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Date of Acknowledgement

Vale of Glamorgan Replacement Local Development Plan 2021-2036

DEPOSIT PLAN CONSULTATION

Public Consultation Representation Form

HG1
KS2

The Council is seeking your views on the Replacement Local Development Plan (RLDP) **Deposit Plan**. The Deposit Plan is the next formal stage in the development plan preparation process and expands on the Preferred Strategy which the Council consulted on in December 2023 – February 2024.

The Deposit Plan is the full draft version of the RLDP, detailing the **overall strategy, development policies, land designations** (e.g. conservation) and **specific land allocations** for development (including new housing and employment sites) over the 15-year period 2021-2036.

The public consultation will run for 6 weeks between **Wednesday 28th January 2026 and Wednesday 11th March 2026**. Representations received after this time will not be considered.

Full details of the consultation are available on the Council's website at: www.valeofglamorgan.gov.uk/ldp or by scanning the QR code above.

The Council encourages representations on the Deposit Plan to be made via our **online consultation portal** available at <https://valeofglamorgan.oc2.uk/> however representations submitted using this form will also be accepted.

Representations are welcomed in both Welsh and English and this representation form is available in other formats on request e.g. Welsh, large print.

1: Contact Details

Your / Your Client's Details			Agent's Details (if relevant) *		
Title	MR		Title		
Name	MATTHEW JACKSON-HOOKINGS		Name		
Organisation (If applicable)			Organisation (If applicable)		
Address			Address		
Postcode			Postcode		
Email			Email		
Telephone No.			Telephone No.		
Communication preference: (Please tick)	Email	☒	Communication preference: (Please tick)	Email	☐
	Letter	☒		Letter	☐
Language preference: (Please tick)	English	☐	Language preference: (Please tick)	English	☐
	Welsh	☐		Welsh	☐

*If you are acting as an Agent, please also provide details of person/organisation you are representing (Note: you will need to supply a separate form for each person/organisation you are representing).

IMPORTANT INFORMATION

Thank you for your comments. Following the consultation, the Council will consider the responses and produce a report of consultation, which will form part of the evidence for the Replacement Local Development Plan.
Completed Representation Forms and any supporting information should be returned to the LDP Team:

BY EMAIL – ldp@valeofglamorgan.gov.uk

ONLINE – By completing the electronic form at <https://valeofglamorgan.oc2.uk/>

BY POST – Planning Policy Team, Vale of Glamorgan Council, Civic Offices, Holton Rd, Barry, CF63 4RU

If you require any further information or have any questions, please contact the LDP Team on 01446 704681 or e mail ldp@valeofglamorgan.gov.uk

Submissions are welcome in either Welsh or English and this representation form is available in other formats on request e.g. Welsh, large print.

How we will use your information

On 25th May 2018 the General Data Protection Regulation (GDPR) came into force, placing new restrictions on how organisations can hold and use your personal data and defining your rights with regard to that data. Any personal information disclosed to us will be processed in accordance with our Privacy Notice. A paper copy of the Council's Privacy Notice can be provided upon request or can be viewed at: https://www.valeofglamorgan.gov.uk/en/our_council/Website-Privacy-Notice.aspx

Data Protection Notice – Please note that all comments received cannot be treated as confidential and once duly reported and considered, will be available for public inspection. We will also hold your contact details on our Replacement LDP Consultation Database for the duration of the RLDP preparation process which will keep you informed of future updates. If you would like to be removed from the database at any time and no longer wish to receive correspondence from the Council on the RLDP, then this can be requested in writing. However, any information provided will be stored safely and retained in accordance with Vale of Glamorgan Council's data retention policy unless it needs to be retained under another lawful basis.

**REPRESENTATION FORMS SHOULD BE RETURNED BY NO LATER THAN
23:55 ON WEDNESDAY 11th MARCH 2026**

REPRESENTATIONS RECEIVED AFTER THIS TIME WILL NOT BE CONSIDERED

Signed:



Date:

11/03/26

Introduction: A Heritage Under Threat

My name is Matthew Jackson-Hookins. [REDACTED]

[REDACTED] I write this with a profound sense of responsibility for the future of the village where [REDACTED] is now growing up. We chose to raise our family here because of the surrounding countryside, the quiet village feeling, and the local community vibe that makes this place special.

To a developer, Site SP4.2 is a "blank canvas" on a map; to those of us who have lived alongside and observed this land through every season, it is a complex and temperamental environment that cannot be built upon without severe, irreversible consequences.

No one who truly understands the physical reality and unique topography of this site could conclude that this is a sustainable or safe proposal. This development represents a breaking point—one that threatens to destroy the delicate balance that makes Dinas Powys a home rather than just another urban extension.

Because this plan is fundamentally flawed, I have compiled a comprehensive technical refutation. The following points outline the specific technical failures of the proposal for Site SP4.2 why it must be removed from the RLDP.

1. Highways & Public Health: A Documented Failure of Air Quality

Outline of Issues

Dinas Powys is uniquely vulnerable to atmospheric pollution due to its status as a "topographical trap." Situated on a valley floor, the village is enclosed by surrounding ridges that prevent the effective dispersal of vehicle emissions—a phenomenon exacerbated by the frequent temperature inversions common to the area.

Empirical data for Cardiff Road confirms a current state of crisis: this corridor already experiences "Significant Air Pollution" that exceeds three separate World Health Organization (WHO) safety limits. Consequently, this location is currently ranked in the 44th national percentile for poor air quality. Introducing a high-volume junction and an estimated 500+ daily vehicle movements to this specific, already-saturated bottleneck is more than a planning oversight; it represents a direct and documented threat to the respiratory health of residents and children commuting to school.

The Policy Contradiction

The current proposal stands in direct opposition to several statutory frameworks:

- **Environment (Air Quality and Soundscapes) (Wales) Act 2024:** This Act mandates a "preventative approach" to emissions and requires public bodies to proactively reduce exposure to harmful pollutants.
- **Planning Policy Wales (PPW) 12, Section 3.8:** This section explicitly requires the planning system to maximize its contribution to health and well-being while minimizing environmental risks.
- **Future Wales 2040 (Policy 1):** This policy mandates that all strategic growth must support "Health and Wellbeing"; however, this specific allocation actively degrades both.

The Failure of Assessment

The Council has fundamentally failed to account for the “**topographical trap**” effect of the valley. By proposing 250 households on a corridor that already exceeds WHO safety limits, the Council is in direct violation of the “Healthier Wales” goal established by the **Well-being of Future Generations (Wales) Act 2015**. While the Council’s own Local Air Quality Management (LAQM) reports acknowledge the sensitivity of the A4055, this allocation ignores that data. Furthermore, the Council’s traffic models rely on broad averages that overlook the reality of localized, stationary idling at the proposed new junction. This idling will concentrate NO_2 and particulate matter in a zone already identified as high-pollution. To ignore site-specific pollution data in favor of generalized models constitutes a significant procedural error.



Note on Topography: The provided topographical map above offers empirical proof of the site’s physical unsuitability. By illustrating the dramatic elevation drop from the 100m+ surrounding ridges to the 12m valley floor, the data confirms that Dinas Powys is a natural “topographical trap.” Although the proposed housing sits on higher ground, the environmental impact is displaced: every vehicle generated by this development must descend into the basin, leading to concentrated idling at a new junction. These additional pollutants will not disperse; instead, they will “pool” at the lowest point where children walk to school, exacerbating a crisis in a zone that already fails three WHO safety limits.

Furthermore, this development will inevitably introduce a significant volume of new vehicles into an already saturated network. This influx will directly worsen existing congestion and pollution, pushing the village’s fragile infrastructure beyond its documented breaking point.

Demand for Transparency

- **Emergency Service Access & Public Safety Risk:** Internal Highways assessments and national emergency response benchmarks indicate that when a network reaches the "saturation point" cited in the WelTAG study, "Blue Light" vehicles (Police, Fire, and Ambulance) lose the physical "filter space" required to bypass traffic. This directly endangers Dinas Powys residents by increasing response times beyond safe statutory limits. The Council has been warned that a saturated road network is a "severely compromised" environment for emergency responders.

To propose further development in the face of such overwhelming evidence is to ignore over ten years of expert warnings and official government data. The Council cannot simultaneously admit the network is at a "saturation point" and argue that it has the capacity for significant residential growth.

