

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 8 OCTOBER 2026

Application	Location	Item No.	Description
2025/00823/FUL	Castle Hotel, Jewel Street, Barry	1.	2 x Emails from Dennis Clarke
2025/01091/FUL	Llantwit Major Football Club	2.	Comments from Lee Candler – ref additional condition
2025/01296/FUL	Former Gas Holder Site, Cardiff Road, Barry	3.	Response from Health and Safety Executive (HSE)
		4.	Comments from Tesco Stores Ltd
		5.	Corrections to Conditions from Case Officer Ceiri Rowlands

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 8 OCTOBER 2026

Application No.: 2025/00823/FUL	Case Officer: Mr Huw Davies
Location: 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.	

From: Dennis Clarke

Summary of Comments:

2 x emails raising objections and concerns with the application, with initial objection to the application appended. The concerns are summarised as follows:

The retention of a public house in the Castle was critical to the acceptability of the previous applications (Castel, Windsor, Sea View Labour Club) and the proposed Community Facilities obligation does not make sufficient community benefit, relative to the obligation to retain a public house.

The applicant has previously offered this as a genuine community space, and they should not be offering a community space which is hindered by a requirement for significant investment.

Officer Response:

The matters relating to the need, demand, costs etc are covered in the officer's report.

Action required:

Members to note.

From: [REDACTED]
Sent on: 04 October 2026 15:13:33
To: [\(Robinson,Ian\)](mailto:Robinson,Ian) (Robinson,Ian@valeofglamorgan.gov.uk)
Subject: 2025/00823/FUL - Castle Hotel
Attachments: [Objection to the planning application.pdf](#) (190.58 KB)

1.i

Dear Ian

With apologies for the lateness of this short note but you are of course aware of the point as it was sent for the earlier version of this application. I attach for convenience the earlier objection to remind you.

When the original application for planning permission (2019/01062/FUL) came before the planning committee the officer's report included this:-

***Critically** the proposal seeks to retain a public house, which would be an improved/renewed facility for the benefit of the community.*

The word **critically** appeared to be used to demonstrate the importance attached to the determination and recommendation. It was not some suggestion or simply important. It was critical to the determination.

As it was critical this must have been known the Applicant who will have carried out so important due diligence before making the offer. It looks as if the Applicant left thinking about the public area until it had destroyed the area of the old Castle Pub but importantly had acquired the advantages that might not have been awarded if the CRITICAL part of the application was not included.

The Applicant seems to be saying 'we have been unable to persuade somebody to take on the task so give us relief' whereas the obligation remains on the Applicant who ought to ensure performance even though it is their burden. They made the offer to get the planning advantage. They can cover the cost and ensure they comply with the critical offer.

The wording used in the earlier application (quoted above) almost finds its way into the current report.

***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*

Yes, it is critical. This sentence appears to play down the previous use of the **critically** word and attempt to move the focus away from the real issue.

Applicants should not be encouraged to avoid their important offers to acquire planning permission by coming back cap in hand and pleading that, in effect, they ought not be made to comply. This was an offer to the community, accepted by the Vale as such. Letting the Applicant get away with this behaviour is inconsistent with the Wellbeing of future generations (Wales) Act - the future generations will have lost this community space which was meant to replace the community spaces in the old Castle Hotel, the Sea View and the Windsor (all three were part of the same project).

The report appears to want to ignore the importance of the previous decision. Unfortunately, there is at least the hint of the Applicant wanting to buy its way out of its position with the "Pay a sum of £50,400 towards improvement to local community facilities". The sum will go nowhere near replacing the obligation that they are under. The Applicant has made it clear that they expect anybody taking on their responsibility to be ready to spend something over £1m. They are simply robbing the community with such an offer.

Please treat this as a late submission.

[REDACTED]

Objection to the planning application 2023/00656/FUL

Prior to the application in 2019 Newydd Housing Association (NHA) circulated a **Public Consultation Feedback Form**

The opening paragraph of this document is set out below:

*Newydd Housing Association intends to submit planning applications for the proposed refurbishment, extension and change of use of the Castle Hotel, The Sea View Labour Club, and The Windsor in Barry **to provide a refurbished public house at the Castle Hotel**, together with a total of 60 affordable homes, in order to meet an identified local housing need. We would be grateful to receive your views of the development proposals, which will be taken into consideration as part of the scheme's design evolution. (our emphasis)*

There are a number of things we can take from this paragraph to help understand the present position.

Firstly, we can see that NHA admits the obvious namely that the planning applications for the Castle hotel, the Sea View Labour Club, and the Windsor are all linked.

Secondly, the first item offered to the public is the provision of a refurbished public house at the Castle hotel.

It is this second promise that NHA wishes to renege on. Should they be allowed to? Nobody made them make this promise. They did their calculations. They knew that they had to make some offer to keep some part of the community spaces that the three premises represented. They worked out that the development could carry the cost of the refurbishment of the pub. Unfortunately they may also have worked out there is additional profit in reneging on the offer and building more small flats.

A question we need to address is “Did NHA make the offer of a refurbished public house as a cynical ploy to get planning permission or did they mean it?”. If it was the former then they need to pay. If the latter then why are they giving up on the idea, why do they think it is necessary or permissible?

The promise of a refurbished public house was an important part of their application for planning permissions. This helped them to comply with the primary objective of Planning Policy Wales requiring delivery of sustainable development and improvement of social, economic, environmental, and cultural well-being of Wales. In fact the report to the Planning Committee spoke about

*“**critically** the proposal seeks to retain a public house which would be an improved/renewed facility for the benefit of the community” (our emphasis)*

We have it then. The offer of the improved/renewed public house was **critical**.

Having taken all of the advantages that NHA wanted in respect of the planning permission they now want to strip away from the community the public use of the old Castle pub for present and future generations. This is an important matter. Residents are well aware that buildings suitable for community use are rapidly disappearing in our town.

When the council dealt with the linked planning application relating to the Sea View Labour Club it was noted in the officer's report that the loss of the community asset at the Sea View was offset by the retention of the pub at the Castle.

It may be that the retention of the Castle pub will have been relevant when considering whether to object to the NHA development at the Windsor Hotel.

Much was made of the claim that it was not possible to find tenants for the Windsor Hotel and the Sea View Labour Club. Such claims should be looked at with suspicion. Buildings tend to remain empty first of all if the owner sees an advantage for eg Planning arguments keeping it empty and secondly by ignoring the marketplace and looking for too high a rent. Anything can sell or be leased if the price is right. If the owners were keen on divesting themselves of those buildings they would have been put up for auction some time ago. An auction would have secured a sale at market value.

This same complaint now arises with regard to NHA's crafted efforts in failing to let the Castle pub. They have obviously demanded too much of any person or organisation prepared to take on the task. There is nothing in their 'compact' with the community that says they will lease on terms they choose.

NHA made an important promise for the benefit of our community to supply a refurbished public house. Some might take the view that the promise was an important one for NHA as without it they may have struggled to get their plans through for the Castle, Sea View and the Windsor.

It looks like NHA is blaming the new application on the local residents' group (The Castlevue Group) that had originally been established to continue running a public house at the Castle Hotel site to replace the previous management of the pub by SA Brain.

Although Newydd's proposals for planning permission involved refurbishing the Castle Hotel for the Castlevue Group (who would have taken a lease on the pub/community facility), it was quite late in the day when it became clear that NHA moved the goalposts and insisted that the Castlevue Group took on a huge liability to refurbish the building so that NHA did not have to produce what they promised namely a refurbished Castle Hotel.

The Castlevue Group was a 'local residents group' and did not have the money to take over the very significant cost that was the NHA responsibility. Blaming the good intentions of the Castlevue Group is not a good image for NHA when they are the ones who promised and they are the ones looking to renege on the promise. It almost looks like the Group was set up to fail. NHA will have known throughout that the group did not have the capital to allow NHA to transfer the cost of refurbishment.

