

Planning Committee Meeting – 11th January 2007

2006/00260/FUL Received on 7 November 2006

Estate of the late Mrs. F. A. Bealing, c/o A. Bealing, 50, Church Road, Baglan, Port Talbot. , SA12 8SU

S. G. Williams & Associates, Lombard House, 64, Mansel Street, Swansea. , SA1 5TN

Land adjacent to Penny Cottage, Dimlands Road, Llantwit Major

Erection of one detached dwelling

SITE DESCRIPTION

The application site relates to land adjacent to Penny Cottage, Dimlands Road, Llantwit Major.

The site is approximately 730m² and lies to the west of the town between Penny Cottage to the south, Tegfan to the north, an agricultural building and field to the west and a pond to the east.

It lies outside the residential settlement boundary of Llantwit Major but within the Llantwit Major Conservation Area. The land is designated as open countryside.

DESCRIPTION OF DEVELOPMENT

The application seeks planning permission to demolish a monopitch concrete block and timber building at the front of the site, remove a collapsed former agricultural building from the rear of the site and clear the overgrown scrub and erect a four bedroom dwelling. The existing field access is to be utilised and the dwelling will take the form of a two-storey pitched roof house with single storey pitched roof utility room element.

The proposed property is positioned some 10m within the site, 4.2m from the boundary with Penny Cottage and 10m from the boundary with Tegfan. It has an approximate gross floor area of 183m². It is 4.9m to eaves level and 7.9m to ridge height and includes a porch, lobby, dining room, w.c., utility room, kitchen and lounge at ground floor and four bedrooms, a bathroom and an en-suite unit at first floor.

The dwelling is to be constructed of a natural stone plinth, porch, chimneys and utility room annexe, smooth rendered walls painted white, natural slate roof, raised render bands and timber windows, doors, fascias, bargeboards and rainwater goods. The driveway is constructed of Marshalls Tegular setts and kerbs.

A minimum of three surface parking spaces will be provided within the site with a modified vehicular access to the site. The remainder of the site is utilised as garden space and is enclosed by the existing stone wall to the north, a new post

and rail fence and planting to the west and the existing boundary wall with Penny Cottage and additional shrub planting to the south.

PLANNING HISTORY

04/01826/FUL - Erection of one detached dwelling (refused 24 February 2005, dismissed at appeal on 10 November 2005). The application was refused on the following grounds:

1. The proposal, by reason of its siting within the open countryside and outside the Llantwit Major Residential Settlement Boundary, represents an unacceptable and unjustified extension of the urban fringe of Llantwit Major, which also fails to respect the character and appearance of the environs of the site. It therefore represents insensitive and unjustified new development, contrary to Policies EV3 of the South Glamorgan Structure Plan for Alteration No. 1 (June 1989) and Policies ENV1, HOUS2 and HOUS3 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004).
2. The proposed dwelling, by reason of its scale, siting and design, represents an insensitive and inappropriate form of development, that fails to preserve or enhance the character and appearance of the Llantwit Major Conservation Area or the setting of the pond and park, contrary to Policies EV19, ENV10, ENV15, ENV18 and ENV25 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004).
3. The additional residential use of the existing access lane adjacent to No. 2 Dimlands Road and Penny Cottage would both create additional noise and disturbance, to the detriment of residential amenity, and represent the intensification in use of a substandard access onto a 60mph highway, with insufficient manoeuvring and visibility, to the detriment of highway safety the proposal would therefore be contrary to Policy ENV25 of the Vale of Glamorgan Unitary Development Plan (as amended 2004).

The Inspector, whilst dismissing the appeal, did not accept reasons No.1 and No. 3 for refusal ("As it meets the general criterion for infill development, I do not accept the Council's claim that the proposed development would comprise an unjustified extension of the urban area" and "The minor increase in traffic for one house would be unlikely to overload the local highway system or cause unacceptable loss of residential amenity for the neighbours"). He concluded that ("although the development of one house in this location would be acceptable in principle, the proposed design and layout of the dwelling would comprise an insensitive and inappropriate form of development, which would fail to preserve or enhance the character and appearance of the Llantwit Major Conservation Area.") The Inspector's decision and report are included as Appendix A to this report.

CONSULTATIONS

Llantwit Major Town Council was consulted on 7 March 2006 and re-consulted on amended plans on 27 April 2006 and 9 November 2006. "Objection on the grounds as given previously: The access to the property is not an adopted highway, it is a hard standing area in the ownership of Llantwit Major Town Council. This development will not preserve or enhance the conservation area it is situated in. The residents in the area strongly object to the proposed development as per the letters already sent to your good selves in the Planning Department."

The Head of Visible Services (Highway Development) was consulted on 7 March 2006 and re-consulted on 27 April 2006 and 9 November 2006 and comments:

"Notwithstanding the inspectors report in respect of the previous planning appeal, I would inform that the highway observations in relation to planning application 04/01826/FUL, dated 16 December 2004 are still applicable to the above proposals."

Their original comments were as follows: "The Highway Authority would object in principle, to the above application for the following reasons:

A turning facility and parking provision in accordance with the South Wales Parking Guidelines shall be provided within the curtilage of the site and retained thereafter. Vehicles must be able to enter and exit the site in a forward gear. Visibility is very poor in both directions at the access to the public highway, which is in a 60mph limit. Visibility splays of 2.0m x 90.0m in both directions, measured from the centre line of the proposed access, would need to be constructed over land which the applicant has no control. Nothing, which may cause an obstruction to visibility shall be placed, erected or grown in this visibility splay."

Dwr Cymru/Welsh Water was consulted on 7 March 2006. They responded by sending a list of conditions and advisory notes relating to foul water, surface water, land drainage and the public sewerage system.

The Operational Manager (Engineering Design) – "A watercourse, which runs through/adjacent to the site, may be affected by the proposed development. The developer will be required to maintain flows within the watercourse, during and after the works, and should be requested to submit appropriate details showing proposals to maintain the same to the Local Planning Authority prior to the commencement of any works."

The Glamorgan Gwent Archaeological Trust was consulted on 7 March 2006. They have requested a condition relating to the submission of a programme of archaeological work in accordance with a written scheme of investigation to be attached to any future consent. Their full comments are included as Appendix B to this report.

The Vale of Glamorgan Conservation Area Advisory Group recommended approval, subject to negotiation on design detail.

REPRESENTATIONS

Neighbouring occupiers – Were notified on 7 March 2006 and re-notified of amended plans on 27 April 2006 and 9 November 2006 and the application was advertised in the press and on site on the 21 March, 2006. The occupiers of Hillcrest, Midwell, Westlands, No. 2 Dimlands Road, Glan-y-Mor and No. 2 Tanfield Cottage, have objected to the proposal and an eighteen name petition has been submitted opposing the application. The grounds for objection are as follows:

1. An exacerbation of parking problems in an area already congested to the detriment of highway safety.
2. The negative impact on the setting of the historical pond and park in the Conservation Area.
3. Loss of privacy and views and the overshadowing of Tegfan and Midwell.
4. The proposed dwelling is out of keeping with surrounding properties (predominantly old cottages).
5. The proposed access off the right of way is totally inadequate and damaged and is not adopted highway.
6. Detrimental impact on flora and fauna in the area.
7. The loss of good agricultural land.
8. Potential flood risk.
9. The setting of a dangerous precedent for new dwellings encroaching into the countryside at the western end of the town.
10. Additional pressure on the public sewerage system.

Three letters that are generally indicative of the points raised are attached as Appendix C to this report. All other letters are retained on file for the inspection of Members. Councillor Gwyn John has requested that the application be referred to Planning Committee.

A number of additional letters of objection have been submitted in response to the amended plans and they repeat the reasons already highlighted in the previous letters of objection.

REPORT

Members will recall that this application was deferred at the 13 December 2006 meeting of Planning Committee to enable a site visit to be undertaken on 10 January 2007.

As the site lies within the Conservation Area, a further application (ref: 06/00296/CAC) has been submitted seeking Conservation Area Consent for the demolition of the store/workshop and the dilapidated/collapsed agricultural building that currently occupy the site in order to make way for the proposed dwelling. Members should consider the merits of the proposed demolition in conjunction with the proposed replacement structure and use.

The site lies within the open countryside and the Llantwit Major Conservation Area but outside the designated Llantwit Major Residential Settlement Boundary.

Planning Policies

The proposal can be assessed against the criteria set out in Policies HOUS3 – Dwellings in the Countryside, HOUS12 – Residential Privacy and Space, ENV1 – Development in the Countryside, ENV2 – Agricultural Land, ENV10 – Conservation of the Countryside, ENV11 – Protection of Landscape Features, ENV17 – Protection of the Built and Historic Environment, ENV20 – Development in Conservation Areas, ENV27 – Design of New Development of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; the Llantwit Major Conservation Area Appraisal; the approved 'Amenity Standards' Supplementary Planning Guidance Note (1999); the South Wales Parking Guidelines and Planning Policy Wales (March 2002).

Issues

The main issues relate to the siting of the proposed development outside the settlement boundary in the countryside; the impact of its design on the character and appearance of the Conservation Area and the West End of Llantwit Major, the potential impact on the privacy and amenities of neighbouring occupiers, parking provision and the potential impact on highway safety around the site and the provision of outdoor amenity space to serve the occupiers of the proposed dwelling.

The application site forms an overgrown plot between two residential properties with a storage/workshop building and a dilapidated agricultural building and is classified as agricultural land in the open countryside. The site lies to the west of the identified residential settlement boundary of Llantwit Major. Favourable consideration will normally be given to small-scale development that constitutes the "rounding off" of the edge of settlement boundaries. Whilst the extra incursion into the countryside cannot be considered to be "rounding off" as the proposed site forms part of a field and the proposed boundary is not an existing physical feature but an arbitrary line drawn for the convenience of plot size, the Inspector has previously accepted the principle of developing a house on this site. Therefore, it is not possible to utilise the first reason of refusal as used in the original decision.

The site is an important open area and contributes to the character of the conservation area, the residential area and the setting of the historic stone pond and park adjacent to it. The proposed dwelling is now set back 10m into the site and would replace a disused store/workshop building and a dilapidated agricultural building. The design of the house has also been amended and simplified since the original submission. The integral garage has been omitted, the footprint of the property has been reduced and the number of bedrooms has been reduced from five to four. The dwelling is more traditional in appearance and is more in keeping with the character and appearance of the Conservation Area. Therefore, it is considered that the revised scheme preserves the character and appearance of the Conservation Area, in accordance with Policies ENV20 and ENV27 of the UDP.

The proposal would not prejudice the amenities and privacy of the adjoining occupiers as there are no habitable windows in the side elevations fronting Penny Cottage and Tegfan and there is a reasonable gap between the proposed and existing buildings. The proposed utilisation of an existing access will reduce the amount of works and disruption adjacent to the site.

The three on-site parking spaces and the turning area are acceptable and will ensure access and egress in a forward gear. Although the Highway Officer still considers that the visibility from the site onto the lane between the pond and the rear of Nos. 1 and 2 Dimlands Road is very poor and the visibility from this lane onto the adjacent 60 mph limit highway (Dimlands Road) is restricted, the Inspector noted that the minor increase in traffic for one house would be unlikely to overload the local highway system, or be detrimental to highway safety or cause an unacceptable loss of residential amenity for the neighbours.

The site is separated from the adopted highway by land owned by Llantwit Major Town Council (the hard standing in front and adjacent to the pond). Therefore, the site location plan has been amended to include this area between the site and the adopted highway of Dimlands Road and the agent has served notice on the Town Council. Any additional comments from the Town Council will be reported to Planning Committee.

The reduction in the footprint of the dwelling and the proposed level of private amenity space will satisfy the advice contained within the adopted supplementary planning guidance note on 'Amenity Standards'. The proposed landscaping plans and choice of species and the fence details are acceptable in this location.

CONCLUSION

The recommendation to grant planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996 - 2011.

Having regard to Policies ENV20 'Development in Conservation Areas', ENV27 'Design of New Development', of the Vale of Glamorgan Adopted Unitary Development Plan 1996 - 2011; the approved 'Amenity Standards' Supplementary Planning Guidance Note (1999); the South Wales Parking Guidelines and Planning Policy Wales (March 2002), the proposal is considered acceptable in terms of its impact on the character and appearance of the Conservation Area and its impact on future and neighbouring occupiers.

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

2. This consent shall only relate to the amended plans reference 09/04/44/2 Rev B, 09/C4/44/10 Rev A and 09/04/44/1 received on 24 April 2006 and 7 November 2006 and the development shall be carried out strictly in accordance with these details.

Reason:

To ensure a satisfactory form of development and for the avoidance of doubt as to the approved plans.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the dwelling hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for the purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected or placed within the curtilage of the dwelling hereby approved without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

5. No part of the development hereby approved shall be brought into beneficial use until such time as the parking areas, including all associated access and turning areas, have been laid out in full accordance with the details shown on 09/04/44/2 Rev B and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

7. No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

8. Notwithstanding the submitted plans, details of the materials and colour of the external finishes of the proposed dwelling including all windows and doors shall be submitted to and agreed in writing with Local Planning Authority prior to the commencement of development.

Reason:

To safeguard local visual amenities and to preserve the character and appearance of the Llantwit Major Conservation Area in accordance with policies ENV20 and ENV27 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/00296/CAC Received on 2 March 2006

Estate of the late Mrs. F. A. Bealing, C/o A. Bealing, 50, Church Road, Baglan,
Port Talbot. , SA12 8SH
S. G. Williams & Associates, Lombard House, 64, Mansel Street, Swansea. , SA1
5TN

Land adjacent to Penny Cottage, Dimlands Road, Llantwit Major

Demolition of existing buildings to create residential plot

The development/property is situated within the Llantwit Major Conservation Area.

The application is for demolition within the Llantwit Major Conservation Area.

The application was advertised on 21 March 2006.

SITE DESCRIPTION

The application site relates to buildings on land adjacent to Penny Cottage,
Dimlands Road, Llantwit Major.

The buildings include a monopitch concrete block and timber building at the front
(east) of the site and a collapsed former agricultural building at the rear (west) of
the site.

It lies outside the residential settlement boundary of Llantwit Major but within the
Llantwit Major Conservation Area. The land is designated as open countryside.

DESCRIPTION OF DEVELOPMENT

The application seeks Conservation Area Consent to demolish the monopitch
concrete block and timber building at the front of the site, remove a collapsed
former agricultural building from the rear of the site and clear the overgrown scrub
to allow the erection of a four bedroom dwelling.

Conservation Area Consent for demolition is required as the site is located within
the Llantwit Major Conservation Area.

PLANNING HISTORY

04/01820/CAC - Demolition of existing buildings to create residential plot was
withdrawn.

CONSULTATIONS

Llantwit Major Town Council was consulted on 16 March, 2006. "Objection on the grounds as given previously. The access to the property is not an adopted highway, it is a hard standing area in the ownership of Llantwit Major Town Council. This development will not preserve or enhance the conservation area it is situated in. The residents in the area strongly object to the proposed development as per the letters already sent to your good selves in the Planning Department."

The Operational Manager (Engineering Design) – "A watercourse, which runs through/adjacent to the site, may be affected by the proposed development. The developer will be required to maintain flows within the watercourse, during and after the works, and should be requested to submit appropriate details showing proposals to maintain the same to the Local Planning Authority prior to the commencement of any works."

The Glamorgan Gwent Archaeological Trust was consulted on 16 March 2006 and comments:

"The application area is located within the area of Llantwit Major where medieval settlement may have occurred and early post-medieval settlement existed. However, as the application is for the demolition such it is our opinion that it is unlikely that archaeological material would be disturbed and that the impact of the proposed development on the conservation area will be low and therefore, we have no objection to the positive determination of this application."

