THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **12 NOVEMBER 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:

2026/0003/PV	A	1, Coed Criafol, Barry. CF63 1AT	New roof structure incorporating solid panels on existing conservatory
2026/0004/RV	A	plot adjacent to 1, O'Donnell Road, Barry. CF63 1RB	New detached 3 bedroom dwelling ajd to 1 O'Donnell Road
2026/0012/PO	AC	1, Dogo Street, Pontcanna, Cardiff. CF11 9JJ	Replacement of existing garage roof, enlargement of garage door opening, and rebuilding of traditional stone rear garden wall.
2026/0360/BR	AC	Phase 2,Hayeswood Road, Land to the South of Hayes Road, Sully. CF64 5AG	70 new affordable dwellings with associated access, parking, drainage, landscaping and external works.
2026/0396/BN	A	29, Primrose Close, Cowbridge. CF71 7DZ	Wall removal and installation of RSJ
2026/0440/BN	A	29, Purdey Close, Barry. CF62 8NT	Kitchen extension to side & new porch
2026/0449/BN	A	104, Lavernock Road, Penarth, CF64 3RN	Re roof

2026/0455/BN	A	343, Holton Road, Barry. CF63 4HX	Replacement of existing windows with new windows. Replacement of garage door and garage window with new (no garage conversion). Removal of the existing door between kitchen and rear garden and installation of a window within the existing opening, with the new window to it the existing opening width. Removal of the existing dining room window and installation of patio doors within the existing opening. Forming a new opening in the wall between and kitchen and dining room. Installation of a new kitchen. Installation of a new bathroom. Installation of a log burning stove & forming a WC or storage room under the stairs
2026/0457/BR	AC	Eglwys Brewis Road, St Athan, Vale of Glamorgan CF924DN	Construction of 2 no. 5 bedroom houses (Plot 1 to have a detached garage & Plot 2 to have an attached garage)
2026/0458/BN	A	51, Maes Y Gwenyn, Rhoose. CF62 3LA	Single storey extension & installation of 2 steel beams (1 knock through)
2026/0459/BN	A W	5, Britway Road, Dinas Powys. CF64 4AF	Proposed single storey rear flat roof extension including the removal of existing deteriorated upvc conservatory
2026/0460/BN	A	83, Cardiff Road, Dinas Powys. CF64 4JT	Re roof
2026/0461/BN	A	Glyndwr House, Llanmaes Village, Llanmaes, CF61 2XR	Supalite warm roof

2026/0462/BR	AC	Whitmore High School, Barry. CF62 3AZ	To erect a partition with a door to convert one room into two rooms. Room to be used as additional study areas
2026/0463/BN	A	4, Wye Close, Barry. CF62 7TF	Integral garage conversion
2026/0464/BN	A	Rivington, Wick. CF71 7QB	Re roof and knock through between kitchen and living room.
2026/0465/BN	A	Two Jays, Drope Lane, St Georges Super Ely. CF5 6EW	Replacement of glass conservatory roof with new warm roof only.
2026/0466/BN	A	6, Wye Close, Barry. CF62 7TF	Replace existing roof like for like
2026/0467/BN	A	28, Baruc Way, Barry. CF62 5AX	Conversion of integral garage to habitable room, with existing garage door being replaced with a window
2026/0468/BN	A	28, High Street, Penarth. CF64 1EZ	Removal of a non load bearing wall and installed a RSJ and loft conversion with dormer
2026/0469/BN	A	59, Cae Brewis, Boverton, Llantwit Major. CF61 2AU	Single storey extension
2026/0470/BN	A W	6, St. John's Place, Fontygary, Rhoose. CF62 3EB	Remove existing conservatory and replace with extension to rear
2026/0471/BN	A	181, Stanwell Road, Penarth, CF64 3LN	Knock through
2026/0472/BN	A	14, Oakfield Road, Barry. CF62 8PR	Loft conversion with hip to gable roof and rear dormer
2026/0473/BN	A	Pitcot House, Wick Road, St Brides Major. CF32 0SF	Knock through and installation of steel
2026/0474/BN	A	9, Nightingale Place, Dinas Powys. CF64 4RB	Re roof
2026/0475/BN	A	5, Cae Ffynnon, Cowbridge. CF71 7FJ	attached garage conversion

2026/0476/BR	AC	Ty Fry Lodge, Lane From Hensol Cottage To The Old Barn, Pendoylan, CF71 7UJ	Demolition of single storey stone outbuilding and construction of single storey extension to north-east side
2026/0477/BN	A	75, Lewis Road, Llandough, Penarth. CF64 2LX	Re roof
2026/0478/BN	A W	72, Clos Yr Wylan, Barry. CF62 5DB	Three storey side extension Single storey side & rear extensions, rear dormers Alts to loft including new stairs, front balcony. New arrangement of windows (inc. Juliette balconies)
2026/0479/BR	AC	23, Heol Y Pentir, Rhoose. CF62 3LQ	Single storey rear extension
2026/0480/BN	A	11, Windsor Terrace, Penarth. CF64 1AA	Re roof
2026/0481/BN	A	The Lion House, 31, Lynmouth Drive, Sully. CF64 5TP	Re roof
2026/0482/BN	A	19, Clement Place, Barry. CF62 6SN	Internal knock through of reception room to garden room and kitchen to garden room
2026/0483/BN	A W	9, Heol Yr Ysgol, St Brides Major. CF32 0TB	Two storey extension to the rear. First floor extension above existing garage and creation of a new terrace to the rear of the property. Conversion of basement into habitable room. Single storey porch to front
2026/0484/BN	A	5, Hickman Road, Penarth. CF64 2AJ	Single storey side extension
2026/0485/BN	A	8, Park Avenue, Barry. CF62 7RL	Internal alterations to include forming an ensuite, cloakroom and bedroom.

2026/0487/BN	A	1, St. Davids Avenue, Dinas Powys. CF64 4JP	Single storey side extension
2026/0488/BR	AC	Y Bont Dental Surgery, 64C, Eastgate, Cowbridge. CF71 7AB	Expansion of existing dental practice into vacant space on the ground floor to include 3 x dental surgeries, 1 x toilet, 1 x staff area.
2026/0489/BN	A	24, Albert Road, Penarth, CF64 1BZ	Replacement of suspended wood floor with an insulated concrete slab
2026/0490/BR	AC	Former HSBC, 1, Herbert Terrace, Penarth. CF64 2AH	Conversion and extension of former ground floor bank to a cafe and wine bar & conversion of upper floor offices to 3 no. self-contained flats
2026/0491/BN	A	25, Harding Close, Boverton, Llantwit Major. CF61 1GX	Conversion of the garage to a spare room which is to be used as a child's playroom and utility / storage room attached on to the kitchen
2026/0492/BR	AC	Blodfa, Station Road East, Wenvoe. CF5 6AH	Internal remodel at ground and first floor, conversion of garage to habitable space, replacement dormer with Juliet balcony to rear elevation, and hip to gable roof extension.
2026/0493/BN	A	30, South Road, Sully. CF64 5TG	First floor extension over garage and internal alts
2026/0494/BN	A	3, Cold Knap Way, Barry. CF62 6SQ	Two storey side extension. Removal of external wall to join into new extension. Alterations to internal walls along with RSJ's being inserted & dormer to first floor
2026/0495/BN	A	46, Dyfan Road, Barry. CF63 1DP	Replace existing conservatory roof and frames with new PVCU Frames and warmer roof system

2026/0496/BN	A	12, Dyfrig Street, Barry. CF62 5TW	Remedial works to balcony structure at front of building

(b) Building Regulation Applications - Reject

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

Nothing to report

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

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

2026/0162/AI	A	Miskin Hall 4, Renishaw, Miskin. CF72 8XY	New laboratory accommodation within hall 4
2026/0163/AI	A	7, Oakfield Road, Barry, CF62 8PR	Garage conversion to form habitable space
2026/0164/AI	A	Garreg Felen, Aberogwr, Pen Y Bont Ar Ogwr. CF32 0PE	Formation of structural opening to accommodate the installation of a lift
2026/0165/AI	A	45, High Street, Barry. CF62 7DU	Velux loft conversion to create a habitable room at second floor level (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)

2026/0166/AI	A	Cwmciddy House, Porthkerry Park, Barry. CF62 3BY	Removal of chimney stack, installation of Juliet balcony to first floor, enlargement of existing structural openings for insertion of bigger windows and creation of door openings (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0167/AI	A	6, Woodham Park, Barry. CF62 8JF	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0168/AI	A	64, Celtic Way, Rhoose. CF62 3FT	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0169/AI		171, Stanwell Road, Penarth. CF64 3LN	Garage conversion to form habitable space (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0170/AI	A	193, Court Road, Barry. CF63 1EX	Loft conversion and associated works

2026/0171/AI	A	Ewenny Village Shop, 32, Wick Road, Ewenny. CF35 5BL	Garage conversion, new roof and upstairs space
2026/0172/AI	A	28, Eagleswell Road, Boverton, Llantwit Major. CF61 1UF	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0173/AI	A	10 Cwrt Syr Dafydd, Llantwit Major, CF61 2SR	New warm type roof and frames to existing conservatory (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2026/0174/AI	A	Robert Price Building Merchants Ltd, Cardiff Road, Barry. CF63 2QW	Extension to existing materials store building
2026/0175/AI		6, Bradenham Place, Penarth, CF64 2AG	Dormer loft conversion
2026/0176/AI		32 Greenway Close, Llandough, Penarth, CF64 2LZ	Upgrade of existing thermal element (floor).
2026/0177/AI	C	9, Maes Slowes Leyes, Rhoose, CF62 3LT	Loft conversion
2026/0178/AI		Cowbridge Leisure Centre, The Broad Shoard, Cowbridge, CF71 7DA	Internal alterations and associated works including refurbishment of toilets and changing room areas

2026/0179/AI	16, Queens Road, Penath. CF64 1DJ	Loft conversion with rear dormer and associated works
2026/0180/AI	3, Dunraven Street, Barry. CF62 6PF	Loft conversion and associated works
2026/0181/AI	2, The Parade, Barry. CF62 6SD	Conversion and installation of roof windows
2026/0182/AI	Headlands School, 2, St. Augustines Road, Penarth. CF64 1YY	Internal alterations to accommodation, minor changes to external door openings and associated works

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PLANNING COMMITTEE : **12 NOVEMBER 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
C - Unclear if permitted (PN)
EB EIA (Scoping) Further information required
EN EIA (Screening) Not Required
F - Prior approval required (PN)
H - Allowed : Agricultural Condition Imposed : Appeals
J - Determined by NAfW
L - Approved AND refused (LAW)
P - Permittal (OBS - no objections)
R - Refused
O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement
B - No observations (OBS)
E Split Decision
G - Approved the further information following "F" above (PN)
N - Non Permittal (OBS - objections)
NMA – Non Material Amendments
Q - Referred to Secretary of State for Wales (HAZ)
S - Special observations (OBS)
U - Undetermined
RE - Refused (Enforcement Unit Attention)
V - Variation of condition(s) approved

2020/00775/13/CD	A	Former Railway Sidings, Ffordd y Mileniwm, Barry	Discharge of Condition 10. (Ecology Protection and Management Plan) and 11. (Tree Protection Details) for plannig ref 2020/00775/OUT - Residential development at the former sidings, Ffordd y Mileniwm along with associated infrastructure and open space at Former Railway Sidings, Ffordd y Mileniwm, Barry.

2021/01294/4/NMA	A	East Quay, Barry Waterfront, Barry	Non Material Amendment to Condition 1 (Approved Plans) to reflect as-built development of Planning Approval 2021/01294/RES: Amended proposal: Variation of Condition 1 and removal of Conditions 8 and 9 of Planning Permission 2019/01393/RES: Residential development for 58 units, together with single retail unit and all associated engineering works
2022/00294/18/CD	A	Land adjacent to Oak Court, Myrtle Close, Penarth	Discharge of Condition 43 (Means of Enclosure) of Planning Ref 2022/00294/HYB: Hybrid planning application comprising of a full application for extra-care accommodation and associated highways, landscaping and drainage works and outline application for residential development and associated works with all matters reserved except for access

2022/00294/22/CD	A	Land adjacent to Oak Court, Myrtle Close, Penarth	Discharge of Condition 27 (Provision of Public Open Space) of Planning Approval 2022/00294/HYB: Approval of the Reserved Matters (appearance, landscaping, layout, and scale) for "Hybrid planning application comprising of a full application for extra-care accommodation and associated highways, landscaping and drainage works and outline application for residential development and associated works with all matters reserved except for access" (Approval Ref.2022/00294/HYB)
2022/01113/2/NMA	A	Land at Lower Cosmeston Farm, Lavernock, Penarth	for planning ref 2022/01113/RG3 - Proposed new specialised school and associated access, landscape, and engineering works
2023/01140/3/NMA	A	Former Railway Sidings, Ffordd y Mileniwm, Barry	Non Material Amendment - Update to landscape plans to include replacement planting scheme for area effected by drainage infrastructure. Planning ref: 2023/01140/RES - Reserved matters application (scale, appearance, landscape, layout), pursuant to application 2020/00775/OUT for the construction of 56 residential dwellings (C3) and associated infrastructure.

2025/00104/1/NMA	A	107 Westbourne Road, Penarth	Non Material Amendment to the provision of one 880sq rooflight on the front roof of dwelling in lieu of one at the side
2025/00279/3/CD	A	58 High Street, Cowbridge	Discharge of Conditions 3 (Materials Details), 12 (Green Infrastructure) & 13 (Biodiversity Enhancement Details) of Planning Ref 2025/00279/FUL: Refurbishment of Grade 2 listed property and demolition of later additions and replacement contemporary extension
2025/00317/FUL	A	Pear Tree Cottage, Windsor Terrace Lane, Penarth	Retrospective replacement roof and retrospective velux windows in roof. Installation of Air conditioning units.
2025/00418/1/NMA	A	74 Murch Road, Dinas Powys	Non material Amendment for minor revisions to single storey extension details as part of as built construction of Planning Approval 2025/00418/FUL: Addition of a ground floor extension to the rear and dormer to the roof
2025/00441/FUL	A	Sea Point, Crosshill, Barry	Proposed new external insulated render system to the exterior of the building

2025/00600/FUL	A	5 Paget Road, Barry	Retrospective works to basement and ground floor including change of use of basement from storage associated with amusement arcade to A3 bar; change of use of part of ground floor from amusement arcade to A3 takeaway food kiosk and access to A3 bar below; external alterations including creation of new shopfront and installation of ventilation equipment to rear elevation.
2025/00728/LBC	A	Bragdy, Frampton	Retrospective Listed Building Consent to remedy non-approved aspects of the barn.
2025/00729/FUL	A	Bragdy, Frampton	Retrospective application to remedy non-approved aspects of the barn
2025/00940/3/CD	A	Barclays, 62 High Street, Cowbridge	Discharge of Condition 7.(Details of new flues, vent, etc) for planning ref 2025/00940/LBC - Replacement of 3 no external steel doors and 1 no window on rear elevation with new fully glazed aluminium units. Demolition and reconfiguration of non structural partitions and alterations to internal drainage to supply 3 no bathrooms
2025/01097/LAW	A	Clifftop, Caravan Park, Camping Site & Car Park, Marcross, Llantwit Major	Continued use of land for caravan site, carpark, camping site and motorhome site.

2025/01130/FUL	A	Coed Hills, Llantrithyd Road, St Hilary	Dig two new wildlife ponds and use the spoil from these to infill an existing pond on-site which has been significantly compromised by the presence of Crassula helmsii (New Zealand pigmyweed).
2025/01192/1/NMA	R	16 Whitcliffe Drive, Penarth	Non Material Amendment for extension walls to be finished in facing brickwork, replacing previously approved render and facing brickwork, of Planning Approval 2025/01192/FUL: Proposed two storey extension and single storey porch extension to front elevation, proposed single storey side extension. Proposed air source heat pump and alterations to existing fenestration
2025/01297/FUL	A	Barry Town Association Football Club, Jenner Park, Barry Road, Barry	Provision of new veranda fronting football pitch, to provide viewing platform for supporters & community functions
2026/00036/FUL	A	Goldsland Farm, Wenvoe	Create a new wildlife pond and two swales/ditches.
2026/00075/FUL	A	8 Beaumont Close, Barry	To construct new two storey extension to side of dwelling & single storey extension to rear. To retile new & existing roof and render new & existing wall.
2026/00094/FUL	A	Stourbridge House, Llysworney	Erection of timber garden shed to front garden with retainment of existing masonry wall (not boundary)

2026/00095/1/NMA	A	22 Lidmore Road, Barry	Non Material Amendment to remove existing, solid wall & replace with cavity wall, re-positioning away from existing location, gaining small increase in room width; Re-position wall away from welsh water manhole; Widen door into new garage store for improved access and addition of rooflight/lantern to flat roof. For Planning Approval 2026/00095/FUL: Removal of existing detached prefabricated garage & construction of new single storey extension to the rear of property.
2026/00159/FUL	A	Dinas Powys Common (Dinas Powys Cricket Club)	Installation of artificial cricket wicket and associated works
2026/00177/FUL	A	20 Eastgate, Cowbridge	The proposal is for a single storey extension at the rear of the residential property, to replace an existing modern extension, and the addition of a two-storey rear extension, adjoining the neighbouring listed building.
2026/00221/FUL	A	16 Gileston Road, St Athan	Drop kerb to access drive.
2026/00237/FUL	A	Harris Pye House, Units 5-6, Bona Road, Llandow Trading Estate, Llandow	Retrospective change of use from General Industrial (Use Class B2) to Sui Generis for use as an indoor go-karting facility within an existing enclosed building.
2026/00297/FUL	A	20 Coed Bach, Barry	Ground floor rear and side extension

2026/00308/FUL	A	73 Eastgate, Cowbridge	Change of use of first floor office space to residential and reinstatement of the second floor in the building to provide a bedroom.
2026/00309/LBC	A	73 Eastgate, Cowbridge	Change of use of first floor office space to residential and reinstatement of the second floor in the building to provide a bedroom.
2026/00350/1/NMA	R	36 Elfed Avenue, Penarth	Non-Material Amendment for alterations to rear windows, including a new bi-fold door, and a raised patio of Planning Approval 2026/00350/FUL: Loft conversion with rear dormer, internal & external remodelling plus new driveway and vehicular crossover
2026/00381/LAW	A	74 Murch Road, Dinas Powys	Proposed Rooflights and PV panels
2026/00415/FUL	A	Elm Tree Cottage, St Hilary	New roof, windows, doors and external cladding. Installation of solar panels, heat source pump and free-standing sauna.
2026/00417/FUL	A	Blacksmiths House, Cowbridge Road, St Nicholas	Construction of a single storey contemporary glazed extension to the rear of an existing double storey single occupancy residential property
2026/00418/FUL	A	Sonning, 19 Heol Sant Bridget, St Brides Major	Extending the garage at the front. To extend the roof line across to go above the garage with a Velux . Changing the rear flat roof to a gable roof.

2026/00423/FUL	A	11 Porth-y-castell, Barry	Proposed single-story side and rear extension with a larger external balcony
2026/00434/FUL	A	64 Celtic Way, Fontygary, Rhoose	Erect a tiled roof, single storey extension and a balcony area to the rear and side elevations with first floor access
2026/00440/FUL	A	Splott Cottage, Colwinston	Cottage renovation with new two storey side and rear extension
2026/00443/FUL	A	1 St Oswald's Road, Barry	Retrospective planning for rear dormer loft conversion
2026/00445/FUL	A	Countisbury, St. Lythans Road, St. Lythans	Retrospective application for retention of outbuilding, boundary walls and gates.
2026/00447/FUL	A	26, Wynd Street, Barry	Retrospective application to replace existing slate roof in poor condition and install 13 no. solar panels, integrated into new slate roofing, panels to be situated on front and rear pitched roof surfaces
2026/00455/FUL	A	27 Countess Place, Penarth	Proposed rear outbuilding
2026/00462/FUL	A	17 St Dyfrig Close, Dinas Powys	Two storey side extension
2026/00465/LAW	R	The Coach House, 45A Salop Street, Penarth	Use as a separate residential dwelling independent of 45 Salop Street.
2026/00477/LAW	A	Highways, 59 Broadway, Llanblethian, Cowbridge	Demolition of existing garage & rear conservatory and construction of single storey wrap around extension

2026/00478/FUL	A	7 Robinswood Crescent, Penarth	Part demolition of existing garage and construction of 2 storey side extension, single storey rear extension and front porch
2026/00482/FUL	R	118, South Road, Sully	Extend existing bungalow upwards to create an additional floor. Extend the front ground floor garage forward to create usable parking. Extensive external remodelling to suit new building mass. Addition of a new rear garden swimming pool, garden room with office / lounge / storage. Replacement of existing shed with larger shed in keeping with new design. Landscaping to suit.
2026/00485/FUL	A	The Old Chapel, College Fields Close, Barry	Replace the current unstable garden/driveway wall to match existing appearance using red imperial bricks. Resurface the current asphalt driveway with a permeable resin-bound surface.
2026/00486/FUL	R	Peartree Cottage, Beach Road, Marcross	Removal of existing dilapidated single storey double garage and lean-to store and rebuilding of new single storey double garage
2026/00490/FUL	A	2, Tan-y-fron, Barry	Single storey extensions to the side and rear, including external and internal material alterations

2026/00495/1/NMA	A	Nationwide Building Society, 21 Windsor Road, Penarth	Non Material Amendment - An amendment to the design of combined Defibrillator and Bleed kit cabinet. For planning ref 2026/00495/FUL - Installation of combined defibrillator and bleed kit cabinet to external wall of Nationwide Building Society branch
2026/00507/FUL	A	2 The Parade, Barry	Installation of roof windows
2026/00508/FUL	A	26 The Parade, Barry	Installation of roof windows
2026/00513/FUL	A	The Rear Flats, 91, Plymouth Road, Penarth	Conversion of existing ground floor flats into one extended flat - the current ground floor rear flat is to be extended with new entrance to rear.
2026/00523/LAW	A	27 Sully Terrace, Penarth	Conversion of two-storey garage to annexe ancillary to the main dwelling
2026/00525/FUL	R	35 Salop Street, Penarth	Single story extension to the rear of the property
2026/00527/FUL	A	14 Robinswood Crescent, Penarth	External alteration to windows and doors and the removal of rear conservatory. Internal reconfiguration.
2026/00528/1/CD	A	Cafe at Porthkerry Country Park, Barry	Discharge of Condition 3.(Ecology - Biodiversity Enhancement Measures) for planning ref 2026/00528/RG3 - Single storey side extension and decking to the front with alterations

2026/00538/FUL	R	102A Glebe Street, Penarth	Retrospective planning application for the replacement of the existing commercial shop front with a new aluminium-framed glazed shop front and entrance door and fascia. No change of use is proposed.
2026/00539/FUL	A	Bute House, Grove Place, Penarth	Proposed demolition of conservatory and proposed replacement porch extension. Proposed single storey side extensions to also include flat roof to existing single storey and rebuilding of boundary walls. Proposed new access, works to boundary walls and other associated development
2026/00540/FUL	A	37 Albert Road, Penarth	Conversion of existing outbuilding into a one bedroom ancillary annexe
2026/00541/FUL	R	16 Archer Road, Penarth	Loft conversion to include a small 3m wide rear dormer to accommodate a shower room, with conservation style windows to the rear, frontage of the property to remain unaltered from original.
2026/00542/FUL	A	21, St. Andrews Road, Barry	Proposed single storey, flat roof porch to front and two storey, pitched roof, side extension all finished to match existing

2026/00559/LBC	A	Docks Office, Subway Road, Barry	Replace modern rooflights; roof weathering improvements; roof access improvements; localised window renewals; minor localised internal layout alterations; partial mechanical, electrical & (above ground) plumbing (MEP) renewal; new PV installation to inner roofs; fire safety upgrading works; amendments to and addition of w/c's and other/associated minor alterations as part of the refurbishment of the building and the site.
2026/00561/LAW	R	Tyn Y Cae Cottage, Station Road, Peterston Super Ely	Breach of condition for more than 10 years of planning permission 2001/01176/FUL - Condition 1 - Agricultural Occupancy
2026/00563/FUL	R	3 Lakeside, Barry	Proposed ground floor single storey rear kitchen extension and rear dormer to roof.
2026/00564/FUL	A	289, Barry Road, Barry	Demolition of existing garage and erection of two storey side extension.
2026/00565/FUL	A	Briar Bank, 10 Beach Road, Penarth	Replacement of existing conservatory with new orangery
2026/00575/FUL	A	Clive Villa, 20 Windsor Terrace, Penarth	Proposed loft conversion with rear dormer and conservation type velux roof lights to front elevation
2026/00576/FUL	A	10 Porthkerry Road, Rhoose	Front dormer to loft conversion, side extension and alterations to ground windows to planning approval 2026/00576/FUL

2026/00580/FUL	A	11 Bradenham Place,Penarth	Proposed Internal Alterations and Rear Elevation Alterations
2026/00594/FUL	A	25 Westward Rise, Barry	First floor extension at rear of the property sitting on a previous ground floor extension, to provide additional bedroom space.
2026/00599/FUL	A	Jasna, 40 Westbourne Road, Penarth	Demolition of existing detached garage within the rear garden and construction of a replacement garage, together with the erection of a new timber pergola.
2026/00604/FUL	A	6 Rhoose Road, Rhoose	Erect a tiled roof, single extension to the rear elevation
2026/00605/FUL	A	20 Knowbury Avenue, Penarth	New front porch with balcony over, new rear dormer to first floor, internal remodelling. All finishes to match existing
2026/00607/FUL	A	117, High Street, Barry	Mixed-use conversion retaining a ground-floor commercial unit, creating one C3 studio and one four-person C4 HMO with new rear dormer and external staircase
2026/00608/LAW	A	22, Milton Road, Penarth	Proposed rear extension
2026/00610/LAW	A	32 Dunraven Close, Cowbridge	A single-storey flat-roof extension to the rear of a lawful dwellinghouse
2026/00611/FUL	A	57 Buttrills Road, Barry	Construction of a granny flat to replace existing garage

2026/00613/FUL	A	Lower Farm House, Colwinston	Conversion of existing Slaughterhouse into sitting room
2026/00615/FUL	A	82 Woodlands Road, Barry	Proposed single-storey rear extension with internal alterations, replacing existing conservatory
2026/00616/LAW	A	Ashington, 15 Trepit Road, Wick	Proposed single storey side extension, rear extension and porch designed to comply with the PD requirements.
2026/00620/FUL	A	4 Augusta Crescent, Penarth	Removal of rear single-storey lean-to. Construction of rear, single-storey, mono-pitched extension. Replacement of the side flat roof with a pitched slate roof to match the existing. Conversion of garage into home office. Rear single-storey, mono-pitched extension of existing garage.
2026/00622/LAW	A	17 Lavernock Road, Penarth	New single storey extension and dormer loft conversion both to the rear
2026/00632/FUL	A	10 Main Avenue, Peterston Super Ely	Construction of a single storey contemporary glazed orangery extension to the rear and a first floor extension above the garage of an existing double storey single occupancy property.
2026/00634/FUL	A	4 Berkley Drive, Penarth	Existing Garage conversion to a Garden Room.

