

**ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT**  
**FOR THE PLANNING COMMITTEE**  
**TO BE HELD ON 27 MARCH 2025**

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			7.	Comments from Sarah Jane Long
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## MATTERS ARISING FOR COMMITTEE

**COMMITTEE DATE : 27 March 2025**

<b>Application No.:</b> 2021/00075/FUL	<b>Case Officer:</b> Angharad Hobbs
<b>Location:</b> Land West of St. Lythans <b>Proposal:</b> Two livestock buildings with access from highway	

**From: Neighbour, Ms Gaughan**

### Summary of Comments:

- Disappointed with conclusions giving little consideration to resident concerns, eg animal welfare, highway, amenity of properties.
- Highway incident recently where damage was caused due to passing on a single lane.
- Government has paused sustainable subsidies and removed grants open to farmers.
- Many existing farms available to rent / buy but this position appears to support creating a new farm on unspoilt SLA.
- Conclude that planning authority are in favour of a further application for a dwelling to look after large number of animals, should approval be granted.
- No details in the application as to how animals will be managed from a distance which conflicts with welfare guidance.
- Queries regarding access to Officer's report.

### Officer Response:

- Many of the points raised, such as highway concerns, amenity of properties, animal welfare, impact on the SLA and concerns that proposal will lead to future need for a dwelling have been addressed in the Officer's Report, however, the comments are noted.
- Comments regarding Government subsidies noted, however, this is not considered to be a material planning consideration.

### Action required:

No action required.

**From:** [REDACTED]  
**Sent:** 12 March 2025 12:16  
**To:** Hobbs, Angharad  
**Subject:** Planning Recommendation 2021/00075/ful

Dear Angharad

Thank you for updating me on your position and timing in respect of the above.

It goes without saying we are disappointed with your departments conclusions giving little consideration to the residents concerns eg animal welfare, highway (on that note there was another incident on Sunday where the side of a residents car was damaged by a vehicle trying to pass on the single lane through the hamlet) amenity of the properties within the hamlet being affected by noise.

Only today the Government has paused sustainable subsidies, removed grants open to farmers. So many existing farms are available to rent/buy but your position appears to support creating new on unspoilt SLA.

We can only conclude that you are in favour of a further application for a dwelling to look after the large number of animals, should approval be granted animals will be left in an isolated field. There is no suggestion in the application as to how these animals will be managed from a distance. This conflicts with welfare guidance and also with recent farm applications highlighting the risks posed to animals being left unattended.

I circulated your email to my fellow residents, who like me are incredibly disappointed, however, your communication is appreciated.

Kind Regards,  
Wendy

## MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 27 March 2025

<b>Application No.:</b> 2021/00075/FUL	<b>Case Officer:</b> Angharad Hobbs
<b>Location:</b> Land West of St. Lythans	
<b>Proposal:</b> Two livestock buildings with access from highway	

**From: Cllr Ian Perry**

### Summary of Comments:

- Valid objections that must be balanced.
- Intensive farming is increasing and can have negative impacts on communities.
- Odour from intensive farming can impact negatively on nearby residents so it is understandable why residents have raised odour concerns.
- Balancing the recommended 400m distance from residential properties with the needs of the farmer and other restrictions.
- For sustainability we should be using empty buildings. Redundant or underutilised barns nearby and unknown whether purchase or lease of these are viable option.

The following questions were raised:

- Lambing generally occurs between January and the end of March – why would ewes be homed in the proposed barn from March to May?
- Where would lambing in January and February occur?
- What is the need for a barn for ewes (not lambs) outside the lambing season?
- Calving occurs from January to May – why would the animals be kept indoors at other times of the year?
- Dairy heifers produce fewer emissions than the same number of angus calves / store cattle due to weight and size – why are larger animals going to be housed in the barns during the summer months when surrounded by grade 3a farmland?
- Concerns raised regarding light pollution and therefore could there be a condition that only less harmful red lighting is installed within the barns and only switched on

between dusk until dawn when there is a person present with and attending to the livestock?

- Can there be a condition restricting the use of machinery outside of certain hours?

**Officer Response:**

- Comments are noted and issues such as the use of alternative buildings has been addressed in the Officer's Report.
- Due to the technical nature of the queries raised, these have been addressed by the agent and a summary of the response is included below.

**Agent response:**

Cllr Perry's comments and queries were raised with the agent and the following is a summary of the response received:

- Form of agriculture is not 'intensive' but is a traditional mixed arable and livestock farm. Building is used for multiple purposes – half used for lambing for two months of the year and for housing calves born on the farm for the rest of the year. The other half will be used to house the herd of heifers during the winter and calving for the rest of the year.
- Intensive farming generally means production where permanently housed livestock live in controlled environments to maximise profit – this is not the case here.
- Cattle will be winter housed only to protect grass and soils and individuals brought in for calving during the grazing season.
- Young calves will be housed to ensure they have a good start in life.
- Calving heifers will be housed to ensure they can be easily monitored in one place 24/7 for welfare and to minimise losses around birth.
- 400m is not a recommendation but is a threshold for permitted development rights.
- Buildings not under the applicant's control will be owned by third parties and they cannot be forced to sell or let them to the applicant. They may also not be suitable.
- Lambing is from March to end of April. Shortly after lambing the ewes and lambs are turned out to grass.
- Prior to lambing starting in March the in-lamb ewes are at pasture and the proposed building will be used to house pregnant and calving heifers.
- When not in use for lambing (March to May) the building would house calves or be used for bedding and fodder storage, which require under cover storage.
- Calving takes place throughout the year, hence the need to house larger, calving cattle in batches throughout the year, albeit at much reduced numbers from May to November.
- Larger animals are summer housed only when they are calving.
- Lights would be downward facing and fitted with cowls to prevent upward and sideways lightspill. There would be no external lighting. Focused lighting would be required in lambing and calving areas albeit at relatively low intensity.
- Tractors for livestock would generally be used during daylight hours. During harvest there may be need to operate during hours of darkness due to time pressures dictated by weather conditions but this is the same for all farms.

**Action required:**

No action required.

**From:** [REDACTED]  
**Sent:** 21 March 2025 02:09  
**To:** Hobbs, Angharad  
**Cc:** [REDACTED]  
**Subject:** 2021/00075/FUL - proposed barns

Hi Angharad

I've been reading through the Final Report for 2021/00075/FUL, two livestock buildings with access from highway on land at St Lythans. Most of the many objections are invalid, but some are valid concerns that we must balance. My peers living in urban areas are probably wondering why there is resistance to agricultural development in the countryside. Intensive farming can have negative impacts on their communities – and as we seek ever cheaper food for an increasing human population whilst struggling against soil degradation and climate change, factory farming and intensive farming is once again increasing.

The concept of “no graze” intensive indoor farming is on the increase in the UK, where cattle live their lives indoors. Farmers forced to be highly productive and minimise costs. The odour from these animal factories can impact negatively on nearby residents so it is understandable why the residents of St Lythans have raised concerns in relation to odours being emitted from the two proposed barns. We are balancing the recommended 400m distance from residential properties with the needs of the farmer and other restrictions.

We do have redundant farm buildings that are empty or being repurposed, whilst building new farm buildings. For sustainability, we should be continuing to use the buildings we have. There are barns nearby that appear to be redundant or underutilised. It's unknown as to whether purchase or lease of these barns is a viable option for the applicant.

I have the following questions.

#### **Need**

- Lambing sheds are often used by farmers. Lambing generally occurs between January and the end of March. Why would ewes be homed in the proposed barn from March to May? Where would lambing in January and February (when temperatures can be dangerously low) occur? The Planning Authority would require a farmer to demonstrate need for a lambing barn. What is the 'need' for a barn for ewes (not lambs) outside the lambing season?
- Calving occurs from January to May. Why would the animals be kept indoors at other times of the year?
- The dairy heifers produce significantly fewer emissions than the same number of agnus calves/store cattle due to their weight/size. Why are larger animals going to be housed in the barns during the summer months when surrounded by grade 3a farmland?

#### **Light pollution**

Light pollution from agricultural buildings is a growing concern. Complaints have been received by the Planning Authority and SRS about light nuisance to homes and of light pollution having negative impacts on local ecosystems from agricultural buildings within the Vale of Glamorgan. Once agricultural buildings are approved and constructed, the Planning Authority has no control over the lighting within the buildings, even if it shines out causing

environmental issues. The proposed buildings are very open and in a sensitive area near woodland and in the open countryside.

Can there be a condition that only less harmful red lighting is installed within the barns? And that the red lighting only be switched on between dusk until dawn when there is a person present with, and attending to, the livestock?

**Noise**

Can there be a condition restricting the use of machinery outside of certain hours? The movement of modern tractors with their noise (and lights) can disturb wildlife and neighbours at night.

