have caused contamination and requested the inclusion of planning conditions to require submission and approval of a contamination assessment, along with any required remediation and verification. They also requested planning conditions relating to unforeseen contamination, imported soil, aggregate, and site won materials, as well as standing advice about contamination and unstable land.

South Wales Police – no response.

Cadoc Ward Councillors – no response.

REPRESENTATIONS

The neighbouring properties were consulted on 12 January 2026, and a site notice was also displayed on 13 February 2026. The application was also advertised in the press on 5 February 2026.

There were 24 representations received from members of the public, of which two contained raised concerns with the proposals. The remainder of the representations expressed support for the proposals.

The concerns are summarised as follows:

- Concerns about the provision of pedestrian access to Laura Street, and consequential parking congestion and dangerous manoeuvring (on Laura Street)
- Recommend that egress is made 'no right-hand turn' on account of traffic volumes on Cardiff Road
- Recommend that a vehicular turning facility is provided at the pedestrian access off Laura Street.

The reasons for support are summarised as follows:

- Reduced journey times for customers currently travelling to the nearest store at Culverhouse House.
- Employment opportunities.
- Support for increased retail choice/ discount store.
- Location accessible via public transport
- Positive use of brownfield land

The following objection was also received on behalf of Dow Silicones UK:-

“Under the Control of Major Accident Hazards (COMAH) Regulations 2015, the Dow UK site is classed as 'Major Hazard Site' (MHS) and 'upper tier establishment', due to the presence of dangerous toxic, corrosive, explosive and flammable substances. As such, the site is required to prepare and regularly review internal and external emergency plans to protect the health and safety of anyone who may be affected in the event of a major accident. The proposed development represents a large increase in the transient population within close proximity to the Dow facility and its consultation zone, the proposed development could therefore result in health and safety risk to future customers of the proposed supermarket. In addition, Cardiff Road is a busy thoroughfare, including HGVs from the industrial zone, with a history of traffic collisions. Adding additional traffic turning into and from the development will add risk to this busy road.”

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 SP6 – Retail
POLICY SP7 – Transportation
POLICY SP10 – Built and Natural Environment

Managing Growth Policies:

POLICY MG12 – Retail Hierarchy
POLICY MG13 – Edge and Out of Town Retailing Areas
POLICY MG19 – Sites and Species of European Importance
POLICY MG20 – Nationally Protected Sites and Species
POLICY MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species

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 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 6 – Town Centre First

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

Policy 8 – Flooding

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

Policy 9 – Resilient Ecological Networks and Green Infrastructure

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

Policy 15 – National Forest

- Supports tree planting as part of new development proposals.

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.

Planning Policy Wales:

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

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

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

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

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

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Promoting Healthier Places
- Sustainable Management of Natural Resources
- Accessibility
- Previously Developed Land
- 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)

There is extensive guidance contained within Chapter 4 of PPW that is of direct relevance to the proposals including the guidance contained within the following paragraphs relating to the Needs and Sequential Tests and Retail Impact Assessments:

4.3.13 It is important that communities have access to adequate levels of retail provision. Evidence should demonstrate whether retail provision is adequate or not, by assessing if there is further expenditure capacity in a catchment area (quantitative need) or if there is a lack of retail quality, range of goods or accessibility (qualitative need).

4.3.14 In deciding whether to identify sites for comparison, convenience or other forms of retail uses in development plans or when determining planning applications for such uses, planning authorities should first consider whether there is a need for additional retail provision. However, there is no requirement to demonstrate the need for developments within defined retail and commercial centre boundaries or sites allocated in a development plan for specific retail uses. This approach reinforces the role of centres, and other allocated sites, as the best location for most retail, leisure, and commercial activities. It is not the role of the planning system to restrict competition between retailers within centres.

4.3.15 Need may be quantitative, to address a quantifiable unmet demand for the provision concerned, or qualitative. Precedence should be given to establishing quantitative need before qualitative need is considered for both convenience and comparison floorspace, particularly as a basis for development plan allocations.

4.3.16 Qualitative assessment should cover both positive and negative aspects and may become an important consideration where it:

- supports the objectives and retail strategy of an adopted development plan or the policies in this guidance;*
- is highly accessible by walking, cycling or public transport;*
- contributes to a substantial reduction in car journeys;*
- contributes to the co-location of facilities in existing retail and commercial centres;*
- significantly contributes to the vibrancy, attractiveness and viability of such a centre;*
- assists in the alleviation of over-trading of, or traffic congestion surrounding, existing local comparable stores;*
- addresses locally defined deficiencies in provision in terms of quality and quantity, including that which would serve new residential developments; or where it;*
- alleviates a lack of convenience goods provision in a disadvantaged area.*

4.3.17 It will be for the planning authority to determine and justify the weight to be given to any qualitative assessment. Regeneration and additional employment benefits are not considered qualitative need factors in retail policy terms. However, they may be material considerations in making a decision on individual planning applications if the regeneration and job creating benefits can be evidenced. If there is no quantitative or qualitative need for further development for retail and commercial centre uses, there will be no need to identify additional sites.

Sequential Test

4.3.18 The Welsh Government operates a ‘town centres first’ policy in relation to the location of new retail and commercial centre development. In implementing this policy, planning authorities should adopt a sequential approach to the selection of new sites in their development plan and when determining planning applications for retail and other complementary uses. By adopting a sequential approach first preference should be to locate new development within a retail and commercial centre defined in the development plan hierarchy of centres.

4.3.19 If a suitable site or building to meet identified need is not available within a retail and commercial centre or centres, then consideration should be given to edge of centre sites

and if no such sites are suitable or available, only then should out-of-centre sites in locations that are accessible by a choice of travel modes, including active travel and public transport, be considered. Developers should demonstrate that all potential retail and commercial centre options, and then edge-of-centre options, have been thoroughly assessed using the sequential approach before out-of-centre sites are considered. The onus of proof that central sites have been thoroughly assessed rests with the developer.

4.3.20 Edge-of-centre or out-of-centre sites should be accessible by a choice of public and private modes of travel. New out-of-centre retail developments or extensions to existing out-of-centre developments should not be of a scale, type or location likely to undermine the vibrancy, attractiveness and viability of those retail and commercial centres that would otherwise serve the community and should not be allowed if they would be likely to put development plan retail strategy at risk. The extent of a sequential test should be agreed by pre-application discussion between the planning authority and the developer.

4.3.21 The sequential approach applies to retail and all other uses complementary to retail and commercial centres. Other complementary uses include, for example, financial and professional services (A2), food and drink (A3), 65 Active & Social Places Planning Policy Wales | Edition 11 66 offices (B1), hotels (C1), educational and other non-residential establishments (D1), leisure (D2) and certain other uses such as launderettes and theatres. However, some education, healthcare and community uses may have specific accessibility requirements which mean they need to be located close to the communities they serve. Planning authorities should be flexible in their approach where it is necessary. The nature of a proposed use is likely to determine what type of centre (i.e. higher or lower order centre) is most appropriate as a starting point for the sequential approach process.

4.3.22 When preparing development plans, planning authorities should take a positive approach, in partnership with the private sector, in identifying sites which accord with the sequential approach and are in line with the development plan retail strategy in terms of the size, scale and format of new developments needed. In allocating sites for different types of retail and commercial centre uses planning authorities should take account of factors such as floorspace, quality, convenience, traffic generation and attractiveness of the site. Planning authorities should not prescribe rigid floorspace limits on allocated sites that would unreasonably inhibit the retail industry from responding to changing demand and opportunity.

4.3.23 Some types of retail store, such as those selling bulky goods and requiring large showrooms, may not be able to find suitable sites or buildings within existing retail and commercial centres. Where this is the case such stores should in the first instance be located on sites identified for such a purpose in the development plan, preferably on an edge of centre site. Where such sites are not available or suitable, other sites at the edge of retail and commercial centres, followed by out-of-centre locations. The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. be considered, subject to application of the needs and impact tests.

