

## PLANNING COMMITTEE

Minutes of a Hybrid meeting held on 12<sup>th</sup> February, 2026.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor M.R. Wilson (Vice-Chair in the Chair); Councillors: J. Aviet, G. Bruce, J.E. Charles, C.M. Cowpe, P. Drake, A.M. Ernest, N.P. Hodges, Dr. I.J. Johnson, H.M. Payne, I.A.N. Perry, C. Stallard and E. Williams.

Also present: Councillor G. John (Cabinet Member for Leisure, Sport and Wellbeing).

### 657 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Democratic and Scrutiny Services Officer read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

### 658 APOLOGIES FOR ABSENCE

These were received from Councillor N.C. Thomas (Chair); Councillors I.R. Buckley, C.A. Cave and W. Gilligan.

### 659 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 15<sup>th</sup> January, 2026 be approved as a correct record.

### 660 DECLARATIONS OF INTEREST –

No declarations of interest were received.

### 661 BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS (HSD) –

RESOLVED –

(1) T H A T the passed building regulation applications, as listed in Section (a) of the report, be noted.

(2) T H A T the rejected building applications, as listed in Section (b) of the report, be noted.

(3) T H A T the serving of Notices under Building (Approved Inspectors Etc.) Regulations 2000, as listed in Section (c) of the report, be noted.

#### 662 PLANNING APPLICATIONS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS (HSD) –

RESOLVED – T H A T the applications as outlined within the report, on pages 13 through 39, under the above delegated powers, be noted.

#### 663 APPEALS (HSD) –

RESOLVED –

(1) T H A T the Planning Appeals received following the refusal of the Council to grant planning permission, as detailed in Section (a) of the report, be noted.

(2) T H A T it be noted that no Enforcement Appeals had been received, as detailed in Section (b) of the report.

(3) T H A T it be noted that no Planning Appeal Decisions had been received, as detailed in Section (c) of the report.

(4) T H A T it be noted that no Enforcement Appeal Decisions had been received, as detailed in Section (d) of the report.

(5) T H A T the statistics relating to appeals for the period April 2025 – March 2026, as detailed in Section (e) of the report, be noted.

#### 664 TREES (HSD) –

(i) Delegated Powers –

RESOLVED – T H A T the applications as outlined within the report, on pages 42 through to 45, as determined by the Head of Sustainable Development under delegated powers, be noted.

#### 665 PLANNING APPLICATIONS (HSD) –

RESOLVED – T H A T in pursuance of the powers delegated to the Committee, the following applications be determined as indicated and any other necessary action be taken.

**2025/00807/FUL**

Received on 7 August 2025

(P. 47)

**APPLICANT:** Mrs Sarah Edwards Millstream , Maidenhead Road, Windsor, SL45GD**AGENT:** Mrs Kate Gapper Brunel House, 2 Fitzalan Road, CF24 0EB**Land at the Former Barry Power Station, Sully Moors Road, Barry**

Construction and operation of a 50MW long duration energy storage facility with associated equipment, access, drainage, infrastructure and engineering works.

The application was required to be determined by Planning Committee under the Council's approved scheme of delegation because the application was of a scale and / or nature that was not covered by the scheme of delegation.

APPROVED subject to the following condition(s):

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

Reason:

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

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

- Planning Statement (Carney Sweeney, July 2025)
- Pre-Application Consultation Report (Carney Sweeney, July 2025)
- Design & Access Statement (Centrica, July 2025)
- Transport Statement (SLR, July 2025)
- Preliminary Ecological Appraisal (Tyler Grange, July 2025)
- Green Infrastructure Statement (Tyler Grange, July 2025)
- Landscape and Visual Impact Statement (Tyler Grange, July 2025)
- Noise Impact Assessment (JPM Acoustics Ltd, October 2025)
- Flood Consequence Assessment (JBA Consulting, July 2025)
- Drainage Strategy Report & Flood Statement (Quad Consult Ltd, June 2025)
- Phase 1 Environmental Site Assessment & Preliminary Risk Assessment Report (Geosyntec Consultants, June 2025)
- Application Plans as follows:
  - OIXXXXX-CEA-AS-XX-DR-W-180 rev 4: Site Location Plan
  - OIXXXXX-CEA-AS-XX-DR-W-400 Rev 6: Proposed Layout Plan
  - OIXXXXX-CEA-AS-XX-DR-W-226: Auxiliary Transformer Details
  - OIXXXXX-CEA-AS-XX-DR-W-227: Security and Kitchen Container Details
  - OIXXXXX-CEA-AS-XX-DR-W-228: Welfare Container Details
  - OIXXXXX-CEA-AS-XX-DR-W-229: Step Up Transformer Details
  - OIXXXXX-CEA-AS-XX-DR-W-230 33kV Substation Details
  - OIXXXXX-CEA-AS-XX-DR-W-231: Fence & Gate Details