REPRESENTATIONS

Neighbouring occupiers were notified on 16 March 2006 and the application was advertised in the press and on site on the 21 March 2006. The occupier of Westlands has objected to the proposal and a 28 name petition has been submitted opposing the application.

The letter and the petition are attached as Appendix A to this report. Councillor Gwyn John has requested that the application be referred to Planning Committee.

REPORT

Members will recall that this application was deferred at the 13 December 2006 meeting of Planning Committee to enable a site visit to be undertaken on 10 January 2007.

An application has also been submitted for the redevelopment of the site (ref. 06/00260/FUL).

The site lies within the open countryside and the Llantwit Major Conservation Area but outside the designated Llantwit Major Residential Settlement Boundary.

Planning Policies

This is a conservation area consent application for the demolition of a building in the conservation area. As such, the main policy consideration is set by Policy ENV21 of the Vale of Glamorgan Adopted Unitary Development Plan 1996 – 2011 which states:

POLICY ENV21 – DEMOLITION IN CONSERVATION AREAS.

THE DEMOLITION OF BUILDINGS IN CONSERVATION AREAS WILL BE STRICTLY CONTROLLED, INCLUDING BOUNDARY WALLS, FENCES, RAILINGS AND GATES WHERE THEY MAKE AN IMPORTANT VISUAL CONTRIBUTION TO THE QUALITY OF THE STREET SCENE, IN PARTICULAR:

- (i) LISTED BUILDING CONSENT FOR THE DEMOLITION OF A LISTED BUILDING OR BUILDING/STRUCTURE WITHIN ITS CURTILAGE WILL ONLY BE GIVEN IN EXCEPTIONAL CIRCUMSTANCES;
- (ii) THE DEMOLITION OF AN UNLISTED BUILDING OR STRUCTURE WITHIN A CONSERVATION AREA WILL BE PERMITTED WHERE FULL PLANNING PERMISSION HAS BEEN GRANTED FOR THE PROPOSED NEW USE OR DEVELOPMENT; AND
- (iii) PROPOSALS FOR THE DEMOLITION OF A BUILDING IN A CONSERVATION AREA SHOULD BE ACCOMPANIED BY PROPOSALS FOR THE APPROPRIATE RE-USE OF LOCAL INDIGENOUS MATERIALS WHICH REFLECT THE CHARACTER OF THE CONSERVATION AREA.

The other consideration is the architectural merit (or otherwise) of the building in question. The buildings are of little or no architectural merit and following their demolition, will make way for a new dwelling on this plot. It is considered that the loss of the buildings would not be detrimental to the character of the Conservation Area and the proposed replacement residential development in application 06/00260/FUL will enhance the appearance of the Conservation Area as detailed in the corresponding report.

CONCLUSION

The decision to grant planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996 - 2011.

Having regard to Policy ENV21 'Demolition in Conservation Areas', of the Vale of Glamorgan Adopted Unitary Development Plan 1996–2011 and given that the buildings do not make an important visual contribution to the street-scene or the conservation area, the proposal accords with the Policy and an approval for the demolition of the buildings is recommended.

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The works hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

To comply with the requirements of Section 75 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Charterhouse Properties, Ty Hir Newydd, Michaelston Y Fedw, Cardiff., CF3 6XT
Steve Sidford Associates, 129, Stanwell Road, Penarth, Vale of Glamorgan.,
CF64 3LL

30, Grove Terrace, Penarth

Three bedroom detached house to replace existing coach house/workshop and garage

SITE DESCRIPTION

The application site is currently occupied by a vacant building (noted as being previously for storage) and a detached domestic garage. The building occupies the greater part of the site area which itself extends to approximately 7m in width x 24.5m in depth. The site is situated in a residential area of predominantly terraced dwellings. The site has a road frontage to Ivy Street and a rear lane frontage. A vehicular cross over off Ivy Street serves the garage and there is a garage door access into the brick built, 2 storey building off the rear lane.

DESCRIPTION OF DEVELOPMENT

The application seeks consent to demolish the existing building and garage and to erect a detached dwelling with accommodation over 3 floors. The third floor accommodation being provided by accommodation in the roof and being served by 2 small dormer windows to the rear and one dormer and rooflight to the front.

The dwelling will have 3 bedrooms. The finishes will be composite slate roof, red facing brick walls with butt brick band courses and quoins.

The parking spaces are proposed to the rear of the site served off the rear lane. The dwelling's front wall will be set in line with that of No. 1 Ivy Street.

PLANNING HISTORY

None.

CONSULTATIONS

Penarth Town Council – Were consulted on 25 August 2006. See Appendix A

The Head of Visible Services (Highway Development) – Was consulted on 25 August 2006 in response, the officer states as follows:

The development proposals would remove the existing parking facilities from No 30 Grove Terrace. Furthermore, as the development only provides 2 parking spaces, the proposed dwelling will be deficient in parking by one vehicle space. From site observations it is noted that the surrounding highway network is at capacity in terms of on-street parking and any increase in the existing parking demand from the proposed development cannot be accommodated at the kerbside.

Therefore, based on inadequate parking facilities to serve the development site, and the removal of existing parking facilities, the Highway Authority object to the above application.

Comments are awaited in respect of the amended plans.

Environment Agency Wales – Standard advice applies.

Dwr Cymru/Welsh Water – Were consulted on 25 August 2006. See Appendix B.

REPRESENTATIONS

Nos. 27, 28, 29 and 31 Grove Terrace, Nos. 1 and 35 Ivy Street; and No. 13 Wood Street – Were consulted on 25 August 2006.

The application was advertised on site and by neighbour notification. Ten letters of representation and an 11 page (approximately 320 signature petition and a further 62 letters of objection) were received to the scheme as originally submitted.

The petition states : “As a local resident I strongly oppose any new development on the tiny plot at No. 30 Grove Terrace. I believe that it would be totally out of character with the surrounding houses, have a very negative impact on the neighbourhood and set a precedent for other over developments on tiny plots”.

One copy of the 62 letters received is attached as Appendix C as are 3 further letters being generally representative of the views expressed in relation to the originally submitted scheme.

An e-mail from Lorraine Barrett (AM) is attached as Appendix D.

A further 3 letters were received in response to notification of the amended plans and 2 copies are attached as Appendix E, and Sinclairs’ Solicitors advise that their client still wishes to object for the same reasons as previously stated.

REPORT

Planning Policies

The site lies within the residential settlement boundary for Penarth as defined in the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011. The relevant policies against which the application falls to be assessed are:

HOUS2 ‘Additional Residential Development’ allowing housing infill and redevelopment subject to criteria contained in Policy HOUS8.

HOUS8 ‘Residential Development Criteria’ listing 6 criteria which development will need to meet.

ENV27 ‘Design of New Developments’

TRAN10 ‘Parking’

The Council's adopted Supplementary Planning Guidance 'Amenity Standards' is also relevant.

Issues

The principle of development is established by Policy HOUS2 therefore the issues relate to the form, design and layout of the development in relation to the character of the surrounding area and any impacts on the privacy and amenities of adjoining occupiers.

The scheme has been amended and the eaves' height reduced, but not the ridge height and the position of the dwelling relocated within the site.

The dwelling is now detailed to sit level with the front wall of No. 1 Ivy Street and thus continuing the road frontage of development at this point where currently there is a vehicular crossover and a single storey monopitch roofed garage of no particular merit.

The land where the 2 storey part of the outbuilding is located will become a rear garden area and parking area (2 spaces) of approximately 7m x 12.5m in depth in total. This is commensurate with rear garden parking areas for the established properties in the area in general. The dwelling will have a footprint of 6m wide x 8.5m deep and will be set back approximately 3m from the highway. The overall floor area equates to approximately 153 square metres with a front and rear garden of approximately 89.5 square metres and space for 2 cars. Whilst this does not meet the Local Planning Authority's standards in terms of site area it should be noted that the orientation, south-east, useability and privacy are such that a refusal on this ground would not be considered sustainable and that a relaxation is justified by the particular circumstances of the site (para 4.3 of the Supplementary Planning Guidance 'Amenity Standards').

The existing building has been used historically as a commercial warehouse; as a grocer's warehouse; door company; and most recently for storing of antiques. The site appears to have a commercial use and given the site's residential location, its removal from the non conforming commercial use would appear to be a benefit.

Whilst the building appears as an 'original' structure in the area it is not Listed, does not fall within a Conservation Area and appears to be in a poor state of repair. The monopitch / flat roof additions to the front of the site facing Ivy Street are very unattractive.

Bringing the dwelling forward on the site not only reflects the established street pattern but will also remove some of the overshadowing currently experienced to the rear of properties on Grove Terrace although No. 30 Grove Terrace's small rear garden may be more overshadowed than it currently is as the dwelling will lie 5m from that dwelling's rear elevation.

There will be approximately 27m between the rear wall of the proposed dwelling and the corner of No. 13 Wood Street, a dwelling to the rear. 8.5m approximately will lie between the rear of No. 29 Grove Terrace and the dwelling's side elevation.

The detailing of the front elevation could be improved with relation to the canopy porch and arrangement and design of fenestration but otherwise it is considered that the replacement of this commercial building with a single dwelling sited as indicated would not so adversely affect neighbours' amenities, and would generally appear to provide a net benefit. The development would not so affect parking including for No. 30 Grove Terrace, given sufficient on-street capacity to warrant refusal on highway safety grounds.

CONCLUSION

The decision to grant planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies HOUS2 'Additional Residential Development'; HOUS8 'Residential Development Criteria'; and TRAN10 'Parking' the redevelopment of the site for a single dwelling as detailed in the amended plans would not adversely affect the visual amenities of the area nor the privacy and amenities of adjoining occupiers and will provide a satisfactory level of amenity space and on-site parking to serve the development.

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

2. Prior to the commencement of development details including cross-sections of the finished levels of the site in relation to existing ground levels and finished ground levels shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full accordance with the approved details.

Reason

To ensure that the visual amenities of the area and the amenities of adjoining occupiers are safeguarded, and to ensure the development accords with Policy ENV27 of the Unitary Development Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the dwelling hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for the purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected or placed within the curtilage of the dwelling hereby approved without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

5. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995 or any Order amending, revoking or re-enacting that Order the site shall be enclosed in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority and the approved means of enclosure shall be fully implemented on site prior to the first occupation of the dwelling hereby approved and shall thereafter be so retained at all times and no other fence, wall or other means of enclosure shall be erected, placed or constructed on the site without the prior consent of the Local Planning Authority.

Reason:

To ensure that the privacy and amenities of adjoining occupiers are safeguarded and to meet the requirements of Policy ENV27 of the Unitary Development Plan.

6. Samples of the bricks to be used in the external elevations shall be submitted to and approved in writing by the Local Planning Authority and only those approved brick types shall be used in the construction of the dwelling.

Reason:

To ensure that the visual amenities of the area are safeguarded and to meet the requirements of Policy ENV27 of the Unitary Development Plan.

7. The site shall be laid out as detailed on Drawing No. PO:1 Rev. C received on 24 October 2006 and 2 No. car parking spaces shall be provided on site at all times to serve the development hereby approved.

Reason:

To ensure the provision of amenity and car parking spaces to serve the dwelling and to meet the requirements of Policies ENV27 and TRAN10 of the Unitary Development Plan.

8. Notwithstanding the front elevation fenestration and porch details amended details shall be submitted to and agreed in writing by the Local Planning Authority prior to the construction of the front elevation above slab level and the development shall thereafter be carried out in accordance with those approved details.

Reason:

To ensure that the visual amenities of the area are safeguarded and to meet the requirements of Policy ENV27 of the Unitary Development Plan.

NOTE:

1. **This consent does not convey any authorisation that may be required to gain access onto land not within your ownership or control.**
2. **Where the work involves the creation of, or alteration to, an access to a highway the applicant must ensure that all works comply with the appropriate standards of the Council as Highway Authority. For details of the relevant standards contact the Visible Services Division, The Vale of Glamorgan Council, The Alps, Wenvoe, Nr. Cardiff. CF5 6AA. Telephone 02920 673051.**
3. **Surface water run-off from the proposed development must not connect either directly or indirectly (i.e. via any existing or proposed private drainage system) to the public foul sewer under any circumstances.**
4. **The developer is reminded that it is an offence to disturb the habitat of and any protected species themselves e.g bats, and therefore should any species be present on site the developer should contact the Countryside Council for Wales, 7 Castleton Court, Fortran Road, Cardiff, Tel: 029 2077 2400 and stop work immediately.**

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01183/FUL Received on 17 August 2006

Peter Emery, 4, Church Road, Bridgend, CF31 3AZ
Davies Sutton Architecture, Penhevad Studios, Penhevad Street, Grangetown,
Cardiff., CF11 7LU

Castle Farm, St. Georges-Super-Ely

Renovation of existing Grade I listed building with 2 storey extension and provision of detached garage with guest studio accommodation above

SITE DESCRIPTION

The site comprises an existing detached house, Castle Farm, which is a Grade I Listed Building located south of the railway line and the Ely River, on the northern edge of St. Georges-Super-Ely.

DESCRIPTION OF DEVELOPMENT

This is a full application for the extension and refurbishment of the existing dwelling. The proposal entails the following works:

- Demolition of existing single storey extension and steps on the rear elevation.
- Construction of a single storey flat roofed extension and rebuild of external stairs on the rear elevation. The extension comprising dayroom and utility room will measure approximately 13m x 4.9m and will be finished in Oak columns, glazing and lead panels.
- A first floor flat roof extension over part of the new ground floor on the rear elevation, measuring approximately 6.5m x 3.7m, and accommodating a staircase. The external finishes will be as above.
- A decked area on the rear elevation, projecting approximately 3m beyond the end elevation of the proposed extensions, and approximately 1.9m beyond the side elevation, including a lowering of ground levels.
- A detached two storey, pitched roof garage and guest studio located to the side of the existing dwelling approximately 2.2m from the boundary with Ty Gwyn. The proposed building, comprising flat roof dormer windows and an external stair, will measure approximately 6.7m x 10m to a height of 6.8m, and will accommodate a double garage and store at ground floor with first floor living room, bedroom and bathroom.
- A new oil storage tank within a 2.15m lime rendered blockwork wall enclosure adjacent to the boundary with Ty Gwyn.
- General refurbishment of the existing building including new slate roof, rebuild of chimneys and boundary walls.

PLANNING HISTORY

06/01191/LBC - Renovation of existing Grade I listed building, two storey extension, detached outbuilding-submitted in conjunction with the current application-yet to be determined.

CONSULTATIONS

St. Georges & St. Brides Community Council – Concerns that the extension is inappropriate in design terms, unnecessarily large and development on Grade 3 agricultural land. The new build studio garage is also completely unacceptable and on Grade 3 agricultural land.

Environment Agency – Initial comments – The Agency does not accept the promotion or proliferation of cesspools and require a full foul drainage assessment. Request for a condition relating to the cesspool. Comments on otters, bats and works to the watercourse.

Further comments following additional information/clarification from agent- Withdraw request for condition re: cesspit and request that restrict work to daylight hours to prevent disturbance to any otters that could be using the surrounding habitat.

Countryside Council for Wales – Initial comments-A holding objection pending discussions on planning conditions relating to the Ely Valley SSSI, otters, water vole and bats.

Further comments – No objection on grounds of bats provided recommendations of survey are followed. Imposition of suitable conditions to protect Ely Valley SSSI and recommendations relating to otters and water vole including need for licence.

Council's Ecologist - Recommends that the recommendations of the bat survey be included as a condition in any consent.

Glamorgan Gwent Archaeological Trust – Initial comments – Determination be deferred until an archaeological evaluation has been submitted.

Further comments following additional information/clarification from agent – Recommend that a condition be imposed requiring no development until the applicant has secured the implementation of a programme of archaeological work.