It remains NHA's obligation to refurbish and have the space available for community use including an on-licence capability. The approaches made by NHA to possible users of the Castle pub was crafted to prevent anybody sensible from taking on the project. NHA wanted somebody to accept the pub on the basis that the applicant would be taking on the pub on a "shell and core basis". It could only be a cynical attempt to put people off. It would certainly make it impossible for a community group to come together to make the space relevant to our needs.

The current position should be that NHA is obliged to supply a refurbished area for community use and they should get on and deal with this or be branded as pariah developers with no community conscience. They obtained the benefit in terms of planning permissions based at least in part on the offer of a refurbished public house. Nothing has actually changed. They must deliver.

The other matter that NHA needs to face up to is that just because they cannot obtain the level of rent that they would like is no reason to avoid their clear obligation. They offered to take on the obligation to provide a refurbished Castle pub provided they obtained the significant benefit of the development of the balance of this and the other sites. They avoided the problem that they were taking away community space at the old Sea View Labour Club because of their offer at the Castle which simply makes it even more important that they perform.

Their offer is to refurbish the Castle pub to a level what the community can move in immediately and occupy the space. By the sound of it they accept that any lease will be at a very low rent as they have already destroyed the goodwill that could have attached to the building. As NHA shows it has no interest in the pub they should consider gifting it to a community interest company to run the space after the renovations are completed.

If NHA perform as they should then the Castle pub can be repurposed for the benefit of the community, for present residents and future generations. Once the pub has gone then it has gone for ever. You would imagine this would be an important matter for a group such as NHA who no doubt profess an interest in community health.

Looking at the website NHA has we can see that what they claim as their vision:

Our vision is simply to provide affordable and safe homes and support sustainable communities with excellent services to tenants and customers. This is our goal and everything we do is intended to bring us closer to achieving it.

What they are attempting to achieve at the Castle Pub seems to be contrary to their claim to support sustainable communities with excellent services.

NHA also sets out its values:

We are a values based and values driven organisation. Our values define our culture and shape not only what we do but also how we do things. Everything we do is scrutinised to ensure that it is consistent with our values.

From: [REDACTED]
Sent on: 06 October 2026 14:15:45
To: [Robinson, Ian \(IRobinson@valeofglamorgan.gov.uk\)](mailto:IRobinson@valeofglamorgan.gov.uk)
Subject: Re: 2025/00823/FUL - Castle Hotel
Attachments: [page 6 for Castlevue community hub.pdf](#) (151.71 KB)

1.ii

Ian

One additional point that will not come as a surprise to the officer who drew up the report to Committee.

See the attached PDF. I understand this is the "offer" made to the community in the pre-planning stage, and it was repeated in the planning application. At the very least it was adopted by the Applicant at some stage.

I understood this document might have been drawn up with the assistance of the Applicant and in a very simplistic way demonstrates what refurbishment was needed. The document is obviously not drawn by lawyers, but I would suggest that put side by side with the offer by the Applicant's, the ambition for the space is crystal clear.

What makes it even clearer would be to understand that the community representatives at that time did not have capital to input, it was not needed. I understood from a couple of those involved that the community idea fell away when the community reps were told they would need to find over £1m to complete the refurbishment. I do not have firsthand knowledge of this but I am sure some of them can be contacted to spell out what went wrong from their perspective.

There is nothing here about renting out to a separate organisation. In fact that is very much the opposite of the promise.

What was offered was a genuine community space, run by the community for the community. It was something that was designed to assist with social cohesion.

The applicant is choosing to renege on a critical offer made. Without it their original 2019 application was unlikely to be successful.

Nothing has been produced by the Applicant to demonstrate they should be relieved of the duty to deliver on their promise.

[REDACTED]

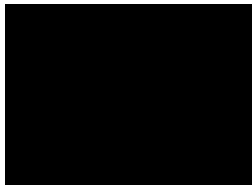
They go on to claim that:

We are honest, open and fair in our dealings with people and partner organisations

The values as made plain by their actions in seeking to avoid the cost of refurbishing the Castle Pub seem to be something different from what they try to assert. We should question their honesty and openness.

If NHA fails to perform and to deliver what they promised they should be made subject to an application by the Vale Council that the Welsh Government removes them from the group of four housing associations zoned by Welsh Government to develop in the Vale.

The Vale should also begin looking at how to enforce this *critical* offer made by NHA so as to try to recover some credibility for the planning system. The Vale Council can take this opportunity to demonstrate its concern to retain community spaces in our town and to stop developers from riding roughshod over us and the Vale Planners by taking the profit and ignoring their obligations.



Castleview Community Hub

A Community Benefit Society set up to serve the needs of the local community.

Aims:

To work in partnership with Newydd Housing Association and The Vale of Glamorgan Council to provide a licensed facility at the Castle in Jewel Street that can be utilised by everyone in the local community.

To be open all day to facilitate use by local people, community groups, etc.

To upgrade all existing facilities including the bars, kitchen/dining area, function room and outdoor areas, for example, providing an accessible, comfortable garden area and separate children's play area.

To provide full disabled access (lifts, ramps, etc).

To offer local opportunities for work, training, support for community activities, voluntary groups and social businesses.

To provide good beer and all the traditional facilities, plus Wi-Fi, all-day food, real coffee, and facilities for families with children.

The Castle will be open seven days a week offering brunch/coffee; a lunch menu; afternoon tea and snacks; early evening meals and bar.

Profits generated from the business can only be used for the benefit of the local community.

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 8 OCTOBER 2026

Application No.: 2025/01091/FUL	Case Officer: Emma Danahay
Location: Llantwit Major Football Club, Windmill Lane Off Frampton Lane, Llantwit Major Proposal: Proposed two-storey side and rear extension with balcony to AFC Clubhouse, creation of extended car park and associated landscape works.	

From: Lee Candler, Llantwit Major Town FC

Summary of Comments:

Generally supportive of the application albeit do not feel their club has been adequately consulted on the application and how it effects access to changing rooms and toilets. They indicate that consideration should be given to a planning condition requiring a Community Access Management Plan before the extended facilities are first used, to ensure fair shared access for all clubs using the site.

They suggest such an approach is supported by TAN 16 and has local precedent through Condition 17 of permission 2023/00285/RG3. If officers consider this condition inappropriate, it requests an explanation of which planning tests would not be met and how shared access will otherwise be secured by the Council as landowner.

Officer Response:

The representations from Llantwit Major Town FC are noted and welcomed insofar as they support the proposed investment in improved sporting facilities at Windmill Lane. The club's concerns relate to future access arrangements and the management of the changing rooms and toilet facilities shared by different users of the site.

Whilst paragraph 4.15 of Technical Advice Note (TAN) 16: Sport, Recreation and Open Space confirms that planning conditions and obligations can be used to provide, safeguard and manage sports and recreational facilities, it also makes clear that such measures should only be sought where they are necessary to make a development acceptable in planning terms. In this case, it is considered that the issues raised concern the future operation and allocation of facilities between the various clubs using the building, which in officer's view is not a matter that is integral to the acceptability of the proposals in planning terms.

In terms of a nearby permission where a similar condition was used (ref: 2023/00285/RG3), this proposal was for the demolition of an existing school and replacement with a new school. In comparison, this application seeks to expand and would improve existing

sporting facilities and would not result in the loss of community access to the site. The management of bookings, use of changing rooms and access arrangements between different users/clubs is considered a private operational matter between the relevant parties and landowner, rather than a matter requiring regulation through the planning system. It is also of note that the facility is owned and maintained by the Council's leisure and parks facilities who would be better placed to control use of the building and the Council's role as Local Planning Authority must be distinguished from its role as landowner, and any lease arrangements are matters for the Council's Estates Department to consider. Accordingly, officers do not consider that a Community Access Management Plan is necessary to make the development acceptable in planning terms.

In relation to consultation, there is no requirement for the applicant to serve notice on users of the facility who do not hold a freehold/leasehold interest in the land. The application has been publicised in accordance with statutory requirements, including the display of site notices, and the representations received have been fully considered as part of the determination process. Officers are therefore satisfied that in terms of the planning application, interested parties have had an opportunity to comment on the proposal (and have done so) and have not been prejudiced in this regard.

Action required:

None.