A Demand for Transparency

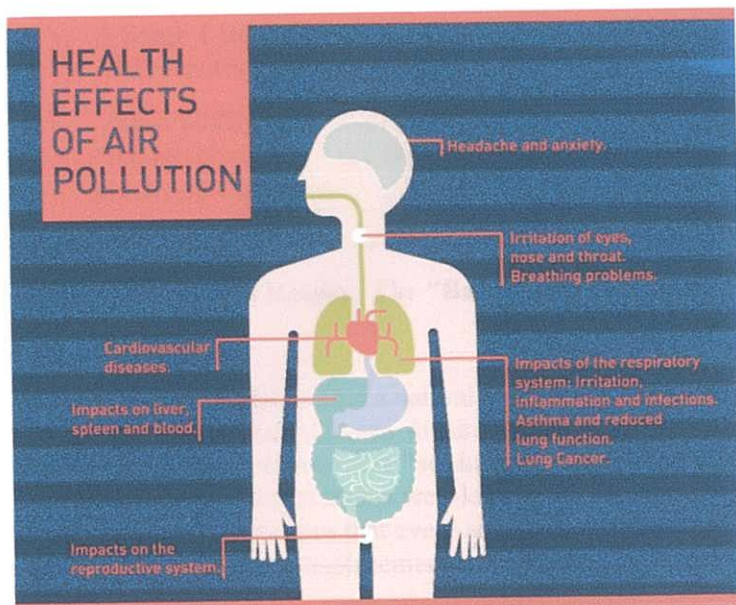
In light of the data utilized from the **official gov.uk Road Traffic** portal and the Council's own conflicting reports, we demand full transparency regarding the following:

1. **Publication of Raw Traffic Data:** The Council must release the full, unedited **Highways** monitoring datasets used to justify the "capacity" for new developments.
2. **Emergency Impact Assessment:** Immediate release of any correspondence regarding the projected impact of "Saturation Point" congestion on life-saving response times.
3. **Conflict Resolution:** An explanation of the logical contradiction between the **Arcadis "Doomsday" warning** and the current push for residential growth.

3. Child and Elderly Safety: The Vulnerable at Greatest Risk

Outline of Issues

Scientific research and public health data consistently confirm that children and the elderly are the most susceptible to the adverse effects of poor air quality and traffic-related pollutants. Children possess higher respiratory rates and developing lungs, meaning they inhale more pollutants per pound of body weight than adults. Similarly, the elderly often suffer from underlying cardiovascular or respiratory conditions that are acutely exacerbated by the levels of Nitrogen Dioxide (NO_2) and Particulate Matter ($\text{PM}_{2.5}$) already documented on Cardiff Road.



By placing 250 additional homes and a major new junction within a **"topographical trap"** that already exceeds WHO safety limits, the Council is knowingly increasing the health risks for its most vulnerable residents. Furthermore, the sheer increase in traffic volume poses a physical safety risk to children commuting to local schools. The Council has failed to provide a viable "Safe Route to School" plan that does not force children to walk alongside a congested, high-pollution arterial road.

The Policy Contradiction

The current proposal fails to align with key protective frameworks:

- **"A Healthier Wales" (Well-being of Future Generations Act):** This legally obligates the Council to act in a way that protects the long-term physical and mental health of children.
- **United Nations Convention on the Rights of the Child (UNCRC):** These rights are incorporated into the Welsh policy framework, requiring a **"best interests"** assessment for any development that impacts children's health and safety.

The Failure of Due Diligence

The Council has disregarded the specific vulnerabilities of the pediatric and geriatric populations in Dinas Powys. There is no evidence within the **LDP Integrated Sustainability Appraisal (ISA)** that the Council has conducted a specific **Pedestrian Safety and Respiratory Risk Audit** for children who will be forced to navigate this high-pollution junction daily. This omission renders the site allocation unsound, as it fails to protect the most vulnerable members of the community and contradicts the Council's own Strategic Wellbeing Objectives.

Demand for Transparency

We demand the immediate initiation and public disclosure of the following:

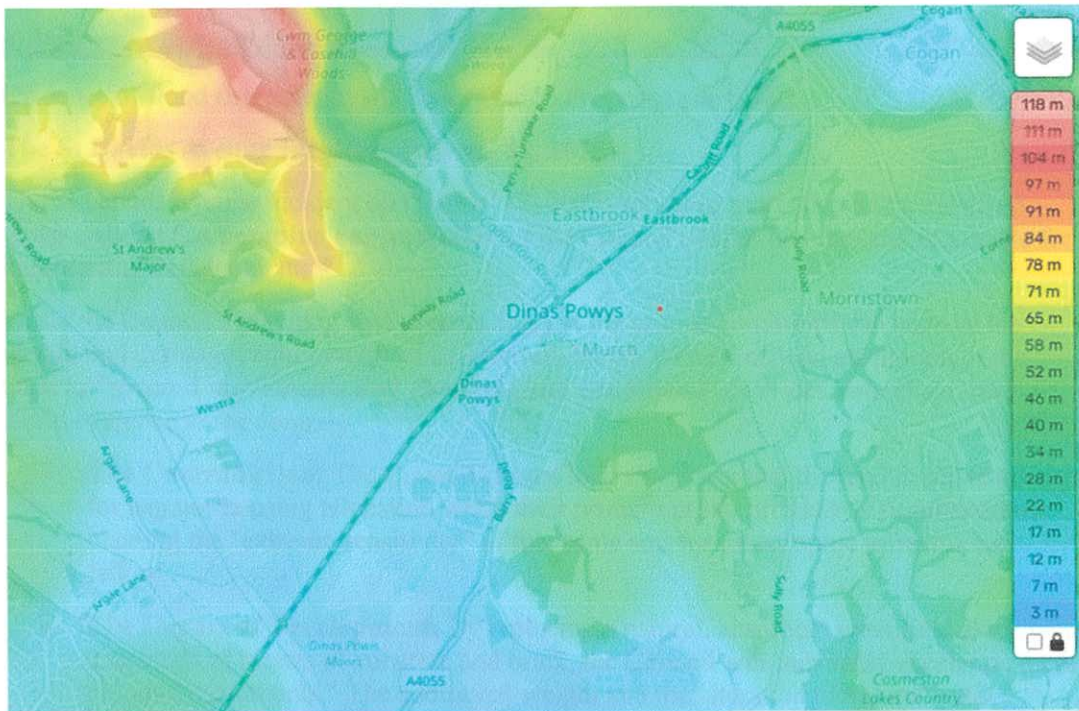
- **A Child Health Impact Assessment (CHIA):** To specifically quantify the long-term respiratory impact on children living near and commuting past the affected corridor.

- **A Stage 1 Road Safety Audit:** Focused specifically on pedestrian crossing safety and "Safe Routes to School" for children and the elderly at the proposed new junction.
- **Vulnerability Mapping:** Data showing how the concentration of pollutants in this "topographical trap" correlates with the locations of local schools, nurseries, and elderly care facilities.

4. Hydro-Geological Reality: The "Basin" and 2025 Infrastructure Evidence

Outline of Issues

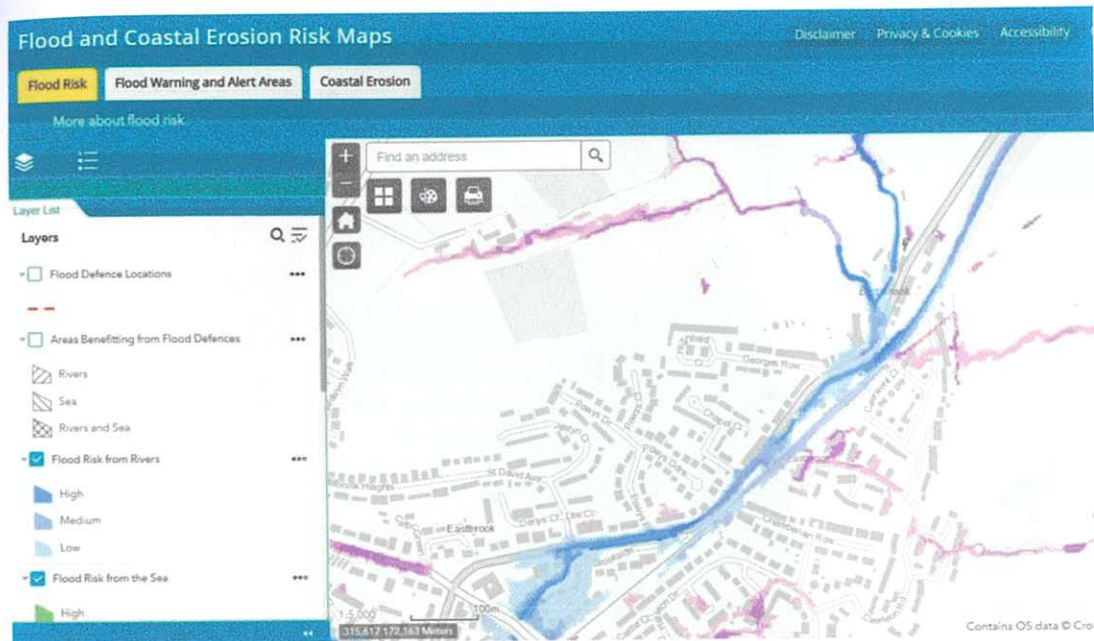
Dinas Powys is situated within a natural geological "**basin**," where surrounding limestone ridges shed surface water directly toward the Eastbrook and Cadoxton Brook systems. The land to the north acts as a critical "**soakaway**" sponge; its high water table is documented in historical drainage records and is well-known to multi-generational residents. The village's specific topography dictates that every square meter of greenfield land developed uphill results in the immediate displacement of water into the foundations of the lower village.