**Ian**

Ian Perry  
Councillor  
Elected Member  
Vale of Glamorgan Council / Cyngor Bro Morgannwg  
mob / sym: [REDACTED]  
e-mail / e-bost: [REDACTED]

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Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

## MATTERS ARISING FOR COMMITTEE

**COMMITTEE DATE : 27 March 2025**

<b>Application No.:</b> 2021/00075/FUL	<b>Case Officer:</b> Angharad Hobbs
<b>Location:</b> Land West of St. Lythans	
<b>Proposal:</b> Two livestock buildings with access from highway	

**From: Goodenough Ring Solicitors**

### Summary of Comments:

- Officer's report does not include active enforcement case on the site. The current application does not include a request for retrospective consent for the hardstanding area.
- No evidence the area was used for manure or silage, as claimed by the applicant. Following the felling of trees and large infilling with imported material, the current car park was created.
- Ecological impact of unauthorised development has not been assessed and given that the application would result in retrospective permission for this aspect, it should have been.
- Report fails to refer to paragraph 5.6.9 of Planning Policy Wales and paragraph 6.6.3 of TAN6 in the principle of development – they are only considered in relation to neighbour amenity.
- Only MD1 is considered in the Officer's Report in terms of principle of development, without considering it against MG17.
- Application site is approximately 150m from the nearest residential property. A substantial number of properties remain within 400m of the proposed livestock buildings.
- Comments raised by neighbours as to other buildings and land available is referenced in the Officer's Report as irrelevant considerations. Officer's Report therefore accepts the Applicant's explanation without testing whether that is accurate.
- Persons responsible for a farmed animal are obliged to ensure reasonable steps are taken to ensure compliance with the Welfare of Farmed Animals (Wales) Regulations 2007.
- No provision for the dry storage of feed, equipment and bedding for the animals. There is also no provision for facilities for workers, such as for cleaning and toilet facilities.
- Further development will be required in order to ensure welfare standards are met.
- The application makes no reference to the fact the development is within an SLA and does not produce an LVIA or assessment of visual impact. Given the scale, the development is considered a significant visual impact.
- Officer's Report has not considered paragraph 6.3.4 ("where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission") and fails to refer to the specific reasons for the designation of the SLA.
- Recommendation is heavily reliant on odour report and noise assessment to conclude that the development would not detrimentally impact on neighbours in terms



of noise and odour, however the assessments do not appear to consider the impact of 500+ lambs anticipated, only the 300 ewes.

- Highway safety has not been taken into account. The number of likely trips to and from the proposed development is not “relatively small” and the type of vehicles accessing the site will frequently be large farm vehicles and lorries.
- Lack of assessment of the biodiversity impact of the proposed development.
- Green Infrastructure Statement is inadequate. It claims there will be no impact on habitats and species without any assessment of biodiversity or ecology and there is no descriptions of the features on and in vicinity of the site.
- No detail on the translocation of hedgerow.
- Officer Report states that biodiversity enhancements are “appropriate and proportionate” as opposed to whether they will provide net benefit for biodiversity. Given the loss of pasture land and impact to hedgerows, the proposed measures are not sufficient to provide a net benefit.

### **Officer Response:**

- Comments are noted and the Officer’s Report does provide a response to some of the issues raised. However, the following is added:
- The Enforcement case is not included within the planning history, however there is reference to an ongoing case within the Officer’s Report. The enforcement case is a matter subject of a separate investigation pending the outcome of this planning application.
- The referenced paragraphs from PPW and TAN6 relate to the development of livestock proposals in proximity to sensitive land uses, such as residential dwellings. Whilst these are not referenced within the principle of development, they have been considered and referenced within the neighbouring amenity section as it is considered that these paragraphs closely relate to this section.
- Policy MG17 is a policy that seeks to protect Special Landscape Areas from harmful development. The visual impact of the proposal is considered to be a crucial element in terms of complying with this policy and as such, whilst not referenced in the principle of development, it is considered within the assessment on visual impact.
- The comments relating to the lack of reference to the 500+ lambs in the odour and noise assessment is noted. However, the noise assessment does outline the proposed development, which includes reference to lambs, albeit not the number. Lambs are not referenced in the odour assessment. However, as referenced in the agent’s recent response, shortly after lambing, the lambs and ewes are turned out to grass and as such, they are unlikely to be housed within the buildings for a considerable length of time.
- Highway safety has been addressed in the Officer’s Report. However, with regards to the comments raised on the use of the access by large farm vehicles, it should be noted that as an existing farm access, there are currently no restrictions on the use of this access for large farm vehicles.
- The comments regarding the Green Infrastructure Statement are noted. However, it should be noted that the Officer’s Report has referenced the loss of pasture.
- With regards to the comments raised on the hedgerow translocation, as referenced in the Officer’s Report, a condition is recommended for further details (see condition no. 3).

### **Action required:**

No further action required.

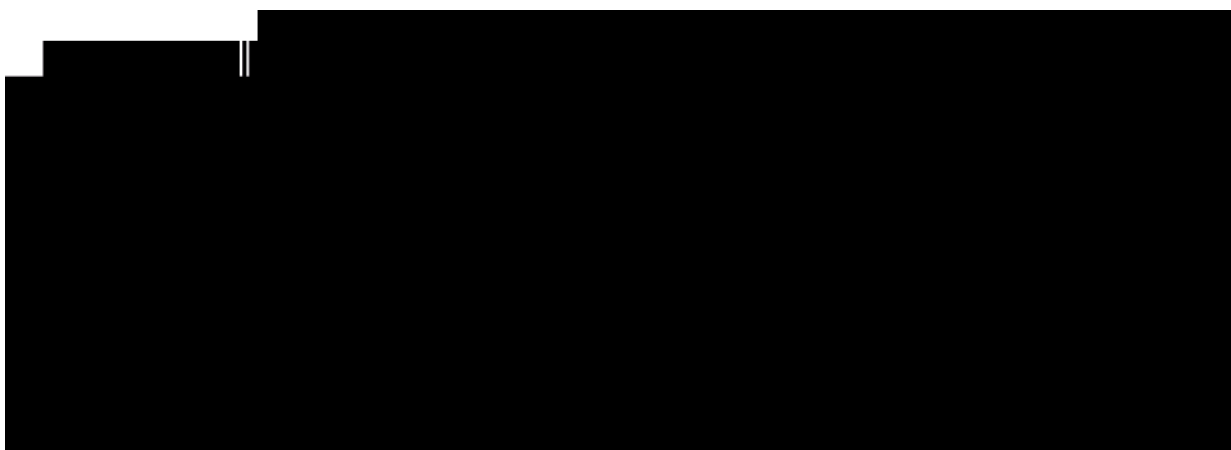
# GOODENOUGH RING

SOLICITORS

Temple Chambers, 3-7 Temple Ave, London, EC4Y 0HA  
0208 050 8601

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Planning Committee  
Vale of Glamorgan Council,  
Civic Offices,  
Holton Road,  
Barry,  
CF63 4RU



Our ref: GAU00001  
Your ref: 2021/00075/FUL

24 March 2025

Dear Councillors,

**Re: Further representations regarding application for planning permission – two livestock buildings with access from highway (ref 2021/00075/FUL)**

1. We are instructed by Wendy Gaughan of Southwinds, St Lythans, Vale of Glamorgan, CF5 6BQ, who is supported by a number of other local residents. Our client has lived in St Lythans for the last 42 years.
2. We write to address the concerns of our client and other local residents about an application for two livestock buildings with access from the highway at Land West of St Lythans (ref. 2021/00075/FUL), which is due for determination by the planning committee on Thursday, 27 March 2025 ("**the Application**").

3. We write further to previous objections raised on behalf of our client over the past few years in relation to the various iterations of the Application.

### Law and Policy Framework

4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a determination of planning permission to be made in accordance with the development plan, unless material considerations indicate otherwise. Such material considerations include, inter alia, relevant statutory tests, relevant objections, and relevant national guidance, including Planning Policy Wales (February 2024) ("**PPW**"), and the Technical Advice Note 6, Planning for Sustainable Rural Communities (July 2010), ("**TAN 6**").
5. The statutory development plan for the Vale of Glamorgan Council ("**the Council**") is the Vale of Glamorgan Local Development Plan (2011-2026) ("**LDP**"), adopted on 28 June 2017.

### Planning History

6. The Officer's Report ("**OR**") states that there is 'no relevant planning history' for the application site.
7. However, as has been raised in resident objections, there is an active enforcement investigation into unauthorised engineering works to create the large car parking area without planning permission, reference ENF/2023/0176/CLL. The current application does not contain a retrospective application for planning permission for the hardstanding area.



Figure 1. The manure heap and round bale storage area is larger than the proposed buildings footprint

Image provided by RAC described as 'manure heap'. Unknown source and date.



Image from Google maps, dated 2023 showing parking hard stand. No evidence of manure heap, or any type of farming activity.

8. There is no evidence the area was used for manure or silage, as claimed by the Applicant.

It was previously a wooded dell and old lime kiln. Following the felling of trees and large infilling with imported material, the current car park was created.