4.3.24 Planning authorities should include policies in their plans to protect existing retail sites from inappropriate development. However, where a planning authority has evidence an existing retail site is no longer required for the use it was intended, the authority should consider what alternative uses may be appropriate and include policies in its plan.

Retail Impact Assessments

4.3.25 Retail developments outside designated retail and commercial centres, and which are not located on an allocated site, can impact on the viability and vibrancy of a centre. Impacts resulting from such development, whether individual or cumulative, may include changes in turnover and trading ability, consumer choice, traffic and travel patterns, footfall, as well as affect centre regeneration strategies and existing or proposed retail sites allocated in the development plan. The purpose of the retail impact assessment is to consider these issues and determine if these developments are likely to have detrimental consequences.

4.3.26 All retail planning applications or retail site allocations of 2,500 sq. metres or more gross floorspace that are proposed on the edge of or outside designated retail and commercial centres should, once a need has been established, be supported by a retail impact assessment.

4.3.27 For smaller retail planning applications or site allocations, planning authorities will need to determine whether an assessment is necessary, for example when a smaller proposal may have a significant impact on a centre. Requests for retail impact assessments by planning authorities on smaller developments should be proportionate to potential impacts.

4.3.28 Retail proposals on the edge-of-centre or out-of-centre, which are to be located on sites allocated in accordance with an up-to-date development plan, will not normally require the application of a retail need test, a sequential test or an impact assessment. These tests should have been carried out by the planning authority when the development plan was prepared and the acceptable uses for the site identified. However, there may be instances where the nature of the proposal is not adequately addressed by the development plan and it may be appropriate to apply one or more of these tests.

4.3.29 Edge of centre or out-of-centre retail developments may seek, over time, to change the range of goods they sell or the nature of the sales area. Planning authorities should anticipate such changes using appropriate conditions on the initial permission or in relation to requests for any subsequent change or variation of condition. Conditions can restrict the amount of floorspace or prevent a development from being sub-divided into smaller shops to limit the range of goods sold or prevent the creation of a single large store. Also, where the inclusion, for instance, of post offices and pharmacies in out-of-centre retail developments would be likely to lead to the loss of existing provision in a designated retail and commercial centre, they should be discouraged by imposing appropriate conditions. Planning authorities may wish to consider extending the list of uses controlled in out-of-centre retail developments if the location of such uses are likely to lead to the loss of existing provision in retail and commercial centres. Applications to remove or vary conditions should be subject to the same considerations.

Chapter 5 - Productive and Enterprising Places

- Economic Infrastructure (transportation Infrastructure, economic development,)
- 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 4 – Retailing and commercial development (2016)

6.7 Planning Policy Wales highlights cases where qualitative need may be justified. It is unlikely that any of these aspects on their own could justify new retail development; rather a combination of several of these issues could make the case for further provision. These could include proposals which:

- *support the objectives and retail strategy of an adopted development plan or the policies in this guidance.*

This may be where a retail development is linked to a large area of growth which is not currently served by any form of retail development.

- *are highly accessible by walking, cycling or public transport and/or contributes to a substantial reduction in, or alleviation of, car journeys, traffic congestion or over-trading.*

Current travel patterns for communities to access existing retail provision may be problematic or result in extended and unreasonable travel times. This may be as a result of the store over-trading which is defined as the expenditure in store significantly exceeding anticipated or market average levels. Proposals which are well-located within existing communities may be able to assist to alleviate some of these issues.

- *contribute to the co-location of facilities in retail and commercial centres identified in the retail hierarchy; and/or significantly contributes to the vibrancy, attractiveness and viability of such a centre.*

Existing provision in a retail and commercial centre may lack a certain type of development which is impacting on its ability to draw people from its catchment and reach its potential. Proposals for additional types of development could therefore be justified although these would need careful management by conditions to ensure those uses which will strengthen the centre are delivered.

- *address locally defined deficiencies and alleviates a lack of convenience provision in a disadvantaged area.*

This relates to the ability of all communities and disadvantaged areas in particular to access the goods and services which they need on a day-to-day basis. Current provision may not meet these requirements resulting in expensive, unnecessary trips further afield. Local provision to meet this need would therefore be a positive step for these communities. Localised deficiencies may also arise when new residential development has recently been constructed.

6.8 Planning Policy Wales also advises that regeneration and additional employment benefits are not considered qualitative need factors in retail policy terms, though they

may be material considerations in making a decision on a planning application. If there is no quantitative retail need for a proposal the net impact on employment may be negligible as there may be economic impacts on existing stores in the area which would require them to reduce their staff numbers as a result. A local planning authority would need to fully investigate such cases, taking a holistic approach, before considering whether to approve such schemes on this basis.

- 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 18 – Transport (2007)

Welsh National Marine Plan:

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

Supplementary Planning Guidance:

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

- Barry Development Guidelines
- Biodiversity and Development (2018)
- Economic Development, Employment Land and Premises (2023)
- Parking Standards (2019)
- Planning Obligations (2018)
- Public Art in New Development (2018)
- Retail and Town Centre Development (2023)
- Sustainable Development - A Developer's Guide
- 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)

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Welsh Office Circular 13/97 - Planning Obligations
- Section 160 of the Historic Environment (Wales) Act 2023, imposes a duty on the Council with respect to any buildings or other land in a conservation area, where *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- Section 58 (1) of the Marine and Coastal Access Act places a requirement on the Council to take authorisation decisions in accordance with the appropriate marine policy documents, unless relevant consideration indicates otherwise.
- LDP Background Paper: Retail Planning Study (2013 Update)
- RLDP Background Paper: The Retail and Commercial Leisure Study (2023)
- National Assembly for Wales (WG) Circular 20/01: Planning Controls for Hazardous Substances

A5. In view of their acknowledged expertise in assessing the off-site risks presented by the use of hazardous substances, any advice from HSE that planning permission should be refused for development for, at or near to a hazardous installation or pipeline, or that hazardous substances consent should be refused, should not be overridden without the most careful consideration. Where a local planning or hazardous substances authority is minded to grant planning permission or hazardous substances consent against HSE's advice, it should give HSE advance notice of that intention and allow 21 days from that notice for HSE to give further consideration to the matter. During that period, HSE will consider whether or not to request the Assembly to call-in the application for its own determination.

A6. The Assembly exercises the power to call-in applications very selectively. Applications are only called-in if they raise planning issues of more than local importance, including safety issues of exceptional concern or other major planning issues. Call-in of hazardous substances consent applications will be similarly selective. In accordance with this policy, HSE will normally consider its role to be discharged when it is satisfied that the local authority is acting in full understanding of the advice received and the consequences that could follow. It will consider recommending call-in action only in cases of exceptional concern or where important policy or safety issues are at stake.

Equality Act 2010

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

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations 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.

Assessment

Planning Policy

The site is located within the settlement boundary of Barry as defined by the Adopted Vale of Glamorgan Local Development Plan (LDP) and is the location of the former gas holder facility, as such the site is considered to constitute previously developed (brownfield) land as defined by national planning policy (PPW page 37).

The site is outside of any defined retail centre boundary as defined by the LDP, and as such, is an 'out of town' retailing proposal to which LDP Policies SP6 (Retail), MG12 (Retail Hierarchy), and MG13 (Edge and Out of Town Retailing Areas) apply.