To: Planning [REDACTED]
<Democratic@valeofglamorgan.gov.uk>

Subject: 2025/01091/FUL - Windmill Lane: written representation instead of speaking at Planning Committee

Some people who received this message don't often get email from clubdevelopment@llantwitmajortownfc.co.uk. Learn why this is important

Dear Planning Team,

Further to our representation of 16 June, Llantwit Major Town FC welcomes and supports the proposed investment in modern, up-to-date facilities at Windmill Lane and the work undertaken to secure the funding. With 396 members, including 366 under-16s, of whom 176 are girls, our club makes a significant contribution to the town's sporting life. This investment is a positive opportunity to support those players and remove many of the barriers to the continued growth of girls' and women's football.

As an interested club using Windmill Lane, however, we do not feel we have been fully consulted about arrangements affecting our access to the changing rooms and toilets. We want the development to benefit the clubs and community who use the site.

We ask that permission include a condition requiring a community-access management plan to be submitted and approved before first use of the extended facilities, with ongoing compliance thereafter. This should secure equitable shared access to the changing rooms and toilets for clubs using the site when reasonably needed for their activities.

Paragraph 4.15 of Welsh Government TAN 16 allows planning conditions and obligations to safeguard sport and recreational provision and provide for its management. The Council's condition 17 for St Richard Gwyn School (2023/00285/RG3) provides a local example of requiring an approved community-access management plan before first use.

We recognise that each application must be assessed on its own circumstances. If officers consider a comparable condition inappropriate here, please explain which

planning-condition tests it would fail and why, and how the Council will otherwise secure shared access as landowner.

Our June representation was acknowledged on 16 July, but we have not received a substantive written response to its shared-access requests. My follow-up email of 1 October also remains unanswered.

We will not be making a speaking representation. Please register this email as our further written representation and bring it to the Committee's attention.

Best Regards,

Lee Candler

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE: 8 October 2026

Application No.: 2025/01296/FUL	Case Officer: Mr. Ceiri Rowlands
Location: Former Gas Holder Site, Cardiff Road (A4055), Barry Proposal: Proposed development of a discount retail foodstore (Use Class A1), together with access, car parking, external lighting, landscaping, drainage, and other associated site works.	

From: Health and Safety Executive (HSE)

Summary of Comments:

The HSE response clarifies that it advises against granting planning permission specifically because it contains 1,912 sq.m of public indoor floorspace that falls within the inner consultation zone of the Transco Verlons Holder Station major hazard site, where HSE policy opposes this type of development.

However, HSE acknowledges that the Transco site no longer contains hazardous substances and states it would withdraw its objection if the hazardous substances consent for the site is revoked, or if a Grampian condition is imposed preventing occupation of the development until that consent is revoked.

HSE also confirmed that the remaining consultation zone associated with Dow Silicones UK Ltd would not, by itself, lead to an objection, and that if permission were granted without revocation of the consent or the proposed condition, the Council would need to follow the “minded to grant” notification procedure and give HSE advance (21 days) notice of the decision.

Officer Response: It is recommended that the following additional planning condition is incorporated: -

“No part of the development shall be occupied until all of the Hazardous Substances Consent(s) for Transco, Verlons Holder Station, have been revoked or varied in accordance with the Planning (Hazardous Substances) Act 1990, as amended, such that the Health and Safety Executive (HSE) does not advise that permission should be refused on safety

grounds, and written confirmation of the necessary revocation or variation has been issued by Vale of Glamorgan District Council as Hazardous Substances Authority.”

The relevant consent is reference 1992/01179/HAZ for the storage of 60.2 tonnes of natural gas (as amended 2000/00578/HAZ & 2001/00008/HAZ).

Action required: Members to consider inclusion of the above condition if minded toward the grant of planning permission.

(by email only)
Vale of Glamorgan Council

Your Ref: 2025/01296/FUL
Our Ref: L3036

Date: 29 September 2026

For the attention of: Ceiri Rowlands

Dear Ceiri,

**Land Use Planning Consultation with Health and Safety Executive
Town and Country Planning (Development Management Procedure) (Wales) Order
2012**

Planning application: 2025/01296/FUL

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

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

Chemicals Explosives
Microbiological Hazards
Division

Statutory and
Commercial
Land Use Planning
Advice
HSE, Harpur Hill,
Buxton, Derbyshire,
SK17 9JN

lupenquiries@hse.gov.uk

<http://www.hse.gov.uk/>

Head of Team
Manuela Godden

1. Thank you for your email dated 23 September 2026 asking HSE to review the above proposed planning application. HSE was previously consulted through its Planning Advice Web App (HSL-260923111108-277) which stated HSE's advises against the proposed development.
2. HSE is a statutory consultee for certain developments within the consultation distance of major hazard sites and major accident hazard pipelines. The proposed development

site identified in planning application 2025/01296/FUL lies within the consultation zones of two major hazard sites:

- Inner consultation zone of Transco, Verlons Holder Station, Barry (H1534)
- Outer consultation zone of Dow Silicones UK Ltd, Barry, South Glamorgan (H0335)

The major hazard sites hold hazardous substances consent to store up to specified quantities of various hazardous substances under the Planning (Hazardous Substances) Act 1990 and the Planning (Hazardous Substances) Regulations 2015.

3. Major hazard sites are subject to the requirements of the Health and Safety at Work etc Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation. Where hazardous substances consent has been granted by the hazardous substances authority, then the maximum quantity of hazardous substance that is permitted to be on site is used as the basis of HSE's assessment – see para 068 of the Planning Practice Guidance on hazardous substances: <http://www.gov.uk/guidance/hazardous-substances>
4. This revised consultation has been considered using HSE's Land Use Planning Methodology (see <https://www.hse.gov.uk/landuseplanning/methodology.htm>), taking account of the above major hazard sites in order to determine HSE's advice.
5. From the planning application the proposed site includes the following development types –
 - Indoor Use by the Public
 - Landscaping
 - Car Parking

Indoor Use by the Public

- There is between 250m² and 5000m² of indoor use by the public (1912m²) in the inner and outer consultation zones. This is classed as an SL (Sensitivity Level) 2

development. HSE **advises against** SL2 developments in the inner consultation zone.

Landscaping

- HSE does not advise against landscaping in any consultation zone as long as there are no facilities (such as benches) which allow people to congregate.

Car parking

- Car parking areas which are associated with other facilities and developments the sensitivity level and the decision will be based on the facility or development.

In summary HSE's advice is that there are sufficient reasons on safety grounds, for advising against the granting of planning permission as things currently stand.

6. In fact Vale of Glamorgan Council have asked HSE to review the proposed advice for planning application 2025/01296/FUL as one of the two major hazard sites - Transco, Verlons Holder Station, Barry does not currently contain hazardous substances onsite.

We note that paragraph 074 of the Planning Practice Guidance on Hazardous Substances encourages Hazardous Substances Authorities to be proactive about revoking consents in such circumstances. In relation to this application, we can advise you that HSE **would withdraw its objection** to planning application 2025/01296/FUL if the hazardous substance consent for Transco, Verlons Holder Station were revoked, or if a Grampian condition were attached to the permission, so as to prevent occupation until the hazardous substance consent for Transco, Verlons Holder Station, has been revoked under the Planning (Hazardous Substances) Act 1990, for example:

“No part of the development shall be occupied until all of the Hazardous Substances Consent(s) for Transco, Verlons Holder Station, have been revoked or varied in accordance with the Planning (Hazardous Substances) Act 1990, as amended, such that the Health and Safety Executive (HSE) does not advise that permission should be refused on safety grounds, and written confirmation of the necessary revocation or

variation has been issued by Vale of Glamorgan District Council as Hazardous Substances Authority.”