REPRESENTATIONS

The occupiers of neighbouring properties were notified on 6 September 2006 . In addition the application was advertised on site and in the press on 5 September 2006. The occupier of Ty Gwyn had submitted a letter of objection. Whilst the letter is available in full on file, in summary the main points of concern relate to new build garage studio has potential for new build house; development on agricultural land; garage/studio will detract form visual amenities of Ty Gwyn; oil tanks also an eyesore . Request be advised of date that Planning Committee consider application.

REPORT

The property is an existing Grade I listed dwellinghouse located in the settlement of St. Georges-Super-Ely within the countryside. The proposal entails the refurbishment and extension of the dwelling. The following policy background is relevant.

Planning Policies

Policy ENV1 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 relates to development in the countryside and is a policy that seeks to restrict development to appropriate uses such as agriculture.

Policy ENV4 relates to 'Special Landscape Areas' and identifies the site as lying within the Ely Valley and Ridge Slopes SLA where development is permitted if it would not adversely effect the landscape character, landscape features or visual amenities of the SLA.

Part of the site falls within the Ely Valley Site of Special Scientific Interest where Policy ENV14 'National Sites of Nature Conservation Importance' will apply. This states that development likely to have an adverse effect on the conservation value of an SSSI will not be permitted unless there is no alternative and that it can be demonstrated that the benefits arising from the development clearly outweigh the special interest of the site.

Policy ENV16 of the Unitary Development Plan relates to Protected Species. Permission will only be given for development that would cause harm to a protected species if it can be clearly demonstrated that

- i) there are exceptional circumstances that justify the proposals;
- ii) there is no satisfactory alternative; and
- iii) effective mitigation measures are provided by the developer.

As a Grade I listed building Policy ENV17 of the Unitary Development Plan is relevant. This relates to the Protection of Built and Historic Environment and does not permit development that has a detrimental effect on the special character, appearance or setting of listed buildings.

Policy ENV18 - Archaeological Field Evaluation is also relevant as Glamorgan Gwent Archaeological Trust have identified the potential archaeological importance of the site.

Policy ENV27 relates to the Design of New Development and is a criteria based policy that requires it has full regard to the context of the site.

Policy HOUS7 of the Unitary Development Plan relates to the replacement and extension of dwellings in the countryside. This requires that the extended dwelling is not disproportionate in size to the original dwelling.

National guidance is contained in Planning Policy Wales March 2002 and TAN12 - Design.

Issues

In assessing the proposal against the above policies and guidance the following points are noted.

In design terms it is noted that the Community Council and neighbouring occupier have submitted objections. It is acknowledged that the proposed extensions to the main house are of a modern and contemporary design and this, in itself, is not grounds to reject the scheme as inappropriate. Indeed it is considered that the scale and position of the extensions, along with the obvious modernity in stark contrast to the existing, will not detract from the historic character and appearance of the original listed house. The proposed new build garage/studio is also considered to be of appropriate scale and design and its position to the side of the house between former outbuildings to the rear and garaging to the front, is considered to be the least intrusive in relation to the setting of the listed building. The works of refurbishment are also considered acceptable and would maintain the historic character of the house and its setting.

The neighbouring occupier has also objected to the garage/studio as an unneighbourly development adversely affecting the outlook from their property. Whilst the proposed building will be sited close to the boundary with Ty Gwyn it is some distance from the house itself and positioned to the north of that property. It is not considered that this will present any significant degree of overshadowing nor present an overbearing feature. The proposal is also considered to be acceptable in relation to issues of privacy. The added concern that it may become a separate dwelling can be controlled by condition, and it is not considered that its size, scale and position in relation to the existing house has the appearance of a new dwelling.

A further concern of the Community Council and neighbour relates to development on agricultural land. Whilst it is noted that the applicant is a new owner of the property and is therefore unable to provide any definitive evidence as to the extent of the authorised residential curtilage, nevertheless, from the Council's own photographic evidence and the fact that the OS plans show outbuildings positioned to the west some distance beyond the rear elevation of the dwelling, it is considered that the extensions and new build garage will not intrude into the countryside. Any future use of the remainder of the land edged red that extends west is a separate issue and does not form part of the current application.

On the issue of wildlife and the Ely Valley Site of Special Scientific Interest it is noted that both the Council's Ecologist and the Countryside Council for Wales no longer have any objections to the application. Whilst the survey work shows no evidence of bat or barn owls, conditions and informatives have been recommended. CCW also refer to possible presence of otters and water voles along with the presence of Monk's hood, a nationally scarce plant, along the riverbank. It is considered that very little of the proposed works infringe on the riverbank, with the extensions being constructed in an area of existing buildings and the new garage/studio located to the south. It is considered that any impact the works may have on these resources should be minimal and that the circumstances of this case, i.e. securing the renovation and long term viability of this important Grade I listed building, which is currently vacant and falling into a state of disrepair, justifies such impact.

On the issue of drainage it is noted that the Environment Agency have withdrawn their earlier request for a condition. In addition the Glamorgan Gwent Archaeological Trust have reduced their requirements to an investigation prior to commencement of works.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV1 - Development in the Countryside, ENV4 - Special Landscape Areas, ENV14 - National Sites of Nature Conservation Importance, ENV16 - Protected Species, ENV17 - Protection of Built and Historic Environment, ENV18 - Archaeological Field Evaluation, ENV27 - Design of New Development and HOUS7 - Replacement and Extension of Dwellings in the Countryside of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, it is considered that the proposal will not detract from the historic character or setting of this Grade I listed building, nor the amenities of neighbouring occupiers. Any possible adverse impact on protected species or the Ely Valley Site of Special Scientific Interest is considered to be minimal particularly when weighed against the benefits of the proposal which will result in the restoration and long term viability of the Grade I listed property.

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

2. The garage/studio accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Castle Farm.

Reason:

To avoid the creation of a separate unit of residential accommodation, and to ensure compliance with the terms of Policies ENV1, ENV27 and HOUS11 of the Unitary Development Plan.

3. No development shall take place until the applicant has secured the implementation of a written programme of archaeological work in accordance with a written scheme of investigation which shall be submitted by the applicant and approved in writing by the Local Planning Authority and the programme and scheme shall be fully implemented as defined in the approved details.

Reason:

To ensure that archaeological interest is protected and recorded and to ensure compliance with Policies ENV18 and ENV19 of the Unitary Development Plan.

4. Notwithstanding the submitted site edged red location plan, the permission hereby granted does not imply any consent for the change of use of land and extension of the authorised residential curtilage.

Reason:

For the avoidance of doubt as to the extent of this permission and to meet the requirements of Policy ENV1 of the Unitary Development Plan.

5. The newly inserted door and screen arrangement to the southern gable elevation of the building shall not be as detailed on Drawing Ref: 2524-13 but shall be of a more traditional design, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the formation of the doorway opening. The new doorway shall thereafter accord with the approved details.

Reason:

The glazed panel detailing of the door is considered at odds with the character of this elevation of the building and a more appropriate design is required in accord with Policy ENV17 - Protection of the Built and Historic Environment of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

6. The site is the subject of protected species interest and lies partly within and adjacent to the Ely Valley Site of Special Scientific Interest (SSSI). The developer is therefore required to comply with the following mitigation measures, ensuring that:

- a) all external works of construction and repair are undertaken during daylight hours only;
- b) the recommendations in Section 12 of the submitted Bat Survey report prepared by Steve Pickering are followed; and
- c) no part of the works interfere with the riverbank, in particular the rare plant species Monk's-hood *Aconitum napellus*, known to be present along the riverbank;

unless any variation to the above is agreed in writing with the Local Planning Authority prior to such variation taking place.

Reason:

To ensure minimal impact to wildlife and countryside interests in accord with Policies ENV14 - National Sites of Nature Conservation Importance and ENV16 - Protected Species of the Vale of Glamorgan Unitary Development Plan 1996-2011.

NOTE:

1. **Where the proposal requires both Planning Permission and Listed Building Consent or Conservation Area Consent work must not be commenced until both consents have been obtained.**
2. **You will note that a condition has been attached to this consent and refers to the requirement for a programme of archaeological work to be agreed. Advice on this matter can be obtained from the Glamorgan-Gwent Archaeological Trust, at Heathfield House, Heathfield, Swansea, SA1 6EL. Tel: 01792 655208.**
3. **The applicants are advised that all necessary consents/ licences must be obtained from, the Environment Agency prior to commencing any site works.**
4. **You are advised that there may be species protected under the Wildlife and Countryside Act, 1981 within the site and thus account must be taken of protecting their habitats during construction works. Should evidence be found of the presence of otter, water vole or the rare Monk's-hood plant then you are advised to cease work, as specific licences may be required, and seek further advice from The Countryside Council for Wales, 7 Castleton Court, Fortran Road, Cardiff; Tel: 02920 772400.**

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01191/LBC Received on 18 August 2006

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Davies Sutton Architecture, Penhevad Studios, Penhevad Street, Grangetown,
Cardiff., CF11 7LU

Castle Farm, St. Georges-Super-Ely

Renovation of existing Grade I listed building, two storey extension and demolition of later extension and outbuildings and boundary works

The development/property is situated within/adjoining the Conservation Area.

The property is a Grade I Listed Building.

The application was advertised on 5 September 2006.

SITE DESCRIPTION

Castle Farm is believed to have originated as a defensive Mediaeval Castle, the original building was converted to a manor house and then a farmhouse in later times. Most recently it has been used as a residence by a single person and the building condition is in great need of attention, it has been vacant for approximately eighteen months. The building is located on the edge of the small hamlet of St. Georges, in the North East of the Vale of Glamorgan and sited some half a mile from the Church. It is believed to incorporate part of the old Norman castle of Le Fleming - the massively thick masonry at the north and west elevations believed to be evidential of its defensive origin. RCAHMW believes the current main block was built in the angle formed by the outer and cross walls of the early castle structure.

The building is believed to have been re-planned in the 15th Century, from which time dates most of the masonry of the main block, including a surviving banqueting hall and chamber. At this time the primary accommodation on the first floor would have been divided into a hall in 3 bays open to the roof, a solar at the north (river) end and a chamber at the south end.

There is some debate as to the date of the eastern annex wing to the building which may be early fabric, Georgian or later Victorian fabric. Records indicate that the building was modified in the 19th Century by antiquarian Reverend John Montgomery Traherne, who substituted a hammer beam truss for the original partition wall which had divided the 3-bay hall and a 2-bay chamber. The North traceried window lighting the solar is also thought by RCAHMW and Newman to be an antiquarian adaptation or addition; possibly also the lancet at South, (though the top-floor south window may be an original 15th Century feature). Frontage windows and some of the roof braces were also likely fabricated at this time.

The main feature of the interior is the magnificent first floor hall with 15th Century timber roof of 4-bays and 2 half-bays, one at each end, the principals have arched braces to collar beams, and alternate principals have hammer beams with carved hammer braces on timber corbels; the roof structure accommodates 2 No. purlins with cusped wind-braces between, though these may be Victorian additions/replacements. The wooden floor of the hall is raised at upper end. In the side (western) wall is a fireplace with fine freestone surround: a square head with canopy hood slightly projecting carried on corbel brackets and with a double-roll moulding along the top edge of the opening, round the radius of each corbel and down the front edge of each jamb. A plainer chamfered fireplace exists in the former solar. Interior walls are rendered stone, primarily lime washed, but painted in some places. There is some evidence of attempted repair and blocking up on roadside (eastern) wall as well as ad-hoc repair.

On the ground floor, a doorway leads to a living room area with one massive cross beam and boarded ceiling, this gives access to a lobby, formerly the cross passage between parlour and kitchen, the original main entrance having likely been moved at the time of the Victorian adaptation, or later.

The building is of substantial two storey height. The exterior is of random rubble, with natural, but variously repaired, slate roofs, gabled, with stone end stacks. and 2 tall massive square rubble stacks rising from rear (western) eaves. Windows are mostly 16/17th Century style, 2-light stone mullioned casements with chamfered surrounds, 4-centred lights, spandrels and drip moulds, some with leaded quarries, some with glazing bars. The rear (western) elevation has a Tudor-arched doorway on the upper floor of the rear wing reached by a flight of stone steps, in poor condition, which run parallel with the wall. These probably date from the period of use as a granary, and give access to the former 1st floor banqueting hall.

The rear western elevation also has a rough faced block work addition which detracts from the building and is of no architectural merit.

DESCRIPTION OF WORKS REQUIRING LISTED BUILDING CONSENT

The proposals encompass, general restorative works, major structural intervention to address building movement issues in the area of the front, (eastern) elevation, modest internal layout re-arrangement and a new build extension in contrasting modern style to the rear, (western) elevation of the property.

PLANNING HISTORY

Planning application ref: 00/00498/FUL sought permission for the erection of a bungalow in the grounds to accommodate the existing tenant in 2000 and Listing Building Consent ref: 00/00499/LBC for the restoration of the house paralleled this, however both applications were subsequently withdrawn.

Planning application ref: 06/01183/FUL for the external works applied for here is yet to be determined at this time.

Castle Farm appears as a 'Listed Building at Risk' in the local authority listed building condition survey of March 2006.

CONSULTATIONS

St. Georges Community Council were advised of the application on the 6 September 2006 as were the six amenity bodies and Glamorgan and Gwent Archaeological Trust. The application was also advertised in accordance with statutory requirements on 5 September 2006.

REPRESENTATIONS

RCAHMW generally welcome the work and advise that the building has been surveyed, but require that an opportunity of detailed building recording be afforded as a condition of any consent as may be granted.

St. Georges Community Council are opposed to the development, stating surprise at a proposal for an extension of a modern design on a Grade 1 Listed Building, which they consider is 'dichotomy of styles' unsympathetic, and inappropriately large. They also suggest that the development is contrary to planning policy in that it is proposed to be built on grade 3 agricultural land, and to constitute development in the open countryside which is generally resisted elsewhere.

The comments of the Community Council are noted, the merits of the design of the extension are considered below. Issues relating to planning policy are more appropriately considered under the terms of the planning application ref: 06/01183/FUL which parallels this submission. However the Local Planning Authority are required as a duty of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building, its setting and any features of architectural and historic interest which it possesses, and this will be a material consideration in respect of the determination of both applications.

The Glamorgan and Gwent Archaeological Trust require a programme of archaeological investigation to be undertaken, by condition of any consent as may be granted; and that a qualified building historian be allowed to undertake a drawn and photographic record and interpretation of the building prior to any works commencing; this record to be publicly accessible and placed in the county archive/at RCAHMW.

The Society for the Protection of Ancient Buildings support the analysis and approach taken with the scheme, and the rear extension which they consider modest and in keeping with the society's principles of using a sympathetic modern design. In general they do not object to the principle of the removal of poor quality later work but would not support the removal of later work of a better quality, and offer their services in providing a second opinion in any 'grey' areas or in later debate or discussion on detail.

REPORT

The building is of Grade I status and therefore one of the most important buildings in the country in terms of its architectural and historic interest. However, the building was also categorised as being one of the most vulnerable listed structures in the Vale when it's condition was surveyed by the local authority in March 2006 (based on a visual assessment of external condition). The scheme of works is therefore generally welcomed to secure the further longevity of the building.

The proposals have been developed following informal officer negotiation at a pre-application stage, and informal liaison with Cadw, [all comments being provided without prejudice to the determination of this or any other application].

The applicant's agents have prepared a design and conservation study of the building at the local authority conservation officer's request and this has been submitted as part of the application. This document provides a clear assessment of the site and condition of building fabric, its historical significance and proposed repair works and alterations. The study provides an insight into the architect's reasoning and justification behind the decisions which have led to the proposal.

Repair Works

The agents state that the proposed philosophy of intended repair is that advocated by the Society for the Protection of Ancient Buildings, that being, to 'repair as found'. However the architect also notes that the majority of existing repair works are Victorian and later, are of variable quality, and have failed or actually caused structural problems in many areas. The repairs themselves are also noted by the architect to have been undertaken with scant regard to the mediaeval quality of the building, which the current proposals seek to enhance as being the more valuable aspect of the building historically and architecturally.