Policy SP6 seeks to ensure the *'the continued vitality, viability and attractiveness of the Vale of Glamorgan's town and district centres, provision is made for 2,329 sqm (net) new comparison and 3,495 sqm (net) new convenience retail floorspace'*

Policy MD13 states that:

"Proposals for new retail development on new sites or existing retail areas in edge and out of town locations, including changes of use, extensions, the merger or subdivision of existing units or amendments to existing planning conditions relating to the sale of goods will only be permitted where:

- 1. It can be demonstrated that there is an additional need for the proposal which cannot be provided within an existing town, or district retail centre, and*
- 2. The proposal would not either individually or cumulatively with other recent or proposed consented developments have an unacceptable impact on the trade, turnover, vitality and viability of the town, district, local or neighbourhood centres."*

Policy MD1 (Location of New Development) is also relevant, being a criteria-based policy relating to development on unallocated sites, and states that development should; *reinforce the role of function of the key settlement of Barry; have access to or promote the use of sustainable modes of transport; and where possible promote sustainable construction and make use of previously developed land* (among other criteria).

Policy 6 of Future Wales: The National Plan 2040 states *that ‘significant new commercial, retail... facilities must be located within town and city centres. They should have good access by public transport to and from the whole town or city and, where appropriate, the wider region. A sequential approach must be used to inform the identification of the best location for these developments and they should be identified in Strategic and Local Development Plans.’* Such an approach is echoed within PPW (paragraph 4.3.18).

As noted above, the site falls outside of any identified retail centre and is not allocated for retail development within the extant development plan. It is therefore essential that the proposals are compliant with the criteria of Policy MD13.

Retail Impact Assessment

The nearest convenience retail supermarkets are located at Palmerston (Iceland Food Warehouse) and at Pencoedtre (Lidl), which for the purposes of planning are identified within Policy MG13 of the LDP and identified as edge of centre locations. The application site has a similar relationship to the settlement and the established retail centres.

In terms of the extant LDP and criterion 1 of Policy MG13, the retail space allocated in the LDP has already been surpassed by new development. Therefore, at a Council wide level, the position relative to the aspirations of the LDP is that need projected up to 2026 has been long been met. By way of background, the LDP evidence base was underpinned by the Retail Planning Study (2013 Update).

In respect of criterion 1 of Policy MG13, and in support of the Council’s Replacement Local Development Plan (rLDP), the Council has undertaken a review of retail floorspace for the Vale of Glamorgan covering the period 2021-2036. The Retail and Commercial Leisure Study (2023) has examined the quantitative floorspace needs for the main retailing centres. Additionally, the study also provides a qualitative assessment of the centres of Barry, Cowbridge, Llantwit Major, and Penarth to inform future policy within the Vale of Glamorgan in respect of managing their long-term vitality and viability.

The study identified that over the plan period to 2036, there is quantitative headroom capacity for between 4,282 and 5,862sq.m net of convenience food retail floorspace, depending on the type of convenience goods provider. There is also capacity for between 432sq.m net and 679sq.m net of comparison floorspace, depending on the nature of the comparison goods. Spatially, the study identifies the potential for additional convenience food retailing within the retail centres of Barry, Penarth and Llantwit Major. The report recommends that this would lead to improvements in the vitality and viability of these centres, whilst also recognising a general qualitative need for encouraging a diverse range of uses within the Vale’s main town and district retail centres.

The study does not set a headroom capacity for specific centres such as Barry. However, it does state that, in qualitative terms, the headroom could be met through the provision of medium to large supermarket located within Barry Holton Road Town centre should a suitable site be available, noting that the absence of suitable sites would not automatically require the need to allocate out of centre sites (para 12.39 refers).

However, on this latter recommendation, consideration of new retail provision at out of town and out of centre locations also needs to be considered within the context of existing local and national policy and in respect of the sequential test policy (as covered by criteria 2 of Policy MG13), which sets out the requirements for new retail proposals, particularly where quantitative need has been established by the authority: Planning Policy Wales paras 4.13.18 - 20 states that:

“Planning authorities should adopt a sequential approach to the selection of new sites in their development plan and when determining planning applications for retail and other complementary uses. By adopting a sequential approach first preference should be to locate new development within a retail and commercial centre defined in the development plan hierarchy of centres.”

If a suitable site or building to meet identified need is not available within a retail and commercial centre or centres, then consideration should be given to edge of centre sites, and if no such sites are suitable or available, only then should out-of-centre sites in locations that are accessible by a choice of travel modes, including active travel and public transport, be considered. Developers should demonstrate that all potential retail and commercial centre options, and then edge-of-centre options, have been thoroughly assessed using the sequential approach before out-of-centre sites are considered.

Edge-of-centre or out-of-centre sites should be accessible by a choice of public and private modes of travel. New out-of-centre retail developments or extensions to existing out-of-centre developments should not be of a scale, type or location likely to undermine the vibrancy, attractiveness and viability of those retail and commercial centres that would otherwise serve the community and should not be allowed if they would be likely to put development plan retail strategy at risk. The extent of a sequential test should be agreed by pre-application discussion between the planning authority and the developer.”

The Deposit Vale of Glamorgan rLDP aims to meet the identified retail floorspace capacity through Policy SP12 of the draft plan which allocates two retail sites at Church Farm, St Athan (1,858 sq.m) and Bridge House Farm, Llanmaes (1,251 sq.m).

In respect of the Bridge House Farm allocation, this is presently subject of a planning committee resolution to approve, subject to the approval of a Section 106 agreement. However, this has been called in for determination by Welsh Ministers and as such the allocation of this land will depend upon the outcome of this call in, when a decision has been issued by the Minister. Collectively, these two allocations would accommodate up to 3,109sq.m of the 5,862sq.m maximum floorspace required.

The proposed development would provide 1,154 net sq.m of retailing floorspace of which 923sq.m would be for food retail and 230sq.m of comparison goods. Accordingly, the plan indicates that there would be sufficient headroom in the Vale to accommodate future retail development, together with the proposed rLDP allocations.

The applicants retail statement contains both a quantitative and qualitative retail assessment (section 7) and sequential test (Section 8) setting out a case in support of additional food store within Barry.

The quantitative assessment has considered retail spending for convenience shopping within the Vale of Glamorgan alongside recently approved planning permissions to determine the extent of retail headroom spend available within Barry. This indicates that existing food store overspend in 2026 for the Vale of Glamorgan is £108.3M, and for Barry this is £57M. When undeveloped approved sites are included, the headroom with the Vale in 2030 would be £85.1M for the Vale of Glamorgan, and £43.2M for Barry.

It is noted that the retail capacity study includes Poundland at Culverhouse Cross, which is no longer in operation, and also omits Iceland Warehouse, Palmerstone, Barry which is in close proximity to the application site (Tables 9.1 and 9.2). The applicant has provided an update letter dated 23 June 2026 seeking to address these points. It is noted that the assessment provides a snapshot of capacity at one time and Officers agree that these are unlikely to materially influence the conclusions of the retail impact assessment.

In terms of retail impact, the applicant's assessment indicates that whilst the proposed scheme *"will inevitably divert some retail trade it is considered that the proposal would not have a material effect on the any individual stores or the viability and viability of the centre as a whole"* (Para 9.85), which is estimated to be -1.8% divergence of trade from Barry Town Centre (para 9.44). The main reasons for this are that the proposed food store would compete more directly with other large (out of centre) food stores, and that the main food (bulk shop) spending accounts for only c.20% of convenience goods spending in the town centre.

Regarding the sequential test undertaken, the applicant has examined the potential availability of existing premises and potential redevelopment sites within a 5-minute drive from the application site – a distance which takes in Barry Town centre. The search area examined the availability premises and land of up to 0.6ha., which is noted to be smaller than the current 1ha. site.

The sequential search found only a single suitably sized premises within Barry town, being the former Wilko store which was, at the time of the survey, under offer (the premises has been recently purchased by the Vale of Glamorgan Council). The unit also has other constraints, such as limited room to accommodate other practical requirements such as refrigeration units and storage and is not served by dedicated parking. Whilst other premises were identified at Barry Waterfront these are presently occupied, whilst physical site constraints eliminated the potential redevelopment within or closer to the edge of Barry town centre.