7. Please note this advice supersedes the advice received from HSE’s Planning Advice Web App on 23 September 2026 (HSL-260923111108-277), and in this situation there would be no need to notify HSE that the Councils intention to grant planning permission. If, nevertheless, you are minded to grant permission for planning application 2025/01296/FUL without revoking the hazardous substances consent for Verlons Holder Station or without a Grampian condition as described above, your attention is drawn to Section 9, paragraph 072 of the online Planning Practice Guidance on Hazardous Substances - Handling development proposals around hazardous installations, published by the Ministry of Housing, Communities & Local Government, or paragraph A5 of the National Assembly for Wales Circular 20/01. These require a local planning authority to give HSE advance notice when it is minded to grant planning permission against HSE’s advice, and allow 21 days from that notice for HSE to consider whether to request that the Secretary of State for Housing, Communities & Local Government, or Welsh Ministers, call-in the application for their own determination. The advance notice to HSE should be sent to CEMHD5, HSE's Major Accidents Risk Assessment Unit by email to lupenquiries@hse.gov.uk. Please ensure the subject header says "Minded to Grant". The advance notice should include full details of the planning application, to allow HSE to further consider its advice in this specific case.

8. If the hazardous substances consent for the Verlons Holder Station site is revoked, the consultation distance around the site will be withdrawn. As the site is still within the outer consultation zone for a major hazard site, HSE would still need to be consulted on developments within this area. However the presence of the outer consultation zone for Dow Silicones UK Ltd does not result in an “advise against” position for planning application 2025/01296/FUL.

Yours sincerely,

Ceri Hughes-Roberts

Statutory and Commercial Land Use Planning Advice

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE: 8 OCTOBER 2026

Application No.: 2025/01296/FUL	Case Officer: Mr. Ceiri Rowlands
Location: Former Gas Holder Site, Cardiff Road (A4055), Barry Proposal: Proposed development of a discount retail foodstore (Use Class A1), together with access, car parking, external lighting, landscaping, drainage, and other associated site works.	

From:

Tesco Stores Ltd – letter dated 30th September 2026

Aldi (applicant) – response letter dated 6th October 2026

Summary of Comments:

The Tesco representation concludes that:

- the Planning Policy Wales (PPW) sequential test has not been met because alternative out of town sites are not adequately assessed;
- the retail impacts on Barry Town Centre have been underestimated, with emphasis on its fragility (high vacancy rates) and a lack of a lack of consideration of the impact of linked trips and spending;
- the proposal conflicts with VoGC regeneration objectives and initiatives such as the Pride in Place programme and Placemaking Wales Charter; and
- that the retail need for the development is not proven, with emphasis on the LDP need (to 2026) having been exceeded and over-reliance on emerging/ untested evidence through the rLDP process.

On that basis, Tesco's consultant argues that planning permission should be refused.

Officer Response:

Whilst Members should note the content of the letter in full, Officers would respond to its main arguments, as follows: -

The sequential test

Officers consider that a more developed alternative out of town site assessment for sequential test is not required because the application site comprises previously developed land in a sustainable location on a principal transport corridor with good accessibility by walking, cycling, public transport and private vehicle. Even if a wider assessment of out-of-

centre opportunities were undertaken considering other potential out-of-centre sites, Officers consider that this site would rank highly against any reasonable alternatives for these reasons. Moreover, no specific alternative sites are identified by the objector which are available, suitable and capable of accommodating the proposed development. In the absence of such evidence, limited weight can be attached to this criticism.

Vitality and Viability of Barry Town Centre

Whilst Officers acknowledge that convenience shopping can contribute to footfall and linked expenditure, the argument advanced appears to overstate the likely consequences of the level of trade diversion identified. The applicant's assessment indicates a relatively modest diversion of convenience expenditure from the town centre. Any associated reduction in linked trips must therefore be considered proportionately. Given the scale of the identified diversion, officers do not consider there is compelling evidence that the proposal would materially undermine the overall vitality and viability of the town centre.

The objector also points to above-average vacancy rates and fragility of the town centre. Whilst this is a relevant consideration, the existence of challenges within a town centre cannot reasonably be interpreted as creating a de facto moratorium on retail development elsewhere. Planning policy requires an assessment of the actual likely impacts of a proposal rather than a presumption that new retail development should be resisted because a centre experiences vacancies or other structural challenges. The applicant's retail assessment clearly identifies that sufficient demand exists, and, that the proposed food store would predominantly compete for market share amongst other, existing, out-of-town stores.

Quantitative Need and Weight to be Given to Retail Evidence

Officers recognise that the Local Development Plan is extant. However, the evidence base underpinning those policies is now dated. By contrast, the retail evidence informing the emerging Replacement Local Development Plan is significantly more recent and reflects current retail market conditions and spending patterns. It is acknowledged that this evidence has not yet been fully tested through the examination process, yet it represents the Council's latest available evidence base.

The fact that evidence is "untested" does not mean it should be disregarded entirely. Weight is a matter of planning judgement. In this instance, Officers consider that greater weight can be afforded to the more recent evidence than to materially older evidence, which no longer reflects current circumstances.

Aldi letter dated 06.10.26

Also circulated is a letter from the applicant providing a detailed response to the representation from Tesco with reference to their submitted documents, other evidence, and the Officer's report.

Action required: Members to note

Our Ref: 2995/CY/LT20260930

30th September 2026

Marcus Goldsworthy
Director of Place
Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
CF63 4RU

Via Email: mjgoldsworthy@valeofglamorgan.gov.uk

MRPP
MARTIN ROBESON
PLANNING PRACTICE

Town Planning Consultants
Development Advocacy

21 BUCKINGHAM STREET
LONDON WC2N 6EF
TELEPHONE: 020 7930 0007
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Dear Marcus,

ERECTION OF A CLASS A1 RETAIL FOODSTORE ALDI, FORMER GAS HOLDER SITE, CARDIFF ROAD, BARRY, VALE OF GLAMORGAN, CF632NW. PLANNING REFERENCE: 2025/01296/FUL.

We act on behalf of Tesco Stores Ltd, in respect of the above application. Our client trades from a superstore to the northwest of the application site, on Stirling Road.

Having considered the applicant's Planning and Retail Statement (PRS), the Supplementary Retail Impact Assessment, and the Officer's Report to Planning Committee on 8th October, we make representations relating to the following:

- Failure to provide a robust sequential test in accordance with Planning Policy Wales
- Underestimation of retail trading effects on the vitality and viability of Barry town centre due to the failure to consider the role of linked trips and related footfall
- Inappropriate reliance on untested quantitative need assessment for the emerging Replacement Local Development Plan

Failure to provide a robust sequential test in accordance with Planning Policy Wales

The submitted PRS acknowledges that the application site is located within an out-of-centre location. The proposal is therefore required to satisfy the sequential approach to site selection as set out in Planning Policy Wales (PPW).

PPW is clear that proposals for main town centre uses must demonstrate that all suitable and available sites within the town centre have been thoroughly assessed before considering edge-of-centre locations. Only where suitable in-centre and edge-of-centre sites have been fully explored should out-of-centre sites be considered. Furthermore, where out-of-centre locations are being assessed, preference should be

afforded to brownfield land and sites that are well connected to town centres by active travel and public transport.

The submitted sequential assessment fails to comply with the relevant policy requirements because, whilst town centre and edge-of-centre locations have been considered, the assessment does not fully examine alternative out-of-centre sites. It is surprising that the PRS contends that such an exercise is unnecessary on the basis that the application site is accessible by a range of transport modes and is well connected to Barry town centre. The applicant's agent assertion that, "*there is no prospect that any alternative out-of-centre site would be materially more accessible than the application site*" (paragraph 8.29), is not necessarily credible.

Moreover, the applicant's approach misunderstands the purpose of the sequential test. The sequential approach is not simply an assessment of relative accessibility, nor does accessibility alone determine whether a site is sequentially preferable. Rather, it is a site selection exercise intended to direct development to the most appropriate location in accordance with the established town centre hierarchy, thereby supporting sustainable patterns of development and safeguarding the vitality and viability of existing centres. Whilst accessibility is a relevant consideration, it is only one of a number of factors that must be taken into account and cannot, in itself, justify the omission of alternative out-of-centre sites from the sequential assessment. As a result, there is no available evidence to demonstrate that the application site is the most appropriate sequentially preferable out-of-centre location. The conclusion reached by the applicant is therefore unsupported by the evidence presented.

