

## OBJECTION TO APPLICATION NO. 2017/01080/FUL

Barry Town Council wishes to submit a holding objection to this application, pending the receipt of additional information which they consider is detail which is missing from the planning application submission. Barry Town Council will consider all additional information made available by the next planning committee meeting on 21st November 2017 and provide a follow up response.

A major point of concern relates to this application being invalid, due to the submission of a site location plan, which varies from the site location plan approved as part of planning application 2015/00031/OUT. The re-positioned parking area is shown to be partly outside the red line boundary as originally approved. **Response: the purpose of a site location plan is to enable third parties to identify the location of the relevant area of land to which the application relates. It has clearly served this purpose since BTC have been able to identify the location. The drawing of the red line boundary has been made on the advice of planners and includes both the original application site (2015/00031/OUT) and an additional strip of land forming part of the Associated British Ports Estate which already has permitted use for commercial and industrial activity which therefore includes vehicle parking, as indeed it has been used for in the past. The application has been reviewed by Vale of Glamorgan Planners and validated on this basis.**

Notwithstanding the validity of the application, the main areas of concern requiring clarification from Biomass UK No. 2 Ltd via the Vale of Glamorgan planning officer are as follows:

- Issues of noise continue to affect residents, and do not appear to have been addressed in this submission **Response: this submission is in respect of a water tank/pumphouse and relocation of a car park. These do not give rise to any noise issues (the water pump will not operate except if called upon to discharge the tank) and are not relevant to the present application**
- There is a serious lack of information/clarity on the exact nature of the proposal, is it for fire water or waste water in the event of a fire? **Response: there is no lack of clarity: the planning statement explains numerous times that it is a fire water tank and fire water pumping station, for example: “The proposed Firewater Tank and Firewater Pumping Station are an important element in the Project’s submission to Natural Resources Wales for its environmental permit.” There is no mention of waste water which is the subject of an entirely separate surface water discharge scheme.**
- The onsite provision of a fire prevention measure is understood, but is the size of the tank sufficient for the amount of storage required? **Response: yes**
- The proposal will be visible across the dock from Barry Island and will be an eyesore **Response: the tank is 10m high and over-shadowed by the taller process building. It is disputed that it is an “eyesore”.**
- Concern that if it is to contain waste water, where will it be discharged? Is there need for a bund? Will this create the need for further planning applications? **Response: it will not contain waste water**

- The site is within an identified flood zone, and this does not appear to have been addressed in this submission **Response: this was addressed within 2015/00031/OUT which address flood risk for the Project as a whole of which this application forms part**
- The whole development is unlawful in both UK and European Law, and should be subject to an Environmental Impact Assessment **Response: the Welsh Government do not agree with this view; however, this “concern” in any event relates to matters decided in 2015.**
- Need more assurance that the way that the site is being developed is in accordance with details provided and that the company will adhere to all conditions **Response: this is not relevant to the present application for a firewater tank, water pump and car park relocation**
- The application needs to provide more detail so that members on behalf of the public can understand the application process as it applies to planning and the environmental permit process, the line between these two is somewhat blurred and used to confuse **Response: it is not the job of the applicant to provide advice to BTC on such matters. If BTC has any real concerns then it should consult a suitably qualified adviser**
- Little consideration appears to have been given to the original outline application, and the impact that this proposal has on the agreed parking, landscaping etc It appears to be an 'afterthought'. **Response: the previously agreed parking provision is being fully respected. The landscaping is not the subject of the present application but was the subject of a discharge application in 2016.**