2026/00637/FUL	A	7 Longmeadow Drive, Dinas Powys	Variation of Condition 2 (Plan Specification) of Planning application 2026/00120/FUL - Front, side and rear ground floor extensions plus rear dormer to first floor of an existing bungalow.
2026/00669/LAW	A	Cwm Ciddy House, Porthkerry Park Road, Porthkerry Park, Barry	Proposed alterations to rear elevation, removal of two first floor windows and install Juliet balcony, remove ground floor rear windows, enlarge openings to install doors. Removal of right-hand side chimney stack made good using tiles to match existing roof.
2026/00673/FUL	A	51 Harbour Walk, Barry	Loft conversion with a rear dormer roof extension.
2026/00687/FUL	A	3 Beech Park, Colwinston	Variation of Condition 2 (Plan Specification) of planning application 2026/00201/FUL - Proposed single storey extension to create new bedroom and ensuite
2026/00690/FUL	A	12 Heol Tapscott, Barry	Conversion of garage to habitable room complete with new window to front

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 12 NOVEMBER 2026

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. APPEALS

(a) Planning Appeals Received

LPA Reference No:	2026/00315/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-05254-Z2J3R6
Appellant:	Mr Richard Austin
Location:	**Wayside Cottage, Llwyn Nwydog Farm, Cowbridge Road, Talygarn, CF72 9JU**
Proposal:	Single-storey rear extension
Start Date:	4 September 2026

LPA Reference No:	2025/00903/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-05277-H7Z6N1
Appellant:	Mr L & Mrs G Harbison
Location:	**6 Wimbourne Close, Llantwit Major, CF61 1QW**
Proposal:	Removal of 1st floor flat roof from rear extension, lowering the eaves and replacing with a pitched roof and setting in extension at 1st floor from neighbouring boundary.
Start Date:	7 September 2026

LPA Reference No:	2025/01146/ADV
Appeal Method:	Written Representations
Appeal Reference No:	CAS-05275-H0K0Q9
Appellant:	New World Payphones
Location:	**Outside Costa Coffee, 18 Windsor Road, Penarth, CF64 1JH**
Proposal:	Installation of new digital communications kiosk with integrated defibrillator and advertising display.
Start Date:	23 September 2026

LPA Reference No:	2025/01145/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-05276-W4Z7Y2
Appellant:	New World Payphones
Location:	**Outside Costa Coffee, 18 Windsor Road, Penarth, CF64 1JH**
Proposal:	Installation of new digital communications kiosk with integrated defibrillator and advertising display.
Start Date:	23 September 2026

LPA Reference No:	2026/00119/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-05314-D1L1C7
Appellant:	Mrs Karen Hatter
Location:	**15, Borough Avenue, Barry, CF62 9UW**
Proposal:	Placing a static home on the current hard standing as additional accommodation for family members/ visitors.
Start Date:	5 October 2026

LPA Reference No:	2025/00962/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-05013-H5L7L3
Appellant:	Mr G Gough
Location:	**Hilton Farm, Big Mews Lane, Colwinston, CF71 7NJ**
Proposal:	Demolition of existing side conservatory, erection of side extension, retention of porch and change of use of property to tourist accommodation
Start Date:	6 October 2026

LPA Reference No:	2026/00146/LAW
Appeal Method:	Written Representations
Appeal Reference No:	CAS-05121-C6B0W1
Appellant:	Mr and Mrs Woods
Location:	**28 Court Close, Aberthin, Cowbridge, CF71 7EH**
Proposal:	Removal of existing fence and erection of new 1.8m high fence within domestic curtilage
Start Date:	23 October 2026

LPA Reference No:	2025/00652/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-05033-B7S4T4
Appellant:	Barry Llewelyn
Location:	**1 Galleria, The Limes, Cowbridge, CF71 7BJ**
Proposal:	Retention of rear extensions to dwelling (appeal against conditions of planning permission 2025/00652/FUL)
Start Date:	26 October 2026

(b) Enforcement Appeals Received

None.

(c) Planning Appeal Decisions

LPA Reference No:	2025/00456/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04728-G4Q4R4
Appellant:	Mr and Mrs Barnham
Location:	**The Paddocks, Home Farm, Hensol, CF72 8JY**
Proposal:	Proposed Dwelling, Landscaping, Boundary Treatments and Associated Works
Decision:	Appeal Dismissed
Date:	7 September 2026
Inspector:	G Hall
Council Determination:	Delegated

Summary
The appeal site comprised an open lawned area to the east of The Paddocks and to the south of the Vale Resort and formed part of a wider area that retained a predominantly rural character.

Sustainable location
The proposal would introduce a new dwelling in the open countryside, on a site that was not allocated for residential development. The appellants had pointed to the site's proximity to the Vale Resort, the existing buildings at Home Farm and a bus stop at Hensol Villas, with services to Cardiff and Talbot Green and contended that the site was not functionally isolated.

The Inspector considered that the relevant consideration was not simply whether development or public transport was present within the wider locality, but whether the site was sufficiently accessible to services and facilities to provide future occupiers with a realistic choice of transport modes. Access to public transport and everyday services would require travel along rural roads which had limited pedestrian infrastructure, including a lack of continuous footways and lighting. The distance and nature of these routes would be likely

to make walking and cycling unattractive for many routine journeys, particularly outside daylight hours or in adverse weather conditions.

Whilst the Vale Resort provided potential employment and leisure opportunities, it did not provide the range of everyday services and facilities that would normally support a sustainable residential location, such as convenience shopping, schools, healthcare and other community facilities.

The appellants' position would remain largely unchanged if they occupied the proposed dwelling, however the existing dwelling would remain available for occupation by a separate household and the sustainability of the development was therefore assessed on that basis. It was concluded that the proposed dwelling would represent an unsustainable form of development in the open countryside in conflict with Policies MG1, MD1 and MD2 of the LDP and the objectives of Planning Policy Wales (PPW) in respect of controlling new development in the open countryside and reducing reliance on the private car.

Character and appearance
The proposed dwelling would be single-storey and was designed to follow the gently sloping topography of the site. Whilst the Inspector accepted that the appeal site did not sit within an entirely undeveloped or remote rural landscape, the site itself remained open in character and contributed to the rural setting of the wider area and the sense of openness between the existing built form at Home Farm and the surrounding countryside. The proposal would introduce a long, sweeping built form of substantial length and its scale and spread across the site would materially reduce the existing sense of openness and introduce a significantly more domestic and developed character.

This change would be apparent to users of the public right of way passing the site and proposed planting and boundary treatments would not prevent the material change in the site's character arising from the introduction of a substantial dwelling and its associated residential setting. It was therefore concluded that the proposed development would result in an unacceptable erosion of the openness and rural character of the site, contrary to the requirements of Policies MD1, MD2, and MG17.

Biodiversity interests
The Council had provided aerial photographs which indicated a material change in tree cover across the site between 2016 and 2024. Given the site's relationship with nearby woodland, and the fact that part of the site was identified on the Ancient Woodland Inventory, that apparent change was a relevant biodiversity matter. The appeal scheme was not supported by a Preliminary Ecological Appraisal, a tree survey, or sufficient evidence explaining the extent, timing or ecological significance of any tree loss.

The submitted Green Infrastructure Statement identified measures including wildflower seeding, tree and hedgerow planting, bat and bird boxes, and habitat features. However, without a proper understanding of the site's ecological and arboricultural baseline, the Inspector was not satisfied that they would appropriately respond to the site's biodiversity interests or secure a net benefit for biodiversity. It was considered that conditions would not overcome

the absence of baseline evidence at the decision-making stage and it had not been demonstrated that the proposal would avoid unacceptable harm to biodiversity interests, or secure a net benefit for biodiversity. The proposal would therefore conflict with PPW, Future Wales Policy 9 and LDP Policy MD9.

Other Matters
Whilst acknowledging that the proposal would be a self-build dwelling and enable the appellants to remain within their local community, this did not justify a new dwelling in this unsustainable countryside location.

The Council's Affordable Housing SPG recognised that the normal requirement to pay an off-site affordable housing contribution was not applicable for self-build housing developments. Whilst the appellants had submitted a revised Unilateral Undertaking, given the Inspector's findings on the main issues, a definitive conclusion on its adequacy had not been reached. However, there was considered to be a reasonable prospect that the affordable housing matter could have been resolved through a UU that secured the SPG exemption procedure.

Conclusion
It was therefore concluded that the appeal should be dismissed.

LPA Reference No:	2024/00454/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04748-J6Z7X9
Appellant:	Mr Matthew Barker
Location:	**1, The Verlands, Cowbridge**
Proposal:	The construction of a new 2 bedroom dwelling within the existing garden of 1 The Verlands
Decision:	Appeal Dismissed
Date:	2 October 2026
Inspector:	T Leck
Council Determination:	Delegated

Summary
Character and appearance
The appeal site formed part of the curtilage associated with No. 1 The Verlands and occupied a prominent corner plot at the entrance to a housing estate which was characterised by large dwellings set within generous plots with open front gardens. The spacing between buildings, greenery and openness was considered to contribute positively to the spacious and low density character of the estate.

The proposed dwelling would sit centrally within the triangular plot and would be of a significantly smaller scale than the neighbouring dwellings. As such, it would appear at odds with the scale and massing of the prevailing large, detached dwellings and their consistent pattern of development. By virtue of its siting and scale, the proposed dwelling would read as a fragmented form of development squeezed into a small site, rather than a natural continuation of the established layout of the estate. Despite having adequate private amenity

space, it would introduce a more intensive and cramped form of development which would appear at odds with the established housing pattern and character of the estate.

Although the appeal site was enclosed amenity space as opposed to public open realm, the absence of built form within it contributed to the sense of openness within the estate. The proposed dwelling, set within a narrow plot with limited space between the dwelling and its boundary in such a visually prominent location, would reduce the openness of the site and erode the spacious character of the estate.

Most nearby dwellings shared a design and appearance typical of their period, however, the proposed dwelling would be a much smaller property, set within a constrained plot that would not reflect the established pattern of development. Whilst the proposed dwelling's simple gable form reflected nearby dwellings and would be seen in the context of Nos. 1 and 2, where a contemporary approach would not appear out of place, this did not overcome the Inspector's concerns about its siting and the resulting loss of openness.

The Inspector acknowledged the sustainable location of the proposal, however considered that not all such locations were suitable for development and the poor relationship of the proposed dwelling with its surroundings would undermine the environmental objectives of sustainable development. In conclusion, the proposed development would be harmful to the character and appearance of the area, contrary to LDP policies MD2 and MD5 and also conflict with the design guidance in Technical Advice Note 12 and the Council's Residential and Householder Development SPG.

Other Matter
The appellant had submitted an amended Unilateral Undertaking (UU) for a commuted sum in relation to the provision of off-site affordable housing which was confirmed as acceptable. As the UU was not signed or dated, it was not capable of taking effect however, as the appeal was being dismissed for other reasons, the Inspector had not sought to address this matter further.

Conclusion
It was therefore concluded that the appeal should be dismissed.

LPA Reference No:	2025/00585/FUL
Appeal Method:	Hearing
Appeal Reference No:	CAS-04714-W4S7H5
Appellant:	Mr Jonathan Field
Location:	**Oaktree Farm, Morfa Lane, Wenvoe, CF5 6AE**
Proposal:	Change of use of The Piggery, Morfa Lane, Wenvoe from agricultural/forestry use to class D1 (non-residential institution) and to include the siting of a mobile welfare unit.
Decision:	Appeal Withdrawn
Date:	5 October 2026
Inspector:	H Smith
Council Determination:	Delegated

Comment
The land has been the subject of an enforcement investigation since January 2025 regarding the unauthorised use of the land. An appeal was lodged following the refusal of planning permission on 2nd October 2025 for the change of use of the land from agriculture/forestry to class D1 (non-residential institution). The appeal was formally started by PEDW on 28th April 2026 and the Council prepared and submitted its Statement of Case on 26th May 2026. On 21st July 2026, PEDW confirmed that the appeal would proceed by way of an Informal Hearing, in accordance with the appellant's request. This was scheduled to take place as a virtual Hearing for two days, commencing on 28th October 2026.

On 5th October 2026, the Council received confirmation from PEDW that the appellant had withdrawn the appeal without providing any reason for doing so. Officers have therefore written to the appellant advising that if the unauthorised use does not cease within four weeks, enforcement action will be considered. As a result of the appellant's very late withdrawal of the appeal, officers have also submitted an application for an award of costs against the appellant to the Welsh Government, to cover the unnecessary and wasted costs which the Council has incurred in administering and preparing for the appeal.

LPA Reference No:	2025/01226/FUL
Appeal Method:	Written Representations
Appeal Reference No:	CAS-05140-T6L5H3
Appellant:	Mr Andrew Violaris
Location:	**The Cottage, Lane - Junction Ewenny Road B4265 To End At Heol-y-milwyr Track, St Brides Major, CF32 0SY**
Proposal:	Demolition of existing conservatory to create a 2 storey extension with balcony at the rear. Extension to first floor at north side to form new bedroom. Other internal refurbishment works, also thermalise existing outbuilding at North of site to create a 2 bedroom annexe.
Decision:	Appeal Dismissed
Date:	12 October 2026
Inspector:	T Leck
Council Determination:	Delegated

Summary
Principle of the annex
The appeal site was located in the countryside, as defined in the LDP. The proposed annex accommodation would be provided by converting one of the existing outbuildings at the site and would be used by visiting friends and family. Although the layout could lend itself to self-contained accommodation, the annex would still be reliant on the main dwelling for day-to-day facilities.

The Inspector was satisfied that the proposed annex would be ancillary in purpose and function to the residential use of the dwelling and would not

result in any material increase in the demand for travel or result in a new unjustified form of development in the countryside. The use of a model condition restricting the use of the annex would be appropriate and it was concluded that the proposed annex and its location would be acceptable in principle and would not cause conflict with LDP Policies MD1 or SP1, or the objectives of PPW.

Character and appearance
The dwelling was one of a row of five properties that appeared as a distinct group of rural properties of varied but mostly traditional character, set between open fields and Ogmore Down Common. The proposed first floor extensions, positioned on either side of the gable, would substantially increase the width and massing of the dwelling and would erode the rural character of the original dwelling to a degree that it would no longer be legible. The extensions would appear disproportionate in scale to the host dwelling, and this would unacceptably harm its contribution to the area's rural character.

Whilst acknowledging that the dwellings within the group had been extended and modernised to varying degrees, the Inspector considered that the group still read as a rural cluster, and the proposed extensions would diminish that character. Although one of the extensions would be partially screened by the boundary hedge, this did not justify poor design.

The Inspector considered that in the context of LDP Policy MG17, given the domestic scale of the proposal, the scheme would not materially affect the wider landscape including the broader landforms of the adjacent Castle upon Alun Special Landscape Area or Ogmore Down Common. Nevertheless, the localised visual harm identified from the extensions would be significant and the development would therefore harm the character and appearance of its rural surroundings, contrary to LDP Policy MD12 and MD2.

Other Matter
The Inspector considered the personal circumstances of the appellant however, the grant of planning permission would cause significant harm to the character and appearance of the area and result in conflict with the development plan, which would not be outweighed by these considerations.

Conclusion
It was therefore concluded that the appeal should be dismissed.

(d) Enforcement Appeal Decisions

LPA. Reference No:	ENF/2023/0081/PRO
Appeal Method:	Written Representations
Appeal Reference No:	CAS-04780-L9T3M5
Appellant:	Mr Tim Vaughan
Location:	**Land at Pant Wilkin Stables, Aberthin**

Proposal:	Without planning permission, the construction of an unauthorised commercial building, and the construction of a tarmac hardstanding / car park area.
Decision:	Appeal Allowed
Date:	4 September 2026
Inspector:	C Sweet
Council Determination:	Committee

Summary

The appeal was allowed, the enforcement notice was quashed, and planning permission was granted for the construction of a commercial building in use for equine purposes, and a tarmac hardstanding / carpark area.

The Enforcement Notice

This had alleged the construction of an unauthorised commercial building however, although used for commercial storage and general industrial purposes, the building had been in use for equine purposes prior to the Notice being issued. It was therefore considered necessary to amend the first part of the allegation to reflect the unauthorised development in place at the time the Notice was issued

The appeal on Ground (a) and the deemed planning application

Principle of Development

The appeal building was located near the southern edge of the 'Bottom Yard', part of the wider Pant Wilkin estate, which contained a number of business uses, including an established horse racing enterprise. Some distance to the north, the 'Top Yard' contained stables and an equine hospital.

There were a number of buildings of similar construction to the appeal building within the Bottom Yard, which contained multiple units and commercial uses and the Council had identified a number of refused applications, appeals and other ongoing enforcement action on the wider site. The appellant was seeking to retain the appeal building specifically for use as an equine isolation unit and the use of the appeal building could be effectively controlled by condition.

Evidence provided by Cotts Equine Ltd indicated that an isolation facility needed to be fully segregated from other operations to be effective and that existing arrangements at Pant Wilkin had led to issues with the spread of disease on several prior occasions, with resulting impacts on animal welfare and the appellant's horse racing business.

It was considered that the other commercial buildings in the Bottom Yard may be of similar construction to the appeal building and capable of being made suitable for disinfection. However, the Inspector identified that they sat within a close group of buildings set out around a busy yard and were likely to be used either for commercial purposes or for equine purposes relating to the appellant's horse racing business. Either way, the Bottom Yard was a busy working environment with a considerable level of activity and it was therefore considered that controlling access to that area and maintaining biosecurity would be impractical.

It was noted that higher ground may be preferable for long-term equine health, but there was little to suggest that the position of the appeal building would render it unsuitable for the shorter-term nature of an isolation facility. Whether or not the appellant could have sought to provide an isolation unit previously and the timing of such justification was not material to the planning merits of the building. It was acknowledged that equine uses require a rural location and other available buildings at Pant Wilkin would not provide the degree of separation and control over access provided by the appeal building, which would be necessary for them to function as an effective isolation facility. It was therefore concluded that subject to conditions, the development was acceptable in principle and complied with LDP policies SP1 and MD1 and the aims of PPW.

Character and Appearance
It was identified that due to its positioning, the surrounding topography and the presence of natural screening, views of the appeal building and hardstanding area were largely limited to close range and a number of points further away along nearby public rights of way and from Stalling Down. Its construction and appearance were considered to reflect that of the other commercial buildings to some degree however, the inclusion of multiple large roller shutters in its front elevation caused the building to appear unduly industrial when viewed in context with the rural appearance of the other commercial buildings. The extent of hard surfacing within the car park area served to exacerbate this effect and caused the development to appear incongruous and was harmful to the established rural character of the area.

It was agreed however, that a condition requiring a scheme of external alterations for approval, incorporating the infilling of 3 roller shutters, along with changes to the car park to incorporate necessary drainage would serve to soften these effects and avoid any harm to the character and appearance of the area. Subject to such a condition, it was therefore concluded that the development would not harm the character and appearance of the area and complied with LDP policies SP1, SP10, MD2 and MG17.

Other matters and conditions
The Inspector acknowledged the fallback position in the form of planning permission for an agricultural building on the appeal site under ref. 2022/00502/FUL. However, given that the location of the appeal building would obstruct implementation of that permission, and the appeal building was found to be acceptable on its merits, this did not need to be considered further. The Inspector considered it necessary to impose a number of conditions to restrict the use of the building to equine purposes and to require the submission of a scheme of biodiversity enhancement and schedule of external alterations to the building and hardstanding.

Conclusion
It was therefore concluded that the appeal on ground (a) should succeed and the Notice was quashed and planning permission granted for the building.

(e) April 2026 – March 2027 Appeal Statistics

		Determined Appeals			Appeals withdrawn /Invalid
		Dismissed	**Allowed**	**Total**	
Planning Appeals (to measure performance)	**W**	8	-	8	1
	H	-	-	-	1
	PI	-	-	-	-
Planning Total		(100%)	(0%)	8	2
Committee Determination		-	-	-	-
Other Planning appeals (inc. appeal against a condition)		-	-	-	1
Enforcement Appeals	**W**	-	1	-	-
	H	-	-	-	1
	PI	-	-	-	-
Enforcement Total		-	1	1	1
All Appeals	**W**	8	1	9	1
	H	-	-	-	2
	PI	-	-	-	1
Combined Total		(89%)	(11%)	9	4

Background Papers

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

Contact Officer:

Sarah Feist - Tel: 01446 704690

Officers Consulted:

HEAD OF SUSTAINABLE DEVELOPMENT

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **12 NOVEMBER 2026**

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

4. TREES

(a) Delegated Powers

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

Decision Codes

A - Approved R - Refused
E Split Decision

2026/00112/TPO	R	1 The Grange, Earl Road, Penarth	Work to Tree covered by TPO No. 03 of 1995: T4 Oak - Fell and treat stump with eco-plugs, located in the rear garden of 1 The Grange.
2026/00590/TCA	A	Gileston Cottage, Gileston	Work to Tree(s) in a Conservation Area: Scots Pine (Pinus sylvestris). Heavily reduce crown from reduction points.