9. As set out below, the ecological impact of this unauthorised development has not been assessed. Given that the Application would result in retrospective permission for this aspect of the development, it ought to have been.

#### Principle of Development

10. While the OR lists various relevant policies it fails to take account of key aspects of some of these policies. In particular, in respect of the 'Principle of Development' the OR references 5.6.8 of the LDP, but fails to refer to para.5.6.9 PPW, in this regard, which states:

*Care should be exercised when considering intensive livestock developments when these are proposed in close proximity to sensitive land uses such as homes, schools, hospitals, office development or sensitive environmental areas. In particular, the cumulative impacts (including noise and air pollution) resulting from similar developments in the same area should be taken into account.*

TAN6 states:

*6.6.3 To minimise the potential for future conflict between neighbouring land uses, planning authorities should exercise particular care when considering planning applications for houses or other new protected buildings within 400 metres of established livestock units. It is important also for planning authorities to keep incompatible development away from other polluting or potentially polluting uses.*

11. Neither of these policies are taken into consideration in relation to the principle of the development. They are only considered in relation to 'neighbour amenity'. Similarly, only MD1 is considered in the OR in terms of the principle of the development, without considering it against MG17, as required (para.7.3 LDP)
12. While the Applicant has moved the proposed development approximately 25 metres away from the village of St Lythans, it lies approximately 150 metres from the nearest residential property. The objection of Kernon Countryside Consultants Ltd of September 2024 shows that a substantial number of properties remain within 400 metres of the proposed livestock buildings.
13. Furthermore, with over 900m<sup>2</sup> of buildings housing 500 cows, calves and ewes with 500+ further lambs the proposed development is considerable.
14. The OR dismisses comments raised by neighbours as to other buildings and land available to the Applicant as irrelevant considerations. However, in applying para 5.6.8 of the LDP, the OR suggests that the development is in principle acceptable where development is intended to meet the needs of changing farming practices. The OR therefore accepts the Applicant's explanation that this development is necessary to comply with producer guidelines and buyer assurance standards, without testing whether that is accurate, because the availability of other buildings are dismissed as irrelevant.

15. To the extent that changing farming practices can be considered to justify the principle of the development, the suitability of what is proposed must be considered by reference to those farming practices.
16. The Welfare of Farmed Animals (Wales) Regulations 2007 ("**2007 Regulations**"), imposes stringent requirements for housed animals. For example, "all housed calves must be inspected by the owner or other person responsible for the calves at least twice a day to check that they are in a state of well-being." (Schedule 6, para.2) Regular cleaning and disinfectant is required to prevent cross-infection and the build-up of disease-carrying organisms (para.6(1)). Bedding for calves must be well-maintained with access to dry bedding at all time (para.8). Specific dietary requirements must be met (para.9-10) with feeding taking place at least twice a day (para.12) and a sufficient quantity of fresh drinking water each day, or at all times in hot weather or when ill (para.13). Similar requirements apply to cows, ewes and lambs (see Schedule 1).
17. Persons responsible for a farmed animal are obliged to ensure reasonable steps to ensure the conditions comply with the above (2007 Regulations, section 4).
18. The proposed development is for two barns and access only. There is no provision for the dry storage of feed, equipment, and bedding for these animals. There is also no provision for facilities for workers, such as for cleaning or toilet facilities. The size of the barn and the requirement to provide suitable accommodation for this number of animals means that the whole of both barns will likely be required to provide sufficient space for the animals (schedule 1, para.9 and schedule 6, para.1).
19. The lambing of 300 ewes with 500+lambs (on the Applicant's estimate) will require farmers to attend to the animals for long periods for days at a time, without any facilities to do so.
20. While the planning committee is not required to determine whether the 2007 Regulations will be complied with, it is clearly the case that further development will be required in order to ensure welfare standards are met. (Indeed, such arguments were raised by the Applicant's agent to argue for planning permission for worker dwellings next to a similar-sized operation in Wenvoe, CF5 6SU (ref. 2018/01077/FUL)). This is relevant to the principle of the development. The 2007 Regulations and the inevitable future development, are also relevant for gauging the full extent of the impacts of the proposed development.

### Visual Impact

21. The development is located in the Dyffryn basin & ridge slopes Special Landscape Area ("**SLA**"), Policy SP10 of the LDP states that 'new development will be required to minimise its impact on natural systems, landscapes, species and habitats' (para 5.97). Further, Policy MG17 only permits development proposals where it is demonstrated that they "would cause no unacceptable harm to the important landscape character of the area". Cumulative impacts must also be considered.

22. Para.6.120 states that "Development proposals within SLAs will be required to fully consider the impact of the proposal on the SLA through the submission of a Landscape and Visual Impact Assessment (LVIA)". The Application makes no reference to the fact that the Development is within an SLA let alone produces any LVIA or assessment of visual impact. Given that the development is:
- a. over 900m<sup>2</sup> in size;
  - b. is located in a raised position in the landscape;
  - c. is clearly visible from the neighbouring village; and
  - d. is surrounded by open landscape;
- it is a significant visual impact.
23. As highlighted above, the 2007 Regulations will mean that further development is inevitable to meet statutory welfare standards. The visual impact will therefore not be limited to the already significant development currently envisaged.
24. PPW is not considered in the OR and is clear that "Where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission" (6.3.4). The OR also fails to refer to the specific reasons for the designation of the SLA, including the fact that development is eroding the otherwise fairly strong rural identity and integrity of the area. The key policy and management issue being to "Reinforce rural character and minimise the impact of new development, restricting development on slopes in particular" (Designation of SLA, Feb 2011, p.55-56).

#### Amenity - Noise and Odour

25. PPW stresses (at para 6.7.3) that, "The planning system must protect amenity and it is not acceptable to rely on statutory nuisance under the Environmental Protection Act 1990 to do so". It is for this reason that TAN6 (para, 6.6.3) requires particular care within a 400m zone. This development is considerably less than 400m from many residential houses.
26. The OR relies heavily on the Applicant's January 2025 odour report and on the Applicant's noise assessment to conclude that the development would not detrimentally impact on neighbours in terms of noise and odour. Those assessments do not appear to consider the impact of the 500+lambes anticipated at the development, only the 300 ewes, referenced in the application.

#### Highways

27. Policy MD2, LDP, requires there to be no unacceptable impact on highway safety. Both the Application and the OR fail to take into account relevant considerations in this regard.
28. The level of traffic said to be generated by the Development is considered "relatively small" (OR, p.77). However, it does not take account of a number of relevant factors, including:

- a. The proposed development houses approximately 500-1,000 animals on an annual basis (200 cows and calves, 300 ewes and 500+lambbs). With the animals on site for varying lengths of time (between 2-3 months (for ewes and lambs) and 12 to 18 months for cows and calves);
- b. Consequently, over a 12-18month period, approximately 1,000-1,800 animals will likely need to enter and exit the site, either in large articulated lorries transport vehicles or in smaller vehicles but with increased frequency;
- c. Animals may also need to leave on foot to suitable pastures while the barns are cleaned or disinfected;
- d. As set out above (para.16), the 2007 Regulations envisage twice daily inspections on calves and daily checks on other animals, in addition to rigorous feeding, watering and cleaning requirements;
- e. No equipment or dry feed or bedding will be capable of being stored on site; and
- f. Manure is to be scraped and removed from the site in a trailer according to the Applicant.

29. As a consequence of the above, the number of likely trips to and from the proposed development is not "relatively small". Furthermore, the type of vehicles accessing the site will frequently be large farm vehicles and lorries.

30. The access lane is a single-track lane with limited passing spaces. It is narrow and at one end has a steep incline. Given these constraints it was considered unsuitable as an access route for the Parc Worlton Solar Farm development (ref. CAS-02112-T2N0G8). The 'Access Strategy' for that development stated that this section of St Lythan's Road was narrow with restricted visibility on a number of bends and concluded that it was unsuitable for HGVs because the road would need widening and third party land required (Environmental Statement, Appendix 10.2 (para.3.11-3.22 and table 4.1)). Safety is already a concern with 2 accidents on this stretch of road in the past fortnight alone (1 car written off and 1 badly damaged).

31. It is self-evident that the frequent presence of large farm vehicles and the regular transport of livestock, will impact negatively on safety.

#### Green infrastructure and biodiversity net benefit

32. There has been a complete lack of assessment of the biodiversity impact of the proposed development. No baseline assessment or 'opportunities and constraints' map has been produced for the redline area, including that part of the land that is subject to enforcement proceedings. The LDP states "The biodiversity value of a proposed development site should be established at the earliest opportunity" (para 7.5.1).

33. The Green Infrastructure Assessment dated June 2024 ("**GIA**") is woefully inadequate. It claims there will be no impact on habitats and species (para 5.1) without any assessment of biodiversity or ecology. Indeed, there is not even a general description of what features are on and in the vicinity of the site and will actually or potentially be impacted

by the development.