The intention is therefore to remove some of the more 'superficial' or failing repairs of the last 150 years; especially those which may be causing structural problems, and to undertake sufficient intervention to allow the 'original' composition of the mediaeval hall to be reinstated.

It would be improper to discount the value of the Victorian works on a wholesale basis. However, the architects justification for the removal of some of these works, or for keeping them, but making them structurally redundant where they have failed, appears to have been properly analysed, well reasoned, and justifiable in the areas concerned.

The architect's report and engineering report identify these areas clearly and professional recording of these features prior to their adaptation/removal is considered acceptable given the benefit of the proposed modifications overall.

Structural Intervention

The front (eastern) elevation of the building shows signs of de-lamination and has deflected visibly. This is considered to be the result of the splaying of the primary roof trusses in this area. The architect considers that this is due, at least in part, to the alteration of the original truss configuration in the 19th Century, the removal of the partition to the main hall and solar during the same period and the decay of truss ends and ineffective repairs over time. The submitted structural engineer's report does not consider the movement so significant as to require the rebuilding of the wall, but notes significant historical movement and deterioration of the roof timbers that needs to be addressed. From personal inspection and on the basis of the information provided, it is considered likely that the roof structure will fail in due course if issues of decay and structural integrity are not addressed.

The proposed solution put forward takes an approach of generally strengthening the existing roof timbers using a combination of new timber material where necessary, discrete steelwork supports (flitch plates and cleats to beam ends and concealed plate repairs to collars) and the provision of a steel tie, concealed within a new (reintroduced) cross screen to the hall. The roof would be recovered in natural slate on a 'decking' of ply on new secondary rafters, internally insulated and lime plaster finished to provide a better thermal efficiency whilst maintaining a tradition appearance.

In conjunction with this, it is proposed to introduce a reinforced concrete eaves beam to both east and west elevations of the hall, this would be concealed within the core of the wall, to accept the loading of the roof, and relieve stresses on the existing walls. The walls themselves would be strengthened with Cintec sock and mortar anchors both vertically and horizontally within the core to consolidate and bond inner and outer faces.

The introduction of the concrete eaves beam is a radical intervention, but can be justified in that it potentially removes the need to rebuild and regularise the elevations of the building to resolve roof loading. The approach is proposed with the objective of retaining and conserving the maximum amount of early historic fabric as is possible, retaining defective roof members where they can be assisted/augmented with steelwork, in lieu of potentially replacing them with new timber members. The approach is therefore considered acceptable subject to detail relating to individual timbers and options/contingencies being able to be controlled during the implementation of works via condition.

The supporting beams to the first floor have been identified as having significant loss of section. Strengthening is recommended by the engineer, but again having respect for the historic value of the timber. In view of aesthetic constraints, it is recommended that steel flitch plate repairs are carried out on the bearing ends of affected beams from above as opposed to replacing them. These repairs will also be detailed to provide improved lateral restraint to the main elevations using concealed ties. This approach is supported in that negates the necessity to import new timber into the building.

Externally there are isolated areas of masonry deterioration. The gable presentation to the North rises from a steep bank with a watercourse at the bottom. The depth of footing and details of the underlying ground is currently unknown. Some movement, and poor bonding is evident to this wall and the adjacent returns, and as part of the remedial works the engineering report recommends tying and consolidation in these areas. This is supported.

The main front and rear walls are of solid rubble construction, with massive stone chimneys present on the rear elevation. The right hand chimney has twisting and distortion evident. The left hand chimney has less distortion, but poor quality pointing and local deterioration gives some concern over long term integrity. The presence of intrusive vegetation is also noted. Local rebuilding is proposed but this would be beneficial in allowing the use of appropriate materials, as previous damage caused by sand and cement repair is evident.

The external stair to the western elevation is in very poor condition and shows evidence of tree growth and substantial erosion, as well as concrete blockwork repair. It is proposed to deconstruct and re-build the stair using appropriate mortars and this is not objected to. The re-built stair would also incorporate part of the utility area of the new extension to reduce the amount of new building.

Re-ordering and Extension

One of the fundamental aims of the scheme is to re-introduce the mediaeval cross passage, this would be achieved by the removal of the stone infill panelling/believed to be introduced in the Victorian period to facilitate the current subdivision of the building. The re-opening of the cross passage will require the re-introduction of a doorway in place of an existing window on the eastern elevation. This would be deconstructed and reused in the area of the blocked window aperture on the first floor, directly above. As there is evidence of the former cross passage, and because the existing window will be appropriately re-used, this is considered an acceptable reversion of the building to an earlier arrangement. The detail of the proposed door can be controlled by condition.

It is also proposed to re-open existing fireplaces and door/window apertures where there is obvious evidence of their former existence in the historic structure. The re-introduction of former openings is not objected to subject to the appropriate recording of likely building evolution.

The western gable of the historic building shows evidence of very many alterations and adaptations, infilling, and re-building. It is proposed to undertake some re-ordering of this elevation, including the relocation of a lancet window to a more rational position. The window appears to be a later addition to the building, but inserted prior to the provision of the interior Georgian style staircase which transects the window in a very awkward manner. Two small timber casement windows are also proposed to be inserted at ground and first floor level, and these works are not objected to as they do not unduly affect the character of the building.

A new doorway is proposed to the base of the eastern elevation, and is detailed as a vertical boarded door with glazed oak screens to either side. This style of door takes certain design characteristics from the proposed extension (see below), but is considered to appear somewhat incongruous in the historic fabric of the gable wall. There is no objection to the principle of introducing a doorway into this area of the building, but the more modern arrangement is not considered appropriate here. It is therefore suggested that an alternative, more traditional doorway be agreed by condition.

The building, although exceptional in respect of its architectural and historic interest, is acknowledged to be not best designed for modern living. It is proposed therefore to enlarge the building with a modest extension to its rear, this has the benefit of removing the necessity of having to unduly subdivide the historic structure, (which would not be supported), and of providing a more modern residential living environment, juxtaposed with the historic accommodation. Internally some re-arrangement is proposed, but this is effectively limited to a small number of partitions proposed to the ground floor, these will generally follow beams above and are not objected to as they provide a more rational use of the available space and are reversible if so desired in the future.

The extension is of a modern contrasting design. The approach is welcomed, in that in accepting that there is a need to enlarge the property, the finite detail of any extension is critical to ensuring that the architectural and historic value of the primary structure is not diluted modern transparent design is supported over and above any attempt to produce an extension which seeks to replicate a former period of architecture, as this would be a falsehood, and unlikely to be able to be executed to a quality where its character would not be seen as anything other than a pastiche.

The rear extension would also have the benefit of removing a very poor quality block work addition to the building which currently detracts from the whole.

The proposed rear extension, would have foundations in close proximity to the steep ground slope adjacent to the end gable of the main house and near the riverbank. To avoid risks from potential ground instability, and to ensure that minimum disturbance occurs to the main house foundations and any potential archaeology in the immediate environment of the house, it is proposed that mini-piles are used with a concrete raft foundation over which would double as the ground floor slab.

The extension proposed is one of two options put forward at a pre-application discussion stage, it is two storey, using oak framing, and glass / panelling to compose the elevations and flat concrete overhanging roof design. This would provide a new day room, and utility and first floor access to the upper hall. The exterior stone stair being rebuilt as described above, to maintain the earlier access arrangement.

The extension is well considered in that its transparency allows for the fabric of the original building to remain legible, is sympathetic to the cross passage arrangement of the Mediaeval layout, and achieves an appropriate balance in terms of impact whilst remaining subordinate to the principal building.

CONCLUSION

The general repair of the building using appropriate repair technologies and approach is welcomed.

The extension is considered appropriate in terms of design, scale and impact on the fabric and aesthetic of the historic building.

The remedial works and structural interventions proposed are necessary to stay the movement of the building and ensure for the retention of the early roof structure. The insertion of concrete eaves beams is however a very significant intervention and the methodology of execution will need to be closely monitored and controlled, but is agreed in principle to be an acceptable structural solution.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving a listed building, its setting, and any features of special architectural or historic interest which it possesses. Overall, the proposals are considered to achieve this aim, and a positive recommendation is therefore made.

RECOMMENDATION

Subject to the approval of Cadw, Listed Building Consent be GRANTED subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The Local Planning Authority* shall be notified in writing by the developer or his agent of the proposed commencement date of the works hereby granted consent. The notification shall be provided not less than 14 days prior to the commencement of work on site.

Reason:

To ensure that all conditions relating to this consent are discharged appropriately, and to ensure for the preservation of the special character of this building in this respect.

3. This consent shall relate to the following schedule of drawings and documents.

Castle Farm – A Design & Conservation Study
Castle Farm – Structural Feasibility Report

Drawing Ref: 2524 – 02,03,04,05,06,07, 10,11,12,,13,14,16,17,18.

Reason:

In order to confirm the schedule of drawings and documents which form part of this consent.

4. No development shall take place until the applicant, or their agents or successors in title, have secured the implementation of a programme of building recording work, to be undertaken by a specialist approved by the local planning authority and in accordance with a written scheme of investigation which has previously been submitted to and approved by the Local Planning Authority in writing.

Reason:

To identify and record the very many features of interest which are present in the building prior to its repair, alteration and extension.

5. No development shall take place until copies of the building record required to be produced by virtue of Condition No. 4 have been deposited with both the local planning authority and the Royal Commission on the Ancient and Historical Monuments of Wales, and have been approved in writing by the local planning authority as an acceptable record of the building.

Reason:

The building is of such architectural and historic interest as to merit its recording being preserved in a public archive for future reference.

6. No excavation work shall commence on site, or any piling be commenced until such time as the applicant, or their agents or successors in title, have secured the implementation of a programme of archaeological survey and recording, undertaken by a specialist approved by the Local Planning Authority and in accordance with a written scheme of investigation which has previously been submitted to and approved by the Local Planning Authority in writing.

Reason:

To identify and record any features of archaeological interest as might be impacted upon by the works.

7. No development shall take place until copies of the archaeological record required to be produced by virtue of Condition No. 6 have been deposited with both the Local Planning Authority and the Royal Commission on the Ancient and Historical Monuments of Wales, and have been approved in writing by the Local Planning Authority as an acceptable archaeological record.

Reason:

The site of the building potentially contains items of archaeological interest, which should be recorded for future public reference prior to any works that may impact upon that interest commencing.

8. The Local Authority Conservation Officer* shall be advised of the timing of, and afforded the opportunity to observe :

- The stripping/deconstruction of the roof.
- The re-erection and re-covering of the roof.
- The provision of Cintec anchors.
- The casting/laying of the concrete eaves beams.
- The deconstruction and re-building of the rear external stair.
- The re- building / re-pointing of external masonry.
- Insertion of new/re-location of existing doors and windows.

Reason.

To allow the Local Planning Authority to observe the execution of the works and monitor their impact on the fabric and character of the building and to ensure that no undue damage to the building will occur as a result of the works.

9. Should the Local Authority Conservation Officer* consider that undue damage to the fabric of building will result by virtue of either the method of execution or effect of any works referred to in Condition No. 8 above, such works must cease at his request until an alternative methodology or alternative scheme of work is agreed in writing by the Local Planning Authority.

Reason:

The impact of the works referred to in Condition No. 8 on the fabric and character of the building cannot be assumed, and will require on site assessment at the time of execution to ensure that no undue damage to the building will result.

10. Prior to the commencement of the stripping of the roof, or of any roof repair/restoration works, a methodology for the implementation of the same shall be submitted to and approved in writing by the Local Planning Authority. The works must thereafter be undertaken in accordance with the approved methodology unless an alternative has been agreed in writing by the Local Planning Authority, should this be required to overcome any unforeseen events during the progress of the works.

Reason:

The impact of the works on the fabric of the building cannot be assumed, and will require on site assessment at the time of execution to ensure that no undue damage to the building will result.

11. Prior to their insertion, details of all proposed new and any replacement doors/windows, to include details (1:1, 1:10, 1:20, face and section details as appropriate), and the method of fixing thereof to the structure and final decoration, shall be submitted to and approved by the Local Planning Authority and thereafter all such fittings shall accord with the approved details.

Reason:

To ensure that such fittings as are required have appropriate regard to the special interest of the building and, where appropriate, are replaced with minimal interference to the existing historic fabric.

12. Prior to the modification of existing/or insertion of any new services to/in the building, method statements to include full details of the specification, location and routing of supply systems relating to all mechanical and electrical, water, wastes, gas or other fuel installations shall be submitted to and approved in writing by the Local Planning Authority. The details to be provided shall include, but not be limited to:

- Pipe work of all types.
- Electrical circuits and cabling, socket outlets and light fittings, means of fire detection, alarm, and any other fire protection measures.
- All means of mechanical ventilation, including supply/extract ductwork and chimneys/flues.
- Foul and rainwater drainage.

Thereafter, the modification/installation of such services shall be carried out strictly in accordance with the approved details.

Reason:

To allow further consideration of these details and their impact on the historic fabric of the building, when more comprehensive information is available.

13. The Method Statement referred to in connection Condition No. 12 shall include a specification supporting the lifting, storage and re-fixing or renewal of historic floor-boarding, the notching, cutting or drilling of structural timber for the purposes of routing services, and the cutting, chasing and filling of wall/ceiling finishes where desired.

Reason:

To ensure due regard for and minimum of intervention in the fabric of the building.

14. Prior to the commencement of the finishing/decoration of interior rooms and spaces, a method statement and specification for the same shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the finishes / re-decoration of the interior shall be carried out in accordance with the approved details.

Reason:

In order to secure an appropriate technology of repair/re-decoration and aesthetic to the interior of the building.

15. Prior to the commencement of repair or re-building of masonry, a specification for all pointing and bedding mortars be submitted to and approved in writing by the Local Planning Authority. Thereafter, the repair or re-building works shall be carried out in accordance with the approved specification.

Reason:

In order to ensure an appropriate technology of repair.

16. Where new/re-introduced doorway and window insertions are made, these shall be discretely dated on surrounds or lintels to enable future interpretation of the evolution of the building.

Reason:

This is best practice in respect of the insertion of features which could be construed as being of an earlier period in the event of future building interpretation.

17. Prior to the commencement of the development of the new extension, details [including 1:1 and 1:5 part section drawings as appropriate] of the following areas of the new construction shall be submitted to and approved in writing by the Local Planning Authority.

- Roof and roof finishes.
- External walls and glazing.
- Method of joining/bonding new and old building fabric.

Thereafter these elements shall be provided in accordance with the approved details.

Reason:

To obtain further detailed information on the construction of these elements and to ensure their appropriateness in terms of the composition of the extension, and impact on the existing building fabric.

18. The newly inserted door and screen arrangement to the southern gable elevation of the building shall not be as detailed on Drawing Ref: 2524-13 but shall be of a more traditional design, details of which shall be submitted to and approved in writing by the local planning authority prior to the formation of the doorway opening. The new doorway will thereafter accord with the approved details.

Reason:

The glazed panel detailing to the door is considered at odds with the character of this elevation of the building.

NOTE:

1. **Attention is drawn to Section 8(2) (b) (c) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that demolition may not be undertaken (despite the terms of the consent granted by the Local Planning Authority) until notice of the proposal has been given to the Royal Commission on Ancient Monuments in Wales, Crown Buildings, Plas Crug, Aberystwyth, Dyfed, and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A form on which to notify the Royal Commission (Form RCHW(W)1) is enclosed with this notice.**
2. **The Royal Commission on the Ancient and Historical Monuments of Wales, are currently based at:**

**Crown Buildings,
Plas Crug,
Aberystwyth,
Dyfed.
SY23 1NJ**

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01228/FUL Received on 30 August 2006

Vivard Ltd., 4, Great House Meadow, Llantwit Major, Vale of Glamorgan, CF61 1SU

Quorum Associates, 89, Eastgate, Cowbridge, Vale of Glamorgan., CF71 7AA

Land adjacent to Herberts Cottage, St. Mary Church

Construction of a detached house and garage and associated road works

SITE DESCRIPTION

The site relates to a former car showroom and its curtilage. There is an existing single storey building on the site. The site is currently used as a film set (previously car sales). The site also includes land which at present forms part of the garden of Herberts Cottage.