2026/00624/TCA	A	Land Adjacent to Railway, Peterston Super Ely	Work to Tree(s) in a Conservation Area: Ash trees, 0-4m clearance from the nearest running rail including 4 DDD trees Any DDD trees which are removed will be replaced within the same vicinity of where they have been felled.
2026/00647/TCA	A	The Bower, High Street, Llantwit Major	Work to Tree(s) in a Conservation Area: Black Locust Tree cut back to monolith.
2026/00650/TPO	R	Cowbridge Comprehensive School, Aberthin Road, Cowbridge	Work to Tree(s) covered by a Tree Preservation Order No 04 of 2019 - Yew tree T15 -shorten lateral branches (up to a height of 6m above existing ground levels) extending to the north and northeast by approximately 2m, pruning back to suitable growing points in order to provide suitable clearance (approximately 2.5m) from rear wall of dwelling in proposed Plot 1
2026/00652/TCA	A	Southgate Cottage, 2 Holmesdale Place, Penarth	T1 Lime on pavement - Reduce overhanging crown back to suitable lateral branches using natural target pruning as per BS3998 2010.

2026/00665/TCA	A	1 Well Walk, Barry	Work to Tree(s) in a Conservation Area: T1 Eucalyptus, reduce crown by 30%.
2026/00674/TCA	A	Hillview, Llanmaes	Work to Tree(s) in a Conservation Area: T1 & T2 ash - reduce to approx 4m pollard, T3 copper Beech - 2-2.5m reduction, T4 Box alder- 2.5m reduction, T5 birch - 1m reduction
2026/00675/TCA	A	The Buffers, Cardiff Road, Cowbridge	Work to Tree(s) in a Conservation Area: T1 Alder - removal, T2 Ash - Crown raise to 3.5m approx to clear hedge and BT line, G1 Sycamore- reduction by 2.5-3m and rebalance canopy.
2026/00676/TCA	A	Brynheulog, Llangan	Work to Tree(s) in a Conservation Area: G1 hedgerow dead/dying elm and pittosporum, coppice back to hedgerow.
2026/00677/TPO	R	12, The Mount, Dinas Powys	Work to Tree(s) covered by Tree Preservation Order No. 14 1973: 2 sycamore trees at the rear of the property. proposed works - for the trees to be felled.
2026/00683/TCA	A	Cairnoak, 6 Heol Ty Mawr, Pendoylan	Work to Tree(s) in a Conservation Area: Removal of Lawson's Cyprus- Pine due to it getting too big and is very close to the house.

2026/00698/TPO	A	9 Orchid Meadows, Wenvoe	Work to tree covered by TPO 13/T002 Ref 403 (yr 2013): Minor crown lift for the Oak tree (Quercus Robur)
2026/00718/TCA	A	Land to the rear of Quarry Bank, 1 Factory Road, Llanblethian, Cowbridge	Fell previously pollarded Sycamore and fell two previously pollarded ash trees

Agenda Item No. 9

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 12 NOVEMBER 2026

REPORT OF THE HEAD OF SUSTAINABLE DEVELOPMENT

9. PLANNING APPLICATIONS

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.

2024/00953/HYB Received on 9 January 2025

APPLICANT: Foreland Enterprise Ltd Fonmon Castle, Fonmon, Vale of Glamorgan, CF62 3ZN
AGENT: Mr Geraint John Office 16 (House 1, 2nd Floor), The Maltings, East Tyndall Street, Cardiff, CF24 5EA

Fonmon Castle, B4265 Llancadle to Penmark, Fonmon

Application to facilitate the continued restoration of Fonmon Castle and Estate, comprising of the following: Site 1: Full Application: for lodge development, all weather car park, (change of use for) live events field, regularisation of attraction footprint (for seasonal events), and associated works on land at/to the west of Fonmon Castle and the Castle Grounds. Site 2: Outline Application: for the erection of Estates Office and Stores, Central Hub Area (comprising of Education Centre, Guest Services Building and Interpretation Centre), and Admissions, Restaurant and Retail, and associated works on land to the north of Fonmon Castle and the Castle Grounds'

REASON FOR COMMITTEE DETERMINATION

A Planning Committee determination is required under the scheme of delegation because it constitutes major development.

EXECUTIVE SUMMARY

The application site comprises land at Fonmon Castle and part of its estate. The Castle is a Grade I listed building and there are other listed buildings within its grounds, as well as it being a Grade II Registered Historic Park and Garden. It is proposed to utilise a new vehicular access directly off the B4265, albeit this is already consented and not part of this application.

This hybrid planning application seeks to secure the long-term viability of Fonmon Castle and Estate through a package of tourism, leisure and estate management developments. Full planning permission is sought for a holiday lodge development (79 lodges, 11 touring pitches and 12 bell-tent pitches), an all-weather 350-space car park, a live events field and the regularisation of seasonal attraction areas.

There were 9 public representations received, all of which either objected or raised concerns about the proposals. The concerns related primarily to access, traffic congestion, and highway safety, as well as impacts related to residential amenity, heritage assets, and ecology.

Following consideration of the above impacts, as well as, crucially, the principle of the development in relation to planning policy, its location, visual and landscape impact, and economic benefit, Officers consider that in view of the limited environmental impacts, the proposals accord with the Local Development Plan and that the planning balance weighs in its favour. Officers recommend the application is approved, subject to conditions, and the applicant entering into legal agreement to secure policy-compliant planning obligations are met and net profits from development of the holiday lodge development are reinvested at the site.

SITE AND CONTEXT

The application site relates to Fonmon Castle, which is located within a Registered Park and Garden (Grade II listed). There are several other listings at the site, as follows:

- Castle Grade I
- Watchtower Grade II*
- Stable Grade II
- Retaining walls of South Garden Grade II
- Walls of walled gardens Grade II

In addition to the listed buildings etc. there are numerous locally designated County Treasures and areas of archaeological interest.

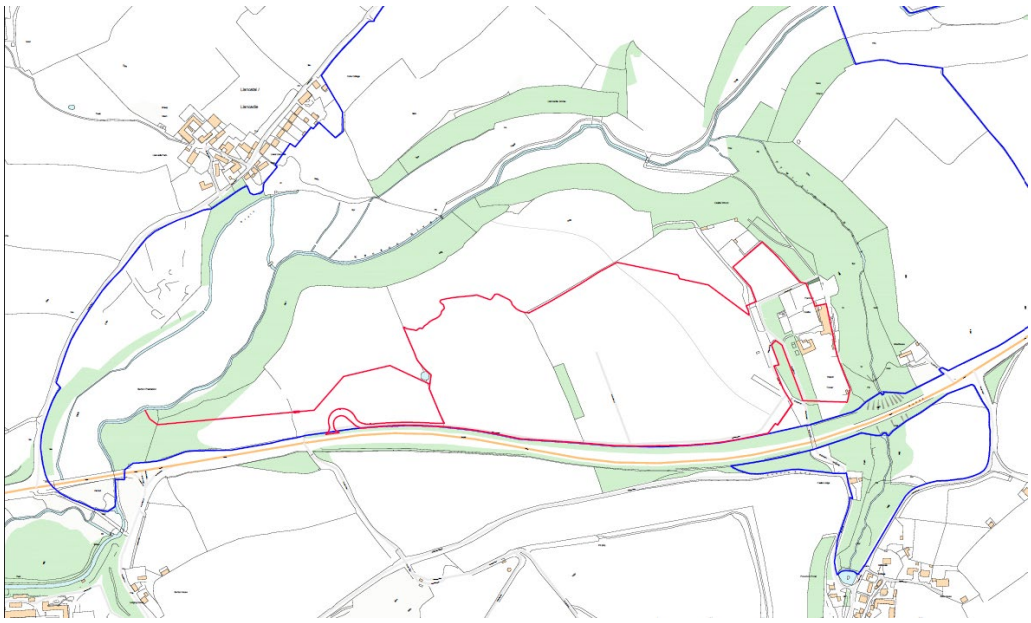
To the north of the site is the Kenson River and its floodplain is susceptible to flooding. The areas adjacent to the river are inside FMfP Flood Zone 3.

There is a public footpath that runs through the site from the south-east to the north-west.

The site is located within the Nant Llancarfan Special Landscape Area (SLA). A section of the site is located within a category two minerals safeguarding area for sand and gravel whilst the entirety of the site is located within a category two area for limestone.

There are six Sites of Importance for Nature Conservation (SINC's) on the Fonmon estate as follows:

- Castle Wood – Broadleaved woodland
- Land south of Llancadle – Coastal Grazing Marsh
- Llancadle – Neutral (Lowland Meadows) and Calcareous (Lowland Calcareous Grassland)
- Llancadle Gorse – Broadleaved woodland
- Kenson Wood – Broadleaved woodland
- Land adjacent to Kenson Wood – Neutral (Lowland Meadows)



DESCRIPTION OF DEVELOPMENT

This hybrid planning application seeks to secure the long-term viability of Fonmon Castle and Estate through a package of tourism, leisure and estate management developments.

Full planning permission is sought for a holiday lodge development (79 lodges, 11 touring pitches and 12 bell-tent pitches), an all-weather 350-space car park, a live events field and the regularisation of seasonal attraction areas. The applicable site area is shown shaded orange below.

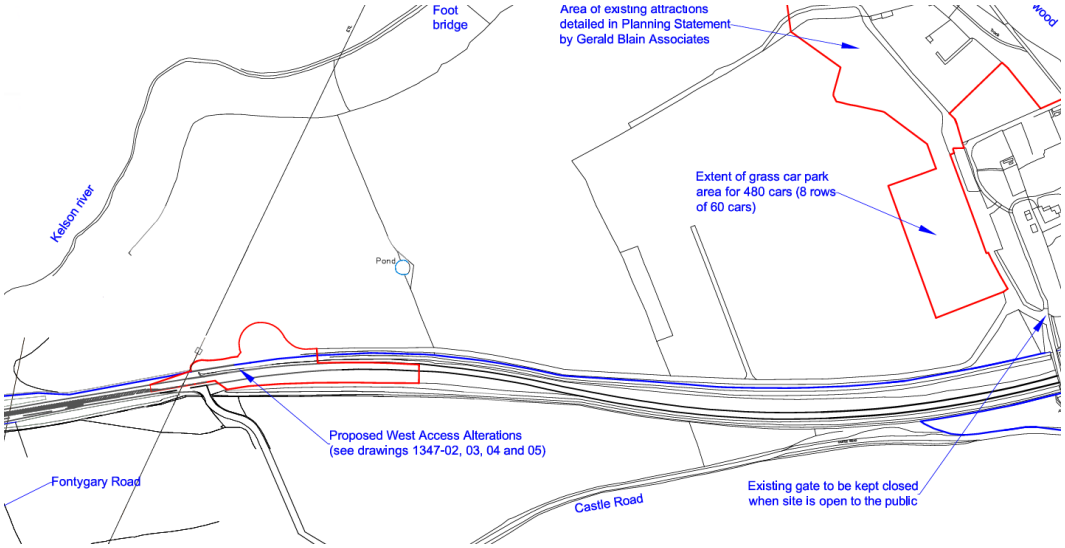
Outline permission is sought for a 'Central Hub' comprising education, interpretation, guest services, restaurant and retail facilities, together with a new estate office and storage building. The proposals are intended to diversify income streams, support heritage conservation, expand the tourism offer and provide facilities necessary for the ongoing management and maintenance of the Grade I listed castle, the commercial enterprise operating there, and its estate. The applicable site area is shown shaded blue, below.

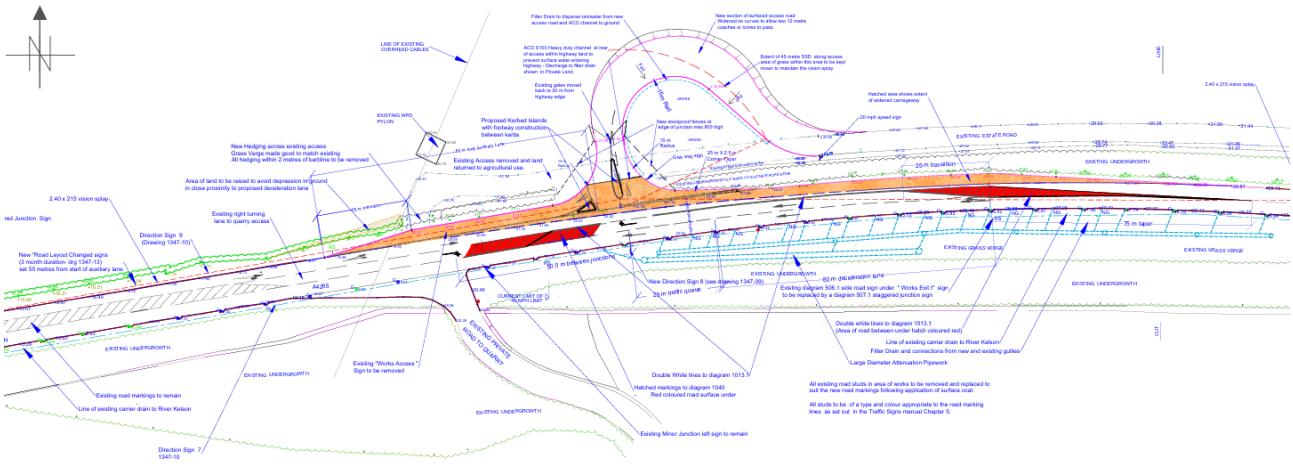


Application Boundaries (Full App in Orange, Outline App in Blue)

In respect of the outline proposals, all matters are reserved, apart from access.

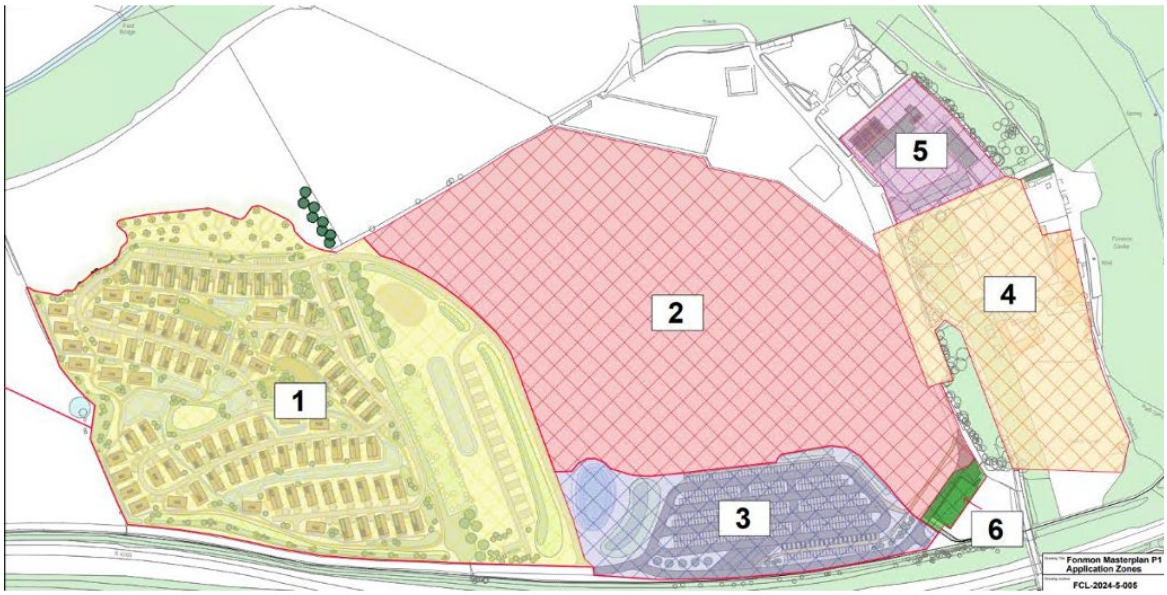
The proposed primary vehicular access would be via a consented (ref: 2020/01543/FUL) but not yet constructed new access directly from the B4265. The access does not form part of this application, but images are appended below for reference: -





WEST END OF WORKS AT ENTRANCE

The proposals are multi-faceted, and the applicant has, for descriptive purposes, bundled development into six ‘zones’, as shown below.



Proposed Development Application Zones

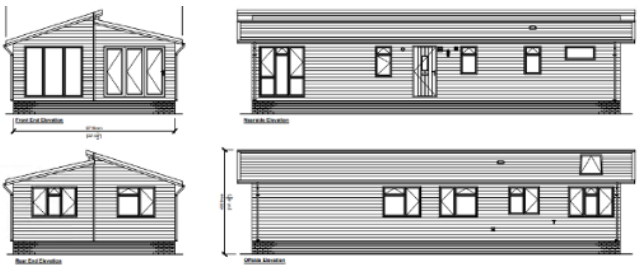
Zone 1: Holiday Lodge Development

In this area, tourism accommodation is proposed comprising:

- 79 lodge bases (inc. 9 accessible lodges)
- 11 touring caravan pitches
- 12 seasonal bell-tent pitches
- 2 toilet/shower blocks
- 2 bin stores
- Communal spaces and play areas

The lodges would meet the legal definition of a (twin-unit) caravan but would otherwise function as lodges for all intents and purposes, with timber-effect finishes, and as noted in the applicant's planning statement, some would have green roofs, and all photovoltaic panels.

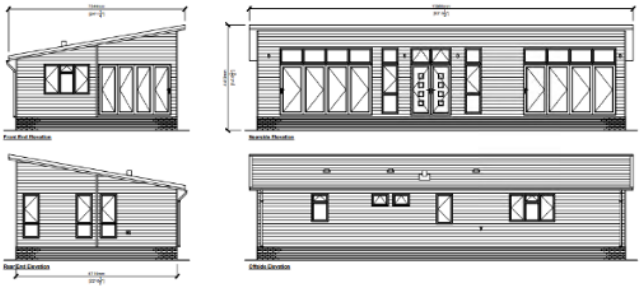
The design of the proposed lodges is illustrated below: -



Lodge Style A - Acessible



Lodge Style C



Lodge Style B



Lodge Style D





There are also SuDS features and extensive landscaping inc. tree planting proposed in this area.

The proposed layout is shown below:-



Zone 2: Live Events Field

In this area, a formal designation of an existing grass field for large-scale outdoor events is proposed, with examples including:

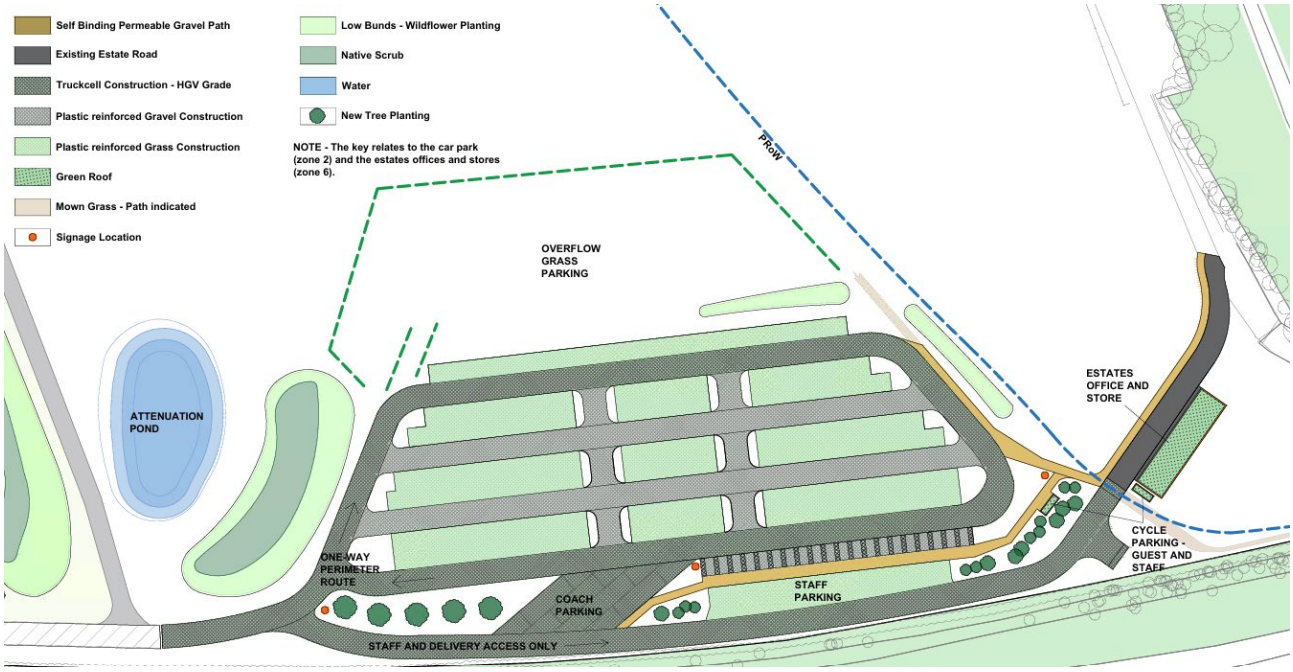
- Agricultural shows
- Car shows
- Jousting events
- Polo matches

No permanent built development is proposed here; the application primarily seeks a change of use to regularise, and expand, event usage currently undertaken with the benefit of permitted development rights for temporary events and uses.

Zone 3: All-Weather Car Park

In this area, the provision of an all-weather car park is proposed comprising of c.350 spaces, coach parking, visitor parking, and event parking. It has been designed with permeable surfaces, wildflower planting and surrounding bunding.

No specific details of site lighting are provided; however, the applicant's agent has indicated that any external lighting would be angled downward to minimise any external light disturbance and activated by passive infrared and baffled to avoid any unnecessary lateral or vertical light spill.



Examples of Signage, Lighting & Car Park Material



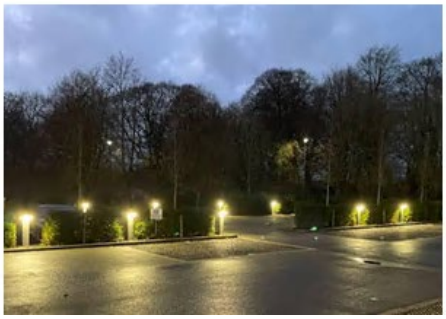














Zone 4: Attraction Seasonal Events Area

The application also seeks regularisation of existing seasonal attractions and associated temporary installations including:

- Christmas events and illuminations
- Halloween attractions
- Seasonal visitor experiences

Zone 5: Central Hub Development

Proposals in this area are put forward in outline. It would be for a visitor-focused hub situated north of the castle grounds containing:

- Interpretation, Retail and Guest Services Building
- Education Building
- Restaurant

These facilities would provide educational space and classrooms, exhibition and interpretation facilities, visitor reception and guest services, staff accommodation and operational facilities, catering areas, and ancillary retail opportunities.

The development is intended to support growth of the attraction and archaeological education programme.