- OIXXXXX-CEA-AS-XX-DR-W-232: CCTV Pole Mounting Details
- OIXXXXX-CEA-AS-XX-DR-W-250: Battery Container Details
- OIXXXXX-CEA-AS-XX-DR-W-255: PCS Container Details

Reason:

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

3. Notwithstanding the submitted details, no development shall take place, including site clearance, until a landscape & ecological management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:
  - i) Details of sensitive site clearance with respect to reptiles and breeding birds;
  - ii) Details of newt friendly drainage.
  - iii) A plan showing wildlife and habitat protection zones, if appropriate;
  - iv) A lighting scheme (including specifications and details of lighting) for the site in order to ensure minimal light spillage onto adjoining vegetation both during construction and operation of the site;
  - v) Details of the management of ecology features and landscaped areas to maximise biodiversity;
  - vi) Measures to be undertaken to enhance biodiversity on site (including but not limited to bat and bird box provision, further details of grassland seed (to be of local provenance); pillar-box access to building B4 and details of hibernacula for reptiles in the site);
  - vii) Details of site wide scrub and compensatory planting (including details of aftercare);
  - viii) A minimum of 100mm gap at the bottom of all fencing used on site;
  - ix) Details of ongoing maintenance and management of both retained and additional landscaping features.

The works shall thereafter be completed in accordance with the timings approved by the local planning authority and the site operated in accordance with the approved details (including management and aftercare) thereafter.

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. No development or phase of development, including site clearance, shall commence until a site wide or phase Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed;
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Control of Nuisances: details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures.;
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of site lighting during construction

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason:

To ensure necessary management measures are agreed prior to commencement of development or phase of development or specified activity and implemented for the protection of the environment during construction and to ensure compliance with the provisions of Policy MD7 of the Local Development Plan.

5. No development or phase of development, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason:

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

6. Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason:

To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation. To prevent unacceptable risks to controlled waters and ecological systems and to ensure compliance with the provisions of Policy MD7 of the adopted Local Development Plan.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works

must stop, and no further development shall take place until a scheme to deal with the contamination found has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason:

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

8. Prior to the operation of the development or phase of development, a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:
- Timescales for the long term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required.
  - Timescales for submission of monitoring reports to the LPA e.g. annually.
  - Details of any necessary contingency and remedial actions and timescales for actions.
  - Details confirming that the contingency and remedial actions have been carried out.
  - The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason:

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

9. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken

in accordance with Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason:

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

10. 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.

11. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include, but not be limited to,
- Details of delivery hours outside am & pm school pick / drop off times,
  - Access/haulage Route. Not via local settlements or villages
  - Compound layout including parking for construction vehicles. No vehicles to park or wait along Sully Moors Road.
  - Loading and unloading areas for plant and materials on site.
  - Measures to control water, mud and debris entering the highway.
  - Suitable boundary treatments to protect the public
  - Any signage or traffic management required as part of the development.
  - Construction Workers Travel Plan to accompany the CTMP.
  - Details of ongoing management and monitoring of the approved plan and associated measures

The development shall thereafter be carried out in accordance with the approved Management Plan.

Reason:

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

Developments) and MD7 (Environmental Protection) of the Local Development Plan.

12. No development (including site clearance and demolition) shall take place, until a pre-construction Condition Survey has been submitted to and approved in writing by the Local Planning Authority. The extent of the area to be surveyed must be agreed with the Local Highways Authority prior to the survey being undertaken (but should include but not be limited to the extents fronting the site along Sully Moors Road). The survey must consist of:

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

Reason:

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

13. Within 1 month following the completion of the development, a Second Condition Survey along the route agreed under Condition 12 shall be submitted to and approved in writing by the Local Planning Authority. The Second Condition Survey shall identify any remedial works to be carried out which are a direct result of the development approved and shall include the timings of the remedial works. Any agreed remedial works shall thereafter be carried out at the developer's expense in accordance with the agreed timescales.