DESCRIPTION OF DEVELOPMENT

The application seeks consent to demolish the building on the site and to erect a detached two storey dwelling with conservatory to its south elevation. Access will be created from the northern part of the site and will serve the dwelling, the proposed detached garage (domestic) and an existing bungalow to the north of the site, which is currently accessed through the site. The dwelling will have a ridge height of approximately 8 metres. External finishes will be 'stone' to the south facing gable, walls of render and a slate roof. The detached garage is annotated as render with slate roof and having a footprint of approximately 5.5 x 5.5metres.

Foul drainage is stated as to main drainage.

PLANNING HISTORY

02/01290/OUT – Single dwelling on a site similar to the current site, with all matters reserved approved 3 April 2003 including conditions requiring the foul sewage and surface water run-off to be agreed and provision of access to the bungalow, Rushmoor, to the rear of the site and finished floor levels.

CONSULTATIONS

Llanfair Community Council "Object – the proposed house is 'out of keeping' with surrounding properties and Community Council would query the 'aesthetics' of the property and consider that the property shown on the plan looks back to front."

Dwr Cymru/Welsh Water advise that there is no mains drainage in the area.

The Head of Visible Services (Highway Development) see Appendix A.

The Head of Visible Services (Engineering Design) advise that a culverted watercourse passes the southern boundary of the proposed development. Whilst the proposed garage, house and roadworks do not appear to affect the culvert directly details showing that flows will be maintained prior to work starting on site.

The Director of Legal and Regulatory Services (Environmental Health Officer) has no comments.

Environment Agency' standard advice applies.

REPRESENTATIONS

Neighbours notified and site notice posted. One letter of representation received. See Appendix B.

REPORT

The site lies in The Herberts which is not identified in the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 as a settlement, therefore the land constitutes countryside. Policies HOU3 'Dwellings in the Countryside' and ENV1 'Development in the Countryside' are relevant. The site is however, already developed in that this site accommodates buildings used partially for commercial purposes. Consideration should therefore be given as to the 'benefits' or 'disbenefits' which may accrue from removal of the commercial use and its replacement with a dwelling. In this respect reference is made to Planning Policy Wales (March 2002) paragraph 2.7 "Preference for the Re-use of Land".

This policy indicates that previously developed land should wherever possible be used in preference to Greenfield sites. The site being a former car showroom/commercially developed site would appear to fall within this category. It is worth noting however that its potential development also requires an assessment of other criteria especially its location in relation to transport facilities, community and other facilities.

In terms of the site specific issues, any new development would be required to meet the terms of Policy ENV27 'Design of New Developments' of the Unitary Development Plan which is a criteria based policy that seeks to ensure high standards of new development. The Council's Supplementary Planning Guidance on Amenity Standards is also relevant on this issue.

It should also be noted that an outline consent for part of the site was approved. The Reserved Matters should have been submitted within 3 years of 3 April 2003 but were not. Irrespective of this it is considered that this previous consent is a material consideration. The planning policy for the area at the time was that contained in the draft Unitary Development Plan however those policies were similar to those now found in the Adopted Unitary Development Plan for residential development in the area.

It is considered therefore that the main issue is the design, scale and access relating to the development as now proposed and whether the loss of part of the rear garden of Herberts Cottage is acceptable.

Herberts Cottage is elevated above the site. The development site includes an area of approximately 8 x 14 metres of rear garden. That site is enclosed by some planting and a stone wall at present. Herberts Cottage would retain a rear garden area of approximately 13m x 13m with a smaller area of front garden/access. It is considered that the garden area remaining for the cottage is therefore acceptable.

To create the access as indicated will entail cutting into the wall and garden with some levelling and possible removal of a telegraph pole. The Highways Development Officer has examined the details and advised that subject to the visibility splays and access details as shown being provided there is no objection.

In terms of the scale and design of the dwelling. The dwellings at The Herberts are a mix of modern, larger properties and small cottages. The area is not a Conservation Area however this part of the Herberts does fall within the Lower Thaw Valley Special Landscape Area (SLA). Policy ENV4 'Special Landscape Areas' is therefore relevant. It is considered that having regard to recent development in the area, that the site was a commercial (car sales) site (now used for filming for a temporary period) and that the wider setting of the Special Landscape Area would not be unacceptably affected by the Development, that the development is acceptable in this respect.

The arrangement of the dwelling on the site is orientated with its rear elevation facing south, as a consequence the dwelling would sit at right angles to the road. This reflects the orientation of the Herberts Cottage to the rear of this site.

In terms of privacy between existing dwellings and the new dwelling and for the site itself there is approximately 21 metres between the rear wall of the Herberts Cottage and the rear of the house. The site is very open at present when viewed from the southern approach. To provide a degree of privacy to the garden area the land will require enclosure. Due to the site's prominence the details of any such enclosure will require a sensitive treatment of either stone wall and hedge, or possibly a wall and fence. The site meets the Local Planning Authority's adopted standards for the provision of amenity space to serve the size of dwelling proposed.

On site parking is indicated as being within a double garage and two external spaces. On site turning is also provided. Access to the bungalow, known as Rushmoor, to the rear of the site is indicated and should be required to be maintained.

Drainage is noted as to "mains". There is no mains drainage at The Herberts and therefore foul drainage details are required. In relation to the culverted watercourse this is to the south of the site and therefore it is not within the site and condition is therefore to be imposed.

CONCLUSION

The recommendation to recommend planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV27 'Design of New Developments' and ENV4 'Special Landscape Areas' of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, and the recent planning consent in outline for a dwelling on part of the site it is considered the scale, form, design and layout of the site and access will comply with these policies and will not compromise the Local Planning Authority's policies for development in rural areas.

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the dwelling hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for the purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected or placed within the curtilage of the dwelling hereby approved without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

4. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) the garage hereby approved shall not be physically altered or converted to any other use but shall be retained as a garage serving the dwelling hereby approved at all times.

Reason:

To ensure the provision of a satisfactory level of on site parking due to the site's rural location adjacent to a school in the interests of highway safety and to meet the requirements of Policy ENV27 of the Unitary Development Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking, amending or re-enacting that Order) no gates, fences, walls or other means of enclosure shall be erected, constructed or placed on the application site without the prior written consent of the Local Planning Authority.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan and Policy ENV4 'Special Landscape Areas'.

6. Full details of a scheme for foul drainage shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details prior to the first beneficial occupation of the dwelling hereby approved.

Reason:

To ensure acceptable foul drainage on the site as no mains drainage exists and to meet the requirements of Policy ENV27 of the Unitary Development Plan, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

7. The visibility splays, access roadway, car parking spaces and turning area shall be provided on site to serve the existing dwelling know as Rushmoor and the dwelling hereby approved prior to the first beneficial occupation of the dwelling hereby approved and shall thereafter be so retained at all times serve the dwelling hereby approved and Rushmoor, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure safe access and on site parking and turning areas are provided in the interests of highway safety and to meet the requirements of Policy ENV27 of the Unitary Development Plan.

8. A sample of the surface finish material for the driveway parking areas access and turning area shall be submitted to the Local Planning Authority for their approval in writing prior to the surfacing of these areas and only those materials as approved shall be used in the surfacing.

Reason:

To safeguard the visual amenities of the area and to ensure safe access to the highway to meet the requirements of Policy ENV27 of the Unitary Development Plan.

9. Prior to the commencement of development details including cross sections of the finished levels of the site in relation to existing ground levels and finished ground levels shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full accordance with the approved details.

Reason:

To ensure that the visual amenities of the area are safeguarded, and to ensure the development accords with Policy ENV27 of the Unitary Development Plan.

10. The site shall be enclosed in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority prior to the first beneficial occupation of the dwelling hereby approved.

Reason:

To ensure privacy for future occupiers and to safeguard the visual amenities of the Special Landscape Area and to meet the requirements of Policies ENV4 'Special Landscape Areas' and ENV27 'Design of New Developments' of the Unitary Development Plan.

NOTE:

1. **In accordance with the advice of the National Assembly for Wales regarding development of contaminated land I am giving you notice that the responsibility for safe development and secure occupancy of a site rests with the developer. Whilst the Council has determined the application on the information available to it, this does not necessarily mean that the land is free from contamination.**
2. **This consent does not convey any authorisation that may be required to gain access onto land not within your ownership or control.**

3. Where the work involves the creation of, or alteration to, an access to a highway the applicant must ensure that all works comply with the appropriate standards of the Council as Highway Authority. For details of the relevant standards contact the Visible Services Division, The Vale of Glamorgan Council, The Alps, Wenvoe, Nr. Cardiff. CF5 6AA. Telephone 02920 673051.
4. The applicants are advised that all necessary consents/ licences must be obtained from, the Environment Agency prior to commencing any site works.

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01275/FUL Received on 12 September 2006

Beechwood Court Limited, 5th Floor, Harlech Court, Bute Street, Cardiff.
Powell Dobson Architect, Charterhouse, Links Business Park, Fortran Road, St.
Mellons, Cardiff., CF3 0LT

Beechwood College, Hayes Road, Sully

Proposed 3 storey residential extension to Beechwood College (19 bedrooms)

SITE DESCRIPTION

The site is occupied by an independent residential hospital / college for people with Autism Spectrum Disorders. The site is situated in substantial gardens in the countryside between Barry and Sully.

DESCRIPTION OF DEVELOPMENT

It is proposed to construct a substantial new building to the west of the existing buildings at the site to provide additional accommodation for the college. The building would provide nineteen bedrooms together with kitchens, bathrooms, offices and living areas.

The new building would comprise a two-storey building with accommodation within the roof space. The building would have a pitched roof structure with a height to ridge of almost 11.5 metres.

The building would be rendered with a slate finish to the roof.

PLANNING HISTORY

02/01149/FUL – Full planning permission granted 3 July 2003 for the change of use of the site to an independent hospital for people with Autism Spectrum Disorders including extensions and new buildings.

03/01622/FUL – Planning permission was granted on 23 January 2004 to construct a new building for purposes associated with a proposed independent hospital for people with Autism Spectrum Disorders; in place of a barn approved to be converted by planning permission ref: 02/01149/FUL.

04/00445/FUL – A planning application seeking to construct an additional building on the site to provide additional accommodation for the hospital was refused in May 2004 on the grounds that the development represented substantial new build in the open countryside which has no justification on agricultural grounds and which by virtue of its scale, height and design, would be out of keeping with existing buildings and would unacceptably affect the rural character and appearance of an area of countryside that has significant importance in the local landscape.

04/00986/FUL – Full planning permission was granted on 24 September 2004 for minor amendments to previous approvals relating to the development of an independent college for people with Autism Spectrum Disorders at Beechwood House.

CONSULTATIONS

Sully Community Council has objected to the application (see copy of letter attached as Appendix A).

Environment Agency has raised no objection to the application.

Dwr Cymru/Welsh Water has no objection.

The Head of Visible Services (Highways) has no objection to the application.

The Head of Community Services (Private Sector Housing – Environmental Health) has no objection.

REPRESENTATIONS

Neighbouring occupiers have been consulted and the application has been advertised. John Smith MP supports the application.

REPORT

Planning Policies

The development plan for the site comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011. The site is situated outside the residential settlement boundary for Sully and is therefore located in the countryside as defined by the Unitary Development Plan. The site is also located within the undeveloped East Vale Coastal Zone.

The application has therefore been considered in the light of the following policies of the Unitary Development Plan:

Policy ENV1 'Development in the Countryside' strictly controls development in the countryside, stating that development will only be permitted for 'development that is essential for agriculture, horticulture, forestry or other development including mineral extraction, waste management, utilities or infrastructure for which a rural location is essential'.

Policy ENV6 'East Vale Coast' states that permission will be granted where a coastal location is necessary for the development and the proposal would not cause unacceptable environmental effects including by way of visual...intrusion or impact on areas of landscape importance...

In areas of existing or allocated development within the coastal zone, any new proposal should be designed with respect to its local context and sensitive to its coastal setting.

Policy ENV10 'Conservation of the Countryside' states that measures to maintain and improve the countryside, its features and resources will be favoured, particularly in the Glamorgan Heritage Coast, areas of high quality landscape and areas subject to development pressure and/or conflict such as the urban fringe.

ENV11 'Protection of Landscape Features' states that development will be permitted if it does not unacceptably affect features of importance to landscape...including trees, woodland...stone walls...

Policy ENV27 relates to the Design of New Developments.

Policy HOUS10 'Nursing Homes' permits the extension of residential care homes subject to criteria including impact of the proposal on the character of the area.

A Development Brief was prepared for the site by the Council in November 2000, which set out the principles which the Council sought to attain in the future development of the site.

Issues

The main issues with regard to the application relate to the principle of the development and the design of the development and its impact on the character of the site and the surrounding area, having regard to the Council's planning policies.

Policy ENV1 'Development in the Countryside' strictly controls development in the countryside and Policy ENV6 'East Vale Coast' also refers to the issue of locational necessity stating that developments will be permitted where a coastal location is necessary for the development. Further to a request by this Department, the applicant has submitted a letter in support of the application, which is attached as Appendix B. It is acknowledged that the college appears to have become established and that there is significant demand for additional accommodation. It is also accepted that the nature of the student population and the advantages of the campus environment in providing care, education and leisure activities provides a persuasive argument for justifying further development at the site. In terms of the principle of the development, it is therefore considered that the application should be supported.

Further to discussions between the applicant/agent and this Department, the plans have been amended. A more traditional style building with a pitched roof is now proposed, as opposed to a mansard style building that was originally submitted. These revisions were made in response to concerns that the design of the building would be out of keeping with the character of the existing buildings on the site.

As a result of these changes the building has been increased in height from 10 metres to 11.5 metres due to the new roof structure proposed. In comparison, the main house is 10.8 metres to ridge whilst the secondary buildings have a height varying between 8.2 and 9 metres. It is proposed to reduce ground levels so that floor levels would be set a metre lower than existing buildings on the site. The proposed building would therefore be set slightly lower in height than the main house but would remain substantially higher (by approx. 2 metres) than the adjoining two storey buildings.

The applicant has pointed out that the revisions have dramatically reduced the amount of floor area within the roof void. The height of the building is largely determined by the minimum headroom requirements of the regulations that govern the organisation.

Notwithstanding the arguments in favour of the scheme and the restrictions faced by the developer, it is considered that the building proposed would be of a scale, height and massing that would be out of character with the existing buildings on the site. This would be to the detriment of the natural rural character of the site and the surrounding area.

CONCLUSION

The proposed building would be of a scale, height and massing that would be out of keeping with the existing buildings on the site to the detriment of the character of the site and the surrounding area. The proposal would therefore be contrary to Policies ENV6 'East Vale Coast', ENV10 'Conservation of the Countryside', ENV27 'Design of New Developments' and HOUS10 'Nursing Homes' of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

RECOMMENDATION

REFUSE

1. The proposed would be of a scale, height and massing that would be out of keeping with the existing college buildings to the detriment of the character and appearance of the site and the surrounding area. The proposal would therefore be contrary to Policies ENV6 'East Vale Coast', ENV10 'Conservation of the Countryside', ENV27 'Design of New Developments' and HOUS10 'Nursing Homes' of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

2006/01284/FUL Received on 13 September 2006

Mr and Mrs J H Newmark, Old Factory House, Factory Road, Llanblethian,
Cowbridge, Vale of Glamorgan, CF71 7JD
Robertson, Francis Partnership, 5-7 Museum Place, Cardiff., CF10 3BD

Old Factory House, Factory Road, Llanblethian, Cowbridge

Proposed detached 5 bedroom dwelling in garden of existing residence

The development/property is situated within/adjoining the Cowbridge with Llanblethian Conservation Area.