An indicative layout of this area is shown below: -



It is advised that development parameters in this area would be:

- Interpretation, retail, and guest services: 31m x 30m x 4m – with 2m linking canopy;
- Education Centre: Varies 12.8-18m x 22.6-28.6m x 4mH
- Restaurant: 11m x 50m x 4mH

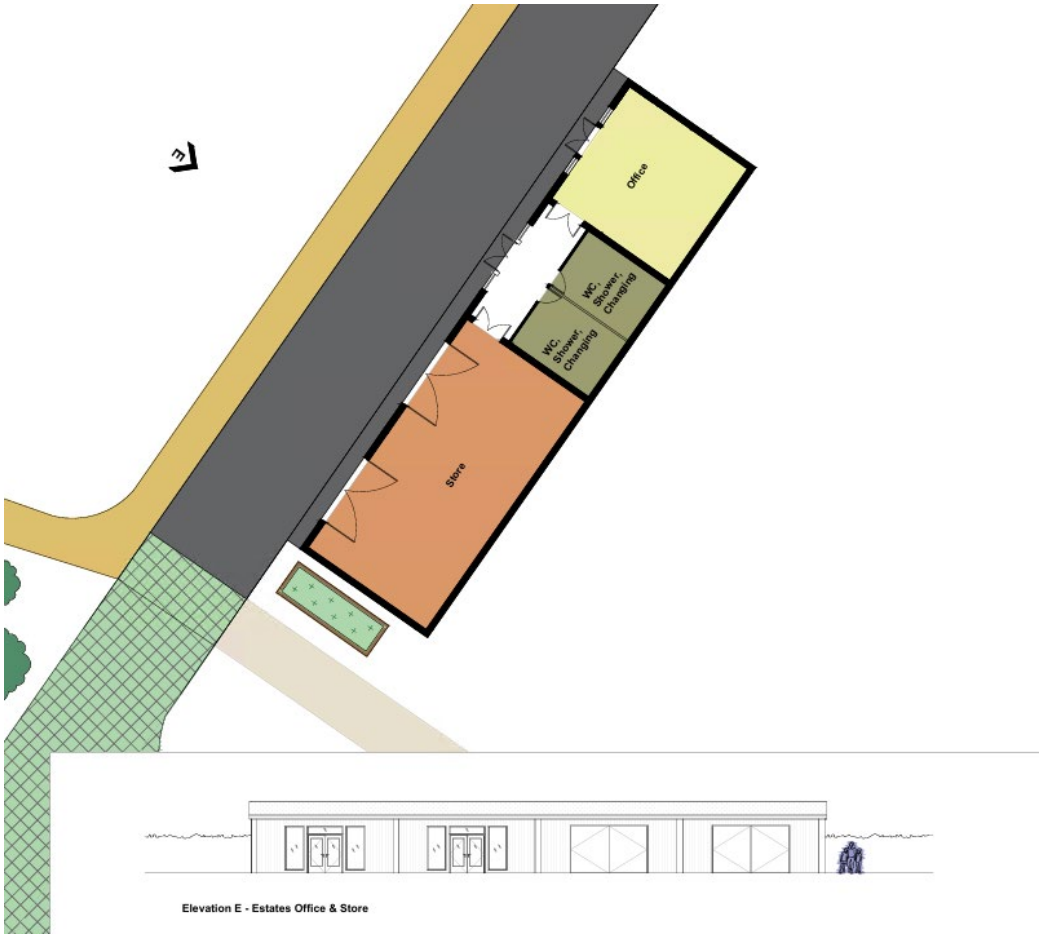
Zone 6: Estate Office and Store

Proposals in this area are put forward in outline. Here, a new estate management facility is proposed comprising:

- Estate offices
- Changing rooms and toilets
- Estate storage buildings

The application documents state that this is located near the approved estate access to improve operational efficiency and remove service functions from the immediate area/ setting of the Grade I listed castle.

Indicative plans of this area are shown below: -



It is advised that development parameters here (Estates Office & Store) would be a maximum of 30.3m x 8.2m x 4m in height.

PLANNING HISTORY

1995/00818/FUL, Address: Fonmon Castle, Fonmon, Nr. Barry, Proposal: Use of part of castle to hold wedding ceremonies, Decision: Approved

2004/01616/LBC, Address: Fonmon Castle, Fonmon, Rhoose, Proposal: Roof repairs, Decision: Approved

2006/01618/LBC, Address: Fonmon Castle, Rhoose, Proposal: Roof repairs including eradication of rot and beetle damage, incorporation of new steelwork, maintenance hatches and new slate roof covering, Decision: Approved

2010/00949/LBC, Address: Fonmon Castle, Fonmon, Nr. Barry, Proposal: Proposed work will involve emergency repair to the building's fabric. This includes timber truss and beam repairs, repair and replacement of stone casement windows, replacement of timber lintels, localised consolidation of loose sections of masonry and repair of the south elevation stonework and rainwater goods, Decision: Approved

2012/01054/LBC, Address: Fonmon Castle, Fonmon, Barry, Proposal: Roof repairs including eradication of rot and beetle damage, incorporation of new steelwork, maintenance hatches and new slate roof covering - re-submitted of previous approved application No. 2006/01618/LBC, Decision: Approved

2013/00733/LBC, Address: Fonmon Castle, Fonmon, Proposal: Repairs to four roofs at Fonmon Castle and associated alterations, Decision: Approved

2013/01102/LBC, Address: Fonmon Castle, Fonmon, Nr. Rhoose, Proposal: Roof repairs to brew house roof, Decision: Approved

2017/00143/FUL, Address: Fonmon Castle, Fonmon, Proposal: Seasonal change of use of part of curtilage (April to October inclusive) to permit erection of marquee in connection with wedding receptions / social events, Decision: Approved

2020/00089/FUL, Address: Land North of Fonmon Castle, Proposal: Change of use of the land for an events area – to include a tipi, catering tent, toilets, games lawn, smoking area and festoon lighting, Decision: Approved

2020/00090/FUL, Address: Land to the East of the Walled Garden, Fonmon Castle, Proposal: Erection and installation of boiler house / biomass facility, Decision: Approved

2020/01543/1/CD, Address: Fonmon Castle, Fonmon, Proposal: Discharge of Condition 2 (Conservation Management Plan). Planning permission ref: 2020/01543/FUL - Development comprising new access, overflow carparking area, outdoor seating area, children’s play area, medieval village / events space and educational dinosaur walk to create family events venue, Decision: Approved

2020/01543/FUL, Address: Fonmon Castle, Fonmon, Proposal: Development comprising new access, overflow carparking area, outdoor seating area, children’s play area, medieval village / events space and educational dinosaur walk to create family events venue, Decision: Approved

2022/00391/FUL, Address: Fonmon Castle, Fonmon, Proposal: Erection of temporary seating and catering structures at Fonmon Castle, Decision: Approved

2023/01105/FUL, Address: Fonmon Castle, Fonmon, Proposal: Variation of Condition 6 (Access) of Planning Approval 2020/01543/FUL: Development comprising new access, overflow carparking area, outdoor seating area, children's play area, medieval village / events space and educational dinosaur walk to create family events venue. Decision: Approved.

2024/00198/FUL, Address: Fonmon Castle, Fonmon, Proposal: Retention of temporary seating and catering structures, Decision: Approved

2026/00480/FUL, Address: Fonmon Castle, Fonmon, Proposal: Variation of Condition 5 (Access) of Planning Approval 2023/01105/FUL. Decision: Approved.

CONSULTATIONS

Civil Aviation Authority – no response.

VoGC Highway Authority initially requested further/ revised information relating to the transport modelling and the availability of bus services. After this information was provided, they stated no objection, subject to planning conditions requiring the submission of engineering details for the proposed access and car park, and the upgrading of existing bus stops along the B4265 to include raised access kerbs.

VoGC Public Rights of Way Officer did not object and provided advisory notes concerning the PRoW No.6 Penmark (footpath) that runs diagonally through the site, namely that it must be kept open and available for safe use by the public at all times, and that if a temporary closure is required, an order should be sought under the Road Traffic Regulation Act 1984.

South Wales Fire and Rescue Service stated no objection, and no comment in relation to access for fire appliances. They advised the developer to consider the need for adequate water supplies for firefighting purposes and access for fire appliances. They also provided standing advice about climate change, wildfire risks, and fire risk.

VoGC Drainage Section (SAB) stated that the site is not considered to be at risk of fluvial or tidal flooding, and NRW flood maps (TAN15 2004) indicate that this site is at a very low risk of surface water flooding.

They noted that a preliminary drainage strategy has been provided suggesting the use of infiltration basins for the proposed lodge and car park for the full application component, however, no drainage information has been provided for the proposed developments of the outline component, and that a SAB application has not yet been received for either part.

They also advised that the development 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.

VoGC Tourism & Marketing Officer stated:-

"As Tourism Officer, I recognise and support the overarching objective of the Fonmon Castle business plan—to secure the long-term future of the estate through diversified, sustainable income streams and enhanced visitor infrastructure. The plan clearly identifies that increased commercial activity, including accommodation, events and improved facilities, is necessary to address ongoing maintenance costs and ensure the preservation of this significant heritage asset.

The business plan also demonstrates the potential economic and tourism benefits of the proposals, including increased visitation, year-round activity, job creation, and wider local spend. The introduction of high-quality overnight accommodation is positioned as a key element in encouraging longer stays and strengthening the Vale of Glamorgan's tourism offer, which is currently heavily reliant on day visitors.

However, while acknowledging these strategic and economic benefits, there are concerns regarding the scale and density of the proposed lodge development within such a sensitive rural historic estate. Although the plan describes the accommodation as "low impact", landscape-led and of high quality, it also proposes a substantial number of units (including 89 lodge bases alongside other accommodation types), which raises questions about the cumulative effect on the character and setting of the estate.

The appeal of Fonmon Castle as a tourism destination lies fundamentally in its heritage significance, landscape character and strong sense of place. There is a risk that a high concentration of lodges could introduce a more commercial, holiday-park character, which may undermine the distinctive visitor experience that the business plan itself aims to promote and sustain. This tension between commercial viability and heritage preservation is a key consideration arising from the proposals.

In light of this, I would suggest that the lodge development is carefully reviewed in terms of density, spatial arrangement, and integration within the landscape. A reduction in the number of units, alongside enhanced spacing, layout refinement and robust landscape screening, should be explored to ensure that the development remains clearly secondary to the castle and its historic setting. This would better align the delivery of new income-generating uses with the core mission of safeguarding the estate's heritage and maintaining its unique tourism appeal."

Shared Regulatory Services (Environment) requested planning conditions related to unforeseen contamination, imported soil and aggregates, site won materials, and provided advisory notes related to contamination and unstable land.

Cardiff Airport (Safeguarding) – no response.

VoGC Conservation Officer initially raised concerns, however following the submission of revised proposals and additional information, did not object subject to the inclusion of planning conditions that required the removal of structures in the central events area, structures in the season events area being temporary, details of materials for the new buildings, hard surfaces, and boundaries, details of landscaping, control over access routes, parking spaces and signage, and a management plan for restoration of the live events field.

Whilst concerns were expressed regarding the scale of the all-weather car park and the siting of the proposed Estates Office and Store within the historic parkland setting, it was considered that impacts upon the setting of Fonmon Castle can be appropriately mitigated through the detailed design and inclusion of conditions relating to the above matters.

Heneb, The Trust for Welsh Archaeology stated that the proposal will require archaeological mitigation and initially recommended deferral of determination until a report on the archaeological evaluation had been submitted.

Following the submission of the evaluation report, Heneb stated no objection, advising that the site has high archaeological potential but that the mitigation strategy and Written Scheme of Investigation are appropriate, with archaeological works to be secured for development areas and by condition where necessary.

They advised that no mitigation is required for Zones 2 and 4 where no ground disturbance is proposed. Archaeological mitigation for development areas (Zones 1, 5 and 6) should be secured in accordance with the submitted WSI, while mitigation for deeper groundworks associated with Zone 3 (car park utilities) can be secured by condition.

Cadw (Historic Gardens) acknowledged several design improvements, including the revised estate building, car park surfacing proposals, and relocation of overflow parking. However, although they did not specifically object, they maintained that the application was inadequately documented, and further clarification on the use of the materials for the access and parking facilities was required, and why some of the proposed facilities could not be accommodated within, or adjacent to, the proposed lodge development.

Appropriate planning conditions are recommended to secure final details of surfacing materials, signage and lighting.

Cadw raised no objections in relation to impacts on the settings of Scheduled Monuments.

Welsh Historic Gardens Trust – no comments received.

Dwr Cymru / Welsh Water did not object and provided advisory notes related to the regulatory requirements for non-mains foul sewerage disposal, surface water (SuDS) regulations, as well as asset protection and water supply.

VoGC Ecologist did not object, but noted some areas of concern, namely the potential for impact on water quality in the Kenson river basin, advised that they were included in any discussions concerning implementation of the access (2020/01543/FUL) as the B4265 road verges qualify as SINC habitat, and recommended further details of the number and location of bat/bird boxes, a Landscape, site lighting, and an Ecological Management Plan (LEMP) were provided as part of planning conditions.

Natural Resources Wales (NRW) did not object and stated their concerns could be overcome through the imposition of a planning condition requiring submission and approval of a lighting strategy, in the interest of maintaining areas of dark habitat for bats. They also advised the following: -

Foul drainage: they raised no further concerns, noting that the applicant would need to apply for an environmental permit for the foul drainage system.

Flood risk: They noted that parts of the site were liable to flooding but, given the limited extent, the flood risk could be acceptable subject to the developer being made aware of it.

Shared Regulatory Services (Pollution) stated no objection subject to the continued 21:00 finish time for amplified music and the preparation and maintenance of a formal Noise Management Plan, incorporating a structured and adaptable framework for managing sound emissions, including clear procedures for event planning, any monitoring, complaint handling, and post-event review.

Cllr G Bruce stated that "*local Councillors have been hearing from residents in the locality that the noise levels from events can be extremely high when events take place. This issue is not with the event but the prolonged noise level and the levels of traffic through the Hamlet. Please could this be taken into consideration when looking at this application.*"

REPRESENTATIONS

The neighbouring properties were notified on 17th January 2025.

A site notice was also displayed on 5th February 2025.

The application was also advertised in the press on 23rd January 2025.

Representations received included 7 objections and 2 comments, and raise the following issues:

There are no adequate public transport/ active travel links to Fonmon Castle and the development conflicts with transport policies in Future Wales, PPW12, TAN18 and the Active Travel Act.

Inadequate vehicular access, traffic management and resultant congestion, with issues caused in the Fonmon area when events are held. Suggested utilising the B4232 access for left turn and the quarry access for right turn and that the application should not be considered before an alternative access has been constructed and in operation.

Concerns about extra traffic and safety of proposed access in Barry/Weycock Cross, on B4265 and in East Aberthaw and Llancadle, as well as construction traffic.

Inadequate car parking.

Increased air, noise and light pollution, litter, and public security, particularly from the inclusion of camping facilities and the potential for larger or more frequent (uncontrolled) events, noting facilities were sited closer to Llancadle where the valley will amplify sound. Lack of site management details and noise assessment report.

Concerns the lodges might become permanent residences.

Loss of green space, impact on open countrywide and landscape (Special Landscape Area).

Detrimental impact on Fonmon Castle - Grade 1 listed building and the registered park and garden.

The potential of encountering archaeological remains during the works.

The development is not allocated within the Local Development Plan.

Detrimental effect on wildlife such as birds, bats, trees, ancient woodland, flora, nearby Sites of Importance for Nature Conservation, and the environment generally, including from overnight guests and increased use pressure on local woodland/ habitats. Contrary to the VoG Nature Emergency Policy.

Objection to increase of visitors.

The viability of the business should not outweigh other environmental/ planning considerations.

Impact on valuable farming land.

Concerns about impact on footpath users inc. access (esp. during live events in the field 'Zone 2'): PROW P4/6/2 is part of the popular 'Valley of the stags' walk – Valeways Walk 17, enjoyed by walking groups and residents.

REPORT

Planning Policies and Guidance

Local Development Plan:

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

Strategic Policies:
POLICY SP1 – Delivering the Strategy
POLICY SP7– Transportation
POLICY SP9 – Minerals
POLICY SP10 – Built and Natural Environment
POLICY SP11 – Tourism and Leisure

Managing Growth Policies:
POLICY MG17 – Special Landscape 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
POLICY MG22 – Development in Minerals Safeguarding Areas
POLICY MG29 – Tourism and Leisure Facilities

Managing Development Policies:
POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
POLICY MD3 - Provision for Open Space

POLICY MD4 - Community Infrastructure and Planning Obligations
POLICY MD7 - Environmental Protection
POLICY MD8 - Historic Environment
POLICY MD9 - Promoting Biodiversity
POLICY MD13 - Tourism and Leisure

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

Future Wales: The National Plan 2040:

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

Chapter 3: Setting and achieving our ambitions

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

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

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

Chapter 5 – The Regions

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

Policy 1 – Where Wales will grow

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

Policy 4 – Supporting Rural Communities

- Supports sustainable and vibrant rural communities.

Policy 5 – Supporting the Rural Economy

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

Policy 8 – Flooding

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

Policy 9 – Resilient Ecological Networks and Green Infrastructure

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

Policy 10 – International Connectivity

- New development around strategic gateways should be carefully managed to ensure their operation is not constrained or compromised.

Policy 11- National Connectivity

- Where appropriate, new development should contribute towards the improvement and development of the National Cycle Network and the key links to and from it.

Policy 12- Regional Connectivity

- Priority in urban areas is improving and integrating active travel and public transport.
- Priority in rural areas is supporting the uptake of ULEV vehicles and diversifying and sustaining local bus services.
- Active travel must be an essential and integral component of all new developments.
- New development and infrastructure should be integrated with active travel networks and where appropriate ensure new development contributes towards their expansion and improvement.
- Where car parking is provided for new non-residential development a minimum of 10% of car parking spaces should have electric vehicle charging points.

Policy 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
- Sustainable Management of Natural Resources
- Placemaking in Rural Areas
- Accessibility
- The Best and Most Versatile Agricultural Land
- Development in the Countryside
- Supporting Infrastructure

Chapter 4 - Active and Social Places

- Transport
- Activities in Places (retail and commercial development)

Chapter 5 - Productive and Enterprising Places

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

Chapter 6 - Distinctive and Natural Places

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

Technical Advice Notes:

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

- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)

- Technical Advice Note 11 – Noise (1997)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 13 – Tourism (1997)
- Technical Advice Note 15 – Development, Flooding and Coastal Erosion (2025)
- Technical Advice Note 18 – Transport (2007)
- Technical Advice Note 24 – The Historic Environment (2017)

Welsh National Marine Plan:

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

Supplementary Planning Guidance:

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

- Biodiversity and Development (2018)
- County Treasures
- Design in the Landscape
- Minerals Safeguarding (2018)
- Parking Standards (2019)
- Planning Obligations (2018)
- Public Art in New Development (2018)
- Sustainable Development - A Developer's Guide
- Tourism and Leisure Development (2019)
- Travel Plan (2018)
- Trees, Woodlands, Hedgerows and Development (2025)

Other relevant evidence or policy guidance:

- Manual for Streets (Welsh Assembly Government, DCLG and DfT - March 2007)
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Welsh Office Circular 11/99 – Environmental Impact Assessment
- Welsh Office Circular 13/97 - Planning Obligations

- Sch. 13 Para 90 of the Historic Environment (Wales) Act 2023 set out that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 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.

- Welsh Government Circular 008/2018: Planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants.

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

Planning Policy

The application site falls outside of the settlement boundaries defined by the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

Policy MD1 (Location of New Development) is the most relevant policy for development in the countryside, and it states that new development on unallocated sites should:

1. Have no unacceptable impact on the countryside;
2. Reinforce the role and function of the key settlement of Barry, the service centre settlements, primary settlements or minor rural settlements as key providers of commercial, community and healthcare facilities;
3. Where appropriate promote new enterprises, tourism, leisure and community facilities in the Vale of Glamorgan;
4. In the case of residential development, support the delivery of affordable housing in areas of identified need;
5. Have access to or promote the use of sustainable modes of transport;

6. Benefit from existing infrastructure provision or where necessary make provision for new infrastructure without any unacceptable effect on the natural or built environment;
7. Where possible promote sustainable construction and make beneficial use of previously developed land and buildings;
8. Provide a positive context for the management of the water environment by avoiding areas of flood risk in accordance with the sequential approach set out in national policy and safeguard water resources; and
9. Have no unacceptable impact on the best and most versatile agricultural land.

Policy MG7 (Provision of Community Facilities) also states that *'proposals which provide new or enhanced multi use community facilities, including the co-location of healthcare, school, library and leisure facilities and other community services in accessible locations will be favoured.'*

The tourism related policies of the LDP also state:

Policy SP11 (Tourism and Leisure) - *'Proposals which promote the Vale of Glamorgan as a tourism and leisure destination will be favoured. Existing tourism and leisure facilities will be protected and enhanced, and favourable consideration will be given to proposals which:*
1. Enhance the range and choice of the Vale of Glamorgan's tourism and leisure opportunities, particularly through the provision of all year round facilities and a range and choice of visitor accommodation in appropriate locations;
2. Favour rural diversification and the local economy; and
3. Protect existing tourism assets and promote the sustainable use of the countryside and the Glamorgan Heritage Coast.

Policy MD13 (Tourism and Leisure) states that proposals for the development of new or enhanced tourism and leisure facilities will be permitted where the proposal:
1. Is located within the key settlement, the service centre settlements, primary settlements and minor rural settlements; or
2. Forms part of a rural enterprise or farm diversification scheme; or
3. Involves the conversion of an existing rural building in accordance with Policy MD11; or
4. Involves sustainable low impact tourism and leisure proposals in the countryside;

Principle of the Development

LDP Policy MD13 directs new tourism and leisure facilities to locations where new development can be easily integrated within existing settlements, or outside settlements where they form part of a rural enterprise or farm diversification schemes. Although Criterion 4 of policy MD13 (Tourism and Leisure) permits only sustainable low impact tourism in the countryside, this applies to entirely new proposals. Criterion 2, meanwhile, permits development that forms part of a rural enterprise without this caveat. Fonmon Castle meets the definition of a rural enterprise, both as a historic entity, but also as an established rurally located tourism/ leisure facility. The LDP also recognises that tourism presents *"a significant opportunity to bring new investment into the Vale of Glamorgan."* (7.70).

These policies are expanded upon within the Tourism and Leisure SPG, which essentially promotes sustainable tourism and leisure proposals where they are of appropriate scale, design, and which are of low impact to the landscape and heritage assets of the rural Vale. The site is in a sensitive location and therefore, careful consideration is necessary of its environmental impacts, as well as compliance with other LDP policies which seek to protect the landscape, the environment, and cultural heritage, among other things. This proposal is

much larger in scale than would likely be permissible in a very remote or otherwise undeveloped location, however, although a greenfield site, it is located within the existing grounds of the Fonmon Castle estate, an established tourism destination and rural enterprise.

The matters above, as well as the benefits that weigh in its favour, such as the economic benefit and diversification of income streams could, indirectly, incentivise maintenance and access to a nationally important listed building. The attractiveness (and branding of) the site as a prospective tourism accommodation venue is palpably interlinked with its location and history and, subject to other environmental considerations as set out, the principle of the development in this location is, in broad terms, considered acceptable.

Economic Impact

In alignment with the planning policies supporting tourism development, the Council's Tourism & Marketing Officer supported the development in principle and in terms of its overarching objective to secure the long-term future of the estate through diversified, sustainable income streams and enhanced visitor infrastructure. However, they raised some concerns about the density of the proposals given the historically sensitive location and recommended this was given careful consideration. The impact on heritage assets and landscape is considered elsewhere in this report.

In terms of economic impact, a business plan has been submitted with the application, which in addition to outlining the business case supporting the proposals (in terms on long-term viability) also estimates that the proposed development is expected to make a significant positive contribution to the local economy.

An economic impact assessment was also commissioned in July 2026 from GTS, an independent consultant. It was estimated that the scheme would generate approximately 73,000 visitor nights, annually, resulting in direct visitor expenditure of £6.5 million per year. When multiplier effects are included, such as the indirect effects of employment and off-site spend, the total economic impact is estimated at £9.4 million per annum. The applicant estimates the development (all elements combined) would create 25 full-time jobs, and a further 15 seasonal roles. The GTS assessment forecasts the development would support approximately 92 full-time equivalent jobs in the region, indirectly, and increase the Vale's overall tourism economic impact and tourism employment by around 3%. In addition to these wider economic benefits, as noted, the scheme is intended to diversify income streams necessary for the long-term conservation and maintenance of Fonmon Castle and its historic estate.

Access and Sustainability

The application has been accompanied by a Transport Assessment and Transport Note addendum, which outlines accessibility of the site from non-car-based modes of travel, as well as estimating the level of vehicular traffic that the proposal would generate. The impact of traffic and matters associated with parking and highway safety are discussed separately in the Traffic and Highway Safety section of this report.