Having regard to the above, the justification for the parameters of the sequential testing and retail impact assessment undertaken is reasonable, and Officers do not raise any concerns about methodology or its findings. Members should note the estimated trade divergence set out above. However, when balanced against the other material factors related to market demand, Officers consider the need for the development has been demonstrated, and that the impact on the viability and vitality of Barry town centre (and other smaller retail centres) is acceptable. Other qualitative material factors in favour are the highly accessible location, potential alleviation of car journeys further afield, and increase in retail choice in an area with market headroom.

It is considered that the proposals would broadly comply with the provisions of LDP Policy MG13, Future Wales, Planning Policy Wales, and TAN4, in terms of demonstrating capacity, following the sequential test, accessibility, and policy compliance.

Visual Impact

Policy MD2 (Design of New Development) is a criteria-based policy that is of significant relevance to the determination of the application, including criteria 1, that requires development to be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment, and protects existing features of townscape and landscape interest.

The store is single storey and of a typical appearance for a retail store of this scale and type. Given the local context of a mix of residential and commercial properties, as well as the site context, the proposed store would not appear unduly prominent or incongruous. The existing site contributes little to the public domain in terms of its visual appearance and is currently enclosed by a tall block wall and palisade fencing. A benefit of the proposed vehicular access would be to 'open up' views into the site, which would form part of a semi-public realm post development. Together with the proposed landscaping, the scheme would provide a beneficial re-use of a derelict facility that offers an overall positive contribution to the street scene and is therefore considered to be compliant with Policy MD2 of the Local Development Plan.

Impact upon amenity of neighbouring residential properties

The principal consideration in relation to neighbouring amenity is the impact to residential occupiers on Laura Street, particularly those sharing a common boundary with the application site. The potential impacts are indirect but range from potential shading/overbearing impacts from the proposed building, to noise from associated plant and machinery, as well as comings and goings and vehicular movements within the car park and servicing areas.

From a design perspective, the proposed layout sites the main focal point and customer access to the food store on the opposite side to Laura Street. In terms of amenity impact, this offers some shielding of noise from comings and goings toward these properties. The servicing area on the northern side is closer to Laura Street by comparison, but neither is it likely to be in constant use. A portion of the car park is situated adjacent to Grange Court to the south-western corner of the site; however, this is not part of the main vehicular access and thoroughfare. Whilst some impact from comings and goings is inevitable, it is considered that the proposals are designed in a manner that would minimise impact to adjacent residents from customers comings and goings, as well as vehicular traffic. In consideration of the past industrial use of the site in addition, it is considered that the proposals would not result in an unacceptable amenity impact in this regard.

The application has been accompanied by a noise assessment report that provides baseline survey information as well as modelled projections of noise impacts from the development site; considering the customer car park, deliveries and servicing, as well as fixed plant refrigeration and ventilation systems on nearby residential properties, particularly Laura Street and Grange Court.

The existing noise environment is dominated by road traffic, with the 2025 survey recording average background noise levels of c. 50 dB daytime, 45 dB evening, and 38 dB night-time. The predicted noise levels are generally assessed to be below existing ambient noise levels and relevant WHO guideline values. The exception is the potential impact from late night deliveries, which is assessed as being above ambient night-time noise levels (but remaining below WHO guideline levels). Mitigation is included in the form of a 3m tall acoustic barrier

around the servicing bay. Goods deliveries to site would be occasional (typically three to four per day) and, in response to consultation, Shared Regulatory Services did not object subject to a planning condition restricting delivery times to between 07:00 and 23:00 hours. The noise assessment report also recommends that fixed plant noise levels are controlled by condition.

An offset of c.7m has been provided from the proposed building towards the common boundaries of the closest neighbouring properties, located on the east side of Laura Street. It would comprise a service apron and a narrow landscaping buffer. The corresponding rear elevation of the proposed food store is c.5.2m tall, which is its minimum height. The design therefore ensures that the lowest part of the building is that sited closest to properties on Laura Street. Although the proposed food store is fairly tall for a single storey building, the generous offset (a height to distance ratio greater than 1:1), would ensure that it would not enclose neighbouring gardens or have a serious and adverse overbearing effect towards the neighbouring properties to the west. It is considered the proposals would not unacceptably impact on daylight to the neighbouring dwellings and gardens, for similar reasons. In relation to shading, whilst there is likely to be an appreciable effect, the proposed food store is orientated west to north-west residential neighbours, which would ensure that the impact would be transient, not significant and not to a degree that would warrant refusal of planning permission. The properties with greater scope to experience shading effects due to orientation are those furthest from Cardiff Road – on higher ground. The proposals include an arrangement of enclosures which are considered acceptable in relation to neighbouring amenity.

A food store use is not inherently a source of odour, or other nuisances such as pests, subject to common site management procedures and waste storage provision etc. the proposal is considered acceptable.

A lighting scheme has been submitted with the application which indicates that light impact towards neighbouring properties would be very minimal. There are no lights proposed to the rear of the store, adjacent to Laura Street, and lighting along the footpath to Laura Street has been designed to minimise unnecessary light spillage. The proposals are considered acceptable in relation to residential amenity.

In conclusion, the proposals are considered acceptable in relation to neighbouring amenity and, subject to conditions, would not inherently result in unacceptable neighbouring impacts such as those relating to noise, disturbance, and odour. The building is also considered to result in no unacceptable impacts in relation to shading, overbearing impact and loss of daylight. As such the proposals are considered to comply with the provisions of relevant policies including MD2, MD5 and MD7 of the adopted Local Development Plan.

Hazardous Substances and neighbouring employment uses

The site is adjacent to existing allocated employment land within the LDP. The proposed development is not considered to be highly noise or dust sensitive, insofar as it would risk fettering current or future employment uses at the Ty Verlon estate.

However, the site also is within an outer Health and Safety Executive (HSE) consultation zone for relating to the Dow chemical facility to the south. The presence of hazardous substances and extant HSCs in the vicinity of the site is a material consideration in the assessment of the suitability of this location for a foodstore, because of potential risks associated with, e.g. increasing transient population density within the consultation zone.

Also, notably, an application has been made for Hazardous Substances Consent (ref: 2026/00481/HAZ) at the Dow site for changes to the substances and quantities stored there. However, a substantive response from HSE remains outstanding and is not expected until early 2027. Therefore, it would not be appropriate to take this proposal into consideration, pre-emptively. The HSC assessment process would need to consider any evolving changes to the site context prior to the determination of that application.

Thirdly, the site also includes an historic hazardous substance facility with an extant HSC for gas storage. The foodstore proposal sits within its inner consultation zone on the HSE mapping. This is despite the site ostensibly not having been used to store gas for over a decade. An HSC does not expire automatically, and consents remain attached to the land unless proactively revoked by the Council as the Hazardous Substances Authority.

Officers have followed the consultation process set out by the HSE, using its online consultation tool. The result of this consultation is that it 'advised against' development. However, the automated assessment process result appears to have include the (non-existent) risk associated with co-siting a foodstore with a gas storage facility. However, these two uses could never operate in tandem. Whilst there is clearly a residual potential risk associated with the outer consultation zone of the Dow chemical facility, when a test proposal was run through the consultation tool (in the Dow outer zone but outside of the gas facility), the equivalent HSE advice was 'do not advise against'. Therefore, based on the available evidence, the food store proposal would not pose an unacceptable public safety risk, in the current context.