The application was advertised on 26 September 2006.

SITE DESCRIPTION

The application site comprises the northern section of the garden curtilage and access drive to an existing dwelling Old Factory House.

DESCRIPTION OF DEVELOPMENT

This is a detailed application for a detached, two storey, five bedroom dwelling house. The proposed dwelling will have a footprint of approximately 19.4m x 14.6m and will be sited in a central position on the southern section of the garden, approximately 40m to the rear of the existing Old Factory House. Vehicular access will be via a new driveway (approximately 58m in length) and a new, replacement bridge over Factory Brook, and through the existing drive and entrance to the Old Factory House.

The design of the house includes such features as a row of 5 No. pitched roof, gable fronted dormer windows on the front elevation; 2 No. two storey hipped roof projecting wings on either end of the rear elevation, each with centrally positioned arched window detail; and a single storey, glazed roof Orangery between the projecting wings. The external finishes comprise natural slate roofing with white through-colour render.

The application is supported by a Design Statement and a Conservation Area Statement. These are reproduced at Appendix A for Committee Members' inspection.

PLANNING HISTORY

05/01144/FUL – Conversion and extension of annexe to new detached dwelling. Appeal against non-determination lodged, following which Council determined that their stance would be to refuse the application on the grounds that by reason of its size, scale, form and siting the proposal would represent an inappropriate and unacceptable form of infill development that detracts from the setting of the historic Old Factory House and its detached outbuilding along with the wider area which is identified as an important open space and waterway within a key area of the Cowbridge with Llanblethian Conservation Area. The appeal was dismissed on 3 January 2006. A copy of the decision is attached at Appendix B.

There have been other applications for new dwellings in the vicinity, including:

99/00013/FUL – New dwelling house, site to the south of Old Factory House. Refused on 25 February 1999 on grounds of development in the countryside and intrusion into the rural setting detracting from the character of the Conservation Area. A subsequent appeal was dismissed on the 15 October 1999.

91/00967/FUL – Demolition of garage and replacement with new dwelling, a neighbouring site at Factory Road. Refused on 16 January 1992 on grounds of loss of open space and adverse impact on the character of the area. A subsequent appeal was dismissed on 31 July 1992.

00/01063/TPO – Fell three cherry and prune ash and sycamore. Approved 21 November 2000.

97/00718/TCA – Fell ash tree. Approved 26 August 1997.

Tree Preservation Order (No. 7) 1973.

CONSULTATIONS

Cowbridge with Llanblethian Town Council comments on initial submission:

“Objection. The site lies adjacent to the Llanblethian Conservation Area and its ford which is a focal point of the village. The proposal does not improve or enhance the Conservation Area and is not sympathetic to nearby properties. Should permission be granted however, the Committee requests that access to the public footpath is maintained at all times and not impeded.”

Comments on amended details:

“Whilst the Members of the Committee have no objection to the improvement on access, the original objections remain.”

Environment Agency have no objections to the proposed development but have made comments relating to no record of flooding; flood defence consents that may or may not be required for the new bridge; Section 23 of the Land Drainage Act 1991; and responsibility for maintenance and good order of watercourses resting with riparian owner.

Dwr Cymru/Welsh Water have no objection but have requested their standard conditions and advisory notes be included in any consents.

Glamorgan Gwent Archaeological Trust have requested that a watching brief condition be added to any consent.

Vale of Glamorgan Conservation Area Advisory Group recommend refusal on the grounds that the scale of the proposal represented an intrusion into the rural setting and a loss of open space adversely impacting on the historic setting and character of the Conservation Area.

The Head of Visible Services (Highway Engineer) comments that the proposal is acceptable provided that parking spaces for both Old Factory House and proposed dwelling are provided, maintained and retained.

REPRESENTATIONS

The occupiers of neighbouring properties were initially notified on 26 September 2006 and re-notified on 1 November 2006. Letters of objection have been submitted by the occupiers of Nos. 1, 3 and 4 The Causeway, "Westcliffe" Causeway Hill, "Northcote" and No. 2 Kingscombe Cottages, Factory Road, "High Beeches" Church Road, and No. 25 Town Mill Road. In addition Jane Hutt AM has requested that the objections of the occupier of "Northcote", Factory Road be taken into account.

All of the representations are available on file for inspection, however in summary the main points of concern relate to adverse impact on the Conservation Area, access and traffic and flooding.

The applicants' agent has submitted a petition in support of the proposal signed by a total of eleven signatories.

REPORT

Planning Policies

The application site comprises part of the residential curtilage to an existing dwelling Old Factory House, all of which falls within the settlement boundary as defined in the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 (UDP). Only part of the site, which includes existing bridge, forecourt and access to Old Factory House, lies within the boundaries of the Cowbridge with Llanblethian Conservation Area. As such the following policy background is considered relevant to the determination of the application.

Policy ENV17 of the Unitary Development Plan relates to the Protection of the Built and Historic Environment and states:

THE ENVIRONMENTAL QUALITIES OF THE BUILT AND HISTORIC ENVIRONMENT WILL BE PROTECTED. DEVELOPMENT WHICH HAS A DETRIMENTAL EFFECT ON THE SPECIAL CHARACTER, APPEARANCE OR SETTING OF:

- (i) A BUILDING OR GROUP OF BUILDINGS, STRUCTURE OR SITE OF ARCHITECTURAL OR HISTORIC INTEREST, INCLUDING LISTED BUILDINGS AND CONSERVATION AREAS;
- (ii) SCHEDULED ANCIENT MONUMENTS AND SITES OF ARCHAEOLOGICAL AND/OR HISTORIC INTEREST;
- (iii) DESIGNATED LANDSCAPES, PARKS OR GARDENS OF HISTORIC, CULTURAL OR AESTHETIC IMPORTANCE

WILL NOT BE PERMITTED.

Policy ENV20 refers to Development in Conservation Areas and states:

PROPOSALS FOR NEW DEVELOPMENT OR ALTERATIONS TO BUILDINGS OR FEATURES WITHIN CONSERVATION AREAS WILL BE PERMITTED WHERE THEY PRESERVE OR ENHANCE THE CHARACTER OF THE CONSERVATION AREA. SUCH PROPOSALS WILL NEED TO REFLECT:

- (i) THE SCALE, DESIGN, LAYOUT, CHARACTER, MATERIALS AND SETTING OF THOSE BUILDINGS WHICH ESTABLISH THE CHARACTER OF THE AREA;
- (ii) THE PATTERNS OF USE WHICH ESTABLISH THE CHARACTER OF THE AREA;
- (iii) IMPORTANT OPEN SPACE WITHIN AND ADJOINING CONSERVATION AREAS;
- (iv) IMPORTANT TREES AND HEDGEROWS; AND
- (v) PONDS AND STREAMS.

Policy ENV27 of the UDP relates more generally to the design of new development and is also a criteria based policy that requires new development must have full regard to the context of the local natural and built environment and its special features. New development is permitted where it:

- (i) COMPLEMENTS OR ENHANCES THE LOCAL CHARACTER OF BUILDINGS AND OPEN SPACES;
- (ii) MEETS THE COUNCIL'S APPROVED STANDARDS OF AMENITY AND OPEN SPACE, ACCESS, CAR PARKING AND SERVICING;
- (iii) ENSURES ADEQUACY OR AVAILABILITY OF UTILITY SERVICES AND ADEQUATE PROVISION FOR WASTE MANAGEMENT;
- (iv) MINIMISES ANY DETRIMENTAL IMPACT ON ADJACENT AREAS;
- (v) ENSURES EXISTING SOFT AND HARD LANDSCAPING FEATURES ARE PROTECTED AND COMPLEMENTED BY NEW PLANTING, SURFACE OR BOUNDARY FEATURES;
- (vi) ENSURES CLEAR DISTINCTION BETWEEN PUBLIC AND PRIVATE SPACES;
- (vii) PROVIDES A HIGH LEVEL OF ACCESSIBILITY, PARTICULARLY FOR PUBLIC TRANSPORT, CYCLISTS, PEDESTRIANS AND PEOPLE WITH IMPAIRED MOBILITY;
- (viii) HAS REGARD TO ENERGY EFFICIENCY IN DESIGN, LAYOUT, MATERIALS AND TECHNOLOGY; AND
- (ix) HAS REGARD TO MEASURES TO REDUCE THE RISK AND FEAR OF CRIME.

Policy HOUS2 of the UDP allows for housing infill within Cowbridge and Llanblethian subject to the residential development criteria of Policy HOUS8. This states:

SUBJECT TO THE PROVISIONS OF POLICY HOUS2, DEVELOPMENT WILL BE PERMITTED WHICH IS WITHIN OR CLOSELY RELATED TO THE DEFINED SETTLEMENT BOUNDARIES PROVIDED THAT IT MEETS ALL THE FOLLOWING CRITERIA:

- (i) THE SCALE, FORM AND CHARACTER OF THE PROPOSED DEVELOPMENT IS SYMPATHETIC TO THE ENVIRONS OF THE SITE;

- (ii) THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION;
- (iii) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A), ON AREAS OF ATTRACTIVE LANDSCAPE OR HIGH QUALITY TOWNSCAPE OR ON AREAS OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE;
- (iv) WHEN APPROPRIATE AND FEASIBLE THE PROVISIONS OF POLICY REC 3 ARE MET;
- (v) THE PROVISION OF CAR PARKING AND AMENITY SPACE IS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;
- (vi) ADEQUATE COMMUNITY AND UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY AND ECONOMICALLY PROVIDED.

In addition to the above, there is also the Cowbridge with Llanblethian Conservation Area Appraisal which is approved for development control purposes. The Appraisal recognises the importance of the landscape in providing the setting for the village of Llanblethian and identifies five distinctive landscape areas, including the valley formed by the meandering Factory Brook and in particular where the Factory Brook forms a ford and traverses Factory Road.

“Many of the buildings sit in secluded gardens hidden behind dense tree lines, with glimpses of their roofscapes and facades possible from the neighbouring lanes.”

The importance of trees to the character of the village is also recognised by the Appraisal with the protected trees surrounding the ford at Factory Brook and Factory Road taking on further significance due to their amenity value and contribution to the unique character of a particular incidental space and open area.

The importance of the waterways in the village is also recognised in the Appraisal with again the ford at Factory Road being identified. Thus the Appraisal identifies the existing house as being an important open space and waterway within the key area of the Cowbridge with Llanblethian Conservation Area. The extensive garden curtilage to the west is identified as an open space with important tree groupings. In terms of the land uses in the Conservation Area, paragraph 3.4.1 of the Appraisal notes that the Llanblethian key area is dependent on its agricultural hinterland for both its character and links to neighbouring town and rural area. “It is important therefore that its identity as a village is maintained through the protection of existing built form and footpath links across Thaw Valley.”

National guidance is contained within Planning Policy Wales March 2002 and TAN12 – Design. The importance of the historic environment is recognised and identified as a resource for future generations with the guidance supporting the objective of preserving or enhancing the character and appearance of a Conservation Area or its setting.

In assessing the proposal against the above policies and guidance it is considered that the primary issue is the impact the proposal will have on the character of this part of the Cowbridge with Llanblethian Conservation Area. As previously noted this part of Llanblethian is identified as one of two key areas of the overall Cowbridge with Llanblethian Conservation Area. The area in the vicinity of the ford on Factory Road is also identified in the Appraisal as an important open space and waterway. The impact on the existing dwelling is also material.

Issues

It will be noted from the planning history that a previous application for a new detached dwelling in the grounds of the existing house was refused and dismissed on appeal. The current submission is an attempt to overcome these earlier objections and it is considered that one of the principal issues will be whether or not the revised siting and design of the new dwelling will have any less of an impact on the setting and historic character of this part of the Cowbridge with Llanblethian Conservation Area.

The supporting statements indicate that the proposed dwelling has been positioned to the west of the earlier scheme so as not to impact on the openness of the garden area addressing the river. It also suggests that as it will be largely screened from view by the existing and supplemented tree coverage it will have no impact. It is considered that such an approach fails to recognise the intrinsic value of the undeveloped open nature of the site and its contribution to the historic character and setting of the Conservation Area. The appeal Inspector noted that “the bank side garden adds character and openness to the fringes of the Conservation Area here”. This confirms the contribution that the site makes to the overall character of the area which is heavily reliant on the retention of both managed and unmanaged landscape features. The proposal by its very nature as an infill development does not respect or protect the openness of the area and the existing built form. It is considered that the siting of the new dwelling further within the site would not overcome the objection of the loss of the openness. Indeed this revised siting presents additional problems in that it pushes the extent of built development further to the west toward the open countryside than any of the existing buildings in the immediate environs. This will appear as an intrusive urban development projecting into the rural landscape which will be evident from a number of vantage points including the public footpath network. Clearly this will be contrary to Policy ENV20 particularly in relation to criteria (iii) important open space within and adjoining conservation areas.

Whilst the site is included within the settlement boundary it does not necessarily follow that it is suitable for development, since in order to be considered appropriate infill or rounding off, it must meet the criteria in Policy HOUS8. It is also noted that the land was only included within the settlement boundary being garden curtilage and following the requirements of the Unitary Development Plan Inspector.

In historical terms the Llanblethian area displays evidence of settlement from the Bronze Age, but the village which presently exists is founded on a Norman Settlement sited on the valley slopes running down to Factory Brook. In the 18th Century Llanblethian was essentially a village of farmers, labourers and craftspeople with an emphasis on wool production and weaving skills. In the 19th Century the Manor was held by the Marquis of Bute and continued as a village of craftspeople living in vernacular cottages, but by the 20th Century some larger residences replaced or supplemented the vernacular accommodation as the village attracted more wealthy residents. It is this layering of history which provides the character of the village as building styles have changed over time, but overall it is the solidly constructed lias stone dwellings and other buildings which provide the village with its most picturesque qualities and sense of preserved history. Whilst I would agree with the supporting statement that Llanblethian comprises an eclectic mix of styles and ages of buildings it is not considered that the proposed design is sensitive to its surroundings. It is considered that the scale of the proposed dwelling is overly large and intrusive and its design is somewhat confused in terms of aesthetic with a confusing amalgam of locally presented features and existing materials, which are themselves very broad and of various quality and merit.

In terms of the landscape setting of the site and surrounding area, it is noted that a number of existing mature trees are protected by Tree Preservation Order (No. 7) 1973. Whilst the proposal indicates that no trees will be felled, and indeed a number of new trees planted, nevertheless as with the earlier refusal, there are still concerns that the introduction of an additional large detached dwelling house into the spacious landscaped setting of Old Factory House could, with separate and independent occupation, lead to pressure for lopping or removal of trees as occupiers seek to improve their living conditions or minimise potential damage to their property. Despite the protection of the Tree Preservation Order the proximity of these mature trees means that such pressure may prove difficult to resist.

In addition it is noted that the proposal entails the provision of a new extensive driveway of some 58m length. It is considered that this will also have an adverse impact on the landscape setting of the site.

In respect of the proposed access and highway issues it is noted that the Council's Highway Engineer no longer has any highway objections to the addition of a new dwelling accessed via the existing entrance and shared with Old Factory House. Notwithstanding this it is still considered that such a "tandem" style arrangement is unneighbourly and even more so with the current revised application and the movement of vehicles along such an extensive driveway. There is also concerns that with separate ownership it may be difficult to control the parking of vehicles within the forecourt area adjacent to Old Factory House which could restrict or even block access to the new drive. Indeed whilst the Appeal Inspector on the previous application was not particularly concerned with issues of neighbourliness, it is considered that this revised application is materially different and introduces a wholly backland form of development that will adversely affect the residential amenities of the existing occupiers of Old Factory House.