Furthermore, the Officer's Report indicates that the applicant has examined sites within a five-minute drive of the application site to consider "...*the availability of premises and land of up to 0.6ha*", which is noted to be smaller than the current 1ha site. If this is to suggest that inappropriately small opportunities were unnecessarily reviewed then that is a matter of concern, in addition to the matters set out above.

In addition, the Officer's Report identifies that the draft Deposit Vale of Glamorgan Plan proposes the allocation of two specific sites through its Policy SP12, one of which is subject to a Council resolution to approve but is currently subject to determination by Welsh Ministers. There appears to be no cogent conclusion relating to these opportunities.

In light of the above, the current application fails to demonstrate compliance with paragraphs 4.3.18 to 4.3.24 of PPW and Policies MG12 and MG13 of the Local Development Plan (LDP).

Underestimation of retail trading effects on the vitality and viability of Barry town centre due to the failure to consider the role of linked trips and related footfall

The applicant's agent concludes that the proposed development "*would not give rise to any significant adverse impact on the vitality and viability of Barry Town Centre*". However, this conclusion relies disproportionately on the estimated 1.8% diversion of convenience goods expenditure from the town centre. In doing so, the assessment fails to recognise the wider role of convenience retailing in supporting footfall, linked trips, and the overall vitality and viability of the town centre.

Although the Retail Impact Assessment identifies that approximately 80% of convenience expenditure within the town centre is associated with top-up shopping, these frequent shopping trips are an important driver of pedestrian footfall and facilitate linked trips to the town centre's wider retail and service offer, including cafés, hair and beauty salons, and other town centre uses. This is particularly relevant in Barry Town Centre, where the applicant's evidence suggests that most of the retail provision comprises small-scale retailers (paragraphs 9.55 and 9.56), many of which are more reliant on regular passing trade.

Consequently, even a modest diversion of convenience shopping trips to the proposed out-of-centre store has the potential to reduce linked expenditure, weaken pedestrian footfall, and significantly affect the trading performance of existing town centre businesses. Thus, without a robust assessment of the interrelationship and dependency between the town centre's convenience goods sector and its role in underpinning other retail services and uses, the application has not demonstrated the true scale of trade diversion, and the significance, of the potential effects arising from reductions in this town centre turnover.

The Officer's Report relies upon the applicant's assessment 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 (sic) any individual stores or the vitality and viability of the centre as a whole*" (paragraph 9.85). And that this leads to the vastly underestimated -1.8% diversion of trade from the town centre, without more effective analysis and understanding of how footfall from town centre linked trips assists the vitality and viability of smaller town centre traders, it is not possible to conclude that the proposal would not adversely affect the vitality and viability of the town centre as a whole.

Critical to this, is that even the applicant's PRS and the Supplementary Retail Assessment (SRA) accept that the town centre's vacancy rate remains persistently high at levels significantly exceeding the national average. This confirms the continued fragility of the town centre and its susceptibility to the adverse effects of inappropriate out-of-centre retail investment, which would further erode the town centre's role.

Against this background, the proposed development would reinforce unsustainable patterns of out-of-centre food shopping, divert expenditure away from the town centre, and undermine the effectiveness of the Council's regeneration initiatives and investment measures (i.e. Pride in Place Programme and the Placemaking Wales

Charter). Notably, the applicant's own SRA recognises that these initiatives are intended to enhance the vitality and viability of the town centre over the next 10 years.

In addition, the Officer's Report confirms that the Council's Retail and Commercial Leisure Study 2023 recommends that "*additional convenience food retailing within the retail centres of Barry, Penarth and Llantwit Major...would lead to improvements in the vitality and viability of these centres*".

The proposal would therefore not only cause much greater harm than has been estimated but prejudice the achievement of the Council's own, much needed, regeneration objectives for accommodating new convenience retail goods retailing in Barry and other town centres.

Inappropriate reliance on untested quantitative need assessment for the emerging Replacement Local Development Plan

The Officer's Report confirms that "...the retail space allocated in the Adopted Development Plan has already been surpassed by new development..." and thus "...that need projected up to 2026 has long been met". Notwithstanding this, the Officer relies upon a study informing the Emerging Replacement Local Development Plan to assert that there could be capacity for further convenience goods floorspace. However, it is important to recognise that this is evidence that has not yet been fully tested through the plan-making process. Little, if any, weight can therefore be placed upon it. Notwithstanding this, we note that the Officer refers to the same study identifying that the location to accommodate the "...potential for additional convenience food retailing (as being) within the retail centres of Barry, Penarth and Llantwit Major" (our emphasis).

Weight must be placed on the lack of quantitative need as set out in the adopted Local Plan and little, if any weight, can be applied to the emerging Plan's untested evidence. However, even if it were to be accepted that emerging Plan focuses such provision within established town centres to assist in ensuring their future vitality and viability.

Conclusions

The application fails to satisfy the sequential test as the applicant has neither identified nor assessed any alternative out-of-centre sites and instead relies effectively on the accessibility of the application site to justify the conclusion that it is the most sequentially preferable site. The proposal is therefore contrary to paragraphs 4.3.18 to 4.3.24 of PPW and Policies MG12 and MG13 of the LDP.

Furthermore, the proposal is at real risk of causing significant adverse impacts on the vitality and viability of Barry Town Centre given the existing town centre high vacancy rate and the likelihood of reduction in footfall linked to convenience goods trade impacts. Moreover, the proposal would undermine the Council's various regeneration objectives for the town centre.

There is no quantitative need for the proposal. Untested evidence cannot have weight and even that focuses future investment within Barry and other town centres.

For the reasons set out above the application is therefore contrary to the relevant policies of the development plan which are supported by the PPW and it should be refused.

Yours sincerely,

[Redacted signature]

Martin Robeson

[Redacted contact information]

cc: cerowlands@valeofglamorgan.gov.uk.



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Your Ref: 2025/01296/FUL

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6th October 2026

Regeneration and Planning
Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
CF63 4RU

For the attention of: Mr Ceiri Rowlands

By Email: cerowlands@valeofglamorgan.gov.uk

Dear Mr Rowlands,

Full Planning Application (LPA Reference: 2025/01296/FUL) for a Proposed Discount Retail Foodstore (Use Class A1) at the Former Gas Holder Site, Cardiff Road, Barry, Vale of Glamorgan, CF63 2NW – Response to Objection on behalf of Tesco Stores Ltd of 30th September 2026

On behalf of Aldi and in respect of the above planning application (LPA Ref: 2025/01296/FUL), we write in response to the commercial objection submitted on behalf of Tesco Stores Ltd ("Tesco") by Martin Robeson Planning Practice ("MRPP") dated 30th September 2026.

This response should be read alongside the Planning and Retail Statement ("PRS") prepared for Aldi by Avison Young in December 2025, and the subsequent Addendum and Further Addendum to the Retail Impact Assessment issued on 23rd June 2026 and 6th July 2026.

Tesco operates the out-of-centre superstore on Stirling Road, approximately 4.7 km to the west of the Aldi application site. Its representation concerns three principal themes, summarised as follows:

- The sequential test
- Impact on and Linked Trips to Barry Town Centre
- The use of the Vale of Glamorgan Retail and Commercial Leisure Study 2023 to inform the applicant's quantitative need assessment

We wish to take this opportunity to offer our views on some of the comments made and provide a response where we feel this is necessary. We deal in turn with those points that we consider to merit a written response on behalf of the applicant. Where we do not comment further, the application submission documentation should be referred to for the applicant's position.

Timing and Context to Tesco's Representation

We note that Tesco is the only retailer that has objected to the planning application. Its Stirling Road superstore measures 4,414 sq.m gross¹, approximately 2.3 times the size of the proposed Aldi (1,912 sq.m gross). The 'out-of-centre' Tesco store is located around 3km to the north-west of the boundary of Barry town centre and therefore benefits from no policy protection whatsoever. For context, the application site lies approximately 2km to the north-east of the town centre.