34. The fact that a large section of mature hedgerow is proposed for translocation is ignored, as is the fact that the barns are extensive and will result in the total loss of pasture land, a habitat that may support ground-nesting birds. Furthermore, there is no consideration of how the noise and light from the proposed development will impact on neighbouring habitats, particularly the adjacent hedgerow and woodland.
35. Para 5.1 of the GIA continues by referencing existing hedgerow that will be allowed to carry on growing. Allowing an existing hedgerow to continue growing is not ecological enhancement.
36. Without a baseline assessment of any sort, there is no way of knowing if habitats or species will be lost or what enhancements are required to ensure biodiversity will be maintained or enhanced.
37. There are no details on the translocation of the hedgerow, including how long or old the length of hedgerow is and where it will be relocated to. We understand that the hedgerow is at least 40 years old and from the plans provided have estimated that the area marked for translocation is approximately 20metres in length. This is a considerable undertaking of some complexity and yet there is no consideration of whether such a proposal is viable. Translocation carries risks and there is a strong possibility of failure, particularly without an adequate receptor site and aftercare.
38. While the OR lists relevant biodiversity policies, it fails to apply those policies correctly. PPW para 6.4.5 is clear:

“Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems.”
39. The OR applies the wrong standard concluding that the proposed measures are “appropriate and proportionate” as opposed to whether they will provide net benefit for biodiversity.
40. Even without a biodiversity assessment, it is clear that 4 bird boxes and 1 bat box are not sufficient measures to “provide a net benefit for biodiversity”, given the complete loss of pasture land, the risks to the hedgerow earmarked for translocation and the risks to retained hedgerows and the neighbouring woodland.

Yours sincerely,



**Goodenough Ring Solicitors**



## MATTERS ARISING FOR COMMITTEE

**COMMITTEE DATE : 27 March 2025**

<b>Application No.:</b> 2021/00075/FUL	<b>Case Officer:</b> Angharad Hobbs
<b>Location:</b> Land West of St. Lythans <b>Proposal:</b> Two livestock buildings with access from highway	

**From: Ecology**

### **Summary of Comments:**

No Preliminary Ecological Assessment has been provided, whilst fields are in arable rotation, there are impacts on hedgerows.

Two Sites of Importance for Nature Conservation nearby.

NRW are concerned about conserving water quality so the management of slurries from the proposal is crucially important.

Airborne pollution from slurry waste which is indiscriminate in adding nitrogen to nearby habitats.

Programme for the management of the slurry waste is needed that reduces the water borne and airborne levels of pollution.

No biodiversity enhancements proposed.

Tree planting immediately adjacent with native trees will help reduce nitrogen pollution levels.

### **Officer Response:**

Comments are noted.

Comments from NRW are included within the Officer's Report, in addition to a response.

Biodiversity enhancements are included within the Green Infrastructure Statement, which have been assessed within the Officer's Report.

Comments relating to tree planting are noted and a management plan condition has been recommended.

### **Action required:**

**From:** Cheesman, Colin R  
**Sent:** 25 March 2025 13:41  
**To:** Hobbs, Angharad  
**Subject:** 2021/00075/FUL - Land W of St Lythams

Hi Angharad,

Thank you for asking me to look at this planning application.

No PEA assessment has been made as part of the planning application. Whilst the fields are in an arable rotation there are impacts on hedgerows.

There are two Sites of Importance for Nature Conservation nearby – Coed Maesyfelin (235) on the opposite side of St Lytham's Road and Coed Nant Bran (179) 240 metres to the north of the application site.

NRW are rightly concerned about conserving water quality in local ditches and streams so the management of slurries from the proposal is crucially important. This is also true for airborne pollution from slurry waste which is indiscriminate in adding nitrogen to any nearby habitats which can adversely affect the balance of species within them. A programme for the management of the slurry waste is needed as part of this development that reduces the water borne and airborne levels of pollution.

There do not appear to be any biodiversity enhancements as part of the proposal. This will need to be remedied for the application to proceed in line with guidance from PPW (12). Tree planting immediately adjacent with native trees will help reduce nitrogen pollution levels.

If I can be of any assistance please do get in touch.

Many thanks  
Colin

Colin Cheesman  
County Ecologist / Ecolegydd Sirol  
Sustainable Development / Gynllunydd Ceisiadau  
Directorate of Place / Adfywio a Chynllunio  
Vale of Glamorgan Council / Cyngor Bro Morgannwg  
mob / sym: [REDACTED]  
e-mail / e-bost: [REDACTED]



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Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

## MATTERS ARISING FOR COMMITTEE

**COMMITTEE DATE : 27 March 2025**

<b>Application No.:</b> 2021/00075/FUL	<b>Case Officer:</b> Angharad Hobbs
<b>Location:</b> Land West of St. Lythans <b>Proposal:</b> Two livestock buildings with access from highway	

**From: Two letters from a neighbour, Yr Ysgubor, St Lythans**

### **Summary of Comments:**

- Change in character and setting of small rural settlement.
- Impact to neighbours with regards to odour, noise, fly and pest nuisance, light pollution, reduced highway safety.
- Proposal does not comply with strategic policy or guidance.
- Commissioned reports on odour indicate that the odour nuisance will increase.
- Proposal does not comply with the 400m guidance and how has “Particular Care” been exercised with a departure from policy.
- Departure from policy may be acceptable for a greater good but there is no greater good here (i.e. no increase in employment, no beneficial impact to the community etc.)
- Alternatives available to the applicant and no evidence of consideration of alternative sites.
- Failure to comply with significant number of policy and guidance documents will have a cumulative effect.
- Current base line for Green Infrastructure has not been done and permission should be refused.
- Loss of agricultural land of grade 3a is irreversible.
- Concerns regarding highway safety and the findings of a report for the Parc Worlton DNS scheme have been summarised, such as negative safety aspects of this route towards the site. Route surveyed is the same as the access for the proposed development.
- Without additional suitable traffic management safety schemes the route was unsuitable.
- Significant movement of HGVs, livestock etc.
- Concerns regarding use of site for sale of seasonal Christmas Trees.
- Officer Report refers to access as a low use section of road but this is not accurate as it is a significant thoroughfare.
- Concerns regarding CO2 emissions from large vehicles.

### **Officer Response:**

The comments are noted and it is considered that issues relating to principle of development, impact on neighbours and highway safety have been addressed in the Officer’s Report.

### **Action required:**

No further action required.

FAO

Vale of Glamorgan Planning Committee Members

**COMMENTS ON FULL PLANNING APPLICATION**

**PLANNING REFERENCE 2021/00075/FUL (Resubmission)**

**Date 26<sup>th</sup> March 2025**

Dear Councillor,

I write in relation to the above (Resubmitted) Full Planning Application proposed for the erection of 'Two livestock buildings with access from highway' on 'Land West of St Lythans' in the Vale of Glamorgan and related documentation.

**I have previously registered my Objection to the proposal but wish to add my additional concerns to this proposal in relation to Key Aspects of the application of relevant policy.**

The reasons for my Objection are based on the following observations and information.

The proposed original and revised development site has clear implications for the whole of the residential population in the hamlet of St Lythans relating to potential long term 'ongoing nuisance' and 'loss of amenity' but specifically.

If granted this proposal will lead to the permanent change of the character and setting of this small rural settlement that is part of rolling arable farmland. Some of you will have resorted to or travelled through St. Lythans.

I will try to sum up the main reasons why you should refuse this application.

In 'Planning Policy Wales (edition 12) 2024' document para 6.3.4 states "Where adverse effects on character cannot be avoided it will be necessary to refuse planning permission". This is clearly relevant to the proposed sites position high up on the ridge slope of the SLA and its proximity to a small rural settlement.

If granted it will commit the residents to a lifetime of distress caused by loss of amenity due to:-

A new imposed odour nuisance

A new imposed noise

A new imposed fly and pest nuisance

New imposed light pollution

Reduced highway safety due to the unsuitability of the lanes for high usage by very large vehicles.

To say that the proposal and its imposition of these nuisances and the effect on the environment it is within is in some way acceptable is irrational.

Highway safety: policy MD2 criteria 5 & 6, requires there to be no unacceptable impact on highway safety. Both the OR and Applicant pay inadequate regard to this matter.

The development is unnecessary and wrong and all the consequences that will emanate from it, if approved, are at this point avoidable. The potential conflict for all parties including the approving authorities would seem inevitable.

The OR recommendation to approve the application would produce an OUTCOME that will last forever /24-7/ 365 days a year with no way to return.

I hope to explain why the proposal is **wrong** for the following reasons: -

It does not comply with the relevant strategic policies and guidance applicable to it in relation to the impact on people, amenity, property, the rural landscape and the natural environment.

Yes, the applicant has moved the proposed site incrementally away from the settlement to mitigate the impacts of odour, noise and light but we should be clear those nuisances have NOT gone away!

Indeed, these incremental moves prove acceptance that there is a worsening of amenity.