Given a combination of factors, including a propensity of tourism trips to be undertaken by car (luggage, wide catchment area) and the distance to bus and rail stops, most trips associated with the development would inevitably be undertaken by car. Although Rhoose station is a short car journey away, it is not walkable. There are bus stops c. 515m west of

the site, but reaching them requires walking along the highway verge. It's plausible that some visitors might use such services during their stays, and/ or cycle to local destinations, but it would be neither easy nor convenient to do so.

However, crucially, LDP Policy MD13, the Tourism and Development SPG and Planning Policy Wales (PPW) suggest tourism proposals which diversify established rural enterprises should not be held to the same standards as entirely new tourism businesses, with no links to other enterprises. As set out above, the site contains an existing visitor attraction and is considered to constitute a form of rural enterprise.

Nevertheless, in recognition of the major scale of this proposal and in response to concerns raised regarding access to public transport (see also criterion 5 of LDP Policy MD1), the applicant has proposed to provide a shuttle bus operating on an on demand / pre-bookable basis. This would be privately operated and could be incorporated into promotional offerings at the site such as discounted entry tickets, if travelling by sustainable modes. It would provide a direct connection to the key local public transport interchanges at Cardiff Airport and Rhoose Railway Station, envisaged to be on a looped basis. Such an offer, subject to detail, would make travel via public transport materially more attractive to visitors. The precise detail of operation and funding could be secured through a legal agreement and there is some further related discussion contained in the Planning Obligations section of this report. It is also proposed that 10% of the proposed parking would be provided with electric vehicle charging points, compliant with the aims of Policy 12 of Future Wales.

In conclusion, whilst the proposed development would be heavily reliant on car-based journeys, a degree of relaxation and acceptance that tourism uses in the rural Vale are by their very nature, hard to reach, and are not always well-served by public transport. The applicant has also put forward appropriate mitigation that would promote the use of sustainable transport to the development site, which is a reasonable approach to take in this location.

Highways and Transportation

The location and access to public transport have been considered in greater detail above. In relation to vehicular access, traffic congestion, parking, 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 proposals would utilise a proposed access that, although yet to be built, has the benefit of a separate and extant planning permission. The approved access comprises a new ghost island right hand turn lane providing access directly from the B4265. The access is not part of this planning application but is required to be provided by 28th June 2028 by virtue of condition 5 of permission 2026/00480/FUL. Nevertheless, consideration is required as to its suitability to accommodate the proposed development, the parking arrangement, as well as impacts to the highway network from trips generated by it. The existing access to Castle Road is proposed to be shut to the public but maintained for operational reasons.

A Transport Assessment (TA) (Apex: C23125/TA01) and a subsequent Transport Note have been submitted with this application. The TA provides a robust assessment of the highway-related impacts of these proposals and has been reviewed by the Highway Authority, who raise no objection to its findings. The TA has reviewed local collision data and modelled anticipated traffic flows and parking demand.

In relation to parking, a 350-space car park is proposed to accommodate visitor parking and provide added capacity for periods of high demand, such as during events and when seasonal attractions are in operation. The tourism development would be provided with separate parking, typically adjacent to the accommodation.

In relation to traffic impact, the TA models the projected increase in vehicular trips arising from the proposed tourism accommodation, whereas it has been assumed that trips associated with the leisure element for the scheme would not materially change. This is in recognition of elements of the proposals already consented, and although a projected increase in visitation is estimated in the business plans, linked trips would play a significant part in this, i.e. overnight guests visiting the attraction on foot. It concludes that traffic increases during peak network periods would be low.

The concerns relating to development traffic and congestion raised in representations are noted, however, many of these relate to the use of the existing access via Castle Road. The provision of direct access from the B4265 would displace traffic from Castle Road, as well as visitors using the non-signposted route through Fonmon village. The proposal would not materially increase traffic volumes through Llancadle as, other than for very localised traffic, the rural roads to the north will not be a convenient route.

There has been extensive junction modelling undertaken that indicates the B4265 access would operate well within capacity during normal operating conditions, considering development traffic as well as projected future growth.

VoGC Highway Authority have reviewed the transport modelling and assessment report, and stated no objection, subject to planning conditions requiring the submission of engineering details for the proposed internal access road and car park, and the upgrading of the nearby bus stops to provide raised access kerbs.

The proposed means of access is also suitable for larger vehicles and would provide adequate access for fire appliances. South Wales Fire and Rescue Service stated no objection overall, and no comment in relation to access.

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

Public Right of Way (PRoW)

PRoW P4/6/2 provides an existing link through the site, leading from the direction of Llanmaes to the north-west and connecting to Castle Road (Fonmon) to the south-east of the site, near the existing vehicular access.

The Council's Public Rights of Way Officer did not object, however advised the PRoW must be always kept open and available for safe use by the public, and that if a temporary closure is required, an order should be sought under the Road Traffic Regulation Act 1984.

Broadly speaking, the relocation of the main vehicular access directly off the B4265 would be of benefit to non-vehicular users accessing the PRoW from Castle Road, by reducing traffic volumes on the single-carriageway road. The proposals indicate that the PRoW would be maintained through the site, with proposed buildings sited around it.

The path is not formally demarcated across the site; however, inspection of GIS records indicate the proposed office store building would encroach marginally upon the formal route. This building is on part of the development proposed in outline, and said plan is illustrative. The existing PRoW route could be maintained by siting the building eastwards of its indicative position, without meaningfully impacting the fundamental acceptability of the proposal. The detail (siting) can be secured through a subsequent reserved matters application, in conjunction with a planning condition requiring the existing PRoW route be maintained within the proposed layout.

It is noted that the footpath route passed through a field currently used for events, on a temporary basis, and for which permission for change of use is sought as part of this planning application. It is a separate legal requirement that this is kept open and available for the public to always use, unless consent for a temporary closure has been obtained. The applicant's agent has stated it is their intention to always keep the footpath open, including during events. These events are likely to be very infrequent and unlikely to cause any material disruption to users of the footpath. Measures such as demarcating the footpath and/or deploying stewards or marshals are potential options for large scale events.

Visual and Landscape Impact

The proposed development would undoubtedly alter the immediate character of the site in its present form and would have some impacts on in the wider landscape. The site is punctuated by a public footpath and users of the footpath would experience a significant visual change when traversing the site. In contrast, the impact on the wider landscape would be limited because the site is relatively self-contained (visually speaking), being surrounded by established woodland and hedgerows.

The whole site is located within the Upper and Lower Thaw Valley Special Landscape Area (SLA). The existence of this LDP designation does not infer that development will be unacceptable, however, proposals would need to demonstrate that they would not have *an unacceptable adverse impact,* in accordance with LDP Policy MG17 (Special Landscape Areas). Policy MD1 (Location of New Development) of the LDP also states that development should have no unacceptable impact on the countryside, while Policy MD2 (Design of New Development) contains several design-led criteria.

As required by the supporting text of Policy MG17 (paragraph 6.120), a Landscape Visual Impact Assessment (LVIA) has been carried out and its methodology, establishing a zone of primary visibility (ZPV), is considered robust and the designation and Landmap data are appropriately identified. Also identified are the network of public footpaths in the area and presence of a promoted route (Millenium Trail).

The LVIA is based on a clear methodology, based on the significance of the receptors and the magnitude of impact, which translates into the effects described in Section 7 of the report, as summarised in Section 8.

The selection of viewpoints is broad, although principally these act to demonstrate that the proposal would not be visible within the local landscape. The exception is a public footpath on the southern side of the B4265, where views would be possible from the field parcel containing PRoW No. P4/5/1.

The impact on the PRoW No. P4/6/2 traversing the site is identified as a ‘major’ adverse impact within the LVIA assessment (para. 7.10). This is reflective of the immediate and obvious visual impact the development would have on views from the footpath, and the resultant change in character. The assessment concludes that this impact would persist in Year 15, beyond the maturation of the proposed landscaping.

In the case of PRoW No. P4/5/1, this is assessed as having a lesser ‘major-moderate’ impact (para. 7.14), noting the filtered viewed i.e. intervening topography and vegetation, the proposed landscaping and the presence of the B4265 and high voltage pylons in the foreground. This is assessed as having a reduced ‘moderate’ effect by year 15. With regard to the impacts from other public footpaths in the wider landscape, the LVIA suggests that these would be limited to heavily filtered views, that would all reduce to a ‘minor’ effect at Year 15 owing in large to establishment of additional vegetation, that would be secured by condition.

Nant Llancarfan SLA is recognised in the assessment report as being of high sensitivity as a landscape receptor. However, the site forms a very small part of the SLA, adjacent to its border with the B4265. The application site is also near to other significant build development to the south, including Cardiff Airport and industrial areas at Aberthaw, which despite the substantial demolition of the power plant, still present dominant features in the landscape. In consideration of the visual containment of the site, particularly from vantage points northwards in the SLA, the magnitude of change would be low. This is assessed as an overall moderate/ minor adverse level of effect to the SLA.

In conclusion, the submitted LVIA indicates that the development would have some very limited and highly localised major adverse effects to PRoW No. P4/6/2, principally owing to the significant localised change in character owing to the development of the site, despite some strengthening of planting and landscaping proposed within the site boundary. The other effects on viewpoints within the landscape are moderate/ minor or less, apart from the residual moderate effects to PRoW P4/5/1. This is in recognition of the visual containment of the site provided by the surrounding woodland, together with the existing influence of tourism and industrial development.

In addition, the lodge development indicatively includes significant landscaping within the proposed layout. A detailed scheme would need to be secured via planning conditions; however, the provision of new planting and reinforcement of existing green infrastructure would assist in providing a strong sense of visual containment here, albeit there would still be inevitable adverse residual effects, as previously described.

Having considered the content of the LVIA, officers generally agree with the methodology, the viewpoints selected and findings in terms of its impacts. It is acknowledged that by its very nature, the proposals would alter the character of the land and that it would undoubtedly have a major localised impact but owing to its visual containment, wider landscape impacts are agreed as being minor. Having regard to the policy-compliant nature of the development, including factors weighing in its favour, it is considered that the impacts are not so harmful as to warrant refusal of the application, being offset in the planning balance by the benefits to the local employment and the tourism economy, as well as the indirect benefits in terms of providing a viable economic use to the estate, which would incentivise the maintenance and upkeep of the Grade I listed Fonmon Castle.

Noting all of the above and having regard to relevant policy provision it is considered that the proposals would not have *an unacceptable adverse impact,* in relation to LDP Policy MG17, nor an unacceptable impact on the countryside, in relation to LDP Policy MD1.

Heritage

Fonmon Castle is a Grade I Listed Building, it is also a County Treasure and sits within a Registered Historic Park and Garden. As well as the castle, the garden walls, stable block, and watch tower are also Listed Buildings and County Treasures.

As Policy MD8 'Historic Environment' of the adopted Local Development plan requires that development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan, especially:…

2. For listed and locally listed buildings, development proposals must preserve or enhance the building, its setting and any features of significance it possesses;
3. Within designated landscapes, historic parks and gardens, and battlefields, development proposals must respect the special historic character and quality of these areas, their settings or historic views or vistas;
4. For sites of archaeological interest, development proposals must preserve or enhance archaeological remains and where appropriate their settings.

<u>Registered Historic Park and Garden</u>

The site contains a Grade II Registered Historic Park and Garden (PGW(Gm)39(GLA) Fonmon Castle). The designated area encompasses the castle and its immediate grounds, Development Zones 4 (includes the Castle) & 5 (Central Attraction Hub) are located within the designated area. There is no operational development proposed in Zone 4, but the buildings forming the central visitor hub are in Zone 5.

Cadw have been consulted, and did not object to the development, specifically. However, they have provided detailed comments about the various aspects of the proposals, as outlined below: -

The Zone 5 (Central Attraction Hub) development was, generally, viewed positively, insofar that it was reasonable for built development to be located within and around the Castle, opposed to a more disparate approach with buildings encroaching into the open castle field. However, they advised that the detailed design here would need to demonstrate sensitive massing, materials, and landscaping, through any subsequent reserved matters application.

Cadw have also indicated that development in Zones 1 (Holiday Lodge Development) and 2 (Live Events Field) are acceptable in principle, subject to details of appropriate hard surfacing for the tourer area, and monitoring of and reinstatement of ground conditions in the live events field. They also considered the lodge and camping development area are acceptable, noting that these are positioned to the west of the Historic Garden and its setting, and the distance and screening effect of the landscaping would result in them having a limited visual relationship.

Cadw initially raised significant concerns regarding impact of the estate store and the all-weather car park and overflow parking arrangements. Many of these concerns have been overcome through subsequent revisions (noting these plans are illustrative) and the submission of additional detail. In regard to the car park, this element is considered acceptable subject to details of materials and surfacing being secured by planning conditions. However, Cadw continued to question the extent of proposed Truckcell HGV-grade surfacing around the perimeter of the site and requested either justification for its use or replacement with a less visually intrusive reinforced gravel system. They also welcomed that no permanent lighting was proposed in this area, as well as the relocation of the existing parking (which is closer to the castle than the proposed).

In relation to the estate store, Cadw welcomed the reduction shown in the proposed footprint of the building as well as its height. However, they remained unconvinced that all the estate facilities needed to be located here – i.e. that the estate storage space could not be accommodated elsewhere.

It is nevertheless apparent that an estate store here is acceptable in principle. Cadw state they do not object to it (it is inferred, outright), subject to justification in relation to its size in relation to its specific functions, and possible rationalisation. Noting the outline nature of the proposals, and that these considerations relate principally to reserved matters (scale), it is considered acceptable. A reserved matters application would be subject of further consultation with Cadw regarding its design. The design shown illustratively is positive in a general sense, reflecting its status as a utility building, as well as incorporating a green roof.

Appropriate planning conditions are recommended to secure final details of surfacing materials, signage, and lighting.

Ancient Monuments

Cadw has confirmed that the proposals would not adversely affect the settings of any nearby scheduled monuments.

Listed Buildings

Fonmon Castle is a nationally important listed building. It is included and highly graded as a very unusual example of a medieval castle converted into a high-quality country house with important Rococo decoration. The Walls of the Walled Gardens at Fonmon Castle are also a nationally important listed building (Grade II), included for their group value within the gardens of Fonmon Castle.

There are no works proposed that would directly affect the listed buildings on the site, and as such, there is no accompanying application for Listed Building Consent. Nevertheless, and as discussed in the above section relating to the Historic Garden, there are various proposals within the estate grounds with potential to affect the settings of Fonmon Castle and other listed buildings within the estate. The assessment is therefore concerned with the effect on the settings of the listed buildings.

In response to consultation, the Council's Heritage Officer initially raised concerns that were similar in nature to those expressed by Cadw, in relation to the Historic Garden. In their latest response, and noting the revisions and additional information presented in between, the Heritage Officer did not object subject to the inclusion of planning conditions that required the removal of existing structures in the central events area, any structures in the seasonal events area being temporary, details of materials for the new buildings, hard surfaces, and boundaries, details of landscaping, control over access routes, parking spaces and signage, and a management plan for restoration of the live events field.

In respect of the temporary structures in the central events area, these were granted temporary consent (2024/00198/FUL) and are required to be removed under the terms of this permission. There is also no operational development proposed in the seasonal events area, and therefore, further planning permission would be required for any such development. An additional condition is therefore not required to secure their removal. Given the nature of the proposed use, it would not be reasonable to control non-operational development (chattels, temporary installations etc.) in this area. The remainder of the recommendations are included in the proposed list of planning conditions.

Whilst concerns were expressed regarding the scale of the all-weather car park and the siting of the proposed Estates Office and Store within the historic parkland setting, it was considered that impacts upon the setting of Fonmon Castle can be appropriately mitigated through the detailed design and inclusion of conditions relating to the above matters.

Archaeology

The site is in an area of high archaeological potential, with several archaeological investigations having taken place within the estate and its environs. The investigatory work on sites within the estate grounds in on-going, but finds to date have revealed prehistoric pottery, and significant Medieval remains including a cemetery, including the use of high-status imported glass vessels.

The application is supported by an Archaeological Desk-Based Assessment, and a Written Scheme of Investigation (WSI) compiled following an archaeological evaluation of the site. The compilation of the latter has also involved an amendment to the site layout, with a contraction to the proposed camping area as well as a reduction of 10 lodges (from the 89 originally proposed). The amendment was to provide a greater development buffer towards parts of the site with the greatest archaeological potential. Following the above amendments and compilation of the WSI, Heneb stated no objection, advising that while the site has high archaeological potential, the mitigation strategy and WSI are appropriate, with archaeological works to be secured for development areas and by condition where necessary.

Heneb advised that no mitigation is required for Zones 2 and 4 where no ground disturbance is proposed, archaeological mitigation for development areas Zones 1 (Holiday Lodge Development), 5 (Central Attraction Hub) and 6 (Estates Store and Office) should be secured in accordance with the submitted WSI, while details of mitigation for deeper groundworks associated with Zone 3 (All-Weather Car Park) could be secured by condition.

Subject to mitigation as set out above, the proposed development would not result in an unacceptable impact relating to buried archaeological resource.

Llancarfan Registered Historic Landscape

The Heritage Assessment does not identify the Llancarfan Registered Historic Landscape as a heritage asset affected by the proposed development. This is in recognition that the site is outside of the designated area, with limited intervisibility. The assessment concludes that heritage impacts are localised to the setting of Fonmon Castle and its Registered Historic Park and Garden, with no identified effects on the significance, character, key views, or setting of the Llancarfan Registered Historic Landscape. Officers agree with these conclusions.

Conclusion:

The proposed development and would not result in harm to the setting of Fonmon Castle, to the Historic Garden, or other listed buildings within its grounds – subject to appropriate design and mitigation that can be secured through planning conditions and subsequent reserved matters. The proposed use for tourism/ leisure is favoured in principle and would also assist in providing an economic and beneficial use which, in turn, offers greater incentivisation towards its upkeep and maintenance in the longer term. It is considered that the development would preserve the character and appearance of the setting of the listed buildings, in accordance with Policy MD8 (Historic Environment) of the LDP, and having regard to the Council's duty under Schedule 13 Para 90 of the Historic Environment (Wales) Act 2023 to give such matters special attention.

Foul Drainage and Water Supply

The site is not currently served by an existing drainage network suitable to accommodate the development. Dwr Cymru have responded to the developer (PAC) to advise that there is no public sewerage system in this area, and any new development would require alternative (private) provision. They also did not object in relation to water supply.

The proposed foul drainage solution is the installation of a packaged treatment plant with final discharge into the Kenson River, due to the infiltration testing under BS6297:2007 standard, which displayed that an approximate 9960sq.m drainage field would be needed in the calculations to serve the proposed development. Having regard to the above, the proposed system would comply with the drainage hierarchy set out in Welsh Government Circular 008/2018.

Natural Resources Wales (NRW) did not raise any concerns about the means of connection in their role as regulator, noting the above, but advised that the applicant would need to apply for an environmental permit for the foul drainage system.

Having regard to the above, the proposed development is considered acceptable in relation to foul drainage and water supply. However, and noting the environmental sensitivities of the site, it is considered necessary to require a detailed scheme to be approved via planning conditions, including details of the proposed drainage run (and backfill, ground restoration etc.).

Flood Risk and Surface Water Drainage

The ‘development zones’ of site are considered not to be at risk of fluvial or tidal flooding, and NRW flood maps (TAN15 2021) also indicate that this site is at a very low risk of surface water flooding. NRW noted in response that parts of the site (the foul drainage run) were liable to flooding but, given the limited extent, the flood risk could be acceptable subject to the developer being made aware of it.

The application is accompanied by a Drainage Strategy Report (Vale Consultancy: 18473-DSR-r02) which found through infiltration testing that part of the site is suitable for discharging surface water runoff via infiltration.

There are two network systems proposed for surface water management. One is for the management of the all-weather car park runoff with the use of permeable surfacing, an overflow pond with a flow-controlled chamber, before final discharge into a dry infiltration basin. The second system is for the management of the proposed lodge development runoff with the use of five infiltration basins interconnected via swales. The systems are designed to accommodate exceedance flows during intensive storms.

The Council’s Drainage Section (LLFA/ SAB) noted the above report and design, and did not object, in recognition that the detailed design would require their direct (SAB) approval prior to any commencement of development.

Having regard to the above, the proposed development is considered acceptable in relation to flood risk and surface water drainage. In view of the historic setting, a detailed scheme of surface water disposal is considered necessary to be agreed as part of planning conditions (in conjunction with any SAB application).

Contamination

The site is not known to be contaminated but Shared Regulatory Services recommended safeguards in the form of planning conditions related to unforeseen contamination, imported soil and aggregates, site won materials.

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 accompanied by an Ecological Appraisal report (EDP) which identifies the existing habitat value of the site, which is comprised of areas described as improved grassland, arable fields, native hedgerows, woodland, scrub and scattered trees. The appraisal report also addresses potential impacts on protected species, and the proposed mitigation and enhancement measures. The site also contains a pond. Most of these are considered to have low ecological value, except for the native hedgerows, the pond and the Ancient Semi-Natural Woodland which are locally designated as Sites of Importance for Nature Conservation (LDP Policy MG21 refers).

The appraisal report also identifies that the site and surrounding areas have the potential to support species including breeding birds, bats, dormice, otters, reptiles and amphibians and other notable mammals such as hedgehogs. The important habitats within the site, which could potentially support the above-mentioned species, are proposed to be retained. The site would also be subject of new planting and habitat creation, as outlined in the Green Infrastructure section below.

Breeding birds:

The development would result in the partial loss of arable habitat within Field F2 (lodge development area) that has the potential to support a limited number of ground-nesting birds, including skylark. However, the principal nesting habitats comprising hedgerows, scrub and woodland would be retained. Subject to breeding bird safeguards, pre-commencement surveys for ground-nesting birds, habitat retention, and enhancement measures, and long-term ecological management, the Ecological Appraisal concludes that impacts on breeding birds would not be significant. The report notes specifically that the fields *"are unlikely to support a significant assemblage of ground nesting birds given their relatively small size and paucity tall structural vegetation along northern and southern boundaries of these fields, with skylark requiring long and clear sight lines for predator avoidance" (para. 3.28).* As noted, the Council's Ecologist did not object to the rationale as set out in the report, the introduction of the recreational tourism use, or the loss of arable field, subject to agreement of a Landscape and Ecological Mitigation Plan (LEMP), which can be secured by planning condition.

Bats:

There are several data records of bat in the wider area, including roosts associated with the Fonmon Castle estate. There were no bat roost features identified within application Zones 1-3 and 5-6. There are understood to be known roosts in the Castle (Zone 4) but there is no operational development proposed here. The proposed development would therefore not affect any bat roosting features.

The site's hedgerows and woodland edges are nevertheless considered important commuting and foraging routes for bats. In regard to impact on these areas, as noted, the proposals would not result in direct tree losses, and none of the identified tree works would affect trees containing roosting features, in any event. NRW did not object, subject to details of sensitive lighting being secured by condition to maintain the integrity of dark habitats and corridors within the site.

Reptiles and amphibians:

The eDNA surveys confirmed likely absence of Great Crested Newt from the five ponds assessed. It is proposed to retain the pond close to the development area (Pond 1) and implement a 10m buffer with protective fencing during construction. The site area provides sub-optimal habitat for reptiles and amphibians, because there are limited foraging, cover, and hibernation opportunities, meaning the site is likely only to support only low numbers. A precautionary approach to clearance is recommended, comprising of two-staged cutting, allowing any reptiles within the development area to disperse before the final cut to ground level, as well as other construction safeguards to discourage them from entering working areas.

As noted, NRW did not object in relation to GCN, and neither did the Council's Ecologist. Habitats suitable for reptiles and amphibians are proposed to be retained, and further mitigation, enhancement and future management requirements would, subject to agreement via planning condition, be implemented via a LEMP.

Dormouse:

A single dormouse data record was returned c.750m away from the site. Their presence in the wider site environs cannot be discounted; however, the development would not affect any suitable dormouse habitat. The proposed hedgerow extensions and strengthening could be of potential benefit to any nearby populations.