Evidence of natural basin and critical "soakaway sponge"

The Topographical Contradiction

Proposed site **SP4.2** sits on a critical uphill slope. Replacing this natural soakaway with impermeable concrete surfaces will inevitably displace floodwater into the vulnerable Eastbrook basin below. Furthermore, the steep terrain across proposed access points creates a physical barrier for the elderly and disabled. This gradient renders the site non-compliant with the **Equality Act 2010** and **Active Travel** guidance, as "sustainable" travel links are physically inaccessible to those with mobility impairments.



Evidence of flood risk potential of lower land to Proposed site SP4.2

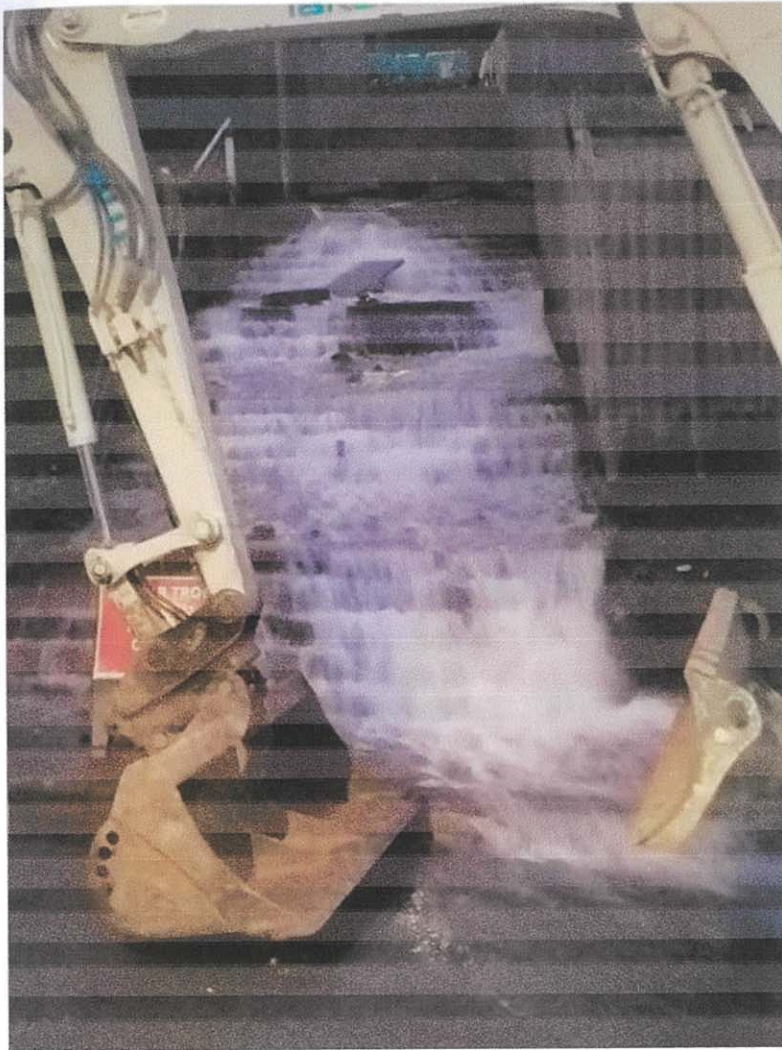
The St Davids Avenue Incident (October 12, 2025)

The St Davids Avenue incident on October 12, 2025, serves as more than just a localized repair issue; it is a **damning contradiction** of the Council's claim that the land is suitable for high-density development.

While the Council's planning assessments suggest the ground conditions can support the weight and drainage requirements of 250 homes, Welsh Water's official attribution of the burst to "**ground movements and changing soil conditions**" provides immediate, real-world evidence to the contrary.

- **The Contradiction:** The Council cannot logically argue that the land is stable enough for a major housing allocation while their primary utility provider is simultaneously blaming the "extreme sensitivity" of that same soil for catastrophic infrastructure failure.
- **The Impact of Development:** By replacing a natural, absorbent greenfield slope with thousands of tonnes of concrete and brick, the Council will inevitably accelerate these "ground movements." The additional weight and the alteration of natural water pathways will further destabilize the fragile Dinas Powys basin.
- **The "Waterfall" Precedent:** If a single pipe failure can create a "torrent of water" lasting 10 hours and damaging multiple properties, the introduction of a new, high-pressure junction and a 250-home sewage/water load into this "saturated" network is an act of extreme negligence.

This incident has inadvertently provided the very evidence needed to prove that further development in this specific location will lead to systemic infrastructure collapse and irreversible damage to existing homes. It serves as a **stress-test** that proved the existing network has zero residual capacity for further connection.





The Policy Contradiction

The Council's proposal stands in violation of several critical mandates:

- **"A Resilient Wales" (Well-being of Future Generations Act):** Legally requires public bodies to maintain and enhance infrastructure stability.
- **Planning Policy Wales (PPW) Section 6.6 and TAN 15:** These enforce a preventative approach to flood risk, requiring developers to provide evidence that new builds will not increase risk elsewhere.

The Failure of Infrastructure Assessment

The Council's assessment of infrastructure capacity is demonstrably flawed. Local representatives, including **Cllr Malcolm Phillips**, have officially recorded concerns regarding the "failing infrastructure" of the village. To construct 250 homes on the village's primary natural soakaway, while connecting them to a proven-failing pipe network, constitutes **planning negligence**. This contradicts the *Vale of Glamorgan Shoreline Management Plan* and the *Local Flood Risk Management Strategy*. Such development will inevitably displace groundwater into existing foundations, leading to subsidence and structural damage.

Demand for Transparency

Following the 2025 infrastructure failure, we demand the immediate production and public release of:

- **A Cumulative Hydro-Geological Impact Assessment:** This must detail how the loss of the uphill soakaway will impact the water table of the Eastbrook basin.

- **A Water Network Stress Test Report:** Professional verification that the existing Victorian-era pipe network can handle additional load without risking further catastrophic bursts.
- **A Subsidence Risk Map: Projecting the impact of groundwater displacement on the structural integrity of existing lower-village homes.**

5. The "Brownfield First" Failure: Neglecting Viable Alternatives

Outline of Issues: Dinas Powys is being targeted for aggressive greenfield expansion despite the Council's failure to demonstrate a rigorous, legally required "sequential approach" to land allocation. The Land North of Dinas Powys is a high-value greenfield site providing essential ecosystem services and carbon sequestration. However, the Council has bypassed significant, underutilized brownfield opportunities within the Barry area that are demonstrably more suitable for high-density housing. Crucially, the Council has also ignored the strategic necessity of the Dinas Powys Bypass, which should have been a non-negotiable prerequisite for any further regional growth.

The Policy Contradiction:

- **Planning Policy Wales (PPW) 12 (Section 3.51):** Explicitly states: *"Previously developed (brownfield) land should, wherever possible, be used in preference to greenfield sites."*
- **Future Wales 2040:** Prioritizes "Urban Growth Zones" specifically to prevent the loss of productive agricultural and ecological land.

The Failure: The Council has systematically ignored more sustainable brownfield sites—such as redundant industrial land in Barry Docks—which are situated closer to existing employment hubs. By allocating Site SP4.2, the Council has effectively neutralized the "cost-benefit" argument that usually favors greenfield development. Furthermore, the exclusion of the bypass from the infrastructure plan, while continuing to funnel housing traffic onto the A4055, constitutes a violation of the National Development Framework's strategy for regional transport and regeneration.

Demand for Transparency: We demand a formal **Brownfield Sequential Test Audit** and an updated **Dinas Powys Bypass Feasibility Study**.

The "Mole" Density Vacuum and Sequential Failure

The most egregious example of the Council's failure to apply a "Brownfield First" strategy is the allocation of "The Mole" (Barry Waterfront). This 10-acre, Tier 1 brownfield peninsula has been earmarked for a mere 65 units—a startlingly low density for a prime urban hub. Under Future Wales 2040 and PPW 12, such sites are mandated for high-density development to maximize land use and protect the environment.

Standard urban planning for a waterfront hub should target densities of 50–80 dwellings per hectare (dph). If the Council optimized The Mole to match these modern urban standards, the resulting yield would accommodate the 250 units currently proposed for Site SP4.2. Such a strategic shift would render the destruction of the Dinas Powys Green Wedge entirely unnecessary. Furthermore, the recent acceptance of the Marina development at The Mole confirms the site's commercial and technical viability. By choosing to sacrifice 25 acres of

high-value green space at SP4.2 instead of optimizing a viable 10-acre brownfield site, the Council has fundamentally failed the "Sequential Approach" required by national policy. This is a clear case of developer convenience—the "tail wagging the dog"—prioritizing easy greenfield "plug-and-play" sites over the responsible remediation and densification of urban land.