Commissioned reports relating to the odour nuisance, based on dispersion models and significant science ALL indicate that the odour nuisance WILL increase from where it now is (This is not disputed)

As such it has an impact on amenity which policies say must be protected within a range of 400m.

Is it really, as recommended by the OR, acceptable to make things **worse**?

Is this the "Exercise of Particular Care"

Is it a fact that due to the unpleasant nature of odours from intensive livestock farming that Legislative provision and guides relating to the issue have proven necessary.

The 400m rule comes from such guidance.

The rule was introduced to negate the problems caused by the proximity of such facilities to residential settlements and developments and prevent the loss of amenity.

St Lythans is an existing long-standing settlement.

This proposal puts properties within the hamlet within 190m, the church at approximately 370m and 95% of houses within 400m.

Not the odd property but virtually the whole settlement.

With such strong clear policy guidance and a proposal that will make odour nuisance worse how would it show "Particular Care" had been exercised with such a departure from policy.

If odour nuisance increases, why would it be acceptable?

Departure from such clear policy to make things worse for the 'Greater Good' may be considered acceptable, but:

There is no greater good here

No increase in employment

No beneficial impact to the community

There is detrimental impact to the settlement and environment

No enhancement of Green Infrastructure

No enhancement of agricultural production due to removal of high-grade arable land.

It is also **wrong** because the applicant has alternatives which would provide his business needs without the negative impacts listed.

We should remember that the impact will be on the residents and users of the settlement's premises and environs of St Lythans including residents, visitors, cyclists, walkers, dog walkers, attendees at church gatherings such as weddings, funerals and religious events.

It is **wrong** that the applicant has not been asked to evidence his consideration of other sites.

If you choose an undeveloped site you should justify why (This is stated to be normally the case by the OR who then dispenses with the need in this case) despite the implicit elements of policy MD1(criteria 6 & 7).

There is no existing farmyard. There is no "Intensive livestock rearing" so it's not expansion of existing. This is a brand-new development of 2 large livestock sheds, and it is unnecessary for them to be sited here. It is not linked to any particular area of land and could go elsewhere on the applicants very large, rented holding of 285 hectares.

The applicant has a CHOICE

The long-standing residents and users of St Lythans have NO CHOICE.

If refused the applicant is not prevented from progressing their enterprise especially as there are existing sheds and yards on his substantial holding. (His agent's report aerial photograph indicates the scale and locations)

There is no real rationale for the proposed site especially when potential for CONFLICT and harm they will cause is considered.

I assure you that all concerns/ objections raised are based on existing WG Policy PPW, Vale of Glamorgan LDP, MD's, SP's TAN's etc.

A failure to comply with or small departure from an individual policy or guidance doc may seem of little significance when taken in isolation.

A failure to comply with or small departure on a significant number of policy and guidance docs will have a "Cumulative Effect" on an outcome to a point where a number of, on the surface, acceptable decisions amount to a TOTAL FAILURE to uphold W. Government and VOG Policy principles.

You will have received a letter from the objectors Solicitor that states their concern over departures from the 'principles' of some strategic guidance. This reinforces resident objections.

The application has not considered all relevant policy content from strategic to guidance note level so :-

It does not comply now and

Did not comply in 2021 when first submitted.

The proposal has not been significantly altered.

It was WRONG then

It is WRONG now

The question is why in 2021 this application was not refused bearing in mind the failure to comply with 'strategic policy'.

Green Infrastructure is a 'flag ship' policy relating to the 'Enhancement' of Biodiversity and reinforced in its requirements and importance by Dear Chief Planning Officer letters which launched the amendments to Chapter 6 of Planning Policy Wales in February 2024.

Green Infrastructure (GI) Assessments are a requirement of this key strategic policy with very strong guidance from Ministers to Chief Planning Officers to comply with its provisions.

The assessment should be used to assess the current resilience of the site (NOT DONE) and this 'base line' must be maintained and enhanced post development.

If this cannot be achieved permission should be refused.

Consider the GI assessment submitted by the applicant's agent. It is inadequate and pays 'Lip Service' only to this important strategic policy." Where biodiversity enhancement is not proposed as part of an application. 'SIGNIFICANT WEIGHT' will be given to its absence and unless other SIGNIFICANT material consideration indicate otherwise, it will be necessary to REFUSE permission.

Arable Land

The arable land which has been subject to 'unauthorised' engineering forms part of the wider area proposed for this site.

The OR accepts that the proposed site is 'Grade 3A' agricultural land and seems to accept that the land already developed which is the same quality has been lost.

If its prime arable land and its loss is unnecessary as it could be maintained as such. The applicant could erect the sheds elsewhere on his holding providing 2 beneficial sites to agricultural production rather than just one!

The use of the land would be irreversible- see 6.2.3 and 6.2.4 TAN 6

Conclusion

Whilst the OR identifies key relevant headline policies it is incomplete as it fails to scrutinise all the relevant criteria within those policy and guidance docs or takes what we believe to be an unduly lenient approach to the application of National and Local planning principles.

This is reinforced by our solicitor's letter of 24<sup>th</sup> March 2025

As such the OR summary and recommendations are based on incomplete information so how can a holistic approach be adopted to decision making.

I have tried to deal with many of the obvious departures from policy

When relevant criteria are not considered it can lead to a position of acceptability where in practice, if all these elements are considered, there is a likelihood that the position will result in the scales tilting to unacceptability.

The OR statement guiding decision makers to look at all facts / elements (in the round and in a holistic manner) but then adopts a less than thorough approach for the assessment and considerations of ALL policy elements risks a flawed outcome.

This is important because when all are considered it is very clear that the location for this development is Incongruous and will achieve what policies such as SLA's are specifically designed to prevent

The proposed site for this development is wrong and would amount to INCONGRUOUS development to the settlement and environs of St Lythans including an SLA.

It will change the quiet rural character of this area of the VOG forever - it will worsen the amenity on all levels .

It will worsen the environment

It will worsen public safety on the highways

It will worsen biodiversity and green Infrastructure

It was wrong in 2021 and the small incremental shifts in the proposed position have not made any significant difference to the level of harm/ rural vandalism and conflict it will constitute.

Thank you in anticipation of your kind consideration on all the above.

Yours Sincerely

Mr Alan Richardson, [REDACTED]  
[REDACTED]



FAO

Vale of Glamorgan Planning Committee Members

## COMMENTS ON FULL PLANNING APPLICATION

PLANNING REFERENCE 2021/00075/FUL/ANH (Resubmission)

Date 26<sup>th</sup> March 2025

Dear Councillor,

I write in relation to the above (Resubmitted) Full Planning Application proposed for the erection of 'Two livestock buildings with access from highway' on 'Land West of St Lythans' in the Vale of Glamorgan and related documentation.

**I have previously registered my Objection to the proposal but wish to add my additional concerns to this proposal in relation to Highways / Traffic Safety matters.**

I have previously raised concerns on the increase in the traffic levels within the village of St Lythans relating to this proposal and which focused on the impact upon the residents and road users within the curtilage of St Lythans only. In relation to traffic safety and management I realise this was not a suitably holistic approach to the potential problems that will be caused by this proposal to the wider community effected.

I therefore ask you to consider further traffic and road safety concerns to the east of the proposed site along the length of St Lythans Road that runs from the A4050, passes Twyn-yr-Odyn, through the village of St Lythans to access the proposed site; and to the west of the proposed site towards the village of Dyffryn and its environs, should this development be approved.

These comments are, in part, based on a 'publicly available' report carried out by RPS Consulting Services Ltd (November 2023) in relation to the proposed planning application for the 'Parc Worlton solar farm', Dyffryn. But additionally on local knowledge as a resident and common sense.

The element of the RPS report referred was part of the submissions 'Environmental Statement' (Volume 3) Appendix 10.2 'Access Strategy' section 3. In particular the 'Analysis of Potential Construction HGV access routes.' – Route 2: Via A4050 & St Lythans Road (Paragraphs 3.11 to 3.21)

Due to your position you may well already be aware of this report.

As stated, the specific elements of the report I refer to are related to the road that runs from the A4050, passes Twyn-yr-odyn, and continues through the village of St Lythans to access the proposed site of this development. These elements are contained within paragraphs 3.11 to 3.20 of the proposed Construction Traffic Management Plan's findings **which clearly identified the negative traffic safety aspects of this route towards the site**, in that instance, and the additional compensatory traffic management measures appropriate to negate those negative aspects. It clearly identifies the following points at nos 1,2,4,6,7 and 8. In addition to the points I have inserted at 3, 5 and 9.

1. Large vehicles taking the two bends below the Twyn-yr-odyn junction take up the whole carriageway, on both bends, to enable them to negotiate the bend.
2. Forward visibility on both bends is severely restricted.