Reason:

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

14. Within 14 days of the operational use of the site (or phase thereof), a post installation noise assessment shall be undertaken. Details of the test results shall be submitted to the Local Planning Authority within 14 days of the test date together with any details of mitigation should the units not achieve the required overall rating figure of -10dBA below the background noise level (L90) at 1 metre from the boundary of the nearest noise sensitive receptor at day and night. There shall be no intermittent or tonal characteristics nor dominant frequencies exhibited at the nearest receptors. Any mitigation identified within the submission shall be undertaken within 14 days of the date of submission of the results.

Further acoustic measurements shall be undertaken following the completion of any identified measures, with the results and any further mitigation required submitted to the Local Planning Authority for approval in writing within 14 days of approval. This shall be repeated until such time as the identified noise levels are met. The development shall thereafter be operated in accordance with the approved details.

Reason:

To safeguard residential amenity and to ensure compliance with the terms of Policy MD2 (Design of New Development) and MD7 (Environmental Protection) of the adopted Local Development Plan.

15. No development shall take place until details of a scheme to either protect the structural condition or divert the DCWW asset identified as 12 IN. AC 1912 on DCWW plan ref 314548,168514 to the north-east of the site, have been submitted to and approved in writing by the local planning authority. The scheme shall include a detailed design, construction method statement and risk assessment outlining the measures taken to secure and protect the structural condition and ongoing access of the DCWW asset.

No other development pursuant to this permission within the protection zone shall be carried out until the works necessary for the implementation of the approved protection measures or diversion scheme are completed. The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained for the lifetime of the development.

Reason:

To protect the integrity of the public watermain(s) and avoid damage thereto and to ensure compliance with Policies MD2 and MD7 of the Development Plan.

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

Reason:

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

### Reason for decision

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

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

Having regard to Policies SP1 – Delivering the strategy, SP5 – Employment Requirements, SP10 – Built and Natural Environment, MG9 – Employment Allocations, MG19 – Sites and Species of European Importance, MG20 – Nationally Protected Sites and Species, MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, , MD1 - Location of New Development, MD2 - Design of New Development, MD7 - Environmental Protection, MD8 - Historic Environment, MD9 - Promoting Biodiversity, Policy MD14 – New Employment Proposals, MD15 – Protection of Allocated Employment Sites, MD16 – Protection of Existing Employment Sites and Premises and MD19 - Low Carbon and Renewable Energy Generation of the Vale of Glamorgan Adopted Local Development Plan 2011- 2026, and the advice contained within the Council's Supplementary Planning Guidance on Biodiversity and Development (2018), Design in the Landscape, Economic Development, Employment Land and Premises (2023), Minerals Safeguarding (2018), Planning Obligations (2018), Renewable Energy (2019), Future Wales: The National Plan 2040, Planning Policy Wales 12th Edition (2024), and Technical Advice Note 11 – Noise (1997), 12 – Design (2016), 15 – Development and Flood Risk, 18 – Transport (2007), 23 – Economic Development (2014) and 24 – The Historic Environment (2017), the development is considered acceptable in terms of its principle, visual impact, impact upon highway safety and neighbouring amenities, impact upon the historic environment, ecology and green infrastructure. 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.

**2024/00655/FUL**

Received on 19 August 2024

(P. 77)

**APPLICANT:** Mr DR and Mrs EG Davies 1 Vale Business Park, Llandow, CF71 7PF

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

### **1 Vale Business Park, Llandow**

Construction of 2 no. buildings comprising a total of 8 no. Class B2 and/or Class B8 units and associated access and car parking.

The application was required to be determined by Planning Committee under the Council's approved scheme of delegation because the application was of a scale that was not covered by the scheme of delegation.