The Mole

The Barry Docks & Argae Lane Precedent: A Strategy of Inconsistency

The Council's decision in May 2025 to withdraw the Argae Lane/Barry Docks Link Road site—citing "deliverability and infrastructure concerns"—sets a legal precedent that must be applied to Site SP4.2. Critically, the constraints in Dinas Powys are significantly worse than those that led to the Barry withdrawal:

- **Infrastructure Sensitivity:** Unlike the Barry Link Road, which was designed for high-volume bypass traffic, Dinas Powys relies on a single arterial corridor (A4055) and a network of narrow residential lanes. While Barry residents have multiple arterial routes to "bypass" congestion, Dinas Powys residents are geographically landlocked. Adding 250 homes here ensures that existing residents become trapped under a permanent blanket of traffic with no alternative escape routes.
- **The "Sustainable" Fallacy:** The Council justified the Argae Lane withdrawal because pedestrian and cycle links required excessive upgrading. In Dinas Powys, these links are even more deficient; as documented, the "sustainable" travel route to Eastbrook Station is physically impassable for the disabled and elderly. If Barry's links were deemed "undeliverable," then the Dinas Powys links—which face greater topographical and legal barriers—are effectively non-existent.
- **Discriminatory Planning Standards:** It is procedurally unsound to scrap a site in Barry due to highway constraints while forcing an allocation in Dinas Powys that suffers from the same issues on a more severe scale. Barry's infrastructure was built

for town-scale growth; Dinas Powys is a village being asked to perform as an urban extension without the requisite physical capacity.

By proceeding with SP4.2 while withdrawing the Barry site for identical reasons, the Council is failing its duty of consistency. They are prioritizing developer convenience over the documented reality that Dinas Powys has reached its absolute physical limit.

The "Ghost" Industrial Land (Wimbourne Road)

As evidenced by the June 2024 Site Condition Report, sites like Wimbourne Road remain underutilized, serving only as low-value industrial storage that creates significant amenity issues (noise and dust) for existing Barry residents. By refusing to proactively re-designate this land for Residential Use (Class C3), the Council is manufacturing an artificial 'need' to destroy the Dinas Powys Green Wedge, while simultaneously **abdicating its responsibility to Barry residents to remediate and improve existing blighted scrubland.**

This represents a failure of the "Sequential Approach" mandated by PPW 12. While converting industrial berths into residential hubs requires proactive remediation and master-planning, it is the only sustainable, regenerative path forward. Instead, the Council has opted for the "path of least resistance," sacrificing high-value greenfield land at Site SP4.2 simply because it is cheaper and easier for developers. The Council must recognize that the "need" for greenfield expansion only exists because they have failed to unlock the residential potential of the brownfield land already at their disposal.



Wimbourne Road

Methodological Error: The Urban Capacity Study

The Council's 2025 Urban Capacity Study is fundamentally flawed because it is entirely passive. It relies almost exclusively on sites handed to them by landowners during the "Call for Sites" process. By failing to use Compulsory Purchase Order (CPO) powers or proactive land assembly to unlock "stalled" brownfield sites in Barry, the Council is acting as a passive observer rather than a "Master Developer." They are allowing landowners to dictate the geography of housing growth instead of protecting our village as the law intended.

Demand for Transparency: We formally demand a **Sequential Test Verification Report** that justifies the Council's decision to prioritize "plug-and-play" greenfield development at Site SP4.2 over high-density, restorative opportunities at The Mole (Barry) and Wimbourne Road. To ensure procedural soundness, the Council must provide:

- **A Transparent Density Comparison:** A side-by-side analysis of "Dwellings Per Hectare" (dph) across all proposed and bypassed sites.
- **Justification for Under-utilization:** An explanation as to why low-density housing is being permitted in prime urban transport hubs (like The Mole) while a "housing crisis" is simultaneously cited to justify the destruction of the Dinas Powys Green Wedge.
- **Evidence of Policy Compliance:** Proof that the "Sequential Approach" mandated by PPW 12 has been exhausted before greenfield allocation was considered.
- **Accountability for "Stalled" Sites:** A report on why proactive land assembly or CPO powers have not been utilized to unlock Tier 1 brownfield land in Barry.
- Finally, a formal report explaining why proactive land assembly or CPO powers have not been utilized to unlock Tier 1 brownfield land in Barry before considering the permanent destruction of Site SP4.2.

If the Council continues to favor developer convenience over these high-density urban alternatives, the LDP remains **procedurally unsound and logically inconsistent**.

6. Technical Deliverability: The "Active Travel" Fallacy

Outline of Issues: The Illusion of Connectivity: The Council's justification for Site SP4.2's sustainability is predicated upon an aspirational "modal shift" toward walking and cycling. However, the proposed infrastructure is physically unworkable and strategically flawed. The site is effectively landlocked by third-party private property and substandard access points. As evidenced by the **Site Map (Image A)** and the **Physical Reality (Image B)**, the proposed links through George's Row, Powys Close, and the associated "gullies" are fundamentally unfit for purpose.

- **Council Admission of Failure (June 2024 Report):** In the Council's own *June 2024 Barry to Dinas Powys Active Travel Consultation Report* (Officer Response 16), the Council explicitly addressed the feasibility of the very corridor intended to serve Site SP4.2. In a formal admission of the site's constraints, the report states:

"This option was considered during the development of this scheme but was discounted due to the loss of vegetation, impact on flooding and gradient issues."



Image A

This admission creates an irreconcilable conflict for the current proposal. If the Council has officially documented that this specific terrain is too ecologically sensitive to sustain a 3-meter-wide cycle path without causing "loss of vegetation" and "impact on flooding," it is a technical impossibility to suggest the same land can sustain the far more invasive footprint of a 250-home housing estate. A housing development requires massive soil displacement, heavy-duty engineered roads, and expansive impermeable surfaces. If the environmental "carrying capacity" of the land cannot even support a single active travel link, it certainly cannot support a major urban extension without causing the very flooding and ecological destruction the Council's own report warned against.

Expert Rejection of "Sustainable" Links: This is further supported by **Vale Veloways** (the leading local cycling advocacy group), who branded the proposed routes in this corridor as **"not suitable for commuting"** and **"hostile"** to users. Given that the Council's own expert stakeholders have already rejected these links as unworkable due to the physical geography, the Council cannot now claim that Site SP4.2 complies with the **National Sustainable Transport Hierarchy** (PPW 12). Their sustainability claims are undermined by their own previous evidence.

Infrastructure Deficit: George's Row & Powys Close: Both George's Row and Powys Close are **Unclassified, No-Through Roads (Cul-de-sacs)** engineered solely for low-volume residential access.

- **The Width Deficit:** Under the *Active Travel (Wales) Design Guidance*, a shared-use path requires a minimum width of **3 meters**. As seen in **Image B**, there is no physical ability to achieve this width without removing existing boundary walls or encroaching on private residential land.
- **Dangerous User Conflicts:** Because these conduits cannot be widened, cyclists and pedestrians (including children and the elderly) will be forced into a cramped, shared space. On this steep site, downhill cyclists gaining momentum in narrow "bottlenecks" create a significant collision risk to vulnerable walkers.



Image B

Safety, Anti-Social Behaviour (ASB), and the "Blind Corridor": From a strategic design standpoint, these links fail the **"Safe and Accessible"** mandate of **Planning Policy Wales (PPW) 12**:

- **Lack of Passive Surveillance:** As shown in **Image B**, these routes are flanked by high boundaries with zero "overlooking" from active rooms. They create "dead zones" that act as focal points for ASB.
- **Documented Fear of Crime:** The Council's June 2024 Consultation featured clear resident feedback warning that these "hidden" paths are already avoided after dark. By ignoring this, the Council is knowingly "designing in" vulnerability.

Topographical Contradiction (Equality Act 2010): The developer's mapping ignores the **extreme verticality** of the surrounding landscape.

- **The 5% Gradient Threshold:** *National Design Guidance* states routes should ideally be no steeper than 5%. The steepness of Powys Drive, George's Row, and Powys Close significantly exceeds this.
- **Procedural Inconsistency:** The Council acknowledged these "gradient issues" as a reason for discounting nearby routes in June 2024; to ignore them here is a major procedural failure that effectively "designs out" the elderly and disabled, violating the **Public Sector Equality Duty**.

The "Active Travel" Fallacy (Greenwashing): The claim to prioritize pedestrians is a form of **"Greenwashing."** While the developer proposes a direct, engineered road link to Cardiff Road for vehicles, they expect pedestrians to navigate narrow, intimidating, and steep conduits (Image B). This creates a "Quality Gap" that will inevitably force residents into their cars. One does not build a major arterial road link for a community that is supposedly "walking to the train station."

Strategic Impact: The use of George's Row, Powys Close, and these narrow gullies is a fundamental failure of the **Sustainable Transport Hierarchy**. If the primary walking and

cycling routes are dangerous, create user conflict, invite anti-social behavior, and require a "massive effort" to navigate, the "modal shift" promised by the developer is a fiction. **Site SP4.2 is an unsustainable allocation that relies on a dangerous and dishonest interpretation of "Active Travel" and ignores the physical and legal reality of Dinas Powys.**

7. Active Travel Continued: Infrastructure Incompatibility

Outline of Issues: Proximity to Eastbrook Station is used as a strategic justification for this site. However, Eastbrook Station currently lacks step-free access to the Cardiff-bound platform. By framing Site SP4.2 as "sustainable" when a parent with a pram, an elderly resident with mobility aids, or a person in a wheelchair cannot physically board a train to the capital, the Council is engaging in a "False Sustainability" narrative.