3. Whilst not mentioned in the RPS report, although I believe it very relevant, the junction forming the access to Twyn-yr-odyn is a blind junction so adds an additional level of risk to traffic exiting on to St Lythans Road.
4. The next constraint identified was the bend in the village of St Lythans itself where again forward visibility is severely restricted and vehicles travelling west must leave the main carriageway to pass oncoming traffic.
5. Whilst not mentioned in the RPS report, although I believe it very relevant, there are many residential property access gate junctions with this carriageway particularly on arriving at and passing through St Lythans village, some of which are blind, all of which have restricted vision, so add an additional level of risk to residential traffic exiting on to St Lythans Road.
6. The bend immediately to the west of the proposed site access, at the top of the hill, also has poor forward visibility and requires large vehicles to take up the whole carriageway.
7. Further to the west passing the 'St Lythans burial chamber' there is another collection of bends where large vehicles take up the whole carriageway to enable them to negotiate the bend.
8. Forward visibility on both these bends is severely restricted.
9. Larger vehicles leaving this site to the west with a view to getting back to a main road would also have to negotiate the junction with the road that leads past the main entrance to Dyffryn Gardens towards the A48 at St Nicholas. This is another blind junction and again would require both sides of the carriageway to be taken up to get around it.

The route surveyed and discussed in the RPS report is exactly the same as would be used to access this proposed development. As such, and as the report's recommendations were accepted by the Authority, the content can, I would argue, be 'read across' to this proposal. RPS, I believe, are experts in this field.

It was recommended by that report that without additional suitable traffic management safety schemes that the route was unsuitable in its current form, as a site access route for the solar park, for large HGV construction traffic access. As such, surely, it is unsuitable for any increase in such HGV traffic over and above any current usage. Indeed, there is an argument that it is already on the limits of any Road Safety standards applicable to the routes.

I would ASK that '**Urgent Consideration**' is given to the factors now presented as I am sure that the Planning Authority would not wish to preside over the approval of an application that significantly impacts and reduces levels of 'Road Safety' which would be counter to the requirements of Planning Policy – in particular Management Development Policy MD2, and specifically criteria 5 and 6 of this policy.

There have already been Road Traffic Collisions resulting in injuries to persons in these lanes, one with a cyclist hospitalised. In addition there have been two further vehicular accidents within the last fortnight where fortunately nobody was seriously injured.

For this proposal we are talking about a 'significant increase' in the movement of very large agricultural vehicles which will present exactly the same DANGER's as listed above.

There will be significant movement of HGV construction traffic. (construction phase).

There will be large volumes of feed and welfare products delivery (None at present).

There will be large movements of manure and waste from the site (Only limited amounts brought to site at present).

There will be significant movements of livestock (None at present).

There will likely be movements of large plant / earthmoving machinery if the applicant commences running his plant & driver hire business from this proposed site also.

As the applicant is well known for his seasonal Xmas tree selling and, if his operation was moved to this new site will this generate a seasonal spike in traffic along this road for the purchase and collection of trees by members of the public in their vehicles. Increasing the risk of collisions by persons who bluntly will not be aware of the hazards that exist on this stretch of narrow lane.

In essence the situation becomes far **WORSE** and will be **FOREVER ie the full life of the commercial enterprise.**

The applicant and others, I am sure, would state that large HGV vehicles already travel these routes which is correct but those that frequently use these lanes will already know the difficulties presented to other vehicle users, horse riders, pedestrians and cyclists who use these routes and are confronted with large HGV type agricultural vehicles **at current usage levels**. There are places where there is not even enough room for a pedestrian's body width when some of this large agricultural machinery attempts to pass and you need to look for a passing place, let alone vehicles and cycles.

This is not an Objection to 'existing use' by large HGV or agricultural vehicles, but it is an Objection to a significant, likely daily, 'increased use' by large HGV or agricultural vehicles which would be the case if this proposal was to be granted approval.

**Increased HGV / agricultural traffic is a key element of this proposal that would make the prevailing conditions 'WORSE' and have a significant impact on the safety of all road / lane users ie.**

**Other vehicle drivers,**

**Horse Riders**

**Cyclists**

**Pedestrians including 'rambling groups' and persons with pushchairs**

**NB This reduction in Road Safety will last for the full life / duration of this commercial enterprise if granted approval.**

All site positions proposed since the original application for this development have clear implications for the whole of the residential population in the village of St Lythans and its environs relating to potential long term 'road safety potential' and 'loss of amenity'.

The supporting report for this application does not propose, and cannot provide, any compensation for the residents and users of the road infrastructure giving access to the proposed site in relation to reduced road safety caused by INCREASED very large VEHICULAR MOVEMENT.

The earlier 'traffic report' submitted by RAC in November 2021 was, at the time, noted but can now be seen to be flawed and inadequate as to its remit and the lack of its insight into the wider implications of the HGV traffic movement that will be created by this proposal if it was allowed approval. It is incomplete, unbalanced and showed a total lack of awareness of Highways and Traffic Safety relating to the holistic impact of this proposal.

The comments relating to site access and the statement that describes it as opening onto 'a low- use section of road' is not accurate. This is a significant thoroughfare used by many of the residents of other villages in the area, significant tourist and recreational use to Dyffryn House and Gardens, Dyffryn Springs Function facilities and Fisheries and the two burial chambers at St Lythans and Tinkinswood and many horse riders, cyclists and walkers. As many of the vehicles entering and leaving the site will be large and slow moving it should also be noted that there is a 60mph speed limit on this section of road so the so called suggestion that the access is 'provided with good visibility' in each direction is flawed as many of the persons travelling this road are strangers to its potential hazards which will be increased by any such increased vehicular movement.

The increased hazard to motorists, pedestrians, cyclists and horse riders, along the whole length of these routes, due to the apparent lack of understanding and appreciation regarding the fact that the existing speed limit is (60mph) highlights the previous traffic reports flawed approach.

***Environmental Impacts of this Proposal***

Further to the above this proposal increases CO2 emissions created by the increased movement of Large HGV's which is contrary to Welsh Government Policy aims and principles to be achieved.

'The Welsh Government 'Planning Policy Wales (edition 12) 2024' explicitly implies that the Environmental Impact of any new commercial development and its sustainability should be a serious consideration with a view to minimising the effects on the environment and 'climate change'. A 'green approach' should be adopted.

In the light of the above I believe that the Highways Department should also be asked to re-comment on the foregoing.

In summary I further object to this development proposal due to.

Traffic - ***will be made 'WORSE' by the proposal***

Highway Safety - ***will be made 'WORSE' by the proposal***

Amenity - ***will be made 'WORSE' by the proposal***

National Policy – ***a failure to apply relevant policy criteria***

I believe that earlier raised concerns, in relation to Road Safety, by residents are reinforced by the further information that I now submit.

Thank you in anticipation of your kind consideration on all the above.

Kind Regards – Mr Alan Richardson, [REDACTED]

[REDACTED]

## MATTERS ARISING FOR COMMITTEE

**COMMITTEE DATE : 27 March 2025**

<b>Application No.:</b> 2024/00832/FUL	<b>Case Officer:</b> Dafydd Evans
<b>Location:</b> Lloyds Tsb Bank Plc, 9 Boverton Road, Llantwit Major	
<b>Proposal:</b> Application for the change of use from Lloyds Bank (A2) to Dominos (A3)	

**From:** Councillor Gwyn John

**Summary of Comments:** Application to be brought to committee for decision. Concern for the quantity of takeaways on Boverton Road, where there are currently two other similar businesses, where another would be “absolutely ridiculous *and states: “I am sure that there are policies protecting a Town Centre with too many Take Aways in the same area.”*

**Officer Response:** Due to an oversight the comments above were not included within the report and page 130 has incorrectly noted that Councillor Gwyn John had no objection. The report is amended on this basis.

It can be noted that the application is being reported to committee at the behest of Councillor Williams. The officer report drafted for members assesses all salient planning issues raised by Councillor John including the current provision of non-A1 uses with reference to Planning Policies 2024 AMR findings and the quantity of takeaways within a locality.

**Action required:** No further action required, members to note.

**From:** Lankshear, Robert  
**Sent:** 31 October 2024 08:42  
**To:** Evans, Dafydd  
**Subject:** FW: Planning application - 2024/00832/FUL

Hi Daf, please note below email re call in request.

Please note that committee reports need to be prepared and signed off 2-3 weeks before committee. Just FYI the next 2 committee dates and deadlines are below.

Action	Date
Officers to give reports to Team Leaders for checking	5 November, 2024
Reports to Support after clearance by Agenda Conf.	15 November, 2024
Reports to Democratic Services	15 November, 2024
<b>Meeting:</b>	<b>28 November, 2024</b>

Action	Date
Officers to give reports to Team Leaders for checking	19 November, 2024
Reports to Support after clearance by Agenda Conf.	29 November, 2024
Reports to Democratic Services	29 November, 2024
<b>Meeting:</b>	<b>12 December, 2024</b>

Thanks

Robert Lankshear  
Principal Planner / Prif Gynllunydd Ceisiadau  
Regeneration and Planning / Adfywio a Chynllunio  
Vale of Glamorgan Council / Cyngor Bro Morgannwg  
tel / ffôn: 01446 704663  
mob / sym:  
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Find us on Facebook / Cewch ddod o hyd i ni ar Facebook  
Follow us on Twitter / Dilynwch ni ar Twitter

Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

-----Original Message-----

From: John, Gwyn (Cllr)  
Sent: 30 October 2024 18:27  
To: Lankshear, Robert  
Cc: [REDACTED]  
Subject: FW: Planning application - 2024/00832/FUL

Hi Rob,

Please see the email below, therefore, I request that you bring this application to Planning Committee for a decision. Personally, It is so sad to see Llantwit Major with so many takeaways on the Boverton Road, currently, there are two other businesses selling Domino Pizza, so another Dominos is absolutely ridiculous. I am sure that there are policies protecting a Town Centre with too many Take Aways in the same area.