Also of relevance is the fact that Tesco has chosen to submit a lengthy objection following publication of the Officer Report and within days of the scheduled Planning Committee meeting. With this planning application having been in the system since January 2026, there can be no credible justification for Tesco's consultant making detailed representations at this very late stage in the process. The reality is that this is a common tactic which seeks purely to stifle the democratic decision-making process by attempting to undermine the contents of the Council's Officer Report.

Accordingly, Tesco's representation and its timing bears all the hallmarks of a purely commercial objection by a major retailer which evidently has a vested interest in maintaining the status-quo of foodstore provision in the Barry area in order to safeguard its market share.

This context should be emphasised to members at Planning Committee so that they can take an informed view of the weight that should be afforded to the late representations received by Tesco.

The Sequential Test

Tesco asserts on page 2 of its letter that the applicant's sequential assessment, as set out in Section 8 of the PRS, *'does not fully examine alternative out-of-centre sites'*.

In relation to the sequential approach, paragraphs 4.3.18 and 4.3.19 of Planning Policy Wales ("PPW") provide that only where 'in' and 'edge-of-centre' opportunities have been ruled out should out-of-centre alternatives be considered. Such sites should be accessible by a choice of travel modes, including active travel and public transport.

It is relevant to note that the rationale behind the area of search and the methodology employed in AY's sequential assessment was rehearsed with the Council's Officers prior to the submission of the application and fully explained within paragraphs 8.6 to 8.30 of the PRS. We do not seek to replicate the detailed analysis here, as this can be read in the submitted PRS, but note that this included consideration of the connectivity of the site with Barry town centre by a range of sustainable transport modes. The PRS concluded that there is no prospect that any alternative out-of-centre site would be more accessible than the application site. This finding partially reflects the fact that Barry town centre is physically constrained in nature, so that the surrounding context severely limits the potential for new retail development.

Nonetheless, paragraph 8.29, which should be read with reference to Appendix III of the PRS, explains the numerous sources used to search for potential sites within the area of search. These include a review of the Development Plan and Proposals Map, national and local property marketing websites, healthcheck data, site visits and visual inspection of satellite mapping and Google Street View. Our search to identify candidate sites following this methodology did not

¹ As recorded in Table 5 in Appendix C of the Vale of Glamorgan Retail and Commercial Leisure Study (June 2023).

exclude the identification of alternative out-of-centre sites. In the event, however, we did not identify any alternative out-of-centre sites close enough to Barry town centre to offer any potential material advantage over the application site with regards to connectivity with the town centre.

The Officer Report confirms that the justification for the parameters of the sequential testing is reasonable, and that the Local Planning Authority raises no concerns with methodology or findings.

With regard to the two sites proposed to be allocated through emerging Policy SP12 of the draft Deposit Replacement Vale of Glamorgan Local Development Plan ("Land at Church Farm, St Athan" and "Land at Bridge House Farm, Llanmaes, Llantwit Major"), we find it surprising that Tesco raises this matter, given its assertions later in the same letter about *'evidence that has not yet been fully tested through the plan-making process'*.

Regardless, we note that both of these sites lie a significant distance to the west of the application site, with the nearest (Church Farm) being located approximately 14km and 18 minutes' drive away. Figure 1 below is an extract from the draft Proposals Map that supports the Deposit Replacement Local Development Plan ("the Replacement LDP"). The figure shows that the proposed allocations (denoted with pink dots) are located in and on the edge of the St Athan and Llantwit Major settlements (settlement boundaries are shown outlined in red), whereas the application site (denoted by a black star) is located in the Barry settlement. As such, both draft allocations are outside the area of search agreed with Officers and would serve entirely different catchments to the application proposal. As a consequence, they are dismissed as sequential alternatives for the current scheme.

Figure 1: Annotated Extract from Proposals Map that supports the Deposit Replacement LDP



For the reasons set out above, we conclude that a wide-ranging and robust sequential analysis has been undertaken, using a number of data sources and fieldwork and with the methodology agreed with the Council's Planning Officers. This has not identified any sequentially preferable alternatives and, indeed, it is telling that Tesco itself has not identified any specific out-of-centre sites within the area of search worthy of consideration.

Impact on and Linked Trips to Barry Town Centre

AY and Officers have concluded that the impact of the application proposal on the viability and vitality of Barry town centre (and other smaller retail centres) will be acceptable. On page 3 of its letter, Tesco asserts that this conclusion *'relies disproportionately on the estimated 1.8% diversion of*

convenience goods expenditure from the town centre’ and alleges that the impact assessment ‘fails to recognise the wider role of convenience retailing in supporting footfall, linked trips, and the overall vitality and viability of the town centre’.

We would refute this assertion in the strongest possible terms. The solus and cumulative trade diversion estimates form just one part of the multifaceted impact assessment set out in the PRS, Addendum and Further Addendum. This assessment also includes detailed consideration of:

- The findings of the Vale of Glamorgan Retail and Commercial Leisure Study 2023, which is the most recent examination of capacity, shopping patterns and retail destination performance in the Council’s evidence base;
- The overtrading position of existing foodstores in the Barry area and wider Vale of Glamorgan and the implications for quantitative and qualitative need;
- The role, function and catchments of the existing convenience uses in Barry town centre for the local population;
- The wider performance of the town centre in terms of a range of the indicators of vitality and viability set out in section 13 of Technical Advice Note 4 (“TAN 4”), through the detailed healthcheck assessment provided at paragraph 9.49 to 9.83 of the PRS;
- The likely effects of the planned regeneration initiatives in Barry for the ongoing resilience of the town centre and the potential impacts of the application proposal on this investment;
- The potential for the application proposal to generate linked trips with Barry town centre, given its accessibility by a wide choice of travel modes, including active travel and public transport, and the propensity for Aldi’s business model to generate spin-off trade by virtue of its tendency to complement, rather than compete with, existing local and independent traders and other supermarkets; and
- The likely impacts of the introduction of the proposed Aldi foodstore within the east of Barry for travel patterns in the catchment area, including achieving more sustainable shopping patterns in particular for those within the east of Barry and the nearby villages of Dinas Powys and Sully further to the east.

We also strongly refute the suggestion that our 1.8% cumulative convenience trade diversion impact is ‘vastly underestimated’ and highlight that Tesco has provided no evidence to substantiate this claim. Indeed, this estimate relates solely to convenience goods expenditure and the percentage trade impact figure would, in reality, be lower when the town centre’s comparison goods turnover is also taken into account (noting that our healthcheck found that approximately one quarter of Barry’s in-centre commercial units are occupied by comparison retailers).

In terms of our analysis of the potential impact on linked trips in the town centre, our healthcheck analysis of Barry revealed that it is a reasonably diverse centre which is evidently not underpinned solely by a convenience goods offer, although it does also benefit from a good range of small-scale foodstores focussed on top-up shopping which are qualitatively different from Aldi. The relatively narrow offer of a discount foodstore cannot replicate the wider provision and experience provided by the town centre. Local residents will still have an ongoing need to visit the centre to, for

example, have a haircut, grab some lunch, and browse the numerous comparison goods retailers. The centre is well-served by car parking and public transport options, and located in proximity to the developing National Cycle Route 88.

In practice, any local resident undertaking a main food shopping trip and has a need to visit the town centre will either continue to visit one of the nearby edge- and out-of-centre supermarkets and venture into Barry town centre, or shop at the new Aldi and make the short journey to the centre afterwards. There will be no discernible reduction in 'spin off' trade in the town centre due to the application proposal.

The small-scale convenience provision in the town centre already successfully competes with the several existing medium and large foodstores across Barry, including the Lidl discount foodstore at Cennin Pedr in the north-east of the settlement. The role and function of the existing convenience uses in Barry town centre for the catchment population will not be diminished by the introduction of the proposed Aldi.

While the Barry town centre's vacancy rate is above the national average (17.7% of units in Barry were unoccupied compared to 14.1% of town centre units across the UK at the time of our October 2025 site visit), our PRS noted that the level has remained stable over the last few years and there are clear signs of continued investment and operator interest in Barry town centre. Indeed, by the time of our subsequent Addendum of June 2026, the Council had confirmed that the town centre's largest vacancy (i.e. the former Wilko unit at 59-71 Holton Road) will be brought back into active use as part of a wider regeneration strategy. This indicator, together with the progression of the various other regeneration initiatives outlined in the PRS, serve to reinforce our original findings that Barry town centre continues to exhibit resilience, attract investment, and benefit from a positive medium to long-term outlook.