A Precedent of Infrastructure Failure: The Rejected Lift Before evaluating the sustainability of Site SP4.2, it must be formally noted that the central pillar of this site's "Active Travel" strategy—Eastbrook Station—has a documented history of infrastructure rejection.

- **The 2021 Refurbishment Failure:** During the 2021 footbridge refurbishment, the community formally requested the installation of a lift. This was rejected by Network Rail and the Vale of Glamorgan Council, who instead opted for a "like-for-like" repair of the existing steep, stepped bridge (**Ref: Network Rail Asset Management / Community Relations Statement, July 2021**).

- **Funding Bypassing:** Eastbrook has been repeatedly excluded from the Department for Transport's 'Access for All' funding rounds—most recently in the May 2024 main scheme selections—despite the Council's long-standing knowledge of the station's non-compliance with modern accessibility standards (Ref: DfT 'Access for All' Program Funding Announcement, May 2024).
- **The Funding Deadlock:** The Council has historically deferred responsibility for the lift to Network Rail and Transport for Wales, citing a lack of local budget in various Transport Policy updates, including the **Vale of Glamorgan Local Transport Plan (LTP) 2023 Update**.

Documented Reasons for Rejection: The "Priority Contradiction" The formal justifications for the continued lack of a lift at Eastbrook expose a fundamental logical fallacy in the Council's planning strategy:

- **The "Secondary Status" Myth:** Authorities have historically justified the lack of investment by labeling Eastbrook Station a "low-scale priority" due to current footfall, a position reflected in the **DfT Station Prioritisation Matrix** and **Network Rail's Wales Route Strategic Plan**. This creates an impossible paradox: the Council deems the infrastructure "secondary" when asked to fund it, yet promotes the station as a "primary" strategic asset to justify 250+ new homes in the **Vale RLDP Site Allocation SP4.2 Justification (2024)**.
- **Logistical "Like-for-Like" Constraints:** In their **2021 Maintenance Scoping Report**, Network Rail maintained that the logistical complexity and limited space of the existing 19th-century bridge made a lift installation too costly. They opted for a budget-driven repair, effectively sabotaging the "Active Travel" goals the Council now claims to champion.
- **Selective Prioritisation:** It is intellectually dishonest to claim Dinas Powys is a minor station with "limited logistical viability" for a lift, while simultaneously using that same station to anchor a massive, high-density residential expansion. You cannot call a location "low priority" for safety and accessibility, but "high priority" for developer profit.

By proposing Site SP4.2 while maintaining this "low priority" status for its essential infrastructure, the Council is knowingly planning a development that cannot meet its own stated sustainability targets. To approve this development without a guaranteed, funded, and legally binding commitment to build the Eastbrook lift is to ignore a decade of infrastructure failure.

A Breach of the Equality Act 2010: The proposed access strategy represents a blatant violation of the *Equality Act 2010*. By providing a primary "Sustainable Travel" link that lacks safety rails, level footing, or step-free access, the Council is physically barring those with protected characteristics—specifically the disabled and the elderly—from the only designated route to the village.

- **Physical Segregation:** For a wheelchair user or a parent with a double pram, this is not a "link"; it is an impassable barrier.
- **The "One-Mile" Penalty:** The only alternative for these residents is a one-mile detour via the Murch area. This is not "community integration"—it is physical segregation based on mobility. This failure will inevitably force residents into cars for

even the shortest journeys, completely debunking the Council's claims of a "sustainable" development.

The Overburdened Crossing Barrier

The A4055 Cardiff Road acts as a significant physical and psychological barrier. Currently, there are insufficient controlled crossing points on this stretch to handle increased volume.

- **The Single Pressure Point:** By adding 250 households, the Council will force the existing pedestrian crossing at Eastbrook to become dangerously overburdened.
 - **Documented Danger:** In the Council's own *June 2024 Consultation* (Response 6), current crossing conditions were described as "lethal" due to traffic volume. Funneling hundreds of additional daily pedestrian movements into this single point constitutes planning negligence.
-

The At-Grade Track Crossing

To avoid the A4055, the Council proposes an at-grade track crossing as a "sustainable link." This is a reckless and substandard solution.

- **Lack of Safety Infrastructure:** This crossing is fundamentally unfit for a residential development. It lacks essential safety features—specifically handrails and non-slip, level footing—making it a major trip hazard.
- **Increased Rail Frequency Risks:** Under the *Transport for Wales (TfW) South Wales Metro* upgrades, rail frequencies are set to increase. Forcing residents across live tracks in this high-frequency environment is an unacceptable safety risk.
- **Topographical Barriers:** As the Council admitted in Response 16 of their *June 2024 Report*, the topography here is already a barrier to active travel. A single slip by a child or a parent with a pram at this unrailed crossing could lead to a catastrophic incident.



Conclusion: The "Commuter Island" Reality

When "sustainable" links are physically inaccessible, topographically impossible, or legally non-compliant under the *Equality Act*, they cease to be links at all. Site SP4.2 is a "Commuter Island" that will, by necessity, be 100% car-dependent. This will pour additional volume onto an already saturated and dangerous road network, in direct opposition to the core principles of **Planning Policy Wales 12**.

Demand for Transparency: We formally demand an **Independent Topographical Accessibility Audit** of all proposed pedestrian and cycle routes. This must include:

- A map-based gradient analysis connecting Site SP4.2 to the village center.
- Verification of whether these links meet the **1:12 or 1:20 ratios** required for wheelchair users and the elderly.

If these gradients are exceeded, the Council must transparently admit that the site is entirely car-dependent. To suggest otherwise is a failure of the Council's statutory duty under the *Equality Act 2010*.

8. Regional Cumulative Impact: The Barry-Cardiff "Statistical Blindness"



The "Geographical Funnel" Effect: Dinas Powys serves as the critical geographical "pinch-point" for the entire south-eastern Vale of Glamorgan. The Council's assessment of Site SP4.2 is fundamentally flawed because it operates within a geographic vacuum, ignoring the village's role as the primary "pressure valve" for two major urban centers.

- **The Barry Pressure:** As of 2024/2025, the population of Barry is estimated at over 58,000 residents. Official ONS and Welsh Government commuter flow data confirms that Barry functions as a primary "dormitory" town, with approximately 43% to 45% of its working population commuting into Cardiff daily.
- **The Route of Least Resistance:** While the A4050 (Port Road) serves western Barry, the A4055 through Dinas Powys is the only direct arterial route for thousands of residents within the Barry Waterfront, Bendricks, and East Barry developments.
- **The "Country Lane" Trap:** To bypass the chronic congestion at the Merrie Harrier junction, commuters increasingly saturate surrounding rural routes, including Twyn-y-Rodyn, Argae Lane, and St Andrews Road. These routes are narrow, unlit, and lack the physical width to safely accommodate two-way heavy traffic. By allocating 250 homes at Site SP4.2, the Council is effectively sealing this "trap" for both residents and commuters.

Methodological Failure: Data Inconsistency

Unlike Barry, which benefits from multiple bypass options and arterial alternatives, Dinas Powys is physically landlocked by its railway infrastructure and the topography of the valley. Residents cannot "bypass" their own village. The traffic data utilized for the Revised Local

Development Plan (RLDP) is statistically incomplete; it relies on localized, "snapshot" counts that fail to account for the massive surge in vehicle movements generated by the recent 2,000-home expansion at Barry Waterfront.

Adding an estimated 500+ daily vehicle movements from Site SP4.2 into the Eastbrook catchment—without a documented plan to increase rail carriage frequency or deliver a bypass—is a recipe for systemic infrastructure failure. The Council is exhibiting "statistical blindness" by treating Dinas Powys as an isolated settlement rather than the primary transit corridor for a town of 58,000 people.

Forecasted Gridlock

Existing residents face the prospect of living under a permanent blanket of traffic, unable to safely exit their own driveways during peak hours while Barry's commuter volume continues to swell. The Council's own **WelTAG study** admitted that background traffic growth is expected to increase by 35% by 2026. Introducing 250+ homes at Site SP4.2, alongside the thousands of units already nearing completion at the Barry Waterfront, will lead to total regional gridlock.

Demand for Transparency

We formally contest the validity of the current Transport Assessment on the grounds that it fails to provide a **Cumulative Regional Transport Impact Assessment (CRTIA)**. Under **PPW 12 Paragraph 4.1.2**, the Council has a statutory duty to ensure the LDP evidence base is "robust and comprehensive." By relying on isolated "snapshot" data, the current assessment ignores the **synergistic congestion** at the Merrie Harrier junction and the A4055 corridor.