Otter:

Otter is a priority species and there are several data records returned for the Kenson river area for them. There is no suitable aquatic habitat in the 'development zones', albeit the Castle grounds are considered suitable foraging habitat, where a record of otter footprints have been returned. The Ecological Appraisal report concludes, having regard to the absence of direct impact on otter habitat and resting areas, that they are not a significant constraint to development. Pre-commencement checks are recommended for any works within 10m of the Kenson river, among other construction phase mitigation such as pollution prevention measures. This can be secured by condition, noting the works for the drainage channel which is proposed to be directed toward the river.

Other notable enhancements:

The proposals include SuDS features that have the potential to provide biodiversity enhancement, through the creation of wetland habitats.

In addition to native tree, shrub, hedgerow planting, species-rich grassland planting is proposed to strengthen habitat connectivity.

It is proposed to provide bird and bat boxes. The Council's Ecologist noted 30 would be required, and details such as siting and specifications can be secured through planning conditions.

Long-term habitat management is proposed through adoption of a Landscape Ecological Management Plan (LEMP).

Hibernacula are proposed for amphibians, reptiles and invertebrates.

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 how the stepwise approach advocated in PPW has been adopted, and the proposed planting and enhancements that the development would provide.

The tree survey report (prepared by Treescene) and their associated Tree Constraints Plan (TCP) details proposed tree works, which recommends the removal of ash trees infected with ash die back (G10, T59 on the eastern boundary and G41, G42 on the southern boundary); the removal of diseased elm and decaying elder (G12 and T17 on the eastern boundary); and the pruning of pine trees (T43 and G45) and sycamore (T46) on the eastern boundary. Despite the works being specified in the application, these are recommended for arboricultural reasons opposed to being works to facilitate this development. Noting the vehicular access is already consented, this development proposed in this application would not actually require the loss of any trees. In design terms, the development has been sited to allow for the retention of on-site trees and all significant green infrastructure.

The proposal would result in the loss of areas of amenity grassland. However, these are not important habitats, and the proposals indicate that existing hedgerows on site would be strengthened and extended with new native planting, and numerous trees are indicated to be planted across the application site. For the elements proposed in outline, the landscaping details would come forward as part of reserved matters. In relation to those proposed in full, and particularly the lodge area, the plans indicate these would be positively designed, with several trees and SuDS areas incorporated. These plans indicate that substantial enhancements in the quality and quantity of green infrastructure can be achieved across the site area.

There are no works proposed within this application that would directly affect woodland areas in or around the application site. Almost the entirety of these woodlands is locally designated as SINC. It is noted that concerns have been raised in representations about indirect impacts to these areas, relating to increased pressure and human presence within them.

Parts of the woodland already benefit from planning permission to be used recreationally in association with the visitor attraction and have walking trails located within them, and whilst these proposals would be likely to bring more visitors to the site, they would be likely to use these existing trails rather than venture into the denser areas of woodland elsewhere on the estate which are difficult to traverse. The grassed application site area also occupies a level plateau, whereas most of the woodland is located on the much steeper valley sides. The Conservation Management Plan (EDP, edp7072_r002b) presented, although slanted toward heritage considerations, refers to the woodlands and, at para. 8.16, recommends adoption of a structured woodland management plan, which could be included as part of a landscape and ecological management plan as noted below.

The Council's Ecologist did not object in relation to habitat and green infrastructure impacts but requested planning conditions relating to details of site lighting (also requested by NRW), and a Landscape and Ecological Management Plan (LEMP) were provided as part of planning conditions. The document would set out in detail how the proposed landscaping and habitat areas would be created, as well as future management and monitoring, including public access to existing areas of habitat value such as the woodlands. Measures within the LEMP could also be extended to include the management of public access to the existing woodland estate, on account of the expected increase in visitation.

Having regard to the above, it is considered that the design follows the PPW stepwise hierarchy, by principally avoiding impacts on significant green infrastructure such as trees and hedgerows, and that other impacts have been minimised. Subject to the securing of a detailed scheme of landscaping and LEMP, the proposal would provide for an enhancement in the quality and quantity of green infrastructure, as well as contribute towards biodiversity enhancement. Moreover, the relevant statutory consultees did not object, subject to the inclusion of planning conditions.

Residential Amenity

It is stated within PPW 12 at Paragraph 6.7.6 that developers must:

• *address any implication arising as a result of its association with, or location within, air quality management areas, noise action planning priority areas or areas where there are sensitive receptors;*

• *not create areas of poor air quality or inappropriate soundscape; and*

• *seek to incorporate measures which reduce overall exposure to air and noise pollution and create appropriate soundscapes.*

Criterion 8 of LDP Policy MD2 states that development proposals should Safeguard existing public and residential amenity, particularly regarding privacy, overlooking, security, noise and disturbance.

The application site is relatively divorced from residential properties outside of the estate, noting that the dwellings at Woodhouse and the Lodge appear to be within the applicant's ownership. The villages of Llancadle and Fonmon are about 450m and 150m from the application site, respectively.

There are several elements within the application, each with the potential to cause a degree of disturbance to residential amenity. For the most part, the distance to residential receptors outside of the estate is likely to significantly mitigate or eliminate this risk. There would be no unacceptable effects caused by general comings and goings, vehicle movements, and operation of the visitor attraction.

The concerns about the inclusion of the tourism use inc. a campsite (among other things) are noted, however, likewise, the tourism uses and camping areas are not inherently noisy uses. It is possible that increased human presence on the land could carry a long distance, but a potential degree of audibility alone does not equate to an unacceptable impact upon residential amenity. It is considered that the site can comfortably accommodate these uses at the scale proposed, noting the degree of separation from sensitive receptors, including dwellings within the estate. Neither would the above be likely to cause unacceptable light pollution, noting that details of a scheme of lighting can be secured under planning conditions.

It is noted that concerns have also been raised about a greater frequency of events, as well as anecdotal reports given about high noise levels during past events. Clearly, events with amplified sounds such as live music are likely to be audible in the locality, given the potential for sound to travel across open ground and the lack of direct sound insulation. The distance to sensitive receptors, however, is a significant mitigating factor, and much of the development area is enclosed by trees, hedges, and woodland.

In response to consultation Shared Regulatory Services (Pollution Control) stated no objection, subject to the continued application of a 9pm finish time for amplified music, and the preparation and maintenance of a formal Noise Management Plan, incorporating a structured and adaptable framework for managing sound emissions, including clear procedures for event planning, any monitoring, complaint handling, and post-event review.

Having regard to the above, the site context and the nature of the proposals, it is considered that the proposed uses, including the use for events, would not result in frequent, prolonged or late-night exposure to unacceptable levels of noise pollution, disturbances, or other harmful effects to residential amenity.

Land (Mineral and Soil) Resource

Part of the application site is within the 200m Quarry Buffer Zone (LDP Policy MG23 refers) for the Aberthaw North Quarry. The proposals would not constrain mineral working operations in compliance with policy because the quarry is no longer worked and has recently undergone restoration.

It is evident that planning policy does not safeguard all agricultural land from development. Policies MD1 (Location of New Development) and MD7 (Environmental Protection) of the LDP safeguard the *best and most versatile* agricultural land from unacceptable development. The 'development zones' land is predicted to be Agricultural Land Classification (ALC) Grade 3b, which is not amongst the best and most versatile agricultural land. A small area of the drainage run is predicted to be on Grade 3a land, but no unacceptable effects would occur, noting the channel would be backfilled and not interfere with or inhibit any potential agricultural use in this area.

Aviation Safeguarding

The site lies within aviation safeguarding zones for Cardiff Airport (all development) and MoD St Athan (>45m). In respect of the latter, no structures over 45m are proposed. The safeguarding bodies for Cardiff Airport have been consulted, but no response has been received. It is considered unlikely that the proposed development would be of significant concern to aviation safety or otherwise constrain the airport, given the nature of the proposed use, scale of development, and lack of significant and permanent waterbodies, such that might attract aviation hazards such as significant populations of large or flocking birds.

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 sets limitations on the use of planning obligations (Reg. 122 refers). 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.

Public Open Space

The Planning Obligations SPG requires that commercial developments, including tourism and leisure development, provide public open space provision on site, based upon a ratio of 16sq.m per staff member (based upon maximum numbers of staff to be in the workplace at any one time) or 15% of the site area. There are significant open areas that within the site would exceed this requirement and meet the needs of staff and visitors and as such no contribution is being sought in this regard.

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, resulting from a proposal.

The Planning Obligations SPG outlines that the financial contribution for this type of development to be £2,300 per 100sq.m of commercial 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.

The final value of the contribution calculated on the above basis would ordinarily be calculated at the point of a reserved matters application. However, noting the request for specific off-site sustainable transport improvements has already been made by the Highway Authority, the applicant has proposed direct works towards the upgrading of the nearest bus stops on the B4265, as well as the delivery and operation of a shuttle service as outlined previously in this report (and within the Framework Travel Plan).

The above direct expenditure is considered acceptable in principle, albeit it is considered that a legal agreement would be required to ensure that the value of the final contribution is spent in-kind. The details associated with the upgrading of the bus stops is secured and timing of delivery can be secured by planning condition, and specific details concerning the operation and expenditure on the shuttle service can be secured within the legal agreement.

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.

This has been agreed with the applicant's agent, noting that said expenditure would be within the development site area.

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 employees on-site based on a ratio of one trainee per 500sq.m of new floor space, or alternatively to pay the Council the equivalent of £1,255 per trainee as an in-lieu contribution. A financial contribution would be used to remove the barriers to work by aiding such as training, skills development, childcare etc.

This has been agreed with the applicant's agent.

Heritage (Enabling Development)

Enabling development is development that would be unacceptable in planning terms but for the fact that it brings public benefits that could not be achieved in any other way. The key benefit is securing a long-term future for important historic assets.

This application is described as facilitating the continued restoration of Fonmon Castle, which is in recognition of repair works (e.g. to the roof structure) of the Castle which have been carried out preceding this application and that it seeks to put the estate on a stabler financial footing. It should be noted, however, that specific future restoration works are not identified within the application, nor has a corresponding case been made with reference to Cadw guidance: *Conservation Principles for the sustainable management of the historic environment in Wales.*

However, as discussed earlier in this report, this tourism-related proposal is not unacceptable *in principle*. Officers advise, therefore, that whilst the enabling case should not be given an overriding weight, there are indirect benefits to providing the Castle with a beneficial and economic use, which is a matter to be weighed in the planning balance with the economic benefits, against any harms such as the impact to the open countryside/ landscape.

In recognition of the scale of the lodge accommodation development, being capable of independent operation, the applicant has set out in outline within their submissions (see Enabling Development Scheme 'Heads of Terms', GJP Nov 2025), a financial justification for the holiday lodge element of the scheme, setting out how an (estimated) £1M land receipt would be ring-fenced through a legal agreement to fund the proposed access improvements, development of the a visitor attraction proposals, and (residually) heritage conservation works at Fonmon Castle.

The precise text/mechanisms would be subject of further negotiations between parties as part of entering into a legal agreement. However, in the case of a sale, entering into a legal agreement such as this would, as a minimum, ensure that net profits from this part of the development are re-invested into the site and any residual or surplus amount, directly toward the upkeep or repair/ restoration works. This could involve mechanisms such as a requirement to provide evidence of receipts and costs, defining expenditure, and deposit of funds into an Escrow account. Alternative financing arrangements not involving fragmentation through sale would require different (and likely less complex) legal provisions.

<u>Planning obligations administration fee:</u>

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 tourism and leisure development in the grounds of the Grade I listed Fonmon Castle. The location is outside of a settlement and not directly served by public transport, however, policy permits such development where related to an existing rural enterprise and otherwise compliant with the Development Plan (Future Wales & LDP). The applicant has proposed improvements to sustainable transport and to provide a shuttle service, to link to local public transport services, and agreed to policy compliant planning obligations.

The application is at a major scale and some impacts to the countryside and landscape are inevitable from this greenfield development. These impacts are, nevertheless, localised, with the only major impacts would be experienced by users of the footpath traversing the site. There is strong policy protection for the countryside and landscape, however also strong support for tourism development in recognition of its economic benefits. It has been demonstrated that the proposals would result in a significant benefit to the local economy, as well as provide an indirect benefit in terms of maintenance of access and incentive towards the upkeep of a nationally important listed building. These weigh in favour of the proposals and must be considered in the planning balance.

In recognition of the scale and impacts of the lodge accommodation development, being capable of independent operation, it is considered necessary to ensure that net profits from this part of the development are re-invested into the site (either invested in the development of the visitor attraction or in the maintenance or repair of listed buildings on site), if sold on or leased to an independent company to operate.

In the absence of any other unacceptable environmental impacts or objection from statutory consultees, including on matters related to ecology, flood risk, heritage, residential amenity and traffic/ highway safety, subject to planning conditions, Officers consider the proposals accord with the Local Development Plan and that the application should be approved.

REASON FOR RECOMMENDATION

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

Having regard to Policies SP1, SP7, SP9, SP10, SP11, MG17, MG19, MG20, MG21, MG22, MG29, MD1, MD2, MD3, MD4, MD7, MD8, MD9 & MD13 of the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Policies 1, 4, 5, 8, 9, 10, 11, 12, 15, & 33 of Future Wales – the National Plan 2040, Planning Policy Wales 12, TANs 5, 6, 11, 12, 13, 15, 18 and 24 and the Council's SPG on Biodiversity and Development, County Treasures, Design in the Landscape, Minerals Safeguarding, Planning Obligations, Public Art in New Development, Parking Standards, Sustainable Development - A Developer's Guide, Travel Plan, Trees Woodlands Hedgerows and Development, and Tourism and Leisure Development, and Sch. 13 Para 90 of the Historic Environment (Wales) Act 2023, the proposed development is considered acceptable in principle, and following consideration of its location, access, the visual and landscape impact, economic benefit, the impact on the historic environment, ecology, residential amenity, traffic and highway safety, resource safeguarding, drainage and flood risk, pollution and contamination, and planning obligations, is considered acceptable, on balance.

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

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

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

RECOMMENDATION

APPROVE, subject to Section 106 Agreement to provide for the following:

- Sustainable Transport: Provide sustainable transport improvements and to procure and operate a shuttle service

- Public Art: 1% of project budget

- Training and Development: Procure recognised training opportunities for a trainee OR pay a contribution equivalent to £1,255 per 500sq.m of new floor space.

- Ensure that net profits from development of the holiday lodge development are reinvested at the site

1. Details of the appearance, landscaping, layout, and scale for the outline application areas identified on plan 'FCL-2024-5-002 Application Boundaries Rev C', hereinafter called "the reserved matters", shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

   The reserved matters also shall ensure that the Estates Office and Store does not encroach upon Public Right of Way P4/6/2 and that development is in accordance with the following maximum scale parameters:

   Interpretation, retail, and guest services: 31m x 30m x 4m – with 2m linking canopy;
   Education Centre: Varies 12.8-18m x 22.6-28.6m x 4m height
   Restaurant: 11m x 50m x 4m height
   (Estates Office & Store) would be a maximum of 30.3m x 8.2m x 4m in height.

   Reason:

   To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

   Reason:

   To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

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

FCL 2024 5 001 Site Location Plan Rev E
FCL 2024 5 002 Application Boundaries Rev C
FCL 2024 5 005 Application Zones Rev C

FCL-2025-5-703: Lodge Scheme Masterplan
FCL 2024 5 120 Lodge Type A Rev A
FCL 2024 5 121 Lodge Type B Rev A
FCL 2024 5 122 Lodge Type C Rev A
FCL 2024 5 123 Lodge Type D Rev A
FCL 2024 5 113 Lodge Development Bin Stores Rev A
FCL 2024 5 114 Lodge Development Toilet & Shower Block Rev A
FCL 2024 5 302 Cycle Shelter Rev A

FCL 2024 5 400 Attraction Seasonal Events Designation Rev A

FCL 2025 5 706 Car Park & Estates Office Amendments Rev B
FCL-2025-5-700: Entrance Improvements Plan Rev A

Fonmon Archaeological Evaluation WSI v2
Archaeological Strip Map and Sample and Watching Brief WSI

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.

5. No development shall commence in Development Zones 1,3, 5, or 6 (plan: FCL 2024 5 005 Application Zones Rev C refers) until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority addressing construction management measures for the respective part of the development. 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) 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.

6. No development shall commence in Development Zones 1, 3, 5, or 6 (plan: FCL 2024 5 005 Application Zones Rev C refers) until details of a scheme of foul, land and surface water drainage for the respective part of the development has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details prior to the first beneficial use of the development and retained in perpetuity.

Reason:

To prevent pollution of the environment and to protect health and public safety and to ensure no detriment to the historic environment, and to comply with the terms of Policies SP1 (Delivering the Strategy), MD1 (Location of New Development), MD7 (Environmental Protection) of the Local Development Plan.

7. No development shall commence in Development Zones 1, 3, 5, or 6 (plan: FCL 2024 5 005 Application Zones Rev C refers) until details of existing ground levels within and adjacent to the site and proposed finished ground and floor levels for the respective part of the development 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 amenities and the historic environment are safeguarded, and to ensure the development accords with Policies SP1 (Delivering the Strategy), MD2 (Design of New Development), and MD8 (Historic Environment) of the Local Development Plan.

8. No part of the development shall be brought into beneficial use until the approved new vehicular access (direct from the B4265) has been completed in full accordance with the plans contained in Condition 1 of planning permission 2026/00480/FUL (original application ref: 2020/01543/FUL). Public access via motor vehicle shall thereafter be strictly limited to the new access and the use of the existing access to Castle Road controlled by a gate or similar physical barrier.

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), MD2 (Design of New Developments) of the Local Development Plan.

9. No development shall commence until further details, including engineering details, have been submitted to and approved in writing by the Local Planning Authority for the internal access road and car park area. The details shall include the vehicular link with the proposed Section 278 works for the new access, all road and car park widths/gradients, lighting, drainage, kerbing and surfacing details, any other ancillary works. No part of the development shall be brought into beneficial use until the works have been constructed in accordance with the approved details.

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.

10. Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority for the provision upgrades to the existing bus stops on the B4265 (west of the site), to include new high access kerbs, and any required road markings and signage. The works shall be implemented on site in accordance with the approved details prior to first beneficial use of any part of the development.

Reason:

To ensure the provision adequate access and sustainable transport improvements to serve the development, and in the interests of highway safety, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

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

Reason:

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

12. No development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Landscape and Ecology Management Plan (LEMP). The plan shall include:

i) Details of pre-commencement checks for protected species;
ii) Details of sensitive site clearance with respect to reptiles, dormouse and breeding birds;
iii) A plan showing wildlife and habitat protection zones, if appropriate;
iv) Ecological Construction Method Statement, including details of development and construction methods within wildlife and habitat protection zones and measures (including tree protection plan, and details of pond buffer zones) to be taken to minimise the impact of any works;
v) A detailed landscaping and habitat creation plan, including a planting schedule, details of hedgerow strengthening, landscape buffers, pond enhancements, and biodiversity focused planting within SuDS areas;
vi) landscaping implementation and monitoring measures, covering a minimum period of 15 years;
vi) Measures to be undertaken to enhance biodiversity on site, including nest box specifications and siting;
vii) Details of the structured management and monitoring, including control of public access, of the woodlands on site;
viii) Details of the management and monitoring of other habitats including pond management, trees, hedgerows, grassland etc. to meet long term ecological objectives.

The protection and management plan shall then be completed in accordance with the timings approved by the local planning authority.

Reason:

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

13. Prior to the commencement of development in any Development Zone (plan: FCL 2024 5 005 Application Zones Rev C refers) a scheme of lighting and a light mitigation strategy for that area, including measures to reduce light spillage onto foraging habitats for nocturnal protected species and a drawing setting out light spillage in key areas, shall be submitted to and approved in writing by the Local Planning Authority. No external lighting shall be installed or operated on the site other than where in accordance with the approved details.

Reason:

In the interests of ecology, amenity and heritage, and to ensure compliance with In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy), MD9 (Promoting Biodiversity), MG19 (Sites and Species of European Importance), MG20 (Nationally Protected Sites and Species), MG21 (Sites of Importance for Nature, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species), MD2 (Design of New Development, MD7 (Environmental Protection), and MD8 (Historic Environment) of the Local Development Plan.

14. Notwithstanding the submitted details, no development or demolition (including vegetation clearance, topsoil strip or other groundworks) shall take place in Development Zone 3 until a revised written scheme of historic environment mitigation has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in strict accordance with the approved details for this area.

The programme of archaeological works in Development Zones 1, 5, 6 (plan: FCL 2024 5 005 Application Zones Rev C refers) shall be carried out in strict accordance with the Written Scheme of Investigation referenced in Condition 2 of this permission.

Reason:

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

15. The archaeological reports, specified as required by the WSI approved under the terms of the above condition, shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork.

Reason:

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

16. No concerts or live music events shall be held until a Noise Management Plan has been submitted to and approved by the Local Planning Authority. The plan shall contain details of event planning and management, hours, monitoring, complaint handling, the scale and frequency of concerts or live music events, and details of noise output/amplification. The use shall thereafter be operated in full compliance with the terms of, and mitigation measures contained in, the approved plan.

    Reason:

    In the interests of residential amenity, 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.

17. Prior to the commencement of the development in Development Zone 1 (plan: FCL 2024 5 005 Application Zones Rev C refers), further details including a schedule of accommodation and details of the distribution of the lodge types within the holiday lodge development area, as well as details of the solar panels and green roofs, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details and shall thereafter be so retained.

    Reason:

    To safeguard visual amenities, as required by Policies MD2 (Design of New Development), SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), and MD8 (Historic Environment) of the Local Development Plan.

18. Notwithstanding the submitted details, a schedule of materials to be used in the construction of the development hereby approved (including external surfaces of buildings and exterior hard surfacing), a scheme of boundary or other enclosures, and details of other paraphernalia such as seating, furniture, bins, and signage etc. (for each Development Zone (plan: FCL 2024 5 005 Application Zones Rev C refers), as appropriate) shall be submitted to and approved in writing by the Local Planning Authority. 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), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Local Development Plan.

19. Prior to commencement of development, a methodology for the management and maintenance of the grassland in the live events field (Castle Field) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a method statement for the reinstatement of the car park to grassland (as shown FCL-2025-5-700: Entrance Improvements Plan Rev A) along with the timing of these works, and details of how the grassland in the field is to be managed and, if required, restored following large scale events. The site shall thereafter be managed in accordance with the approved details.

Reason:

To safeguard visual amenities and the historic environment, as required by Policies MD2 (Design of New Development), SP1 (Delivering the Strategy), SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Local Development Plan.

20. 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.

21. 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.

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

Reason:

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

23. 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.

24. The holiday lodge development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up-to-date occupancy register shall be kept site and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses, and their date of arrival and departure from the accommodation.

Reason:

To enable the Local Planning Authority to maintain control over the nature of the use of this site which is located in the countryside and outside of any settlement and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) and MD13 (Tourism and Leisure) of the Local Development Plan.

25. The development hereby approved shall have a minimum of 10% of all car parking spaces provided therein to have active (fully wired and connected) electric vehicle charging points which shall be a 'Fast' charge type, prior to beneficial occupation of the development, which shall remain available for their designated use in perpetuity.

Reason:

To ensure satisfactory provision electric vehicle charging point parking to serve the development to ensure compliance with Policy 12 (Regional Connectivity) of Future Wales - The National Plan 2040.

26. The development shall not be occupied until facilities for the secure storage of cycles have been provided in accordance with the details hereby approved and they shall be retained in perpetuity.

Reason:

To ensure that satisfactory parking for cycles is provided on site to serve the development, and to ensure compliance with the terms of Polices SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

NOTE:

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

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

2. 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. 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. 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.

5. 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.