Best Wishes

Gwyn

-----Original Message-----

From: [REDACTED]  
Sent: Wednesday, October 30, 2024 3:32 PM  
To: John, Gwyn (Cllr) [REDACTED]  
Subject: Planning application - 2024/00832/FUL

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

Dear Councillor Gwyn John,

I am writing regarding the planning application for a Domino's Pizza takeaway in the former Lloyds Bank building in Llantwit Major town.

I would like to appeal that you, as one of our local councillors, could see that this application is moved from officer delegation to the full committee, allowing members of the community to express the concerns that such a development raises for local residents and small business owners.

As you know, Llantwit already has a diverse range of food outlets, including two Chinese takeaways, two fish and chip shops, a kebab and pizza takeaway, two Indian restaurants, and several cafes and pubs that serve food. Additionally, a newly developed Greggs takeaway has recently opened in town. Apart from Greggs, all of these businesses are run by local residents. It's well-documented that large national chains, such as Domino's, can have a substantial impact on small businesses, and this is something that local owners are deeply concerned about with this particular application. Moving the decision to full committee would ensure that the community has an opportunity to share their views and concerns.

Furthermore, there is an ongoing issue with antisocial behaviour and littering, especially on weekend evenings in the precinct. Just a few months ago, Greggs held a meeting with local business owners to discuss ways to address this problem. Another large takeaway chain opening in Llantwit Major would only exacerbate this situation.

It is my firm belief, shared by many local business owners and residents, that introducing a large chain could harm the character of our town, which has been defined by a hub of local businesses. I hope that you will consider these comments and allow this planning application to go before the full committee so that residents can have their voices heard.

Kind regards,  
Mr. Huseyin Cecen  
Owner, Cafe Unwind



## MATTERS ARISING FOR COMMITTEE

**COMMITTEE DATE : 27 March 2025**

<b>Application No.:</b> 2024/00832/FUL	<b>Case Officer:</b> Dafydd Evans
<b>Location:</b> Lloyds Tsb Bank Plc, 9 Boverton Road, Llantwit Major	
<b>Proposal:</b> Application for the change of use from Lloyds Bank (A2) to Dominos (A3)	

**From:** Sarah-Jane Long

**Summary of Comments:** Three letters of representation have been received where they are addressed within this document. Formal request for application 2024/00832/FUL to be deferred from March committee alleging that concerns raised by local residents, businesses owners and elected representatives have not been properly considered. Noted that concerns have been briefly mentioned but not thoroughly assessed. Moreover, concern for the accuracy of completion of report due to the omission of comments from Councillor Gwyn John.

Also raise concern that works have commenced and suggested issues with regard to the impartiality and transparency of the decision making process, suggesting predetermination.

Policies including Planning Policy Wales, the National Planning Policy Framework nor the Llantwit Major Neighbourhood Plan has not been properly factored into the report, where the proposed conflicts with its objectives. The proposal does not align with the long-term vision for business sustainability, community character or environmental impact, including potential national business displacing and outcompeting local businesses.

Lack of communication between officer and objectors through this process. Slow email replies, limited engagement and an unhelpful approach to their concerns. Combined with

the fact that unauthorised works have taken place raises concerns for the integrity of the process.

Objections have been downplayed, where Greggs convened a meeting with local businesses due to excessive litter. The objection has been downplayed within the officers report where the time given to a spokesperson is insufficient to address such concern.

Potential alternative clients were dismissed due to Dominoe's securing an exclusive deal. Demonstrates how large chains are able to dominate the local market with the support of planning process.

### **Officer Response:**

The application has been dealt with in a professional and impartial manner and on its planning merits only. The merits of the proposals, including their compliance with the relevant legislative framework are discussed within the officer's report prepared for consideration by members. This includes consideration of all salient planning matters such as the nature and concentration of such uses. That the suggested tenant is a national brand, is not contrary to an adopted policy and does not therefore represent a reason to refuse planning permission.

In terms of representations received these are similarly considered within the report. As noted in the separate matters arising note, Cllr John's comments were not included in the officer report in error but are provided to members for information.

In terms of works having started at the premises, internal works can be undertaken without the benefit of planning permission. Unless an A3 use at the site has commenced then it is likely a breach of planning has not occurred at this time, any use or works undertaken that would require planning permission would be completely at the applicant's risk until such time that any permission may be granted. It is noted that works undertaken at the property comprise of replacement windows having been installed in the shopfront. The Council's Enforcement Team have been investigating this matter and have already been in contact with the applicant's agent who has advised that the works being undertaken at the property relate to part of the dilapidations with the previous tenants. They advise that the works being undertaken include replacement of the windows and would not require planning permission. They confirmed that the applicant is not the party undertaking these works, nor do they relate to the application that is currently in and running.

Officers have not reached an outcome of the enforcement investigation although note that the replacement windows are as per the submitted plans. On this basis, as is normal in any

enforcement investigation, the investigation will be concluded following the outcome of this planning application.

Members are advised that the application must be treated on its own merits having regard to the proposals before the Local Planning Authority as presented. The application drawings illustrate the shopfront proposed and it is on this basis that the application must be treated.

When considering representations of neighbours various departments within the Council were consulted as set out in the report, with no objection raised by statutory consultees on the basis of litter arising from the proposed A3 use. Moreover, as stated within the report, there is no reason in principle that the proposal would result in such instances. Furthermore such matters are largely related to behaviour of future customers and would take place outside of the application site. Moreover, as stated such a factor would not warrant the refusal of the application.

Concerns were raised regarding the sale of the premises, where it is noted that planning would not be involved in this process. The application would be determined on its own merits in line with relevant policies.

Should members be minded to vote against officer's recommendation, then the applicant would have the right of appeal against any refusal and/or potentially be prone to enforcement action if a breach of planning control were to occur.

To this end, there is no material reason to defer consideration of the application at this committee.

**Action required:** None, members to note

**From:** [REDACTED]  
**Sent:** 24 March 2025 12:12  
**To:** Evans, Dafydd; Lankshear, Robert; John, Gwyn (Cllr); Williams, Eddie (Cllr)  
**Subject:** Application 2024/00832/FUL, Change of Use

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Subject:** Request to Defer Planning Committee Meeting – Application 2024/00832/FUL

Dear Dafydd Evans and Robert Lankshear,

I am writing to formally request that the Planning Committee meeting for Planning Application 2024/00832/FUL be deferred, as the objections raised by local residents, business owners, and elected representatives have not been properly considered in your report. While these objections have been briefly mentioned, they have not been thoroughly assessed or addressed in a meaningful way. Given the significant concerns raised, it is only fair that this application undergoes a more rigorous review before a decision is made.

It is particularly concerning that the objections of Councillor Gwyn John have not been included in the report, despite his role in representing the views and concerns of local residents. The omission of such an important objection is yet another indication that this report has not been compiled with the full and proper consideration that this application demands. This raises serious questions about the accuracy and completeness of the assessment, further supporting the need for a full review before this application proceeds to committee.

Additionally, the Llantwit Major Neighbourhood Plan has not been properly factored into the report, despite this application clearly conflicting with its objectives. This application does not align with the town's long-term vision for business sustainability, community character or environmental impact. The planning process should take into account local planning policies and ensure that any new development supports—not undermines—the fabric of the town.

Furthermore, there has been a clear lack of communication with objectors throughout this process. Local residents and business owners have experienced slow responses to emails, limited engagement, and an unhelpful approach to their concerns. This, combined with the fact that unauthorised works have already taken place before planning permission has even been granted, raises serious questions about the integrity of the process. It appears that this application has been driven forward with little regard for the objections raised, creating the perception that approval was predetermined rather than objectively assessed.

Additionally, the fact that potential alternative tenants for the site were denied access to the property—due to Domino's already securing an exclusive arrangement—demonstrates how large chains are able to dominate the local market with the support of the planning process. The Vale Council should not facilitate such unfair business practices, which directly harm local entrepreneurs and independent businesses.

Given these significant issues, I urge you to defer this application and allow for a full and thorough reassessment of the report. The concerns raised by the community and elected representatives deserve proper consideration, not just a passing mention, and the decision-making process should not be rushed to the detriment of Llantwit Major's historical and economic character.