We demand that the Council demonstrates, via **microsimulation modeling (VISSIM or equivalent)**, a 10-year projection of traffic volumes that accounts for the concurrent impact of:

1. **Committed Development:** The completed build-out and associated trip generation from the 215 units at Cosmeston and the expansion of the Barry Waterfront.
2. **Strategic Growth:** The projected 35% background growth identified in the Council's own **WelTAG studies**.
3. **Site Specifics:** The additional peak-hour trip generation specifically originating from Site SP4.2.

Until this cumulative data is modeled and subjected to public scrutiny, the allocation of Site SP4.2 remains technically unsound, irresponsible, and a direct violation of the **Sustainable Transport Hierarchy**. We formally state that any approval granted without this granular, multi-site modeling constitutes a failure of the "Test of Soundness" and leaves the RLDP vulnerable to procedural challenge.

9. Ecology & Biodiversity: The "Dormouse Precedent"

The Breach of Statutory Duty:

The Council’s proposal for Site SP4.2 is fundamentally inconsistent with its own recent ecological findings and fails to satisfy the "Section 6 Duty" of the *Environment (Wales) Act 2016*, which requires public authorities to seek to maintain and enhance biodiversity.

- **The Dormouse Precedent:** Recent surveys commissioned by the Vale of Glamorgan Council for the *Biglis-to-Dinas Powys Active Travel Route (ATR)* (2023/2024 reports) confirmed the presence of **Hazel Dormice** within the hedgerow network directly contiguous with Site SP4.2. Proposing the removal or fragmentation of these same hedgerows without a comprehensive **Phase 2 Species-Specific Survey** is a direct breach of the *Conservation of Habitats and Species Regulations 2017*.
- **Dark Corridors & SSSI Proximity:** Local records and the site’s proximity to the **Dinas Powys Woods SSSI** confirm that this land serves as a vital "dark corridor" for **Greater and Lesser Horseshoe Bats**. The introduction of high-density street lighting and the removal of mature treelines will cause permanent habitat fragmentation, disrupting essential foraging and commuting routes for these protected species.

Evidence of Decline: The "Data Vacuum"

The Council has failed to provide a **Seasonal Pond Audit** or a **Great Crested Newt (GCN) Mitigation Strategy**, despite the high water table and drainage ditches providing optimal terrestrial and aquatic habitat. Nationally, these species remain in an "unfavourable" conservation status, yet the Council is proceeding with a "data vacuum" regarding local populations.

Species	National Population Trend (Last 20 Years)	Principal Cause of Local Extinction
Hazel Dormouse	~75% (<i>State of Nature Report</i>)	Loss of hedgerow connectivity & urban light pollution
Horseshoe Bats	Significant decline in range	Loss of "dark corridors" and foraging grounds
Great Crested Newt	~50% (Estimated)	Destruction of terrestrial habitat & drainage shifts

The *State of Nature 2023* report confirms that **1 in 6 species in Wales are at risk of extinction**. By developing the Green Wedge at Site SP4.2, the Council is actively contributing to this local decline. Furthermore, it should be noted that the Council’s own **Ecology Officer** (as of July 2024) raised significant objections to the early proposals for this site, citing the irreversible impact on the local ecosystem.

Demand for Transparency: We demand **Phase 2 Species-Specific Ecological Surveys** conducted over a full active season (April–October). This must include a **Lighting Impact Assessment** to prove how the "Dark Corridor" for Horseshoe Bats will be maintained in perpetuity.

Summary of Ecological Risk

The Council cannot claim "Biodiversity Net Gain" while simultaneously destroying the core habitat of European Protected Species. A "desktop study" or generic Phase 1 habitat survey is legally insufficient for a site of this ecological sensitivity.

Demand for Transparency:

We formally demand the immediate release of a **Phase 2 Species-Specific Survey for the Hazel Dormouse**, conducted over a full active season (April–October). The Council must transparently demonstrate how the proposed "sustainable transport links"—which necessitate significant hedgerow removal—can be achieved without creating a fragmented "Dead Zone" in breach of the *Conservation of Habitats and Species Regulations 2017*.

This section effectively shifts the argument from environmental concerns to the daily lived reality of the village, highlighting a "systemic collapse" of services. I have refined the language to be more assertive, ensuring the data is presented clearly and the legal arguments regarding "Consumptive Capacity" and "Section 106" are reinforced.

10. Infrastructure Deficit: The "Tipping Point" of Local Services

Failure of Consumptive Capacity:

The fundamental flaw of Site SP4.2 is the assumption that Dinas Powys can "consume" an additional 250+ households without a corresponding investment in primary infrastructure. The village is currently operating at an infrastructure deficit; adding further residents is not "growth," it is a recipe for the systemic collapse of local services.

Healthcare and Dentistry

The village's medical and dental provisions are already overstretched to a degree that is dangerous for current residents.

- **GP Wait Times:** Residents already report multi-week wait times for non-emergency appointments. Data indicates that GP patient lists in the Vale are at record highs. Dinas Powys has the second-highest percentage of elderly patients in the Eastern Vale Cluster; this demographic requires more frequent, complex, and "at-home" medical care. The Dinas Powys Medical Centre was built to replace an outdated 1971 facility to meet *existing* needs, not to facilitate a massive population explosion.
- **Zero Dental Capacity:** There is effectively zero capacity for new NHS dental patients in the Dinas Powys area.
- **The Infrastructure Gap:** The SP4.2 proposal includes no provision for new medical or dental facilities, relying entirely on a network that is already failing to meet demand.

Education: Schools at Breaking Point

Dinas Powys Primary and nearby secondary schools (St Cyres/Stanwell) are currently at or exceeding functional capacity.

- **The Planning Trap:** Site SP4.2 falls into a precarious "middle ground." It is too small to trigger the mandatory requirement for a developer to build a new school, yet large enough to add hundreds of children to the local catchment.

- **Operational Integrity:** The Council's internal "500-unit threshold" for new school provision is a local guideline that cannot supersede the national requirement to ensure that class sizes do not prejudice the quality of education. When a system reaches 100% capacity, adding any further load is a breach of operational integrity.

Primary School Capacity (2025/26 Data)

School Name	2025/26 Capacity	Admission No. (PAN)	Current Status / 2026
Dinas Powys Primary	420	60	At Capacity. Recent "in-year" transfers have eliminated the previous 1.6% surplus.
St Andrews Major C/W	210	30	Oversubscribed. As a Voluntary Aided school, its 2026 waiting list is already active.

Secondary School Capacity (2025/26 Data)

School Name	2025/26 Capacity	Admission No. (PAN)	Current Status / 2026
Stanwell School	1,947	~1,955	Over Capacity (Surplus: -8).
St Cyres School	1,285	~1,260	Near Capacity. Surplus concentrated in Year 11, not Year 7 entry.

Note: This development will effectively displace local children from their own village schools, forcing them to be "bussed" to other areas of the Vale—increasing traffic and destroying the community cohesion that village schools provide.

Demand for Transparency:

We formally demand that the Council provides:

1. **A Cumulative Education Impact Assessment:** This must account for the combined pressure of Site SP4.2 alongside the 2,000+ homes at Barry Waterfront, which share the same secondary catchments.
2. **Verification of Physical Capacity:** The Council must identify the specific, physical location of the new desks required for these children.

The Myth of the "Walkable" Development

Dinas Powys is a village by design and scale, not a town in waiting. Its retail "center" consists of a modest cluster of independent businesses and convenience stores that have already hit their absolute limit for logistical and parking capacity.

While developers label the **SP4.2 site** as sustainable, the reality is a forced reliance on the car. Because the village has been stripped of its essential anchors in recent years—including the **Post Office** and **NatWest bank**—new residents cannot fulfill their daily needs within the village core.

- **Mandatory Out-of-Village Trips:** Every new household will be forced onto the road for banking, postal, and major retail/ supermarket visitation.
- **The A4055 Bottleneck:** This creates a direct injection of traffic onto **Cardiff Road**, a corridor already documented as a high-congestion failure point.

Village Scale vs. Urban Expectations

The loss of the bank and post office is the clearest indicator that Dinas Powys is **contracting**, not expanding into a functional urban hub.

- **Logistical Deadlock:** The tiny footprint of existing stores means they cannot accommodate the delivery or foot-traffic requirements of a 250+ household surge.
- **Zero Parking Elasticity:** There is no "spillover" parking. Every new car competing for a space at The Twyn is a deterrent to existing shoppers, leading to the **economic strangulation** of our last independent retailers.

By adding high-density housing without the civic infrastructure to support it, the development doesn't "grow" the village—it hollows it out. Dinas Powys is being transformed into a **car-dependent dormitory**, where residents sleep in the village but are forced to drive elsewhere to live, work, and shop.

The Section 106 Myth: A Legacy of "Phantom Mitigation"

The Council often points to S106 developer contributions as a "cure-all." We reject this narrative as "Phantom Mitigation" because the village has already reached a physical "ceiling" that money cannot fix.