2025/00823/FUL Received on 12 August 2025

APPLICANT: Newydd Housing Association C/o Agent, Avison Young, One Kingsway, Cardiff, CF10 3AN
AGENT: Rhian Lees 5 Village Way, Tongwynlais, CF15 7NE

Castle Hotel, Jewel Street, Barry

Please note this application was initially deferred from the Planning Committee of 8 October 2026 to allow for a committee site visit. This application will now return to Planning Committee on the 12 November 2026 after the Committee site visit

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.

OFFICER REPORT

Members will recall that this application was considered at the Planning Committee meeting on the 8th October 2026. A copy of the report presented at that committee is attached below which includes consideration of all material matters and relevant policies, which concluded with officers minded to recommend approval subject to S106 contributions towards community facilities. The application was deferred for a Site Visit to allow for members to consider the proposal further and for officers to provide potential reasons for refusal which capture Members' concerns from the first meeting. The matters that were raised by members at the October committee to potentially outweigh the positive recommendation presented by planning officers are summarised below:

- The proposed loss of a community facility would detrimentally impact the ward community, particularly noting the original 2019 application also included the loss of two other public houses in the area.
- Inadequate marketing has been carried out to attract potential tenants/uses
- The internal fittings of the pub are listed by CAMRA as a historic public house which should be retained.
- The previous application was approved on the basis of the retention of a public space within the Castle Hotel and suggested promises made by the applicant at the time of submission of the aforementioned applications in 2019.

Consideration of all material planning matters are detailed within the original committee report appended below and as such it is not considered necessary to revisit all matters within this update to the previous report. This report will therefore instead focus explicitly on concerns raised by members.

Loss of Community Facility, need and Inadequate Marketing

As set out in the initial report and as presented at the previous Committee meeting, officers acknowledge the planning history and rationale for the decisions on the three previous applications. However, in light of the marketing process and attempts to seek alternative uses, officers recommended approval on balance, also having regard to affordable housing need in the area. Members expressed significant concern in respect of the loss of the public house at the October meeting, and while further consideration has been given to these concerns, Officers' recommendation remains for approval, for the reasons set out in that report.

Further to that meeting, Members' concerns are set out as follows. There was a clear rationale for approval of the three previous applications by the applicant (Windsor, Seaview Labour Club and Castle Hotel), which included the retention of a rationalised pub at The Castle, to serve the local community. Members expressed that the rationale for retention of the pub remains and that the space should continue to be provided as initially required. It was further expressed that the space is important to the local area, and has historically been a vibrant and popular pub.
Members expressed that there has been inadequate marketing and insufficient evidence has been presented to justify loss of the pub. Concerns were raised that the pub space had been left to deteriorate, which has negatively affected the marketability of the pub.

Potential loss of internal fittings of the pub

Members raised concerns regarding loss of historic features in the pub and noted that CAMRA (Campaign for Real Ale) identifies the pub's interior as being of special national historic interest. It should be noted that the premises is not identified under any listing in planning terms, being neither listed as a County Treasure or Listed Building. Noting this, the Council would not be able to control the loss of the internal fittings listed within the CAMRA profile for the Castle Hotel, as this would not require planning or other permission from the Local Authority. As such if the internal fittings have indeed been lost, this would not in Officers' view amount to a material planning reason to warrant refusal of this application. Nevertheless, it would be considered appropriate to add a condition onto planning approval to ensure that the two external masonry signs are preserved to ensure that a nod to the historic use of the property is retained, if Members were minded to approve.

Promises made in previous application

It is appreciated that the previous approval sought to retain the public community space at the Castle Hotel and weight was attributed to this in consideration of the previous round of applications. However, the local authority must assess the proposals in light of up-to-date evidence in the current context. Whilst therefore acknowledging the original intention to maintain a community space within the Castle Hotel and that its proposed loss would be regrettable, it remains officers view that it has been demonstrated that an alternative use of this space has been justified, particularly in light of present day factors, including the submitted marketing/viability position, evidence available to the Council and the need for much needed affordable housing.

Members expressed concern that the applicant should keep the promise of providing this space, which represents appropriate benefit/balance for the applicant and the community, in meeting multiple ‘use needs’ as opposed to just affordable housing.

Conclusion

As noted above, officers remain of the view that the balance of evidence justifies approval of the planning application. The recommendation is therefore for approval subject to the conditions and S106 contributions set out in the initial report.

However, should members, following the scheduled site visit and any subsequent debate, be minded to refuse the application, officers recommend that consideration should be given to the following reason for refusal:

Proposed Reason for Refusal:

The proposal would result in the loss of an established and valued community facility, the retention of which was critical to the justification for affordable housing in the area (and remains critical to that justification). The proposal lies within a ward with an existing deficit of community facilities and its loss would further compound this established shortfall. Furthermore, Insufficient evidence has been submitted to prove the existing public house is unviable or that it has been marketed on appropriate terms to overcome this principal policy objection to the scheme. As such, the proposals are considered contrary to Polices SP1 – Delivering the Strategy, MG7 – Provision of Community Facilities, MD1 – Location of New Development and MD5 – Development within Settlement Boundaries of the adopted Local Development Plan 2011 – 2026, Chapter 4 (Active and Social Places) of Planning Policy Wales (12th Edition) with regard to Community Facilities.

OFFICER REPORT CONSIDERED BY MEMBERS AT 8TH OCTOBER 2026 PLANNING COMMITTEE

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.

The application was presented to the Planning Committee on the 8th October 2026 and was deferred for a Site Visit with a potential to refuse. The matters that were raised by members to potentially outweigh the proposed reason for approval given by planning officers were:

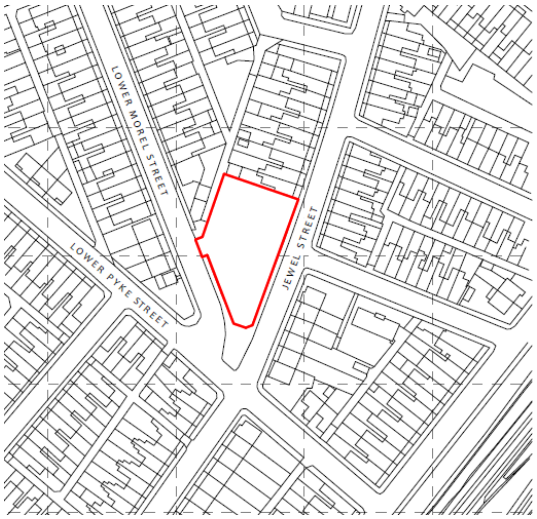
- The proposed loss of a community facility would detrimentally impact the ward community, particularly noting the original 2019 application also included the loss of two other public houses in the area.
- Inadequate marketing has been carried out to attract potential tenants/uses
- The internal fittings of the pub are listed by CAMRA as a historic public house which should be retained.
- The previous application was approved on the basis of the retention of a public space within the Castle Hotel and promises made by the applicant at the time of submission in 2019.

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. Having reconsidered these concerns, officers remain of the view originally recommended to planning committee on the 8th October. However, if committee are minded to refuse the objection, a reason for refusal has been proposed by officers.

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.

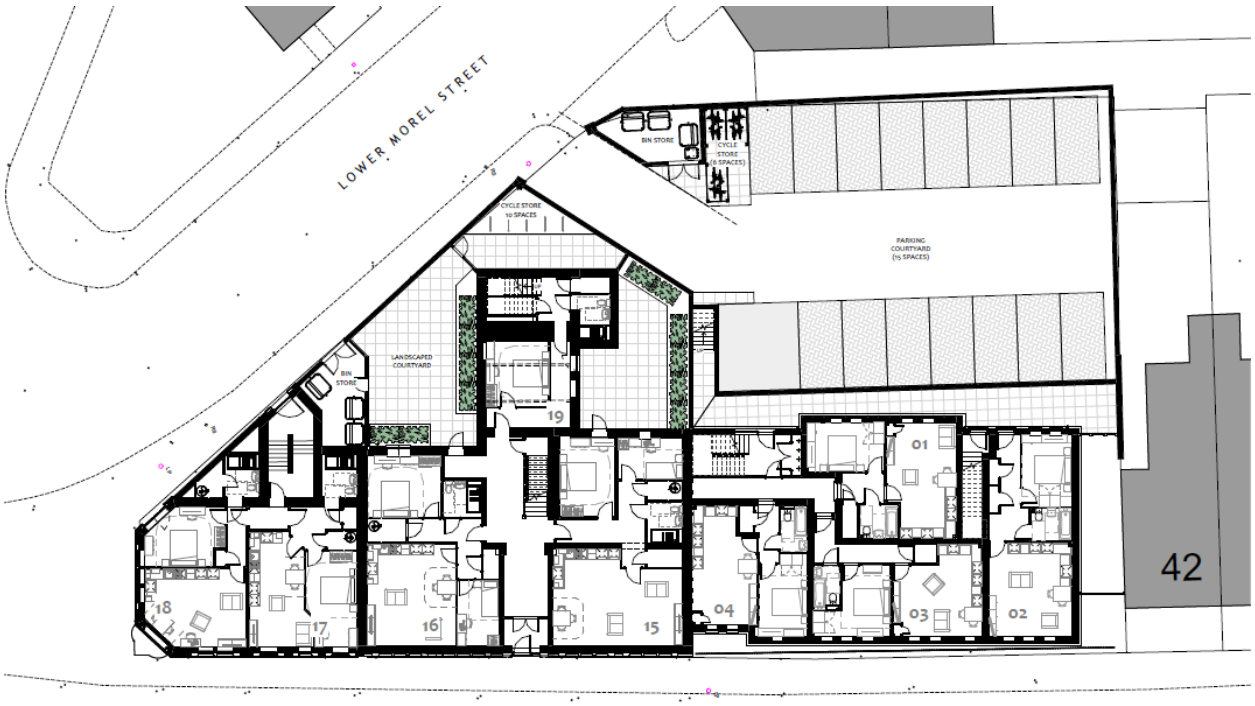
Permission was granted in 2019 (2019/01062/FUL) for a mixed-use pub/residential scheme on the site; the approved scheme for the re-use of the public house (Use Class A3 use/community facility) and 14 no. affordable apartments which has been implemented. Whilst all 14 flats are currently occupied, the 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.

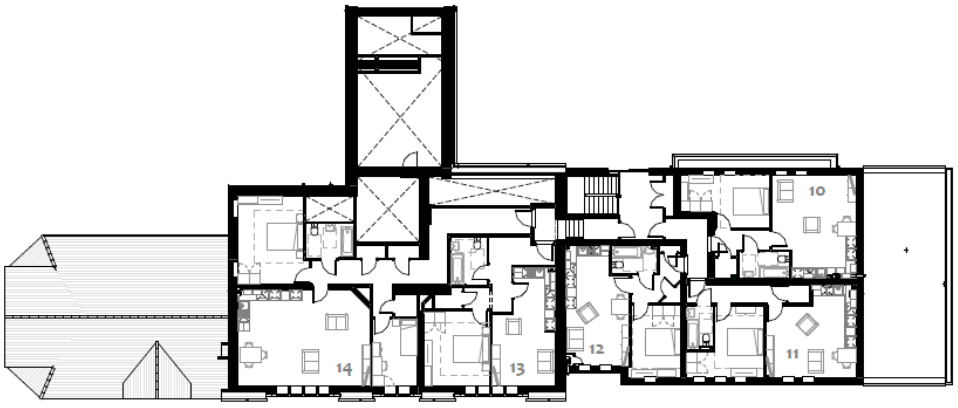
For clarity, whilst the description of development includes external alterations, a repositioned vehicular access, provision of 15 no. car parking spaces, cycle storage, bin storage, drainage and ancillary works in addition to14 no. apartments (Use Class C3), these do not form part of the current proposals 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).



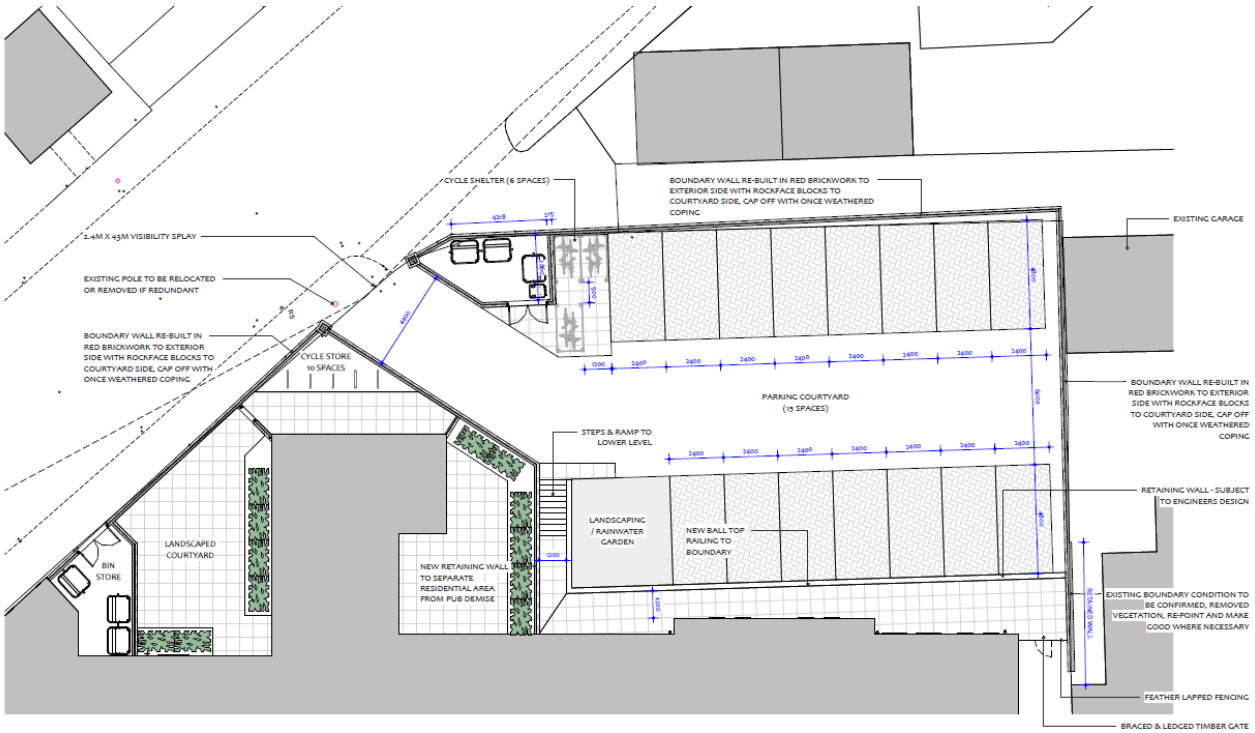
JEWEL STREET



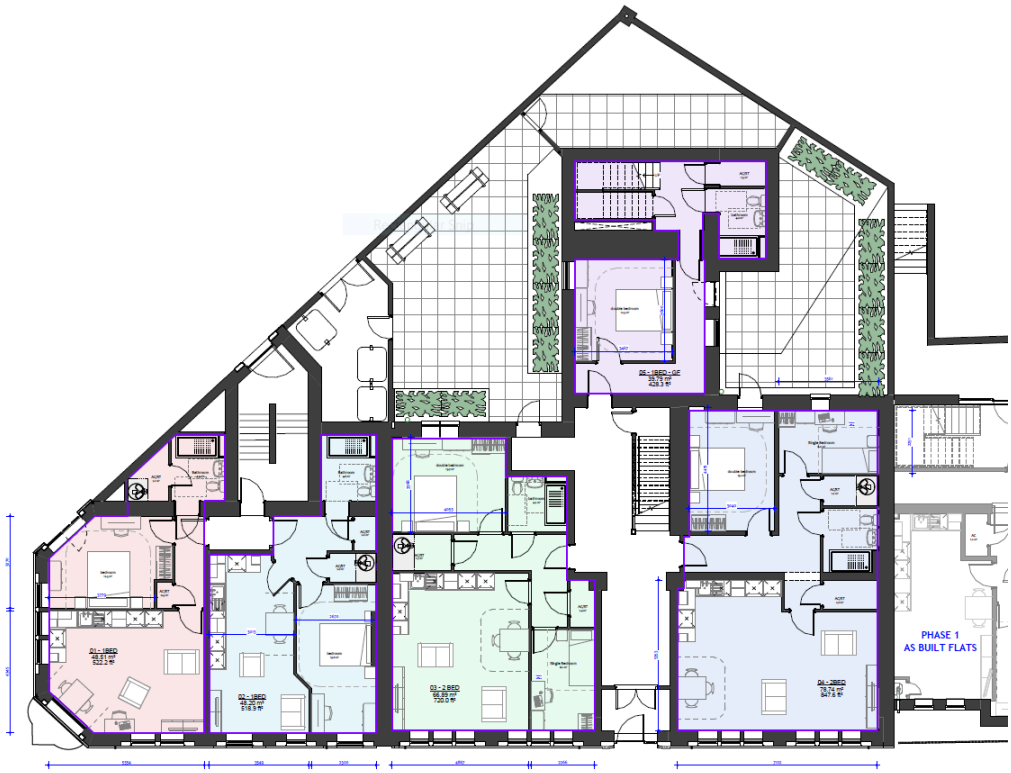
01 PROPOSED FIRST FLOOR PLAN
1:100



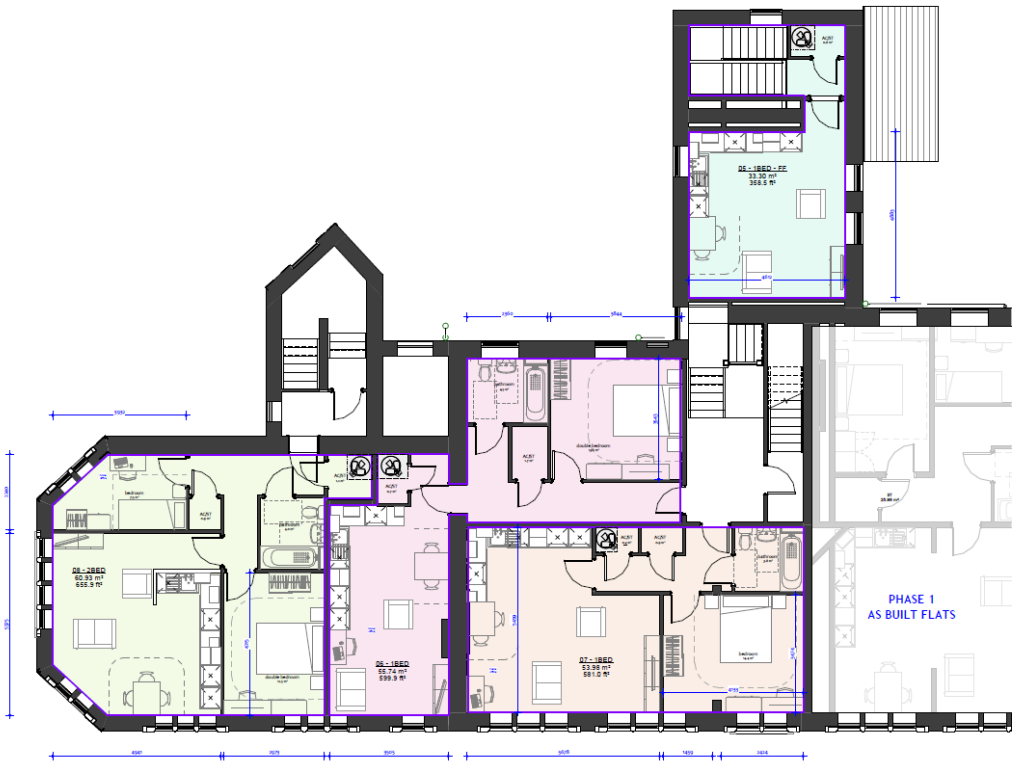
02 PROPOSED SECOND FLOOR PLAN
1:100



01 PARKING COURTYARD LAYOUT
1 : 100



01 PROPOSED GROUND FLOOR PLAN
1 : 50



01 PROPOSED FIRST FLOOR PLAN
1 : 50

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 20m^2 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 Councils 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:

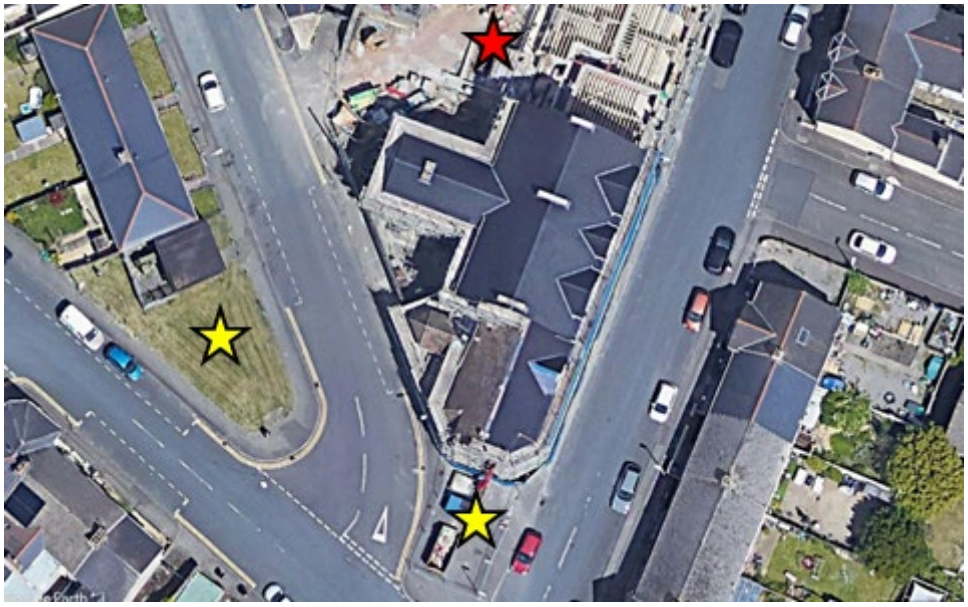
1. The need for the development clearly outweighs the biodiversity value of the site;

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.

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.

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 stone signage 'Castle Hotel' shall be retained in situ.

Reason:

To safeguard the character and appearance of property, and to comply with policies MD1, MD2 and MD5 of the adopted Local Development Plan 2011 - 2026.

6. 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.

7. 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.

NOTE:

1. **The planning permission herby 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.

2026/00361/FUL Received on 27 May 2026

APPLICANT: A Bredankamp and D Evans c/o agent, c/o agent
AGENT: Mr Geraint John Office 2 (House 3, 1st Floor), The Maltings, East Tyndall Street, Cardiff, CF24 5EA

Westridge, Church Close, Ogmore By Sea

Variation of condition 2 (approved plans) of planning permission 2023/00679/FUL to allow amendments to the approved plans including increased height and modification to the upper section of the elevations / eaves of the main dwelling, and alterations to the approved outbuilding (garden room).

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 Councillor Stallard due to the high level of public interest and the strong objections received in response to previous applications and building works on the site.

EXECUTIVE SUMMARY

The application seeks partially retrospective S73 consent to vary condition 2 (approved plans) of planning approval 2023/00679/FUL. The amendments relate to alterations, and modifications to the upper section of the elevations and eaves of the main dwelling, and alterations to the approved garden room.

The dwelling has been built circa 395mm taller than the previously approved dwelling, stated by the applicant as being due to *'construction tolerances associated with structural and insulation requirements'.*

Other alterations have also been carried out, primarily to fenestration styles and designs, and to the first floor of the property with an increased amount of render visible on the front elevation when viewed from Church Close. The as-built garden room is also larger than the approved structure both in terms of its footprint and height. There are also changes to fenestration and the materials.

Comments have been received both in support and objection to the application. The objections primarily raise concerns regarding the development being larger than previously approved and the implications on the character and appearance of the street scene itself. Further concerns have been raised in relation to the lack of parking serving the property, impact on neighbouring privacy and amenity, and the use of the garden room as a separate unit. Comments in support of the application have also been received stating that the dwelling as built has no adverse impact on surrounding area, access, amenity, or local infrastructure.

St Brides Major Community Council have objected to the proposal on the grounds of overdevelopment of the site and unacceptable impact on the street scene, the garden room being too large and potential use of this building as a separate dwelling, insufficient parking and potential use of the host dwelling as a house of multiple occupancy.