Please confirm receipt of this email and advise on how you intend to proceed.

Kind regards,  
Sarah-Jane Cecen

**From:** [REDACTED]  
**Sent:** 25 March 2025 16:24  
**To:** Lankshear, Robert  
**Subject:** Re: Planning Application 2024/00832/FUL  
**Attachments:** Lloyds Bank - During Works.png; Lloyds Bank - Prior to works.png; Lloyds Bank - After works.jpeg

**Subject:** Concerns Regarding Planning Application and Committee Report

Dear Mr Lankshear,

Thank you for your response. However, it is evident from both the planner's report and your email that, while this may not be explicitly admitted, the planning application appears to have been predetermined, and those objecting are not being afforded a fair opportunity to raise their concerns.

The officer's report overlooks several crucial matters, including the saturation of A3 usage within Llantwit Major and the contradictions this application presents concerning the town's Neighbourhood Plan. Furthermore, objections have been downplayed—such as the issue of increased litter. It is important to note that Greggs itself convened a meeting with fellow business owners due to the excessive litter resulting from the expansion of its larger store. This significant concern has not been sufficiently considered within the report, and as a spokesperson for the objectors, I will be unable to address such matters comprehensively within the restrictive three-minute speaking limit imposed by the committee. These issues should have been adequately acknowledged and examined in advance of the meeting.

Additionally, the omission of Councillor Gwyn John's objection from the report is a material error. Legally, this alone constitutes sufficient grounds for the application to be deferred, ensuring that inaccuracies are corrected and all relevant objections are properly considered before a decision is made.

I am also fully aware that while internal works can be carried out without planning permission, any substantial changes to the property—such as alterations to the shop frontage—do require planning approval. Such works have already been undertaken. There has been a structural change to the windows, reducing them from four panes of glass to two - please see pictures for reference. Furthermore, it is believed that significant modifications have been made to the roof of the property to facilitate the installation of extractor fans, which are directly linked to an A3 usage. These works strongly indicate that the applicant has proceeded with confidence in an approval that has not yet been granted, reinforcing concerns that this application has already been predetermined.

It is disappointing that, as Head of Planning, you are willing to allow this application to proceed to committee this week based on an insufficient, incorrect, and biased report by the planner. This, raises concerns that the application has, in reality, already been predetermined. It is also concerning that the applicant in question, as admitted by individuals working within the property, is already aware they will be able to legally commence works from April onwards. If the picture being presented by yourself, that the report was fairly written and the Vale Council are neutral in this matter, the appropriate course of action would be to defer the application, ensuring that the report and any other discrepancies are addressed fairly before the next committee meeting.

Given these serious concerns, it remains wholly unsatisfactory that this application is proceeding under such circumstances. I trust that these issues will be taken seriously and addressed appropriately.

Kind regards,  
Mrs Sarah-Jane Cecen

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**From:** [REDACTED]

**Sent:** 25 March 2025 15:21

[REDACTED]

**Subject:** RE: Planning Application 2024/00832/FUL

Dear Ms Cecen,

Many thanks for your correspondence over the last couple of days, apologies for the slightly delayed reply but I have been tied up with other matters.

Whilst I appreciate the concerns noted, I can assure you that the application, as with all others, has been dealt with in a professional and impartial manner and on its planning merits only. The merits of the proposals, including their compliance with the relevant legislative framework are discussed within the officer's report prepared for consideration by committee members at tomorrow's meeting. This includes consideration of all salient planning matters such as the nature and concentration of such uses. That the suggested tenant is a national brand, is not contrary to an adopted policy and does not therefore represent a reason to refuse planning permission. With regard to representations received these are similarly considered within the report although officers do not as a matter of course respond to all letters of representation received with planning applications.

As previously advised Cllr John's comments were not included in the officer report in error but these comments (and all other correspondence received since the publication of the committee agenda and prior to 12pm tomorrow) will be reported to members of planning committee prior to the meeting so that these comments can be considered by members when making their decision.

In terms of works having started at the premises, internal works can often be undertaken without the benefit of planning permission. Unless an A3 use at the site has commenced then it is likely a breach of planning has not occurred at this time, albeit this can be considered further by a member of the Council's Planning Enforcement Team. Notwithstanding this however, no decision has been made, noting that the application is yet to be considered and determined by the Vale of Glamorgan's planning committee, not by officers under delegated powers. Therefore, any use or works undertaken that would require planning permission would be completely at the applicant's risk until such time that any permission may be granted. Should members be minded to vote against officer's recommendation, then the applicant would have the right of appeal against any refusal and/or potentially be prone to enforcement action if a breach of planning were to occur.

Noting the above and having discussed this with the Head of Planning and Building Control, it is considered that there is not a reason to defer the application from the upcoming committee.

Kind regards

Robert Lankshear  
Principal Planner (Applications)  
Development Management - Regeneration and Planning  
Vale of Glamorgan Council / Cyngor Bro Morgannwg  
tel / ffôn: 01446 704663  
mob / sym:  
e-mail / e-bost: [REDACTED]

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Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

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**From:** [REDACTED]

**Sent:** 25 March 2025 09:00

**Subject:** Planning Application 2024/00832/FUL

**Subject:** Urgent Request to Remove Planning Application 2024/00832/FUL from This Week's Committee Meeting

Dear Rob Lankshear,

I am writing to formally request the removal of from this week's planning committee agenda due to significant concerns regarding the integrity and fairness of the process surrounding this application.

There are a number of serious issues with the officer's report, which could severely impact the decision made by committee members. It is imperative that these matters are properly addressed before any determination is made. Furthermore, Cllr Gwyn John has expressed grave concerns that objections to the proposal will not be given proper consideration, particularly given the circumstances surrounding this application.

It is deeply troubling that work has already commenced on site without the necessary planning permissions in place. Additionally, statements from the tenant and workers suggest that they are certain they will receive full approval and have already planned to begin operations by April. This raises fundamental questions about the transparency and impartiality of the decision-making process, as it gives the impression that the outcome is predetermined. The involvement of a large chain such as Domino's should not, under any circumstances, influence the committee's ability to make an independent and impartial decision based on planning policy and material considerations.

Furthermore, the lack of any decent, meaningful communication from the planning officer himself further suggests an unfair bias in favour of the applicant. Despite repeated attempts to engage, my emails have been ignored, requiring me to escalate matters directly to yourself. This unwillingness to engage fairly with all parties further undermines confidence in the planning process and suggests that objections are not being taken seriously.

In accordance with planning law, all applications must be determined fairly and in line with statutory requirements. The **Town and Country Planning Act 1990** and the **National Planning Policy Framework (NPPF)** make it clear that planning decisions must be based on proper consideration of material planning matters, public consultation responses, and the overall impact of the proposal. Furthermore, **Article 6 of the European Convention on Human Rights** guarantees a fair hearing in matters that affect individuals and communities. If an application is being considered in a way that suggests bias or a predetermined outcome, this fundamentally undermines the legal principles of fairness and due process.

Given these concerns, it is essential that this application is removed from the committee's agenda until a full and independent investigation is carried out to ensure that all due planning procedures have been



followed correctly. This will help to restore public confidence in the planning system and ensure that the final decision is both fair and legally sound.

I kindly, urge you to take immediate action to prevent a decision being made under these highly questionable circumstances. I would appreciate confirmation of the removal of this application from the committee agenda at your earliest convenience.

Kind regards,

Sarah-Jane Cecen

**MATTERS ARISING FOR COMMITTEE****COMMITTEE DATE : 27 March 2025**

<b>Application No.:</b> 2024/00832/FUL	<b>Case Officer:</b> Dafydd Evans
<b>Location:</b> Lloyds Tsb Bank Plc, 9 Boverton Road, Llantwit Major	
<b>Proposal:</b> Application for the change of use from Lloyds Bank (A2) to Dominos (A3)	

**From:** Linda Christmas

**Summary of Comments:** Comments received regarding the consistency of member(s) with regard to previous application in relation to the proposal siting.

**Officer Response:** Whilst comments are noted each planning application is determined based on its individual merits including the site context.

**Action required:** None, members to note

# Comment for planning application 2024/00832/FUL

<b>Application Number</b>	2024/00832/FUL
<b>Location</b>	Lloyds Tsb Bank Plc, 9 Boverton Road, Llantwit Major
<b>Proposal</b>	Application for the change of use from Lloyds Bank (A2) to Dominos (A3)
<b>Case Officer</b>	Dafydd Evans
<b>Organisation</b>	
<b>Name</b>	Linda Christmas
<b>Address</b>	Greystone House Llanmaes, Llantwit Major, Vale of Glamorgan CF61 2XR
<b>Type of Comment</b>	Comment
<b>Type</b>	neighbour
<b>Comments</b>	Fascinating to note that Cllr Williams objects to the change of use of a bank to a fast food restaurant in a town centre but supports the building of a supermarket in the open countryside
<b>Received Date</b>	20/03/2025 10:57:44
<b>Attachments</b>	