- **Physical Impossibility:** Even if the Council receives millions in S106 funds, you cannot buy your way out of a landlocked site. As documented, the **Eastbrook Station Lift** remains undeliverable due to topography, and previous **Active Travel Schemes** were rejected by the Council itself due to gradient constraints.
- **The "Overbooking" Fallacy:** Accepting money for a school or medical center that is already landlocked and at capacity is the planning equivalent of "overbooking" a flight with no seats available. It is a paper exercise that fails to provide a single extra desk or doctor's appointment in reality.
- **Failure of Accountability (The Barry Waterfront Precedent):** Our distrust is rooted in empirical local evidence. The **Barry Waterfront** development stands as a grim monument to broken promises.
 - **The Promise:** A vibrant "District Centre," a community hub, and lush green public parks.
 - **The Bleak Reality (Status: 2026):** Years after the developers extracted their profits, the "District Centre" remains a **desolate, fenced-off gravel pit**. The promised public spaces have been left **abandoned and derelict**, overgrown with weeds rather than serving as community assets.
 - **Structural Decay:** The failure is so profound that as of today, **major structural remediation** is being performed on recently completed homes to fix fundamental build errors. This is the reality of developer-led growth: high-

density housing delivered at speed, followed by a decade of stagnation, "unadopted" crumbling roads, and legal limbo.

- o **The Lesson:** If the Council cannot hold developers to account on a flagship town-center site, it is a certainty they will fail to enforce complex requirements on the marginal and difficult land of SP4.2.

The Council Tax Trap: Revenue vs. Reality

The claim that more houses equal "Better Services" is a fiscal fallacy. In Dinas Powys, more houses equal Infrastructure Liability:

- **The "Service Dilution" Effect:** New Council Tax revenue does not create "better" services; it dilutes existing ones. Every current resident will see a measurable decline in GP access and school choice as the "service-per-head" ratio drops.
- **The Maintenance Sinking Fund:** As evidenced by the **October 2025 St Davids Avenue pipe failure**, our Victorian infrastructure is at a breaking point.
- o **Subsidizing Failure:** Additional Council Tax will not be used for "village enhancements." Instead, it will be swallowed by the massive costs of **reactive, emergency repairs** to a network pushed beyond its structural limits. The existing taxpayer is effectively being asked to subsidize the inevitable systemic collapse caused by this development.

We present these facts now so the Council understands that we see past the "fiscal illusions" of S106 and Council Tax. The village has reached its physical and fiscal limit. **The lift hasn't been built, the cycle paths have been rejected, the pipes are bursting, and the 'gravel pits' of Barry Waterfront prove that developer promises are worthless.** To push ahead in the face of this objective evidence is a deliberate choice to ignore the reality that **"more money" cannot fix "no space."**

11. Procedural Error: The Internal Contradictions of the Developer "Vision"

Reliability and Neutrality of Evidence: The Council's heavy reliance on the Tir Collective "Vision" represents a significant procedural flaw. These documents are developer-funded pieces of advocacy designed to manufacture a veneer of "deliverability" for Site SP4.2. By adopting a marketing document commissioned by parties with a vested financial interest as primary evidence, the Council has allowed Optimism Bias to undermine the neutrality of the Revised Local Development Plan (RLDP) process.

Evidence of Misleading Engagement (The Data Vacuum): Public records confirm that the Council utilized this "Vision" to prematurely validate Site SP4.2 before independent, statutory assessments were complete:

- **The October 2024 Marchfield Event:** This "informal engagement" was conducted in a technical data vacuum. While the Council presented "vibrant" illustrations of a sustainable community, it withheld its own March 2021 Arcadis technical data and the July 2024 statutory objection from the Council's Ecology Officer. This constitutes Information Asymmetry, where the public was invited to comment on a "marketing concept" rather than the documented infrastructure and ecological constraints.

- **Front-Loading the Preferred Strategy:** By endorsing the "Preferred Strategy" in September 2024 based on promoter evidence, the Council effectively "pre-determined" the site's suitability, ignoring the 1:12+ gradients and flooding risks admitted in its own background WelTAG reports.

Refutation of Tir Collective Claims: Strategic & Physical Failures The Tir Collective study relies on several "strategic pillars" that are physically and legally refuted by the Council's own hidden evidence:

- **The Roundabout Paradox (Technical Necessity vs. Marketing Narrative):** While the Vision claims a "modal shift" toward Active Travel, the Council's primary engineering evidence—the March 2021 Arcadis WelTAG Stage Two Plus Report—explicitly modeled the site access via a large-scale 4-arm arterial roundabout on the A4055.
 - A 4-arm roundabout is a "capacity-driven" engineering solution for high-volume vehicular flow; its technical necessity in the Arcadis model is a de facto admission that Site SP4.2 is fundamentally car-dependent.
 - The Council is caught in a technical "lose-lose" trap: they must either admit the site requires a high-capacity roundabout (violating their own Green/Active Travel policies) or admit that without it, the site is undeliverable due to the "gridlock block-back" identified by their own experts. They cannot have it both ways.
- **The "15-Minute Neighbourhood" Fallacy:** The report asserts the site follows 15-minute principles. This is a topographical impossibility. The Dinas Powys GI Statement and Arcadis surveys confirm steep 1:12+ gradients. No evidence has been produced to show how the elderly or those with limited mobility can navigate these slopes. For these residents, the radius shrinks to zero, forcing car use and creating a fundamental breach of the Equality Act 2010.
- **The "Green Infrastructure" (GI) Myth:** The developer uses "Biodiversity Net Gain" as a buzzword. However, the Dinas Powys GI Statement identifies this land as a high-functioning "Green Wedge" carbon sink. Replacing this complex ecosystem with manicured suburban greenery and high-density street lighting creates an ecological "Dead Zone." It is a scientific impossibility to "enhance" a habitat by first destroying the ancient, protected hedgerow networks the GI Statement identifies as significant baseline assets.
- **The Hydro-Dynamic Reality:** The GI Statement fails to account for the site's role as an "uphill soakaway." As proven by the October 2025 St Davids Avenue infrastructure failure, the ground is at a breaking point. Replacing this "natural sponge" with thousands of tonnes of concrete will displace floodwater into the Eastbrook basin.
- **The Rail Access Fallacy:** Highlighting proximity to Eastbrook Station ignores that the station lacks step-free access to the Cardiff-bound platform. To present a site as "rail-led" when a significant segment of the population is physically and legally barred from using that connection is a material misrepresentation of the site's deliverability.

Conclusion: Procedural Impropriety

It is procedurally unsound to utilize a developer's "marketing vision" to counter the Council's own admissions—specifically the Arcadis WelTAG (2.7) and the Ecology Officer's 2024

objection. We contend that the Tir Collective document should be stripped of its weight as evidence. It lacks technical rigor, ignores the laws of physics, and serves only to obscure the documented breaking point of the Dinas Powys infrastructure.

12. The Developer's Strategy: Persimmon Homes and the "Standard Product"

The primary driver of this proposal is **Persimmon Homes'** intent to deploy a "Standard Housing Product" on a site that is topographically hostile.

- **The Topographical Mismatch:** Persimmon's standard designs are engineered for flat or low-gradient sites. However, the **Arcadis reports** confirm gradients of **1:12+**.
- **Engineering vs. Environment:** To force these standard units onto this terrain requires massive "cut and fill" engineering. By omitting detailed topographical cross-sections, the developer has presented a "flat-earth" model. This is physically impossible to construct without destroying the very "Green Infrastructure" they claim to protect, constituting a direct breach of **LDP Policy SP1 (Sustainability)**.

The "Consultant Shield": Tir Consulting's Evidential Vacuum

To validate this unsuitable approach, the developer has engaged **Tir Consulting** to provide a veneer of technical legitimacy. However, the Tir "Vision" document is a professional anomaly: it reaches absolute conclusions while relying on almost **zero site-specific baseline data**. The **"Expertise" Paradox** lies in the fact that Tir has produced a feasibility study in a self-imposed informational vacuum, acting less as an independent expert and more as a promotional arm for the developer—effectively shielding Persimmon from the technical evidence provided by the Council's own specialists.

Systemic Failure to Address Material Constraints

Tir Consulting has omitted critical data points required for a sound planning decision:

- **Geotechnical Negligence & The 2025 Infrastructure Failure:** While claiming the site is "deliverable" for drainage, there is **zero evidence** of on-site borehole testing. Proposing high-density development on clay-heavy slopes—especially following the **October 2025 St Davids Avenue infrastructure failure**—ignores the **Precautionary Principle**. To ignore a documented infrastructure failure in favor of unproven "rain gardens" is a failure of the Council's Duty of Care.
- **Infrastructure Capacity Deficit:** Tir identifies Dinas Powys Primary School as a "viability asset" based solely on proximity. This ignores **functional reality**. The school is at capacity; therefore, the "asset" does not exist. This violates **LDP Policy MD4**, which requires infrastructure to be "adequate," not just "nearby."
- **Direct Contradiction of Statutory Advice:** It is a material failure for Tir to promote "Biodiversity Net Gain" while entirely ignoring the **Chief Ecology Officer's** formal objections.

Direct Quotes from the Chief Ecology Officer (July & November 2024):

- "An Ecological consultant has not been engaged and a Preliminary Ecological Assessment (PEA) not prepared as recommended by CIEEM and PPW12."