There is therefore no credible basis for the conclusion on page 3 of Tesco's letter that the application scheme would undermine the effectiveness of the Pride in Place Programme and Placemaking Wales investments. These funds have already been allocated, and the Aldi proposal will have no impact on their implementation. Our PRS has concluded, and Officers have accepted, that the proposed development will not affect any existing, committed or planned investment in Barry town centre. Instead, the proposed development is expected to reduce the need for residents to travel to meet their main food shopping needs as well as improve local choice and competition. In terms of the long-term health of Barry town centre, the expected investment in transport infrastructure, public realm and regeneration over the next 10 years is expected to further support its ongoing vitality and viability.

Accordingly, the available evidence does not support Tesco's claims that the application proposal will cause any unacceptable harm to the health of Barry town centre or regeneration initiatives therein as a result of a reduction in linked trips. We remain firmly of the view that the proposed Aldi foodstore would not give rise to any significant adverse impact on the vitality and viability of the town centre, and the Council's Officer Report concurs with this conclusion.

The use of the Vale of Glamorgan Retail and Commercial Leisure Study 2023 to inform the applicant's quantitative need assessment

Tesco's final point of objection, as set out on page 4 of its letter, relates to the use of the quantitative need findings of the Vale of Glamorgan Retail and Commercial Leisure Study prepared by the Council's independent retail advisor, Nexus Planning, in June 2023 ("the Retail

Study"). The Retail Study is underpinned by a telephone survey of over 500 households undertaken in February 2023 and represents the most recent assessment of retail capacity across Vale of Glamorgan.

The Study was undertaken to inform the draft Replacement LDP. Tesco seeks to suggest that '*little, if any, weight*' can be placed on the evidence presented within the Study because it '*has not yet been fully tested through the plan-making process*'. We recognise that the weight to be given to an emerging Local Development Plan when determining planning applications will in general depend on the stage it has reached, and does not simply increase as the plan progresses to adoption. We also note that it is for the Local Planning Authority to carefully consider the underlying evidence and background to draft policies in considering the weight to give to specific policies in an emerging plan that apply to a particular proposal.²

However, Tesco's criticism appears to conflate the status of the emerging Replacement LDP with the status of the evidence prepared to inform it. Whilst the weight to be afforded to emerging policies is a matter of planning judgement, having regard to the stage reached in plan preparation, it does not follow that the technical evidence underpinning those policies should be discounted unless and until the plan is adopted. Indeed, such a stance would be contrary to the purpose of evidence-led plan making and development management.

In our view, to disregard the most up-to-date quantitative evidence of direct relevance to the current application solely on the basis that the emerging plan which it supports has not yet been subject to Examination and adoption would border on irrational and conflict with the approach advocated in paragraph 6.3 of TAN 4, which states that:

The Welsh Government does not prescribe any particular methodology for undertaking assessments and it is up to each local planning authority to be satisfied with quantitative retail need evidence in policy making or the development management process. Local planning authorities and developers should therefore ensure assessments are prepared in a clear logical and transparent way with the use of robust and realistic evidence' (our emphasis).

Tesco has provided nothing to substantiate any suggestion that the household survey evidence presented in the Retail Study and utilised within the PRS is anything less than robust and realistic. The Study provides an up-to-date, objective assessment of retail needs across the Vale of Glamorgan in accordance with a widely recognised methodology and by an impartial, industry-leading expert.

Given this policy and local context, and in the absence of any more recent survey or other research, we consider that the Retail Study represents the best and most up-to-date evidence available regarding quantitative retail need within the authority area and, consequently, the appropriate starting point for the assessment of need associated with the proposed development.

With regard to the relevant quantitative capacity findings, the Officer Report correctly notes that the convenience floorspace need up to 2026 identified in the previous Retail Study of 2013 has since been met. This is to be expected given the extent of the time elapsed, and does not in itself indicate that there is no current need for the proposed development (which is anticipated to open in 2028 or 2029 and achieve a mature trading pattern by 2030).

² As per page 177 of the Welsh Government's *Development Plans Manual* (Edition 3), March 2020

Indeed, both the 2023 Retail Study and our PRS identify evidence of substantial quantitative need for additional convenience retail development in Barry and the wider Vale of Glamorgan, with the overtrading at existing stores providing more than enough expenditure capacity to absorb the application proposal in addition to existing commitments. In addition, this overtrading points to a qualitative need for new foodstore provision within the Barry area to better meet local retail demand and alleviate operational pressures on existing stores.

While seeking to assert that the findings of the 2023 Retail Study should be afforded no material weight, Tesco also appears to suggest that the Study concludes that any identified quantitative need can or should only be met '*within the retail centres*' of Barry, Penarth or Llantwit Major. This is a mischaracterisation of the conclusions reached in paragraphs 12.38 and 12.39 of the Retail Study, which explain that:

'Our quantitative assessment of capacity found convenience floorspace capacity between 4,282 sq m (assuming Top 4 operators³) and 5,862 sq m net (assuming deep discounter operators⁴) by 2036. In qualitative terms the following Centres have been identified in potential need for a medium to larger supermarket: Barry Holton Road town centre; Penarth district centre and Llantwit Major district centre.

'It should be noted that any inability to accommodate the identified floorspace within the above centres, does not automatically result in the need to allocate out-of-centre sites. Such an approach is unlikely to address the qualitative shortcomings of these centres and would not ordinarily improve the vitality and viability of these centres' (our emphasis).

Both the Retail Study and Officer Report, correctly, highlight that the absence of suitable sites would not '*automatically*' require the need to allocate out-of-centre sites. However, the possibility is not precluded. In the case of the current application proposal:

- a thorough sequential assessment has demonstrated that there are no in-centre, edge-of-centre, or better-connected out-of-centre sites in Barry that could accommodate a supermarket of the broad size and type proposed;
- the assessment of the accessibility of the application site to and from the town centre has found that the two locations are well-connected and that the proposal offers genuine potential to address the qualitative shortcomings identified in the Barry area; and
- the impact assessment has shown that there will be no unacceptable impacts on the vitality and viability of Barry town centre as a result of the Aldi scheme.

In these circumstances, Officers have accepted that the need for the proposed development has been demonstrated, that the sequential test is passed, and that there will be no significant adverse impacts on Barry town centre or any other centre. Other positive material considerations weighing in favour of the proposal in the planning balance include the highly accessible location of the application, potential alleviation of car journeys further afield, and the increase in retail choice in

³ Asda, Tesco, Sainsbury's and Morrisons - Looking at the existing out of centre operators, Top 4 operators have average convenience sales area size of 2,817 sqm (see appendix C, table 5)

⁴ Aldi and Lidl - Looking at the existing out of centre operators, Top 4 operators have average convenience sales area size of 1,124 sqm (see appendix C, table 5)

an area with market headroom. There is nothing substantive in Tesco's representation that would undermine the overall conclusion reached by the Local Planning Authority on page 92 of the Officer Report, which states:

'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.'

Summary and Conclusions

The purpose of this letter has been to respond to the late objection of 30th September 2026 by Tesco, which operates the out-of-centre superstore at Stirling Road 3km to the north-west of Barry town centre, to the proposed Aldi discount foodstore at the former Gas Holder site (LPA reference: 2025/01296/FUL). Having reviewed the points raised, we remain firmly of the view that none of Tesco's objections identify any substantive deficiency in the applicant's evidence or the conclusions reached by the Local Planning Authority.