Other issues include archaeology and it is noted that the Glamorgan Gwent Archaeological Trust has identified the archaeological and historic significance of the site and have recommended a condition requiring an archaeological watching brief.

Finally, it is noted that both Welsh Water and the Environment Agency have no objection to the application.

CONCLUSION

In conclusion it is considered that Old Factory House and its associated outbuilding and garden curtilage comprise an important open space and waterway within a key area of the Llanblethian Conservation Area and is intrinsic to the history of the village. It makes a significant contribution to the character and appearance of this part of the Cowbridge with Llanblethian Conservation Area. For the reasons outlined above it is considered that this revised scheme does not overcome the objections to the previously rejected application and the proposal still represents an inappropriate and insensitive form of development that fails to preserve or enhance the character of the Conservation Area. The revised proposal is also considered to represent backland development that will adversely affect the residential amenities of the occupiers of Old Factory House with the general noise and disturbance of passing pedestrians and vehicles plus conflict of movements between the two households.

In view of the above the following recommendation is made.

RECOMMENDATION (W.R.)

REFUSE

1. In the opinion of the Local Planning Authority the proposal by reason of its size, scale, form and siting would represent an inappropriate and insensitive form of in-fill development that would detract from the setting of the historic Old Factory House and its detached outbuilding along with the wider area which is identified as an important open space and waterway within a key area of the Cowbridge with Llanblethian Conservation Area. The proposal will therefore neither preserve or enhance the character and appearance of the Cowbridge with Llanblethian Conservation Area contrary to Policies ENV17, ENV20, ENV27, HOUS2 and HOUS8 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, the Cowbridge with Llanblethian Conservation Area Appraisal; and national guidance contained in Planning Policy Wales March 2002 and TAN12 - Design.
2. In the opinion of the Local Planning Authority the proposal represents an unacceptable and un-neighbourly form of backland type development that would adversely affect the residential amenities of neighbouring occupiers, contrary to Policies HOUS2, HOUS8 and ENV27 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 Supplementary Planning Guidance Amenity Standards and national guidance contained in Planning Policy Wales 2002.

2006/01709/OBS Received on 27 November 2006

Westgate Park (Cardiff) Limited, C/o Hepher Dixon, Sophia House, 28, Cathedral Road, Cardiff., CF11 9LJ
Development Control, Strategic Planning & Env. City Hall, Cardiff., CF10 3ND

Land to the north of J33 of M4 at Capel Llanilltern

International status business park comprising 100,000 sqm. employment (B1); 26,000 sqm hotel / complementary facilities / a regional transport interchange; car parking, landscaping and access

SITE DESCRIPTION

A 40.8 Ha site to the north of J33 of the M4 Motorway. It lies within the administrative area of Cardiff County Council. The site is currently used for agricultural purposes and is adjacent to the Cardiff West Services.

DESCRIPTION OF DEVELOPMENT

Outline consent is sought for an International Business Park comprising of 100,000²m of high quality office space, a Regional Transport Hub facility, footpath/cycle route links to the wider network, 3,846 parking spaces, 26,000²m of 5 star hotel, leisure, retail, crèches, restaurants, bars and conference/events facilities, a landscaped park and public open space and associated infrastructure. Works will include a revised vehicular access from Junction 33 for all vehicles and a public transport/cycle/foot access from the A4119 to the north.

PLANNING HISTORY

1994/01092/OBS – Area A, Capel Llanilltern, Junction 33 of the M4 – Primarily B1 with associated uses within Classes B2 and B8.

1994/01084/obs – Area 'C', Junction 33, Capel Llanilltern – Primarily B1 with associated uses within Classes B2 & B8.

A report on the existence of a group established by the Welsh Assembly Government to consider key traffic issues arising from the proposal to develop an International Business Park was presented to Cabinet on 4 October 2006, and referred to Planning Committee on 18 October. The resolution of Cabinet on 8 November 2006 is attached at Appendix A of this report. I would advise that all resolutions have been actioned and with reference to resolution (3), Sewta has recently considered the issue at its Directorate meeting of Friday 8 December 2006, when it was resolved to raise objections to the proposal.

CONSULTATIONS

None.

REPRESENTATIONS

None.

REPORT

The key issues for consideration relate to:

- (i) The current policy position relating to the proposal, and the timeliness of the proposal relating to work on the current suite of Local Development Plans, the Regional Transport Plan and work in progress on the Wales Spatial Plan.
- (ii) The potential impact on the regional transport system, including but not restricted to the M4 motorway.
- (iii) The visual impact of the proposal.
- (iv) The economic benefits of the proposal.

(1) The Policy position relating to the proposal

The site in question is situated close to the northern boundary of the Vale of Glamorgan Council, in attractive open countryside. The site is not allocated in any Development Plan (adopted or emerging) for development. Work is in progress on the Local Development Plan relating to Cardiff County Council, but as far as I am aware work has not progressed in sufficient detail and to a sufficient enough extent to consider the principle of development on this site. In this regard it is considered far more appropriate that Cardiff County Council considers the merits or otherwise of such a development through its Local Development Plan process, and until such time as this is undertaken the current proposal is clearly premature.

Whilst the agent states that

“The scheme is of such stature and importance to Cardiff and the region as a whole that it must be brought forward at the earliest opportunity, and it is our view that this can be achieved without prejudicing the LDP”.

It is considered that the proposal would have a major impact on the LDP process. As a consequence the application is premature pending the formulation of the Local Development Plan that would be the appropriate method of considering all strategic issues relating to the potential allocation (or otherwise) of this site as an International Business Park.

In addition work on the Wales Spatial Plan is progressing, as is work on a Regional Transport Plan for the South East Wales region. The Wales Spatial Plan will set an overall framework for spatial policy in the South East Wales region, and much of this work is currently in progress, but not finalised. As a consequence it is again considered premature to reach a favourable decision on this proposal in advance of on-going work on the Wales Spatial Plan.

I am therefore firmly of the view that the application has been submitted in a planning vacuum and there is no mechanism for determining the significance and far reaching nature of the proposals given the absence of an up to date local and regional planning framework.

Likewise the proposal is likely to have a substantial effect on the regions key highway network. Work is in progress, through Sewta in producing a Regional Transport Plan, which will become a statutory document in March 2008. Again it is entirely inappropriate to reach a favourable decision on such a significant and far reaching scheme in advance of work on the Regional Transport Plan.

Notwithstanding the above, there is also a need to consider the under policy position as exists at present.

Planning Policy Wales (2002)

Para 7.2.2 states that key employment locations should be selected in line with sustainable development principles, with preference for the use of previously developed land, proximity to existing urban developments, good accessibility to public transport and primary road network and good quality communications.

It is contended that the proposal is totally unsustainable, resulting in the loss of greenfield land, totally unconnected to existing public transport links and existing urban areas. The development would be entirely car based in transportation terms, an issue which is considered in greater detail later in the report.

Environment Strategy for Wales (2006)

The Environment Strategy links a series of outcomes such as increasing the number of people choosing to walk or cycle as a means of transport (outcome 30), reducing air pollution (outcome 33) and minimising greenhouse gas emissions (outcome 7). It is contended that the proposal is at odds with the Welsh Assembly Government's own Environment Strategy.

Draft Wales Transport Strategy (2006)

This puts forward various issues such as maximising the capacity and reliability of existing infrastructure (Theme 1), reducing single occupancy car use (Theme 2), minimising the need to travel (Theme 3). It is considered that the development would be totally contrary to these themes, in the sense that the development will reduce the capacity and reliability of existing infrastructure. It is also contended that the proposal would increase single car occupancy as well as increasing the need to travel, given the location of the site outside of the existing urban areas and away from public transport.

The Strategy also considers and acknowledges the increasing levels of traffic on the M4 and the fact that congestion is an impediment to economic development. It also seeks to address issues of climate change, increased pollution and the need to increase work opportunities for the socially excluded. The development proposals will have a negative impact on all these considerations.

The Wales Spatial Plan (2004)

The Spatial Plan includes a number of statements relating to sustainable development and the need to locate development in locations highly accessible to public transport. In addition it refers to the need to avoid creating pressures for new development away from areas which can be well served by public transport. The proposal currently being considered by Cardiff County Council is in total contradiction of these statements and accordingly contradicts Welsh Assembly current policy.

In conclusion therefore, the consideration of the proposal is not only premature, being considered in a policy vacuum but is also contrary to the Welsh Assembly Government's own adopted and emerging policy documents.

(2) The potential impact on the regional transport system

The applicant has retained Savell, Bird and Axon as consultants to assess the traffic implications of the development. The consultants conclude that from the work undertaken to date that there are no highway issues that cannot be resolved. This is a surprising conclusion, given the following facts:

- The existing highway network around the site (including the M4) is already seriously congested.
- The development is likely to be entirely car based in nature.
- The development of 1000 space park and ride site is a traffic generator in itself, and the proposal will in effect be placing a substantial 'car based' interchange facility at the heart of a congested network. It would be far more prudent to invest in park and ride facilities that avoid worsening existing congestion, and that are better related to public transport routes.
- The business park proposal will further reduce carriageway capacity along the M4 and other strategic highway links to it, particularly the A4232.
- The cumulative impacts of congestion on the A4232 and other important routes in and around J33, the Culverhouse Cross Interchange and the Eastern Vale in general needs careful consideration given the likely further increase in traffic as a consequence of already committed developments such as Cardiff City Football Club and the Sports Village. In this regard, no work appears to have been undertaken in assessing the impact on Culverhouse Cross and the approaches to it, despite raising the importance of this issue in previous working group meetings.

As a consequence, I am extremely concerned at the traffic implications of the proposal, and feel that it should be resisted given the already congested nature of the M4 and other key highways in the location. In addition far more work ought to be undertaken in considering the potential implications on Culverhouse Cross.

(iii) The visual impact of the proposal

The proposal is considered to be unsustainable given its location in a countryside location on a prominent site. The proposal relating to 40 hectares would have a seriously detrimental impact on the attractive setting of this part of South Wales, and could also create an unwelcome precedent for further development with the countryside.

(iv) Economic Benefits

Whilst in economic terms the proposal may well bring benefits, it is not considered that the benefits outweighs the very serious concerns to the proposal in environmental and traffic terms, given the unsustainable nature and location of the scheme.

RECOMMENDATION

It is recommended that

- (1) Cardiff County Council be advised that the Vale of Glamorgan Council has strong objections to the proposal on the following basis:
 - i. The proposal is both ill advised and premature given the early stages of production of Cardiff Local Development Plan and ongoing work in the Wales Spatial Plan and Regional Transport Plan.
 - ii. The proposal is contrary to the principles and objections of the Environment Strategy for Wales (2006), the Draft Wales Transport Strategy (2006), the Wales Spatial Plan (2004) and Planning Policy Wales (2002), given that the proposal results in an unsustainable form of development.
 - iii. The proposal would have a significant adverse traffic impact on the strategic highway network, given the already congested nature of the M4 motorway and the A4232 approach road leading to Junction 33, as well as other junctions along the M4 corridor.
 - iv. The proposal would result in the development of a prominent site of open countryside to the detriment of the visual surroundings. As a consequence the proposal is again considered contrary to objectives as set out in Planning Policy Wales which seeks to preserve areas of countryside and concentrate development on previously developed land.
- (2) That Cardiff County Council be advised that this Council is extremely concerned at the lack of assessment undertaken in respect of the impact of the development on the Culverhouse Cross interchange and approaches to it which results in the lack of analysis as to the feasibility and extent of any possible mitigation works.

- (3) Cardiff County Council be asked to ensure that a copy of this report, in its entirety be presented to Cardiff County Council Planning Committee upon consideration of the planning application.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/00055/REG3 Received on 18 January 2006

Mrs. N. Williams, Waste Development Manager, Vale of Glamorgan Council, The Alps, Wenvoe. , CF5 6AA

Mr. C. Herbert, SLR Consulting, Treenwood House, Rowden Lane, Bradford On Avon., BA15 2AU , ,

Plot 6, Atlantic Trading Estate, Barry

Construction and operation of a household waste recycling centre, Minute No. C1768 2nd March, 2005

SITE DESCRIPTION

The site relates to a parcel of land extending to approximately 1.62ha situated on Atlantic Trading Estate. The site is situated close to the foreshore but separated from that by the Estate Service Road.

DESCRIPTION OF DEVELOPMENT

The application seeks deemed consent for a recycling centre for waste. The layout includes collection points for recycling of glass, aluminium, plastics, battery boxes, fluorescent tubes, gas, oil, white goods and other waste (e.g. wood, rubber, hardcore etc.). An office will be provided on site (flat roofed portacabin style building). A landscaped verge will surround the site and a further building for storage of cladding and brick construction and lighting columns (no details provided) will be placed on site. Fencing will enclose the site. The site will be remodelled to create levels that enable people and vehicles to empty more easily and site levels will be raised in part.

PLANNING HISTORY

No specific planning history relating to the site.

CONSULTATIONS

The Head of Visible Services (Highway Development) see Appendix A.

Countryside Council for Wales, see Appendix B.

The Head of Visible Services (Engineering Design) see Appendix C.

Dwr Cymru/Welsh Water, see Appendix D.

Environment Agency, see Appendix E.

Glamorgan Gwent Archaeological Trust, See Appendix F.

In respect of the final archaeological report, the Trust advise they have no objection to the determination of the application and are not recommending any conditions.

The Director of Legal and Regulatory Services, Pollution Control : No comment following receipt of information regarding 'Noise'. Comments regarding contaminated land indicate that an investigation for gassing and contamination be undertaken. Dust suppression measures will be required, as well as odour control.

Civil Aviation Authority has no safeguarding objection.

Barry Town Council see Appendix G.

The Head of Economic Development and Leisure (Council's Ecologist) see Appendix H.

REPRESENTATIONS

The application was advertised on site and in the press on 31 January 2006 and neighbour notification letters were sent on 26 January 2006. Two letters of representation have been received and these are attached as Appendix H.

REPORT

Planning Policies

The development of a Waste Recycling facility falls to be considered under the following Policies within the Vale of Glamorgan Adopted Unitary Development Plan 1996–2011:

WAST 1: Provision of Waste Management Facilities including criteria that they may be sited on sites allocated for B2 and B8 uses.

WAST 2: Criteria for assessing Waste Management Facilities.

SUBJECT TO THE PROVISION OF POLICY WAST 1, PROPOSALS FOR WASTE MANAGEMENT FACILITIES WILL BE PERMITTED IF THE PROPOSAL:

- (i) CONFORMS WITH THE PRINCIPLE OF THE WASTE HIERARCHY (REDUCTION, RE-USE, RECOVERY AND SAFE DISPOSAL); THE "PROXIMITY PRINCIPLE"; THE PRINCIPLE OF REGIONAL SELF SUFFICIENCY; THE OBJECTIVE OF WASTE AVOIDANCE, REDUCTION AND DISPOSAL; THE SETTING OF TARGETS FOR REDUCTION AND MODES OF DISPOSAL;
- (ii) DOES NOT UNACCEPTABLY AFFECT RESIDENTIAL AMENITY OR POSE A THREAT TO PUBLIC HEALTH;
- (iii) DOES NOT UNACCEPTABLY AFFECT THE QUALITY OR QUANTITY OF WATER RESOURCES (BOTH SURFACE AND GROUNDWATER);
- (iv) HAS REGARD TO THE ADEQUACY OF THE HIGHWAY NETWORK AND THE NEED TO MINIMISE THE DEMAND ON THE TRANSPORT NETWORK;
- (v) DOES NOT UNACCEPTABLY CONFLICT WITH THE INTERESTS OF AGRICULTURE, NATURE CONSERVATION, AREAS OF ECOLOGICAL, WILDLIFE OR ARCHAEOLOGICAL IMPORTANCE OR FEATURES OF GEOLOGICAL OR GEOMORPHOLOGICAL IMPORTANCE OR LANDSCAPE PROTECTION POLICIES;
- (vi) HAS A HIGH STANDARD OF LAYOUT, LANDSCAPING AND DESIGN;

- (vii) PROVIDES ARRANGEMENTS FOR THE AFTER TREATMENT AND FUTURE USE OF THE SITE WHICH ARE TO THE SATISFACTION OF THE LOCAL PLANNING AUTHORITY; AND
- (viii) IS NOT AT AN UNACCEPTABLE RISK OF FLOODING, INCLUDING TIDAL INUNDATION, OR DOES NOT INCREASE THE RISK OF FLOODING ELSEWHERE.