APPROVED subject to the following condition(s):

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

Reason:

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

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

Location Block Plan (received 29/07/2025)  
 Ground Floor Plan Unit (received 29/07/2025)  
 Elevations Unit A (received 29/07/2025)  
 Ground Floor Plan Unit A (received 29/07/2025)  
 Elevations Unit B (received 29/07/2025)  
 New Access Setting Out (received 29/07/2025)  
 Proposed Site Layout (29/07/2025)  
 Drainage Strategy (received 29/07/2025)  
 Vehicle Tracking (received 29/07/2025)  
 Updated Green Infrastructure Statement (received 29/07/2025)  
 Updated PEA (received 29/07/2025)

Reason:

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

3. The biodiversity enhancement measures set out in document ref: Updated PEA and Updated Green Infrastructure Statement received 29/07/2025 shall be carried out in full prior to the first beneficial occupation or use of the development and thereafter retained in accordance with the approved details whilst the development remains in existence.

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. The use of the units hereby approved (including deliveries and all other external operations) shall be confined to 07:00 to 23:00 Monday- Saturday. There shall be no arrival, departure, loading or unloading of delivery vehicles

outside the above hours nor shall vehicles be allowed to remain on site overnight with motors or compressors running.

Reason:

To ensure the amenities of adjoining occupiers are protected and to ensure compliance with the terms of Policies MD2 Design of New Developments, MD5 Development with Settlement Boundary and MD7 Environmental Protection of the Local Development Plan.

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

Reason:

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

6. Prior to the first beneficial occupation of any unit, the access, visibility splays, circulation and parking shall be completed in accordance with the details shown in drawing no. 11B Proposed Site layout and 10B New Access Setting Out and surfaced in accordance with the approved Site Drainage Layout 19577\_500\_r04 and retained for as long as the development remains in existence.

Reason:

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

7. Notwithstanding the submitted details, prior to the beneficial occupation of the first unit hereby approved, further details of the Green Infrastructure enhancements (to include details of the native hedgerow and planted trees) and ongoing maintenance of the Green Infrastructure enhancements in accordance with the approved 11B Proposed Site Layout and Updated Green Infrastructure Statement: Appendix 4: Habitat Plan - post works, shall be submitted to and approved in writing by the Local Planning Authority. The Green Infrastructure enhancements shall be provided in accordance with the details approved within 3 months of the first beneficial occupation of the first unit and maintained in accordance with the approved details for the lifetime of the development.

Reason:

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

8. Notwithstanding the submitted details, prior to the beneficial occupation of the first unit hereby approved, further details of the open space areas (to include details of equipment (such as benches and bins)) and ongoing maintenance of the open space areas within the site shall be submitted to and approved in writing by the Local Planning Authority. The open space shall be provided in accordance with the details approved within 3 months of the first beneficial occupation of the first unit and maintained in accordance with the approved details for the lifetime of the development.

Reason:

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

9. No development on the site shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.
1. A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways, and receptors
    - potentially unacceptable risks arising from contamination at the site
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action. The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

## Reason:

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

10. Prior to the occupation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

## Reason:

To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with the provisions of MD7 of the adopted Local Development Plan.

11. Prior to the occupation of the development, a long term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long term monitoring plan should include:
- Details of the methods and triggers for action to be undertaken
  - Timescales for the long term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required
  - Timescales for submission of monitoring reports to the LPA e.g. annually
  - Details of any necessary contingency and remedial actions and timescales for actions
  - Details confirming that the contingency and remedial actions have been carried out.

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

Reason:

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

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

Reason:

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

13. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason:

To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution and to ensure compliance with the provisions of Policy MD7 of the adopted Local Development Plan.

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

Reason:

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

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

Reason:

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

16. 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.

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

Reason:

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

18. The visibility splays shown on plan New Access Road Setting Out shall be maintained free of any obstruction exceeding 0.6m in height for as long as the development exists.

Reason:

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

19. 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.

#### Reason for decision

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

Having regard to Policies SP1 – Delivering the Strategy, SP5 – Employment Requirements, MG9 – Employment Allocations, MD1 - Location of New Development, MD2 - Design of New Development, MD3 - Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD7 - Environmental Protection, MD14 - New Employment Proposals, MD16 – Protection of existing Employment Sites and Premises of the Adopted Local Development Plan 2011-2026, it is considered that the proposal is acceptable in relation to the principle of development, siting, scale, design and materials, access and parking, impact on residential amenity and neighbouring units, flooding and drainage and ecology.

Having regard to the Council's duties under the Equality Act 2010 the proposed development does not have any significant implications for, or effect on, persons who share a protected characteristic. It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

The appropriate marine policy documents have been considered in the determination

of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.