In summary, we draw the following conclusions in relation to the matters raised by Tesco:

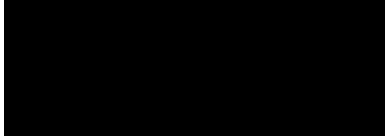
- the applicant has undertaken a wide-ranging and robust **sequential assessment**, using a methodology accepted by the Council's Officers. No suitable and available in-centre, edge-of-centre or sequentially preferable out-of-centre sites have been identified which could accommodate the proposed development. Tesco has similarly failed to identify any specific alternative sites that warrant further consideration.
- Tesco has not provided any evidence to demonstrate that the forecast trade diversion impacts contained within the applicant's **impact assessment** are underestimates, or that the proposal would result in any significant adverse effect on the vitality and viability of Barry town centre as a result of a reduction in linked trips. The applicant's assessment has considered a wide range of relevant factors, including shopping patterns, healthcheck indicators, existing levels of overtrading, qualitative need, regeneration initiatives and the accessibility of the application site. Collectively, this evidence demonstrates that the proposed Aldi foodstore would not undermine the current or future vitality and viability of Barry town centre.
- We disagree with Tesco's assertion that the evidence and conclusions presented of the Vale of Glamorgan Retail and Commercial Leisure Study 2023 should be given little or no weight in the **need assessment** because the emerging Replacement LDP has not yet been fully tested through the plan-making progress. The 2023 household survey findings represents the best and most up-to-date evidence available on quantitative retail need within the authority area, and to discount them would be contrary to the evidence-led approach to plan-making. The Retail Study and our own PRS have presented compelling evidence of unmet quantitative and qualitative need for additional convenience retail provision in this part of Barry, whose existing foodstores substantially overtrade.

As a consequence, there is nothing in the Tesco representation that would justify departing from the conclusions on the acceptability of the application proposal set out in the Officer Report. The proposed development complies with all relevant retail and town centre policies, and will deliver a range of material benefits, including enhanced local consumer choice and sustainability benefits.

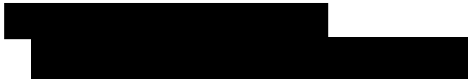
Aldi Stores Limited
Former Gas Holder Site, Cardiff Road, Barry, Vale of Glamorgan, CF63 2NW.

We trust that this response is of use in coming to your decision on this planning application. Please do not hesitate to contact me should you require any further information or clarification in relation to the application or any of these points.

Yours sincerely,

A large black rectangular redaction box covering the signature of Christie Fraser.

Christie Fraser
Associate Director

Two black rectangular redaction boxes covering contact information, likely a phone number and email address.

For and on behalf of Avison Young (UK) Limited

cc Mr Rob Jones – Aldi Stores Limited

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE: 8 OCTOBER 2026

Application No.: 2025/01296/FUL	Case Officer: Mr. Ceiri Rowlands
Location: Former Gas Holder Site, Cardiff Road (A4055), Barry	
Proposal: Proposed development of a discount retail foodstore (Use Class A1), together with access, car parking, external lighting, landscaping, drainage, and other associated site works.	

From: Mr. Ceiri Rowlands (case officer)

Summary of Comments:

Members attention is drawn to the following passages of the Officer's report on page 92-93:

- The report states that the Retail Capacity Assessment omits the Iceland Food Warehouse store at Palmerston Road. However, the applicant has clarified in their July 2026 letter that this is not the case, as it is included within the "OoC - *Barry - Other*" category.
- The applicants July 2026 letter states that, when committed developments are considered, the convenience goods expenditure headroom available within Barry will £43.4 million (opposed to the quoted £43.2M) in 2030. This was amended having factored in the closure of the Poundland store at Culverhouse Cross.
- There is a typographical error - the Barry convenience goods expenditure surplus in 2026 should read £57.5 million (opposed to 57M).
- There is a typographical error – the sequential test search area examined premises and sites with land greater than 0.6h.a. in area (opposed to 'up to' 0.6h.a.).

Officers also recommend the following amendments to the proposed conditions schedule. Additions are marked in red: -

Condition 2

220677-1000-*Rev P03* Site Location Plan
 220677-1350-*Rev P03* Proposed Floor Plan (*Rev P03*)
 220677-1360-*Rev P01* Proposed Roof Plan (*Rev P01*)
 220677-1370-*Rev P01* Retail Sales Density *Plan*
 220677-1400-*Rev P03* Proposed Elevations
 220677-1450-*Rev P05* Proposed Site Sections

220677-1300-**Rev P10**: Proposed Site Plan
 12796 sk0004-**Rev D**: Proposed Drainage Layout
 250553/TA: Transport Assessment (**Connect, 28 August 2026**)
 2321635: Environmental Noise Assessment Report (Sharps Redmore, 26 September 2025)
 220677 PF-G-02: Store Waste Management Plan (**Kendall Kingscott, 9 December 2025**)
 Staff Travel Plan (Connect, **28 August 2026**)
 12975w0002 **Rev P03**: Flood Consequence Assessment (**Craddys, 21 October 2025**)
 16311_R02a_MBAS_LB (Revision A): Arboricultural Impact Assessment (Tyler Grange, **10 December 2025**)
 P186-996-JI2-ALL ON: Lighting Plan
 P186 996 JI2 Aldi Cardiff Road Barry Loading Ramp+Column Off
 DR-L-1639-02 Rev P06: Soft Landscape Proposals Plan
 DR-L-1639-03 **Rev P05**: Softworks Schedule and Notes
 220677-1310 Rev P04: Proposed Boundary Treatment Plan
1639 Rev P01: Landscape Management & Maintenance Plan
 P01 16311_R01c_VKC ~~R01C~~ **Rev C**: Ecological Impact Assessment (Tyler Grange, **2 April 2026**)
 16311_R03_VKC ~~R03~~ **Rev A**: Reptile Mitigation Strategy (Tyler Grange, **2 April 2026**)
 16331_R04b c_VKC ~~R04B~~ PW Rev C: Green Infrastructure Statement (Tyler Grange, **2 April 2026**)

Condition 6

The applicant has raised concerns that the proposed trigger could unnecessarily delay the commencement of development. Officers consider a revision to require these details to be submitted prior to commencement, but agreed and implemented prior to occupation, is an acceptable compromise.

Officers also consider an amendment necessary to require further details of the proposed pedestrian access to Laura Street is agreed via this process, to reduce the potential for conflict between pedestrian/cycle users and vehicles performing turning manoeuvres.

~~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~~ **shall** been submitted to ~~and approved in writing by the Local Planning Authority~~ **prior to the commencement of development**. 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;

minor amendments to the layout of the pedestrian/cycle access to Laura Street;

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 **the first** beneficial use of the development.

Condition 18

16311_R02a_MBAS_LB (Revision A): Arboricultural Impact Assessment (Tyler Grange, 10 December 2025)

P186-996-J12-ALL ON: Lighting Plan

P186-996-J12 Aldi Cardiff Road Barry Loading Ramp+column Off

DR-L-1639-02 Rev P06: Soft Landscape Proposals Plan

DR-L-1639-03 Rev P05: Softworks Schedule and Notes

220677-1310 Rev P04: Proposed Boundary Treatment Plan

1639 Rev P01: Landscape Management & Maintenance Plan-P01

16311_R01c_VKC R01C Rev C: Ecological Impact Assessment (Tyler Grange, 2 April 2026)

16311_R03_VKC R03 Rev A: Reptile Mitigation Strategy (Tyler Grange, 2 April September 2026)

16331_R04bc_VKW R04B PW Rev C: Green Infrastructure Statement (Tyler Grange, 2 April 2026)”

Condition 24

The applicant has raised concerns that this could, technically, prohibit connection to the surface water sewer. Although referred to as a ‘private’ connection by DCWW, Officer’s agree an amendment to prohibit connection to the public foul or combined sewer system would add clarity in this regard.

*“No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public **foul or combined** sewerage network.”*

Condition 25

It is recommended that proposed Condition 25. (Enclosures) is omitted because the requisite details are included in draft Condition 2. (220677-1310 Rev P04: Proposed Boundary Treatment Plan) and details of their appearance are required by draft Condition 16. Therefore, Condition 25 is not necessary.

Summary: Officers consider the matters relating to the content of the report are minor clarifications and corrections, and do not materially alter its conclusions. In addition, Officer’s recommend that above amendments to the schedule of proposed conditions are also incorporated.

Action required: Members to note, conditions to be amended and deleted as detailed.