The Vale of Glamorgan Council in its role as the Hazardous Substances Authority can therefore consider the revocation of the gas facility consent (2021/00008/HAZ) under section 14 (2b) of the Planning (Hazardous Substances) Act 1990, which states '*(2) The hazardous substances authority may also by order revoke a hazardous substances consent if it appears to them... (b) that planning permission [F1 or development consent] has been granted for development the carrying out of which would involve a material change of use of such land and the development to which the permission [F2 or development consent] relates has been commenced.*' To this end, should the Council be minded to approve planning permission, this would present clear grounds for the subsequent revocation of the HSC consent, noting its cessation and in accordance with guidance within the appropriate Act, and that an alternative use for the site has been granted.

Ecology and Green Infrastructure

LDP Policies MG19, MG20 and MG21 serve to similarly protect designated sites, habitats and species. In addition, Policy MD9 (Promoting Biodiversity) requires proposals to conserve and where appropriate enhance biodiversity interests unless it can be demonstrated that both of the following criteria apply:

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

The application is supported by an Ecological Impact Assessment which evaluates the site habitats, protected species, ecological constraints, likely impacts of development, and proposed mitigation and enhancement measures. The habitat consists mainly of hardstanding, with some ruderal vegetation, bramble scrub, modified grassland, neutral grassland, and a line of hawthorn trees. Most habitats on the site are assessed as having negligible ecological value, except for the neutral grassland and hawthorn trees.

The surveys found a good population of slow worms on the site, requiring relocation under a mitigation strategy before development proceeds. This is set out in greater detail below.

Bat surveys were conducted that recorded primarily common pipistrelle activity (97% of all recordings), with small numbers of noctule, soprano pipistrelle, Myotis species and a single lesser horseshoe bat record. The site does not contain any roosts.

There is a Site of Interest for Nature Conservation (SINC) nearby 'North of North Road' c.30 m southeast of the site. The report concludes that, with appropriate environmental controls during construction, that no adverse impacts are expected.

Although the development would result in some tree and habitat losses, these are not likely to be of such high value as to warrant local designation as Section 7 habitat, or outweigh the benefits of development, and are proposed to be compensated for through native planting, species-rich grassland creation, tree planting and hedgerow planting, to be delivered as part of the proposed landscaping.

Green Infrastructure:

The application is accompanied by a Green Infrastructure Statement which outlines the impact of the proposed development upon Green Infrastructure, the justification from a design perspective, and the proposed compensatory planting within the landscaping scheme.

In the first instance, the development would result in the loss of five hawthorn trees contained in the line of hawthorn trees at toward the north of the site. Chapter 6 of PPW12 advocates an avoidance-first (stepwise) approach to green infrastructure and requires that losses must be justified in design terms. In this case, the applicant has suggested that the retention of the trees would render the development unviable. Although primarily a business, it is accepted that retaining the trees would impact upon key objectives such as store size and delivery of essential infrastructure. Whilst the hawthorn trees are evidently of biodiversity value, they are assessed as being of low arboricultural quality – 'Category C' trees (Arboricultural Impact Assessment, Appendix 3) their loss is considered justified in the circumstances.

The proposed tree planting consists of 15 new trees to be planted across the site. These are a mixture of native species and ornamental trees. Those specifically related to biodiversity compensation include hornbeam (*Carpinus betulus*), Silver birch (*Betula pendula*), Alder (*Alnus glutinosa*), Small-leaved lime (*Tilia cordata*), Bird cherry (*Prunus padus*), and sweet cherry (*Prunus avium*). Together, the proposals meet the 3:1 compensation required by Ch.6 of PPW12.

In addition, there is significant native hedgerow planting included in the landscaping proposals. There are three sections of hedgerow proposed that would provide a total length of c.187m

The proposed planting is considered acceptable and would provide enhanced habitat, connectivity, compensate adequately for the loss of existing vegetation and trees, as well as contribute towards biodiversity enhancement.

Reptiles:

In support of the application a Reptile Mitigation Strategy has also been prepared, which sets out how reptiles (with emphasis on the recorded slow worms protected under the Wildlife and Countryside Act 1981) will be protected during the proposed development. The surveys in 2024 identified a good population of slow worms on the site, with a peak count of six individuals.

Mitigation is proposed through the capturing and translocation of reptiles before construction begins. The strategy outlines a minimum 15-day trapping programme using artificial refugia (approximately 100 mats across the site), with trapping continuing until five consecutive no-capture days are achieved. Habitat will gradually be cut back during the process and manipulated to encourage reptiles into smaller areas, improving capture success. Any remaining suitable habitat will be subject to a destructive search under ecological supervision before construction starts.

It is proposed to move the reptiles to an area within Cosmeston Lakes Country Park, approximately 3 km east of the site. The receptor site is an orchard with grassland, hedgerows, and existing hibernation features, considered suitable for slow worms and other reptile species. The park is managed by the Vale of Glamorgan Council. The process would be supported by long-term habitat management and monitoring. This has been subject of negotiations with the application, as has been set out in more detail within the Planning Obligations section of this report.

Conclusion:

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 trees, and provides comprehensive mitigation and compensation measures. The proposed hedgerow, new tree planting (in accordance with the 3:1 replacement ratio), 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.

Access and Highway Safety

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

The site is in a sustainable location that is accessible on foot from surrounding residential and employment areas, as well as via public transport. The proposals include measures to enhance sustainable transport within the public realm, in addition to providing direct pedestrian access to Cardiff Road and Laura Street. The additional measures would include new (relocated) bus stops at the site access, as well as upgrading the zebra crossing to the west to a signalised crossing.

A single new vehicular access is proposed from Cardiff Road to the south, which is a busy A-Class Road. The proposed junction would be a new simple T-junction access, with radius kerbing, and new footway fronting the site. A dedicated turning lane would be provided (a new ghost island right hand turn lane) on the westbound carriageway, in the interest of maintaining a free flow of traffic here.

The application is supported by a Transport Assessment (TA) which assesses the existing highway baseline conditions, including observed traffic flows on Cardiff Road, modelled growth (inc. committed development) and used recognised modelling techniques to assess the predicted impact of the development. The TRICS data shows that the proposed development could attract an average of 104 and 205 vehicle movements in the weekday AM and PM peak hour, respectively, and 224 vehicle movements in the Saturday peak hour (one-way). This is developed into a junction capacity analysis assessing the impact to key junctions (Section 5, Table 5.1) in the vicinity of the site. The projected increase is assessed as negligible or minor (5% or less) to offsite junctions in the vicinity of the site. It is therefore considered that the proposal would not result in unacceptable traffic congestion within the local highway network.

In terms of the proposed access, a detailed analysis of it has been undertaken, which concludes that, despite slight delay in access/egress from the westbound carriageway of Cardiff Road, the proposed junction will operate well within its theoretical capacity for all traffic streams (Table 5.2).

In addition, swept paths are provided that show, while deliveries and customers can satisfactorily share the same access, and demonstrate that HGVs can manoeuvre within the proposed layout with minimal conflict for customers. The delivery management plan also indicates most deliveries would occur outside of peak times.

A total of 113 total spaces is proposed, whereby the Parking Standards SPG indicates 96 spaces as the maximum provision for a food store of this size. The Highway Authority supported the case for higher parking levels due to the nature of the site, and it lies directly off a busy A-Road. Whilst maximum standards are designed to promote alternative means of transport, other than private car, in the interest of caution the additional 'headroom' proposed above the prescribed maximum in the SPG is considered acceptable. The proposed layout also includes 12.no EV charging spaces (compliant with the provisions of Future Wales), 7.no accessible spaces, and 8.no parent and toddler spaces. In addition, a staff travel plan has been submitted with the application, which has been reviewed and is considered acceptable.

In conclusion and having regard to the above transportation related matters, it is considered that the proposed development is highly accessible, would not unacceptably increase traffic volumes and congestion, and provides for an acceptable and safe means of access to the site.