- "Damage to Ancient Semi-Natural Woodland and SINC [Site of Importance for Nature Conservation] has been undertaken in advance of the application."
- "Baseline of site has not been established through researching records... [the proposal results in] a disparate parcel of woodland that will not fit the wider woodland."
- **The Verdict:** "Recommendation for refusal [of the site] still stands."

Public Consultation: Manufactured Consent and Procedural Defect

The Murchfield Community Centre Misrepresentations (18th Oct 2024)

The public consultation process reached its lowest point of professional integrity during the meeting at **Murchfield Community Centre on Friday, 18th October 2024**. Persimmon and Tir presented a series of "Key Design Principles" as technical certainties. However, these principles are internally inconsistent with the known technical constraints of the site.

For a consultation to be legally valid in the UK, it must satisfy the **Gunning Principles**. This meeting failed on every count:

1. **Formative Stage:** Proposals were already fixed to a rigid, unsuitable product.
2. **Intelligent Consideration:** Suppressing Arcadis data prevented an informed response.
3. **Adequate Time:** One evening is insufficient to debunk a complex, misleading narrative.
4. **Conscientious Account:** The Council cannot conscientiously rely on data that its own experts (Arcadis/Ecology) have already refuted.

The table below links the developer's promotional claims directly to the technical evidence that proves their delivery is physically or legally impossible.

Key Design Principle (Presented at Murchfield)	The Evidence-Based Refutation (The Arcadis/Technical Reality)	Policy & Legal Breach
1. Linear Green Park Spine: A green park acting as the central "spine" of the scheme.	The Topographical Barrier: The Arcadis data documents 1:12 gradients. A "linear park" cannot function as a usable spine on this slope without massive, ecologically destructive terracing and retaining walls.	PPW 12, Sec 3.3 (Good Design must be integrated with landscape).
2. Sustainable Transport Links: 10-minute walk to Eastbrook station via retained PRoW.	The Accessibility Barrier: This 10-minute claim is a "flat-map" fallacy. For the elderly or mobility-impaired, a 1:12 gradient is a physical wall,	Equality Act 2010 & PPW Para 4.1.25 (Accessibility for all).

Key Design Principle (Presented at Murchfield)	The Evidence-Based Refutation (The Arcadis/Technical Reality)	Policy & Legal Breach
	mandating car use and violating the sustainable travel hierarchy.	
3. 'Streets' not 'Roads': Dedicated junction at Cardiff Road promoting walking and cycling.	The Engineering Barrier: Arcadis WelTAG (2021) confirms this site requires a high-volume 4-arm arterial roundabout. Branding this as "streets" is a semantic attempt to mask heavy, car-centric highway engineering.	PPW 12 (Sustainable Transport Hierarchy).
4. Sustainable Urban Drainage (SuDS): Rain gardens and swales to "green up" the streets.	The Hydro-Dynamic Fallacy: SuDS on clay-heavy, saturated slopes is ineffective. Following the Oct 2025 infrastructure failure , the ground is proven to be at a tipping point; this approach will merely displace floodwater to existing homes.	Statutory SuDS Standards 2019 (Standard S1 - Runoff Destination).
5. Topographical Response: Development parcels will respond to the topography of the land.	The Construction Reality: Persimmon's "Standard House Types" are flat-site products. To force them onto these slopes requires massive "cut and fill" engineering, which is the literal opposite of "responding to topography."	LDP Policy SP1 (Sustainability & Environmental Protection).
6. Robust Buffers: Parcels set back from historic tree belts and hedgerows.	The Ecological Reality: Refuted by the July 2024 Ecology Officer Objection . These "buffers" are paper constructs that ignore the documented destruction of ancient hedgerow networks already undertaken on-site.	Environment (Wales) Act S.6 (Duty to enhance biodiversity).

A consultation based on technically inaccurate claims, such as those presented at the **Murchfield Community Centre**, is not a valid exercise in public engagement; it is a

manufactured consent. The Council is now on notice: to grant permission based on this "Vision" is to ignore the **Environment (Wales) Act**, the **Gunning Principles**, and the Council's own technical experts.

13. Irreparable Harm to the Green Wedge: Preventing Coalescence

Restorative vs. Destructive Development:

A fundamental planning distinction must be drawn between the "restorative" nature of brownfield development and the "destructive" impact of building on virgin Green Wedge land.

- **Restorative (Barry Docks/Waterfront):** Developing previously used land is a restorative act. It remediates industrial scars, revitalizes urban centers, and utilizes existing infrastructure.
- **Destructive (Site SP4.2):** Developing this "virgin" land—which has never been allocated for human habitation—is inherently destructive. Once this "Green Lung" is built upon, the biological and environmental loss is permanent and irreversible.

Violation of Policy MG18 and Cultural Identity

The narrow strip of land between Dinas Powys and Llandough is the primary factor maintaining the village's distinct identity. This Green Wedge was designated specifically because the risk of Dinas Powys being absorbed as a mere suburb of Cardiff is acute.

- **Substantial Harm:** Developing Site SP4.2 causes "substantial harm" to the openness of the landscape, violating the very purpose of the Green Wedge designation.
- **Administrative Erasure:** This proposal represents the administrative erasure of the village boundary, signaling the beginning of the end for Dinas Powys as a standalone settlement.
- **Policy Breach:** The resulting coalescence with Llandough and the wider Cardiff urban area is irretrievable. This constitutes a direct breach of **Policy MG18** of the Council's existing Local Development Plan (LDP).

Data-Driven Evidence: Public Support for Restorative Growth

Public opinion across the Vale confirms that residents support growth when it is restorative rather than destructive. The Council is currently overlooking high-potential Barry sites despite clear community backing for urban regeneration:

Site / Project	Nature of Development	Community Support (RLDP 2025 Data)
Neptune Road (Barry)	Restorative (Brownfield)	Supported: 14 in favor / 11 against

- o **Failure of the Sequential Test:** The Council has bypassed high-potential, restorative brownfield sites—such as **The Mole** and **Barry Docks**—in favor of "plug-and-play" virgin greenfield land. This is a rejection of the "Brownfield First" principle central to sustainable planning logic.
- e **Equality Act and "Active Travel" Dishonesty:** Proposing "sustainable" links that are topographically impassable for the disabled and the elderly is a breach of the **Equality Act 2010**. The Council's simultaneous modeling of a high-capacity **4-arm** roundabout on the A4055 is a de facto admission that the developer's "Active Travel Vision" is a marketing facade for a 100% car-dependent enclave.

Statutory Legal Vulnerability: Beyond local planning policy, this allocation creates an unacceptable legal risk for the Council. Given the documented evidence of air quality breaches, ecological sensitivity, and infrastructure failure, a decision to proceed would fail the **Precautionary Principle** under Welsh Environmental Law. Furthermore, the reliance on topographically impossible "Active Travel" routes constitutes a breach of the **Section 149 Public Sector Equality Duty (Equality Act 2010)**, as it creates an environment that is structurally exclusionary to residents with protected mobility characteristics. Any approval based on the current flawed evidence base would be **Wednesbury unreasonable** and susceptible to formal legal challenge via Judicial Review.

The "Overbooking" of Infrastructure: The Council's own **WelTAG Stage Two Plus** reports admit that traffic growth is already outstripping available investment. To ignore this data is a failure of leadership. Furthermore, relying on Section 106 "Phantom Mitigation" for landlocked, over-capacity schools is a logistical impossibility. You cannot "buy" your way out of a lack of physical space; the Council is effectively overbooking the village's education and healthcare systems with no viable way to deliver the promised seats or appointments.

A Final Plea: Planning for People, Not Prototypes: We are under no illusions: we know that some of these claims carry more weight than others. We know that the Council may attempt to "bureaucratically sprawl" all over this objection, much like the hundreds of others it will receive, burying our technical concerns under layers of administrative justification.

But we ask you to see the finer point: the opposition to this is rife because people are rightly concerned. This is not a community that reflexively says "no" to growth. Our history proves it. We fully supported the development of **Scholar Park**—the former St Cyres School site. That project is the perfect example of the "restorative" planning we advocate for; it took a previously developed site and reinvigorated it so that the community could actually benefit.

People understand the need for housing, but Site SP4.2 is simply not right. It is "one step too far." There is a restorative logic to building on the footprints of the past, as seen at Scholar Park, but there is only permanent destruction in building upon the "Green Lung" of our future.

Formal Request for Removal: We formally request the **immediate removal of Site SP4.2** from the RLDP. This land must remain a protected Green Wedge. The developer's 'Vision' represents a profound logical and ecological contradiction; it claims to 'enhance' a sensitive habitat only after its wholesale destruction, while proposing 'integration' through a car-centric model that ignores the physical reality of the site.

Dinas Powys will not stand by while it is transformed into a congested, underserved, and polluted dormitory. The Council must fulfill its democratic and statutory duty by prioritizing the **restoration of our towns over the permanent destruction of our Green Wedge.**