Following lengthy and detailed discussions between planning officers, planning agents and the applicant, the proposal has been amended with a view to mitigate the additional massing of the property. This would include the removal of the parapet, reducing the additional height to 222mm greater than the original approval. The render line will also be lowered, and a dark metal cladding is proposed on the upper section of the roof to visually break up the massing when viewed from Church Close. Furthermore, a rear facing window is also proposed to be obscured to reduce overlooking. With regards to the garden room, it is considered that on balance the increased scale is acceptable, however the window within the side elevation would be removed to reduce overlooking.

The application is recommended for approval, subject to conditions.

SITE AND CONTEXT

The application relates to Westridge, Church Close, Ogmore By Sea. The property is a two storey, flat roof property within the Ogmore By Sea settlement boundary and the Glamorgan Heritage Coast, as identified by the Vale of Glamorgan Adopted Local Development Plan 2011 -2026.



It has recently been bought to the planning department's attention that a raised terrace has been constructed at the front of the property which does not benefit from consent and is not included in previous submissions. It should be noted that such works would require planning permission in their own right, however, they do not form part of the planning application before the committee and were not in place during previous officer visits to the site. This matter is subject of a separate enforcement investigation, and a separate planning application may be invited to assess the acceptability of its addition on its planning merits. As such no further discussion will be made with regards to this element in the officer report.

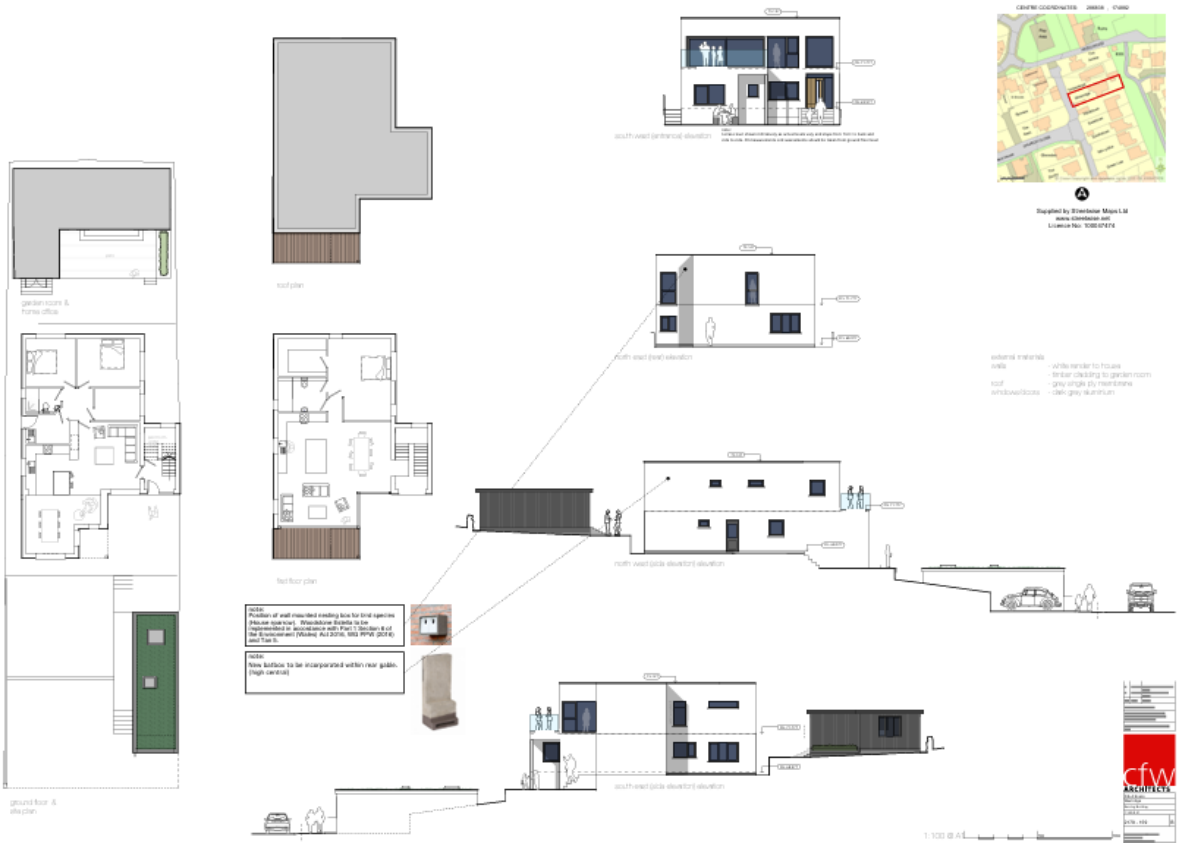
DESCRIPTION OF DEVELOPMENT

The application, as amended, seeks partially retrospective variation of condition 2 (approved plans) of planning approval 2023/00679/FUL to regularise amendments to the approved plans including an increased height and modification to the upper section of the elevations and eaves of the main dwelling, amended fenestration details, and alterations to the approved outbuilding (garden room).

Previously Approved Plans (2023/00679/FUL):



As Built:



Proposed Plans (current application):



PLANNING HISTORY

2007/01151/FUL, Address: Westridge, Ogmore-by-Sea, Bridgend, Proposal: Flat roof extension and balcony, Decision: Approved

2021/01418/FUL, Address: Westridge, Church Close, Ogmore By Sea, Proposal: Conversion of garage to one bed holiday let with parking and additional parking for host dwelling, Decision: Approved,

2023/00679/FUL, Address: Westridge, Church Close, Ogmore By Sea, Proposal: Remodelling of house including new first floor and external alterations, Decision: Approved.

2025/00773/FUL, Address: Westridge, Church Close, Ogmore By Sea, CF32 0PZ, Proposal: Retrospective Section 73a planning application to retain new garden room and increased height of main dwelling in deviation from planning approval 2023/00679/FUL, Decision: Withdrawn

CONSULTATIONS

1. St. Brides Major Community Council were consulted, and objected to the proposal on grounds of overdevelopment, impact on character, boundary proximity of the garden room, concerns over potential separate residential use, and inadequate parking, and requests that the application be called in for closer scrutiny.

2. St Brides Ward members were consulted, Cllr Stallard responded and requested that the application is called in for consideration by the Planning Committee because of the high level of public interest in Ogmore-by-Sea and the strong objections raised by neighbours in response to previous applications and building works on the site

REPRESENTATIONS

The neighbouring properties were consulted on 28 May 2026. The two adjacent properties were also reconsulted following receipt of amended plans on the 10th September 2026.

A site notice was also displayed on 1st June 2026.

To date, a total of 8 responses have been received. 5 responses raise no objection, 1 provides general comments and 2 raise an objection to the works. The objections mainly relate to:

- Development being larger than previously approved (main dwelling and garden room).
- Deliberate departure from approved plans.
- Inaccuracies in statements and plans.
- Impact on parking/lack of parking.
- Impact on Neighbouring church.
- Loss of privacy.
- Increased height resulting in an overly dominant structure within the street scene.
- Garden Room being used as a separate unit.
- Failure of the garden room to comply with building regulations.

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 SP10 – Built and Natural Environment

Managing Growth Policies:
POLICY MG27 – Glamorgan Heritage Coast

Managing Development Policies:
POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
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 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 12 – Design (2016)

Welsh National Marine Plan:

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

Supplementary Planning Guidance:

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

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

Other relevant evidence or policy guidance:

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

Equality Act 2010

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

Well-being of Future Generations (Wales) Act 2015

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

Issues

The primary issues to consider in assessing the proposals against the policies and guidance listed above are the impacts of the proposals over and above/relative to the previously approved scheme. This includes the visual impact on the character of the property and wider street scene, potential impacts on neighbouring residential amenities and privacy, the amenity space of the host property, parking provision, green infrastructure and biodiversity enhancement.

Visual Impact

Policy MD2 (Design of New Development) of the adopted Local Development Plan 2011 – 2026 states that in order to create high quality, healthy, sustainable and locally distinct places, development proposals should:

1. Be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest;

2. Respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix and density;

Noting the siting of the property within the settlement boundary of Ogmore by Sea, Policy MD5 (Development within Settlement Boundaries) is of relevance, it states that new development within settlements will be permitted where the proposed development:

3. 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 principle of a two storey property was considered acceptable and granted under planning permission 2023/00679/FUL, in which it was concluded that the '*street scene of Church Close is relatively mixed in terms of the form, design and scale of the dwellings. The variety includes examples of two storey pitched roof properties, flat roof developments and multiple dormer bungalows. Therefore, there is no consistent pattern with regards to the appearance of the street scene, nor do the properties follow a particular building line with regards to the front elevations.* Noting that the principle of the two storey, contemporary flat roofed property was approved in the previous application, the general form and design approach is considered to be established in principle. The primary issues therefore are considered to be the acceptability of the increased height, design alterations and associated works over and above that approved in the previous permission.

Following a site inspection, on site measurements were taken and plans were updated to reflect the as-built structure, owing to initial concerns with regard to the accuracy of the submitted drawings. Measurements taken evidenced that the property when measured from slab level has been built to a total height of approximately 6.2m, a total of circa 395mm taller than approved under application 2023/00679/FUL. The supporting statement highlights that the increased height has arisen from '*construction tolerances associated with structural and insulation requirements.*

Following concerns raised by officers and in representations relating to the impact of the additional massing on the character and appearance of the street scene, and relationship respective to neighbouring dwellings within the street scene, amendments have been made to mitigate the massing of the heightened property. Firstly, the increase in height from the previously approved plans, would be reduced to 222mm as opposed to the initially built 395mm which involves the removal of the parapet of the building. Whilst the increase of circa 222mm would have a degree of visual impact, it is proposed to further mitigate the impact of the additional vertical massing by lowering the render line and introduce a dark metal cladding on the upper section of the roof to seek to provide a degree of visual relief when viewed from Church Close. It is considered by officers that the combination of reduced height and the use of alternative materials, would aid in reducing the visual prominence of the additional massing to a sufficient degree to mitigate any detriment that has resulted compared to the approved position. As such it is considered, on balance, that subject to the necessary alterations being required to be undertaken by a suitably worded condition, the increased height is acceptable with regard to its visual impacts.

Other alterations have been carried out to the host property which are not consistent with the approved scheme. Window heights and positions have been altered which have resulted in a visual difference when compared to the original plans. Updated drawings have been provided following requests from officers which are now considered to show the true reflection of the as-built property. Whilst the window locations and layouts are different, these have not resulted in an additionally unacceptable impact over and above the previous approval and as such these are considered acceptable with regard to visual impacts.

Turning to the garden room, this has been built larger than previously approved and the proposals also seek to regularise this element of the works. With regards to visual impacts, whilst the garden room would be obscured by the dwelling when viewed from Church Close, it would be visible from the public open space to the east between the application site and Porlock Close. The garden room as originally approved covered a total footprint of circa 26sqm, and a rectangular shape which only covered a small proportion of the rear garden space. The as-built structure measures an internal floorspace of 54sqm and adopts an 'L' shaped design and an external patio area. The structure measures a height of 2.6m, raising to 3.1m noting the sloping ground levels which has resulted in a plinth being built to provide a flat floor level.

Whilst the as-built garden room is notably larger than originally approved, it is not considered to represent an incongruous form when viewed from the public domain, and it would not represent an overdevelopment of the site noting the available space to the front and rear of the property. Furthermore, it is considered that outbuildings of a commensurate size and form are also evident in the vicinity of the site. The material finishes of the garden room have been altered, to a darker wooden cladding than originally approved. However, this has little visual impact and would be consistent with the cladding used on the adjacent church.

Concerns have been raised relating to the failure of the garden room structure to comply with building regulations, and the use of the garden room as a separate unit to the host property. Firstly, Building Control matters are not material planning considerations, and are treated separately to the planning process, as such it is not considered necessary to comment on these concerns as part of this report, and any concerns should be reported to the Approved Inspector of the scheme which is understood to be an external body to the Council in this instance.

In relation to the use of the garden room, the planning application seeks consent only for works to an existing dwellinghouse and there is already a consent in place for a single holiday let on site at the garage to the front of the site (2021/01418/FUL). Comments have been received stating that the garden room benefits from its own unique property reference number, however the Planning Department is not involved in the creation of new UPRNs. UPRNs are typically created through processes associated with the Council Tax service or Street Naming and Numbering (SNN) and therefore this would not form a material consideration in determining the proposals before us. Whilst allegations have been made regarding a holiday let use, Local Authorities must consider the information presented with the application and a separate holiday let use is not currently sought under this application and would require consent in its own right if such a situation arose. However, for the avoidance of doubt, a condition shall be placed upon approval that the garden room specified on the plans shall remain ancillary to the use of Westridge. As informed to the complainant, should it transpire that new residential units are created in breach of planning control then the Local Planning Authority would investigate and this could be liable to enforcement action.

It is worth noting that amendments to the as-built garden room have been requested by the planning officer, and subsequently a window in the side elevation has been removed and blocked up for reasons discussed further in the officer report. To ensure that this alteration is carried out, a condition will be imposed on any subsequent consent for this window to be removed and blocked up within 3 months of the approval date.

Consequently, it is considered that subject to the amendments and mitigation measures being carried out within a proactive timescale which will be controlled via condition, the additional height of 222mm is considered acceptable on balance with regard to the visual impacts on the character of the property itself, and on the immediate and wider street scene noting its minor nature. Furthermore, the alterations to fenestration layouts and the garden room are deemed acceptable and compliant with policy MD2 and MD5 of the adopted Local Development Plan.

Impact on Neighbours

Criterion 8 of policy MD2 (Design of New Development) states that development proposals should safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance.

Additional guidance is contained within the Council's adopted supplementary planning guidance on Residential and Householder Development.

Firstly, with respect to the garden room, it is acknowledged that the structure is visible from the rear garden of the neighbouring property of Westdown. The previous permission granted approval for a 3.1m tall garden room, circa 1m from the boundary with Westdown, in which the impacts were considered acceptable with regards to not being considered overbearing. The proposal now seeks retrospective consent for a 3.1m tall building however it is now within 30cm of the boundary as per the submitted plans and confirmed on site by officers. Concerns have been raised by the occupant of Westdown regarding the proximity of the garden room to the boundary and subsequent potential for overbearing impacts. An image is attached below of the garden room (as built) from the neighbouring garden.



Image of garden room and relationship with boundary taken from Westdown

It is acknowledged that the outbuilding is evidently visible from the neighbouring garden which to a degree is accentuated by the difference in levels across the site. However, whilst visible, the proposed outbuilding is not considered to be excessive in size and or in turn to be of an overbearing scale or result in a loss of light which would unacceptably detriment the amenities of neighbouring occupants.

Concerns were also raised with regard to a window which was added into the side elevation of the garden room facing the neighbouring property, which would potentially offer views over the boundary fence as visible in the photograph above. Following concerns raised by officers, this window would be blocked up as shown on the amended proposed plans and will be secured via condition to reduce potential for overlooking from the garden room. The garden room has also been built closer to the boundary with the neighbouring property to the north (Timberleigh), however impacts from this would be mostly mitigated by the presence of an outbuilding on the neighbouring side of the boundary and as such, no unacceptable impacts would occur. Consequently, it is the LPAs conclusion that the garden room as built is acceptable, subject to the removal of the side facing window on the southern elevation.

Turning to the amendments to the main dwelling, the proposal (as amended) seeks permission for a 222mm increase in height from the previously permitted 5.9m tall building. This increase whilst resulting in a height larger than the neighbouring properties, when compared to that previously approved is considered to represent a modest increase. This, coupled with the maintained separation of circa 4.8m from the side elevation of the neighbouring property of Westdown (the same as that under the previous application), is considered to not result in an overbearing impact or an unacceptable loss of light. As such, it is considered that the increased height would not give rise to unacceptable impacts to the amenity enjoyed by occupiers of Westdown.

Turning to potential for overbearing impacts to the north, is was established in the previous consent *that the side elevation of Westridge is sited circa 5.3m away from the side elevation of Timberleigh and is separated by a parking area. Given that the property is sited to the north of the proposed development, the proposal may result in an overshadowing impact. This said, the proposal would be sited circa 5.3m from the side elevation of Timberleigh as mentioned, which would provide a sufficient degree of separation between both dwellings. Furthermore, given that the area immediately adjacent to the boundary is used for parking, the overbearing impacts are not considered to directly impact the quality of privacy and residential amenity at Timberleigh.* This separation is maintained in the current proposal, and noting the relatively modest increase in height compared to the previous approved, it is not considered to result in an overbearing impact.

Sufficient distance over 21m would be maintained to the front and rear of the property to avoid any overbearing impacts from the increased height.

Turning to overlooking, concerns have been raised by neighbouring residents, which include concerns relating to fenestration approved under the previous permission and the approved balcony. Following a visit to the application property, it is noted that the previously approved clear stairwell window would result in a degree of views towards the neighbouring windows within the side elevation of Westdown. As such, following a request from officers, the proposal now includes obscuring this window to a full height as shown on drawing ‘2179-161C’ which would be controlled via condition. Concerns have also been raised regarding a side facing window at the front of the property, which serves a first floor living area, adjacent to the balcony. This window was approved under the previous approval and deemed not to offer intrusive views towards the amenity of the neighbouring property to the east (Westdown). Whilst the window in question fronts towards Westdown, views are largely mitigated by the angle of view from this opening relative to windows within the neighbouring property, the setoff from the boundary and the mass of the host dwelling which extends further towards the boundary and obscures views to some degree. The window does undeniably offer views across the front of the property however these are also readily available from the public domain and intervisible between properties on Church Close, including as previously from the balcony previously in situ at the application site. As such it is considered that this does not result in harmful impacts on residential amenity.





Photographs from existing, previously approved side facing window

Noting these considerations, it is not considered necessary or reasonable in planning terms to require the obscuration of this this window consistent with the officer's consideration of the previous application.

It is noted that video evidence and photographs have been provided by the occupant of Westdown in objection to the window and balcony at the front. However, in dealing with the original application, the case officer has clearly been aware of the impacts arising from the scheme with a remodelled balcony and increased amount of glazing but referred to views already being visible from the public domain given the open nature of the street. The Local Planning Authority remain of this opinion, and whilst it is acknowledged that the window does offer elevated views, these are primarily of the front garden area, views of which are already widely available from the public domain, and views directly towards habitable windows would be mitigated by the two storey element that projects towards the boundary as visible from the photograph above.

Turning to concerns relating to the balcony, concerns have been raised by the neighbour of the orientation, elevated position, outlook, connection to the main living accommodation and likely intensity of use. It should be noted that the balcony benefits from planning permission, and this is a material fall-back position. However, whilst it is acknowledged that elevated views are available from the balcony, similar to the side facing window discussed above, views from the balcony would predominantly be of the front garden which is already overlooked from the public domain and from the application site noting the open nature of the front enclosures. Furthermore, similar views were possible from the balcony serving the original dwelling at the site, as shown on the photo below. The main area of private, useable amenity space serving the neighbouring property is to the rear as established in the previous officer report. Whilst the video evidence does show the balcony being used, a degree of intervisibility is expected in residential contexts such as this, particularly to less private areas. Furthermore, noting the pre-existing relationship between the properties, including intervisibility and the presence of a usable balcony, the impacts arising from the balcony are considered to be acceptable as in consideration of the previous application.



Photo of application site pre-development

Consequently, subject to conditions, the proposal is not considered to result in unacceptably detrimental impacts to the amenities of neighbouring properties. Consequently, the proposal is considered to comply with policy MD2 of the adopted LDP, and the guidance contained within the Residential and Householder Development SPG.

Amenity Space

Whilst the increased footprint of the garden room has reduced the amenity space available to the property occupants at the rear. As per the submitted plans, the rear area would provide circa 82sqm of amenity area, which would be paved which would be useable and private, complying with the guidance noted within the Residential and Householder SPG. It is therefore considered that sufficient space has been retained, particularly when considering the availability of space to the balcony and at the front to serve the property, even in the absence of the unauthorised terrace area. As such, the proposals are acceptable in this regard.

Parking

Based on the current known situation of one dwelling and one existing holiday let on the site, the Council's adopted Parking Standards Supplementary Planning Guidance indicates a maximum requirement for four parking spaces in total to serve the site.

Previously the bungalow and detached holiday let at the front, were served by a parking area for circa 2 vehicles. The remodelling of the property has previously been approved for a three bedroom property, requiring the maximum provision of three off-street spaces (not including the holiday let at the front). The proposals before us would not increase the demand over and above the previous permission. It is also worth noting that the garden room hereby approved shall not be used for holiday let, as per the relevant condition and as such no additional parking space would be required for that addition.

The guidance contained within the adopted parking standards are 'maximum' standards and Local Planning Authorities are encouraged to take a flexible approach in sustainable locations such as this noting its location within a settlement boundary, with frequent access to public transport along Main Road. A flexible approach was taken on the previous consent, noting that only two off-street parking spaces were available to serve the 3 bedroom dwelling, in which case it was considered acceptable noting on-street provision was available if necessary. The proposals before us do not increase the demand for parking over and above the previously granted permission, and as such the existing provision is considered acceptable to serve the proposals.

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) 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 a Green Infrastructure Statement which outlines that the proposal would have no impact on the green infrastructure on site noting development is contained within previously developed land. As approved under the previous permission, a bat box and bird box will be installed on the rear and side elevation of the property to ensure a biodiversity net gain. This will be controlled via condition.

<u>REASON FOR RECOMMENDATION</u>

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, MG27 – Glamorgan Heritage Coast, MD2 – Design of New Development, MD5 – Development within Settlement Boundaries and MD9 – Promoting Biodiversity of the Adopted Vale of Glamorgan Local Development Plan 2011-2026, Future Wales: National Plan 2020, guidance contained in Planning Policy Wales Edition 12, Supplementary Planning Guidance on Residential and Householder Development and Technical Advice Note 12 Design, it is considered that the proposal is acceptable in regard to design and visual impact, impact to neighbouring amenity, amenity space, parking provision, green infrastructure and biodiversity enhancement.

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

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

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

RECOMMENDATION

APPROVE subject to the following condition(s):

1. Within twelve months from the date of this decision, the works proposed shall be completed in full accordance with the approved plans and finished with the materials shown as per the approved elevations and shall thereafter be retained in accordance with the approved details while it remains in existence on the site.

   Reason:

   In the interest of visual amenity and to ensure compliance with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Development) of the Local Development Plan.

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

   2179-164 location plan
   '2179 161c Proposed Plans Elevations' received on 07/09/2026.
   2179-151C proposed elevations (Garden Room)
   2179-150B proposed ground floor and site plan

   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 '2179 161c Proposed Plans Elevations' and outlined in 'Green Infastructure Statement - Westridge - May 2026' shall be carried out in full within 3 months of the date of approval and thereafter retained in accordance with the approved details whilst the development remains in existence. Where the enhancement relates to any planting, any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

   Reason:

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

4. Any part of the full height window in the south elevation which would serve a bedroom at first floor that is below 1.7m in height above the level of the floor in the room that it serves shall be obscurely glazed to a minimum of level 3 of the "Pilkington" scale of obscuration and fixed pane at the time of installation and so retained at all times thereafter.

   Reason:

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

5. The rear facing, first floor window serving the stairwell shall be fully obscured to a minimum of level 3 of the "Pilkington" scale of obscuration and fixed pane within 3 months of the date of approval and so retained at all times thereafter.

   Reason:

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

6. The garden room hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Westridge, Church Close, Ogmore By Sea.

   Reason:

To avoid the creation of a separate unit of residential accommodation, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD1 Location of New Development and MD2 Design of New Developments of the Local Development Plan.

7. Within three months from the date of this decision, the window within the south facing, side elevation of the garden room hereby approved shall be removed, and blocked up, and no further openings inserted in this elevation thereafter while it remains in existence on the site.

Reason:

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

NOTE:

1. For the avoidance of doubt this application gives no consent for raising/lowering of external areas.

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.