The Highway Authority have considered the proposals and raise no objection to the proposals, including their impacts upon traffic flows and highway safety on Cardiff Road. They have also recommended conditions to ensure that elements of the proposal were fully implemented and further engineering detail provided where appropriate, and construction phase impacts were mitigated so far as possible by agreement of a traffic management plan, adherence to the delivery management plan, as well as provision of road condition surveys. As such it is considered that the proposals are acceptable in highway safety terms whilst providing suitable tangible improvements to facilitate sustainable travel options to and from the site. As such the proposals are considered to be in compliance with the provision of the relevant policy framework including Policy MD2 of the adopted Local Development Plan.

Flood Risk

A small section of the site is within FMfP Flood Zone 2 (Rivers) and most of the site is within Flood Zone 3 (Seas).

Planning Policy Wales (PPW12) aims to minimise and manage environmental risks and pollution and also contains policies relating to flood risk. Paragraph 6.6.22 states that *“Flooding as a hazard involves the consideration of the potential consequences of flooding, as well as the likelihood of an event occurring. Planning authorities should adopt a precautionary approach of positive avoidance of development in areas of flooding from the sea or from rivers.”* Paragraph 6.6.25 asserts that *“Development should reduce, and must not increase, flood risk arising from river and/or coastal flooding on and off the development site itself.”* In addition, paragraph 6.6.26 sets out that *“TAN 15: Development and Flood Risk should be referred to for further policy advice on development and flood risk.”*

LDP Policy MD7 (Environmental Protection) requires development proposals to demonstrate that they will not result in an unacceptable impact on people, residential amenity, property and/or the natural environment from flood risk and its consequences.

Section 10 of TAN15 (2025), paragraph 10.23 states that development other than highly vulnerable development, will only be appropriate in flood zone 3 *“if they are essential to the Development Plan Strategy to regenerate an existing settlement or achieve key economic or environmental objectives. Any redevelopment proposal must be consistent with the acceptability considerations in section 11... Proposals that address national security or energy security needs, mitigate the impacts of climate change, that are necessary to protect and promote public health may also, by exception, be appropriate provided that their locational need is clear and the potential consequences from flooding have been considered and found to be acceptable.”*

The proposals are considered to represent less vulnerable development for the purposes of TAN15, and although not a plan-led regeneration initiative, Officers consider that this positive re-development of a derelict brownfield site would assist in meeting key economic objectives and providing new employment opportunities. It is therefore considered that this proposal complies with Section 10 of TAN15, by contributing towards Objectives 1, 3 and 10 of the LDP.

TAN15 goes on within paragraph 10.24 to state that in Flood Zone 3, developers must undertake a Flood Consequences Assessment proportionate to the nature and scale of the proposal.

The applicant has submitted a Flood Consequences Assessment (FCA), which aims to demonstrate how the flood risk to the proposed development, or to increased flood risk elsewhere, can be suitably managed or mitigated. This document has been reviewed by Natural Resources Wales (NRW), who advise that this technical information satisfactorily demonstrates that the risks and consequences of flooding are manageable to an acceptable level.

The FCA demonstrates through modelling that the food store is not projected to flood in a neither a 1% (1:100 year) fluvial flood event, nor a 0.5% (1:500 year) or 0.1% tidal flood event, in compliance with Figure 5 of TAN15. The FCA also demonstrates that the flooding of external areas during such events would be minimal (c.70mm) and in compliance with guideline maximum tolerable levels contained in Figure 6 of TAN15. NRW also did not object in relation to the breach/ overtopping assessment or in relation to any potential for consequential increase in flood risk elsewhere.

In conclusion, the development of the site is acceptable in terms of flood risk and drainage. The proposal is considered to comply with criterion 12 of LDP Policy MD2 and criteria 1, 2 and 5 of Policy MD7, and national guidance contained in paragraphs 6.6.25 and 6.6.26 of Planning Policy Wales (Edition 12), and paragraphs 6.2, A1.5, A1.14 and A1.15 of TAN15 - Development and Flood Risk (2025).

Foul Drainage

The proposal is to connect to the main public sewer system to dispose of foul flows and this is the preferred method in areas where such a connection is available. The site is in the Cog Moors Wastewater Treatment Works (WwTW) catchment area and Welsh Water advised that foul flows generated by the proposed development can be accommodated within the public sewerage system.

Surface Water Drainage

The site is located within FMfP Surface Water Flood Zones 2 and 3, albeit the mapped risk is principally associated with ponding within the existing depression formed by the former gas holder. The FCA considers the implications of this flood risk and the proposed redevelopment of the site, including the removal of the existing depression and the provision of a formal drainage system.

In review of this information, the VoGC drainage team stated they were satisfied that the FCA provides a suitable and proportionate assessment of surface water flood risk for the scale and nature of the proposed development, that adequately identifies the sources of surface water flood risk affecting the site and demonstrates, in principle, that the consequences of surface water flooding can be appropriately managed.

The development is also subject to Schedule 3 of the Flood and Water Management Act 2010, whereby a separate SuDS (SAB) application is required to be made to the Council for approval of a detailed scheme of surface water disposal.

Contamination

The site has a historic use type that may have resulted in land contamination. In response to consultation, Shared Regulatory Services advised that site investigation would be required and mitigation undertaken to deal with any identified contaminants, along with

remediation and verification. They also requested planning conditions relating to unforeseen contamination, imported soil, aggregate, and site won materials.

NRW also requested similarly worded conditions pertaining to land contamination. From their (and a site sensitivity) perspective, the site is underlain by a Principal Bedrock Aquifer. Here, the potential presence of contamination presents a subsequent risk to controlled waters if the area was disturbed.

Subject to mitigation in the form of the suggested planning conditions, the proposed development is considered acceptable in relation to the risk of environmental pollution associated with potential land contamination on the site.

Heritage and Archaeology

The application is supported by a Heritage Impact Assessment, which notes the presence of roman age activity in the wider area. The potential for buried resource to be encountered on this site was assessed as 'negligible-low', based on a factual analysis of known local records, their proximity to the site, past investigations, and previous ground disturbance.

Heneb stated no objection in response to consultation, noting that the site was in an area of low archaeological potential, where the ground has also been disturbed by previous development.

Having regard to the above, the proposed development would not result in an unacceptable impact relating to buried archaeological resource. It would also not result in any negative effects on other heritage assets in the local area.

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 using 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.

Sustainable Transport

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

Chapter 4 in Planning Policy Wales (PPW) (Ed 12) requires proposals to seek to maximise accessibility by walking, cycling and public transport to key locations, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services.

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

The Planning Obligations SPG outlines that the financial contribution for this type of development to be £2,300 per 100sq.m floorspace. This has been derived from an analysis of the costs associated with providing enhanced sustainable transport facilities, and consideration of the impact of new developments in terms of needs arising and what is reasonable to seek in relation to the scale of development proposals. For this proposal this would equate to: -

$$(1912/100) 20 \times 2300 = £46,000$$

However, in this case, a request for specific off-site sustainable transport improvements has already been made by the Highway Authority. Some of these are directly related to the 'opening up' of the site i.e. part of works directly related to provision of the new vehicular access. This includes the relocation and upgrading of nearby bus stops.

However, in addition to this, the applicant has agreed to fund additional works away from the site access, to upgrade the zebra crossing to the west to a signalised crossing. This would provide and constitute a safety enhancement benefit compared to the existing situation. In turn, the Highway Authority have indicated that they were agreeable to this being funded directly by the developer, in lieu of a financial contribution – and given that the implementation cost of a new signalised crossing is likely to comfortably exceed the above sum. As such, noting the in-kind provision of the identified localised improvements, no financial contribution has been sought. These can be secured by appropriate planning condition.

Public Open Space

Large scale retail or employment developments are expected to make provision for Public Open Space and/or recreational facilities to meet the needs of their staff and/or customers. Open space offers vital opportunities for sport and recreation and acts as a visual amenity.

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

The on-site figure expected of new commercial development would, as identified within LDP Policy MD3, be an equivalent of 16sq.m per employee (expected to be on site at any one time) or 15% of the site area. The application forms state a full time equivalent of 30 employees is expected in this development. This would equate to 480sq.m, and 15% of the site area to 1,480sq.m.

There is no meaningful open space shown on the proposed site plan, which comprises the food store, vehicular access and parking, together with some verge landscaping. The scope for policy-compliant on-site provision is limited by the confines of the site and its surroundings. Therefore, a financial contribution was requested that equates to £1,150 per person, to put toward public open space improvements in the vicinity of the site, such as Palmerston Fields, land adjacent to Cadoxton Moors Community Centre, or Churchill Terrace Gardens.

This was calculated as follows:

$$30 \times 1150 = \textbf{£34,500}$$

This has been agreed by the applicant.

Training and development

The development of skills and education in an economy are essential to maximise employment opportunities, in order to achieve 'A Prosperous Wales' (Planning Policy Wales, Edition 12, Section 5), and to ensure that people secure decent work and enjoy a better quality of life.

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

In this case, it is considered reasonable to expect training (on a recognised training course) to be provided for at least four employees on-site or alternatively pay the Council a contribution of £5,020 (4 x £1,255) as an in-lieu contribution. The financial contribution would be used to remove the barriers to work by aiding such as training, skills development, childcare etc.

The applicant has agreed to this contribution.

Public Art

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

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

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.

The applicant has agreed to this.

Biodiversity

In accordance with the provisions of Policies MG21 and MD9 of the LDP, as well as TAN 5 – Nature Conservation and Planning, and having considered the results of the ecology surveys, it is evident that the site is utilised by a population of slow worms. The proposed mitigation proposed includes translocation of species to Cosmeston Park. The Vale of Glamorgan Council owned park has previously been used for this purpose; however, to remain viable it is considered necessary that the translocation is developer-funded.

This is because using the park as a receptor site places ongoing management and monitoring obligations on the Council. This has been discussed with the applicant, and the agreed approach has been to secure a financial contribution to cover the costs associated with these responsibilities and to ensure sufficient habitat is available at the receptor location to support both the existing population and any incoming individuals. In practice, this may require changes to the management of existing grassland areas, including more intensive or specialised regimes to create and maintain suitable habitat.

A request was made to the applicant for a financial contribution of **£21,960**, which was calculated in discussion and agreement with the Council's Ecologist and Countryside team.

The applicant has agreed to this and proposed that the requirement is captured through entering a Unilateral Undertaking. This would be separate to the remainder of the planning obligations, which would be anticipated to conclude under a Section 106 agreement. The reason the applicant has put this forward is to, potentially, allow for the translocation to take place ahead of the upcoming brumation (i.e. hibernation) period.

Planning obligations administration fee:

In addition to the above and separate to any obligation, the Council requires the developer to pay an administration fee to monitor and implement the terms of the Planning Obligations equivalent to 2% of the contribution or 20% of the planning fee whichever is greater.

Conclusion

To summarise, the proposals are for a retail development in a sustainable location, for which the applicant has demonstrated a demand and that it would not significantly or unacceptably impact upon the viability of existing town and other retail centres within Barry. Moreover, the applicant has agreed to provide policy-compliant planning obligations (or direct works in lieu of these) as requested by officers. This includes financial contributions toward public open space, training and development, public art. Where biodiversity and green infrastructure impacts occur, acceptable mitigation and enhancement have been provided. The impacts relating to potential contamination risk can also be mitigated by imposition planning

conditions.

The risk of flooding to the site is also considered tolerable. The impact to the local highway network and highway safety has been assessed by the Highway Authority and are considered acceptable. There are also no objections from any other statutory consultees, and the public consultation process has revealed apparent local support for the proposals. The above matters weigh either neutrally or in favour of the scheme.

In relation to hazardous substances, the automated advice 'against' development from HSE is noted. However, the available evidence suggests this is on account of the extant consent for gas storage on the application site, opposed to any unacceptable residual risk. Should members resolve to approve the application, the formal process of revoking this consent could be initiated. Where an authority is minded granting permission in these circumstances, a minimum of 21 days' notice must be provided to HSE as stipulated in National Assembly for Wales (WG) Circular 20/01: 'Planning Controls for Hazardous Substances'. This is to allow for HSE to consider the matter, and an opportunity to request Welsh Ministers call-in the application should they consider such course of action necessary.

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 consider the proposals accord with the Local Development Plan and that the application should be approved.

RECOMMENDATION

APPROVE, subject to Unilateral Undertaking and a Section 106 Agreement to provide for the following:

- Pay a contribution of £34,500 for the provision of public open space enhancements
- Pay 1% of project budget towards public art
- Procure recognised training opportunities for four employees or pay a contribution of £5,020 for the provision of training and development
- Pay a contribution of £21,960 to facilitate the proposed reptile mitigation

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:

1000 Site Location Plan
1350 Proposed Floor Plan
1360 Proposed Roof Plan
1370 Retail Sales Density
1400 P03 Proposed Elevations
220677 1450 P05 Proposed Site Sections
12796 sk0004: Proposed Drainage Layout
220677-1300 P10: Proposed Site Plan

250553/TA: Transport Assessment (August 2026)
2321635: Environmental Noise Assessment Report (Sharps Redmore September 2025)
220677 PF-G-02: Store Waste Management Plan
Staff Travel Plan (Connect August 2026)
12975w0002 P03: Flood Consequence Assessment

16311_R02a_MBAS_LB (Revision A): Arboricultural Impact Assessment (Tyler Grange December 2025)
P186-996-J2-ALL ON: Lighting Plan
P186 996 J2 Aldi Cardiff Road Barry Loading Ramp+column Off
DR-L-1639-02 Rev P06: Soft Landscape Proposals Plan
DR-L-1639-03 P05: Softworks Schedule and Notes
220677-1310 Rev P04: Proposed Boundary Treatment Plan
Landscape Management & Maintenance Plan P01
16311_R01_VKC R01C: Ecological Impact Assessment (Tyler Grange April 2026)
16311_R03_VKC R03: Reptile Mitigation Strategy (Tyler Grange September 2026)
16331_R04b_VKC R04B: Green Infrastructure Statement

Reason:

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

3. No development shall commence until details of existing ground levels within and adjacent to the site and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

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

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

i) the parking of vehicles of site operatives and visitors;

- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding;
- v) wheel washing facilities;
- vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii) hours of construction;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) diesel and oil tank storage areas and bunds;
- xiii) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
- xiii) a system for the management of complaints from local residents which will incorporate a reporting system.

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

Reason:

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

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

Reason:

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

6. Notwithstanding the approved plans, no development shall commence until full engineering details of the proposed means of access, circulation spaces, and associated highway improvements have been submitted to and approved in writing by the Local Planning Authority. These details shall include:-

the provision of a ghost island right hand turn lane and all ancillary works, new junction bell mouth, widening of Cardiff Road;
road drainage;
visibility splays;
the signal crossing point upgrade to Cardiff Road;
street lighting;
new bus stops and shelters (with electrical connections, high access kerbs, timetables, RTI displays);
road signage;
hard surfacing materials;
cycle parking, and;
road markings

The works approved by this condition shall thereafter be carried out in accordance with the approved details and implemented in full prior to beneficial use of the development.

Reason:

In the interests of highway safety and to ensure compliance with Policies SP1 (Delivering the Strategy), MD2 (Design of New Development) and MD7 (Environmental Protection) of the Local Development Plan.

7. 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 Planning 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, time and weather conditions at the time of the survey

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.

8. Within 1 month following the completion of the development, a Second Condition Survey along the route agreed under Condition 7 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 which are a direct result of the development approved 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.

9. No development shall commence until an assessment of the nature and extent of contamination affecting the application site as detailed on plan reference 220677-1000 Revision P03 has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person *in accordance with BS10175 (2011) Investigation of Potentially Contaminated Sites Code of Practice and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iii) an assessment of the potential risks to:
 - human health,
 - groundwater and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

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

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.

10. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Reason:

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

11. The remediation scheme as approved by the LPA must be fully undertaken in accordance with its terms prior to the occupation of any part of the development. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

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.

12. A monitoring scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of 12 months (or another agreed timeframe), and the provision of reports on the same must be submitted to and approved by the Local Planning Authority, prior to the occupation of any approved building. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring must be produced and submitted to the Local Planning Authority. Timeframe for the submission of the report(s) to be agreed with 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.

13. 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.

14. Any aggregate (other than virgin quarry stone) or recycled aggregate material and 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.

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 Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

16. A schedule of further details 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 details shall include external finishes of the foodstore and boundary enclosures. The development shall be completed in accordance with the approved details prior to its first beneficial use.

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. Prior to the first beneficial use of the development hereby approved, a Habitat Management and Monitoring Plan shall be submitted to and approved in writing by the Local Planning Authority. The Habitat Management and Monitoring Plan shall be implemented as agreed.

Reason:

To secure measures for the conservation and enhancement of biodiversity in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024) and Tan 5 Nature Conservation and Planning (2009) and Policy MD9 (Promoting Biodiversity) of the Vale of Glamorgan Local Development Plan 2011-2026.

18. Except where superseded by the requirements of Condition 17, the development shall be carried out in accordance with the ecological mitigation measures and recommendations contained in the following documents:-

16311_R02a_MBAS_LB (Revision A): Arboricultural Impact Assessment (Tyler Grange December 2025)
P186-996-J2-ALL ON: Lighting Plan
P186 996 J2 Aldi Cardiff Road Barry Loading Ramp Column Off
DR-L-1639-02 Rev P06: Soft Landscape Proposals Plan
DR-L-1639-03 P05: Softworks Schedule and Notes
220677-1310 Rev P04: Proposed Boundary Treatment Plan
Landscape Management & Maintenance Plan P01
16311_R01_VKC R01C: Ecological Impact Assessment (Tyler Grange April 2026)
16311_R03_VKC R03: Reptile Mitigation Strategy (Tyler Grange September 2026)
16331_R04b_VKC R04B: Green Infrastructure Statement

To secure measures for the conservation and enhancement of biodiversity in accordance with Part 1 Section 6 of the Environment (Wales) Act 2016, Planning Policy Wales (February 2024) and Tan 5 Nature Conservation and Planning (2009) and Policy MD9 (Promoting Biodiversity) of the Vale of Glamorgan Local Development Plan 2011-2026.

19. All planting, seeding or turfing comprised in the approved details of landscaping set out in Condition 2 of this permission shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

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

20. The development hereby approved shall be operated food store and no other purpose, including any other purpose under Class A1 of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification). Services offered within the building shall not extend at any time to ancillary functions including, but not limited to, post office, financial services, pharmacy, delicatessen, cafe or newsagent, or any other use not falling within class A1.

Reason:

To safeguard the health and vitality of the town centre and other retail centres within Barry, and to accord with Policy MG13 (Edge and Out of Town Retailing Areas) of the Local Development Plan and accord with the provisions of Chapter 4 (inclusive of paragraph 4.3.29) of Planning Policy Wales (12th edition).

21. Prior to the first beneficial use of the building, further details of the fixed plant and machinery and a scheme of acoustic mitigation (including any acoustic fencing necessary) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the rating level of the sound emitted from fixed plant at the site shall not exceed 45 dBA between 0700 and 2300 hours, and 38 dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS 4142:2014+A1:2019.

The development shall thereafter be operated at all times in accordance with the approved details.

Reason:

In the interests of residential amenity and to ensure compliance with the terms of Policy MD2 (Design of New Development) of the Local Development Plan.

22. The use, hereby approved, shall not be open to customers visiting the premises outside of the following hours:

08:00 hours to 22:00 hours Monday-Saturday.
10:00 hours to 16:00 hours Sundays

Reason:

To ensure that the amenities of adjoining occupiers are safeguarded, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

23. The operation of the development hereby approved shall be carried out in accordance with the Delivery Management Plan (250553/TA: Transport Assessment (August 2026) Appendix 10), and there shall be no arrival, departure, loading or unloading of delivery vehicles between the hours of 11pm and 7am.

Reason:

In the interests of residential amenity and highway safety and to ensure compliance with Policies SP1 (Delivering the Strategy), MD2 (Design of New Development) and MD7 (Environmental Protection) of the Local Development Plan.

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

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and to ensure compliance with the provisions of Policy MD7 of the adopted Local Development Plan.

25. All means of enclosure associated with the development hereby approved shall be completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. The means of enclosure shall be completed in accordance with the approved details prior to the first beneficial use of the development.

Reason:

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

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: The National Plan 2040 and Vale of Glamorgan Local Development Plan 2011-2026 Policies SP1 (Delivering the Strategy), SP6 Retail, SP7 (Transportation), SP10 Built and Natural Environment, MG12 (Retail Hierarchy), MG13 (Edge and Out of Town Retailing Centres), 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), 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), MD7 (Environmental Protection), MD8 (Historic Environment) and MD9 (Promoting Biodiversity), Planning Policy Wales Edition 12, TAN4, TAN5, TAN11, TAN12, TAN15, and TAN18, as well as guidance contained within the Council's Supplementary Planning Guidance documents – Barry Development Guidelines, Biodiversity and Development, Parking Standards, Retail and Town Centre Development, Travel Plan, and Trees, Woodlands, Hedgerows and Development, and Public Art in New Development; the proposed development is considered acceptable in principle, in relation to retail policy and would not unacceptably impact the vitality or viability of the Barry Holton Road District Centre or other identified retail centres without unacceptably impacting upon the visual amenity, residential amenity, flood risk and drainage considerations, pollution and contamination, public health and safety, heritage and archaeology, traffic and parking congestion, highway safety, ecology and green infrastructure subject to mitigation, and provides for commensurate biodiversity enhancement, subject to mitigation through planning obligations and conditions.

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

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

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

NOTE:

1. Please note that a legal agreement/planning obligation has been entered into in respect of the site referred to in this planning consent. Should you require clarification of any particular aspect of the legal agreement/planning obligation please do not hesitate to contact the Local Planning Authority.
2. 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.

3. This permission does not purport to grant consent for the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) Regulations, 1992.
4. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.

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

5. The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are reminded that the responsibilities below rest with the developer:-

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

- Unprocessed / unsorted demolition wastes.
- Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.

- Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
(iii) the safe development and secure occupancy of the site.

6. Provision must be made to ensure that no polluting discharge from haul roads and disturbed areas enter any watercourse. Contact Natural Resources Wales, Cambria House, 29, Newport Road, Cardiff. CF24 0TP; telephone number 02920 772400 for more information.
7. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.

8. 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.
9. The Highway Authority will require the developer to enter into a legally binding agreement (Section 38/278) to secure the proper implementation of the proposed new access arrangement and Highway Improvement Works which shall incorporate the appropriate bond.

A stage 2 and 3 Road Safety Audit (RSA) will be required to be provided in accordance with GG119 upon agreement of the detailed design and then implementation of the highway improvement works and a competent and qualified road safety professional will need to be procured to undertake the work.

Any TRO's (Traffic Regulation Order's) deemed to be necessary as a result of the development proposals shall be fully funded by the applicant and any information related to any TRO provided to the Highway/Traffic authority.

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

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

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

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