ENV29 – Protection of Environmental Quality and Criteria, TRAN10 – Parking, ENV27 – Design of New Developments and Criteria, ENV6 – East Vale Coast and ENV16 – Protected Species, should also be considered. EMP1 allocated the Trading Estate for B1, B2 and B8 Uses.

Issues

The site falls within the uses considered appropriate for the Atlantic Trading Estate which, whilst within a coastal location, is allocated for B1, B2 and B8 uses of the Town and Country Planning (Use Classes) Order 1987 as amended. It is considered therefore that the development of this facility in this location would be acceptable in principle.

In submitting the application, a statement in support of the planning application indicates that this facility will replace the more restricted site at Hayes Road, Sully. The scheme is proposed as part of the Vale of Glamorgan Municipal Waste Strategy. Here, Strategic Policy 13 of the UDP is noted in which development proposals which encourage sustainable principles for waste disposal will be favoured subject to the hierarchy of “reduce, re-use, recycle”.

In assessing the scheme, having accepted its general location, consideration should be given to the following broad areas:

- Traffic Impact.
- Effects on residents.
- Effects on ecology.
- Control of waste at the site/pollution.
- Contaminated land.
- Noise.

In relation to traffic impacts, a Transport Assessment was submitted with the application. The Highway Development section have raised no objection to the scheme but their extensive comments at Appendix A are noted and if approved, parts of their recommendations will require conditions to be attached to any consent.

Effects on the nearest residents have been assessed. A Noise Assessment was required and submitted. This Assessment has been considered by the Director of Legal and Regulatory Services (Environmental Health) and he has no adverse comment. The report states that “the assessment indicates that noise levels for the operation of the Civic Amenity Site would be between marginal significance and a level where there would be a positive indication that complaints would be unlikely at the nearest noise sensitive property.” (P.8 Conclusion).

The ecological value and interest of the site has been evaluated. In this respect, the comments of both the Countryside Council for Wales and the Council's own ecologist are noted. Their responses indicate that whilst no reptiles were found on site, the overgrown nature of the site presents a possible habitat and thus recommend that site clearance is undertaken to remove any possible animals found before development starts.

In relation to possible pollution and odour nuisance, the Environmental Health Officer has advised no composting on site and no putrescible materials should be kept in the skips. Dust suppression will be needed in dry months. The Environment Agency advise that waste storage should be in a sealed impermeable bund.

The site, given its commercial history, may have been contaminated and therefore both the Environmental Health Officer and the Environment Agency have requested that an assessment of the site be undertaken and mitigation measures (if required) be agreed and implemented.

CONCLUSION

The decision to grant planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies WAST1 – Provision of Waste Management Facilities and WAST2 – Criteria for Assessing Waste Management Facilities, TRAN10 – Parking, ENV27 – Design of New Developments, ENV29 – Protection of Environmental Quality, it is considered that the development will have no significant adverse impacts on traffic safety in the area, nor on the environment in general or the residential amenities of nearby occupiers. As a consequence the development is considered acceptable under the policies of the Vale of Glamorgan Adopted Unitary Development Plan 1996–2011.

That deemed planning consent be granted.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

2. This consent shall relate to the plans registered on 18 January 2006 other than where amended by plans reference 3a received on 24 November 2006.

Reason:

To ensure a satisfactory form of development and for the avoidance of doubt as to the approved plans.

3. No development shall take place until the coastal road, which acts as a secondary access to plots 15, 15a and 16, has been permanently stopped up at a point and in a manner in accordance with details, including details of a turning head, which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety and to meet the requirements of Policy ENV27 - Design of New Developments of the Unitary Development Plan.

4. Notwithstanding the submitted details full details, including sections, of the engineering works and other details for the layout of the cycle link and footpaths, the site fencing and gate access points, parking spaces and lighting on site shall be submitted to and approved in writing by the Local Planning Authority prior to work on these elements of the development hereby approved taking place and the development shall thereafter be carried out in accordance with the approved details and thereafter so retained at all times unless the Local Planning Authority gives written consent to any variation.

Reason:

In the interests of highway safety and to meet the requirements of Policies ENV27 and TRAN10 of the Unitary Development Plan.

5. The site shall be enclosed in accordance with the details of fencing as approved under Condition No. 4 above prior to the site hereby approved being brought into beneficial use and shall thereafter be so retained at all times unless the Local Planning Authority gives written consent to any variation.

Reason:

To safeguard the visual amenities of the area and to prevent pollution in accordance with the requirements of Policies ENV27 and ENV29 of the Unitary Development Plan.

6. Details of wheel washing and dust suppression schemes shall be submitted to and approved in writing by the Local Planning Authority and the facilities as approved shall be available on site at all times during construction works of the development hereby approved.

Reason:

To prevent pollution and waste material on the roads in the interests of the amenities of the area and highway safety and to meet the requirements of Policy ENV27 of the Unitary Development Plan.

7. Any facilities for the storage of oils, fuels and chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The size of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is a multiple tankage, the compound should be at least equivalent to the capacity of the largest tank plus 10%. All filling points, vents and sight glasses must be located within the bund. There must be no drain through the bund floor or walls.

Reason:

To prevent pollution of the water environment, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

8. No development shall take place on site until such time as a scheme to deal with any contamination or landfill gas on the site has been submitted to and approved in writing by the Local Planning Authority and the scheme for mitigation for any such contamination of landfill gas shall be fully implemented in accordance with the approved scheme and, upon completion of the remediation, a report shall be submitted to the Local Planning Authority verifying that the required works have been carried out including post remediation sampling and monitoring results.

Reason:

In the interests of public safety, and to ensure compliance with Policy ENV7 of the Unitary Development Plan.

9. There shall be no illumination on the site between the hours of 9:00pm to 7:00am unless the Local Planning Authority gives written consent to any variation.

Reason:

To safeguard the visual amenities of the coastal location and to control light pollution and to meet the requirements of Policies ENV27 and ENV29 of the Unitary Development Plan.

10. A scheme of landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To safeguard the visual amenities of this coastal location and to meet the requirements of Policy ENV27 of the Unitary Development Plan.

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

12. Prior to the commencement of any site clearance a mitigation strategy for translocation of any protected species on site shall be submitted to and approved in writing by the Local Planning Authority and the translocation shall be carried out in accordance with the approved scheme before site clearance unless the Local Planning Authority gives written consent to any variation.

Reason:

To safeguard any species present on the site at the time of the development and to meet the requirements of Policy ENV16 of the Unitary Development Plan.

13. Vegetation clearance shall only take place outside the nesting season (March to September) unless it can be demonstrated that nesting birds are absent from the site.

Reason:

To ensure that protected species are not adversely affected and to meet the requirements of Policy ENV16 of the Unitary Development Plan.

NOTE:

1. **In the event that great crested newt is found to be present on site, stop works immediately and seek advice from the Countryside Council for Wales. Tel: 02920 772400.**

- 2. In accordance with the advice of the National Assembly for Wales regarding development of contaminated land I am giving you notice that the responsibility for safe development and secure occupancy of a site rests with the developer. Whilst the Council has determined the application on the information available to it, this does not necessarily mean that the land is free from contamination.**
- 3. Surface water run-off from the proposed development must not connect either directly or indirectly (i.e. via any existing or proposed private drainage system) to the public foul sewer under any circumstances.**
- 4. The applicants are advised that all necessary consents/ licences must be obtained from, the Environment Agency prior to commencing any site works.**
- 5. It is an offence under the Wildlife and Countryside Act 1981 (Section 1) to take, damage or destroy the nest of any wild bird while that nest is in use or being built.**

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01408/RG3 Received on 10 October 2006

Director of Community Services, Dock Office, Barry Docks, Barry, Vale of Glamorgan., CF63 4RT
Property Services, 2nd Floor, Civic Offices, Holton Road, Barry, Vale of Glamorgan., CF63 4RU

Barry Hostel, Gladstone Road, Barry

Conversion and major adaptation of existing two storey hostel accommodation into offices for Barry Area Community Care and Health Team. Adaptation will include replacing existing windows (first floor), installation of solar shading and an external store (Minute No. 1979, May 2002)

SITE DESCRIPTION

The site comprises a two storey element of a former Social Services teaching/therapy building, now vacant but more recently used as a hostel for people with multiple disabilities, adjacent to the existing Maes y Coed School, off Gladstone Road, Barry. The site is approximately 1954 sq. m. and lies within the designated residential settlement boundary of Barry.

DESCRIPTION OF DEVELOPMENT

The development proposed comprises the change of use of the hostel accommodation into offices for the Barry Area Community Care and Health Team. There are currently 27 members of staff on the site and it is proposed to accommodate a total of 82 members of staff in the new offices.

Alterations to the building and site include the adaptation of the existing soft play area to create 4 No. on-site parking spaces, the insertion and removal of internal partition walls, new toilets, the construction of a new disabled ramp and steps at the front entrance onto Gladstone Road, the replacement of all single glazed steel windows to first floor with double glazed aluminium windows, the adaptation of existing openings, the insertion of a new roller shutter door to the delivery/storage area, the insertion of rooflights, the addition of aluminium brise-soleil/louvered panels to provide solar shading to ground and first floor south facing offices and a new aluminium double glazed entrance into the building.

Four parking spaces are provided on-site with 2 No. disabled parking spaces on the street adjacent to the main entrance and 28 No. staff parking spaces on a site adjacent to Jenner Park Athletic Stadium to the north-west of the site.

The Finance, ICT and Property Committee has resolved that an application can be made under Regulation 3 of the Town and Country Planning General Regulations 1992.

PLANNING HISTORY

2000/00202/REG3 – Change of use from existing teaching/therapy area to office accommodation. Approved 23 March 2000.

CONSULTATIONS

Barry Town Council were consulted on 25 October, 2006 and re-consulted on additional car parking provision on 5 December, 2006 and comment as follows:

“Whilst no objections are raised in principle against the conversion and adaptation of this building to provide office accommodation for the Barry Area Community Care and Health Team, very serious concerns are expressed in relation to the serious underprovision of on-site car parking. Street parking in the vicinity of the application site is heavy and restricted and already creates problems for local residents. An OBJECTION is therefore raised in respect of inadequate on-site parking provision contrary to Policies EMP2 and TRAN10 of the Vale of Glamorgan Adopted Unitary Development Plan.”

Additional comments have been received in relation to the 28 additional parking spaces to be provided off-site:

“Whilst the allocation of the 28 additional car parking spaces at Jenner Park is welcomed in principle this Council still expresses serious reservations regarding the amended parking provision for the 82 staff and visitors to the Community Care and Health Team Offices.

Particular concerns relate to:

- (1) The still low level of dedicated parking provision.
- (2) The fear that staff/visitors may prefer to utilise street parking surrounding the site and within neighbouring residential areas rather than a car park divorced from the office development.
- (3) Parking for users of Jenner Park Stadium during office hours.

It has been noted that the two dedicated disabled parking bays at the front of the office building no longer appear on the amended plans.”

The Head of Visible Services (Highway Development) was consulted on 25 October, 2006 and re-consulted on additional car parking provision on 5 December, 2006 and comments:

“Further to the site inspection undertaken in relation to the above, I would comment that the proposed parking provision within the site is not sufficient to serve the needs of the development.

However, it is considered that the parking area could be redesigned to provide additional parking facilities that will be required by the Highway Authority. For information, it is noted that the maximum parking provision (26 spaces based on office use) must not be exceeded.

Furthermore, in accordance with the Council's Parking Guidelines, 3 cycle stands are required to be provided within the boundary of the development site.

Therefore, an amended site layout plan to a suitable scale, showing the above, is required to be submitted to the Highway Authority for consideration.”

Additional comments have been received in relation to the 28 additional parking spaces to be provided off-site:

“Further to receiving amended plans (Drawing No. AL (00) 15) showing the additional off-site parking provision, in relation to the above, I would comment that the development proposals are considered acceptable to the Highway Authority provided that the following details are made conditional to the planning consent and are provided before beneficial occupation of the development site.

1. The proposed off-site car park shall be provided in accordance with the submitted plans before beneficial occupation of the development, and thereafter maintained and retained at all times for the purpose associated with the development proposals.
2. The existing emergency access to Jenna Park sports ground provided through the proposed off-site car park shall be maintained and retained at all times as necessary.
3. The proposed disabled parking bays in front of the development site along Gladstone Road shall be provided in accordance with the Highway Authorities parking standards. The applicant is required to contact Mr. A. Hodge of the Highways Traffic Section prior to carrying out any works on site adjacent to the adopted highway to agree location, specifications and for permission to work within the highway.

The developer/applicant must be advised that Traffic Regulatory Orders will be required to establish the disabled parking bays, which are subject to statutory procedures. Additionally, the Traffic Regulatory Orders will have to be advertised externally for a period of 28 days. Following this period any objections received must be dealt with and reported to the Highway Authority for consideration, which will be dependant on the validity of the raised objection. All associated costs inclusive of any reconsultation (if required) will be at the applicant's own expense.

4. A pedestrian refuge is required to be constructed along Gladstone Road, adjacent to the development site, to facilitate a safe pedestrian route between the development site and the off-site car park. The applicant is required to submit a formal design to the Highway Authority for written approval, and the construction of the pedestrian refuge shall be completed before beneficial occupation of the development site.”

The Director of Legal and Regulatory Services (Environmental Health – Pollution) was consulted on 25 October, 2006. “This department has no Comment to make regarding the above application.”

Dwr Cymru/Welsh Water were consulted on 25 October, 2006. No comments have been received to date.

The Leader of the Council was consulted on 25 October, 2006 and re-consulted on additional car parking provision on 5 December, 2006. No representations have been received to date.

REPRESENTATIONS

Neighbouring occupiers were notified on 25 October, 2006 and re-notified on additional car parking provision on 5 December, 2006. A site notice was erected on 8 December, 2006.

The occupier of No. 330 Gladstone Road has objected to the lack of parking for 82 staff members and the resultant pressure on on-street parking in the area.

REPORT

Planning Policies

The application can be assessed against Policies ENV27 – Design of New Developments; ENV28 – Access for Disabled People; TRAN9 – Parking and EMP2 – New Business and Industrial Development of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Planning Policy Wales 2002 and the approved South Wales Parking Guidelines.

Issues

The proposed change of use and alterations will have little or no impact on the appearance of the building and therefore should not be detrimental to the visual amenities of the area. In addition it is considered that the office use proposed will generate no more noise and disturbance than the original teaching/therapy use or the more recent hostel use and therefore there should be no increased impact on neighbouring properties or the adjoining school.

In terms of parking provision, the number of parking spaces available to the future office workers has been increased from 4 to 32 (with 28 parking spaces on a site approximately 60m to the north west of the building off Devon Avenue). 2 No. disabled parking bays are to be proposed close to the main entrance of the building. It is considered that this provision conforms to the parking requirements in accordance with the Addendum to the Councils approved Parking Guidelines and should not be detrimental to highway safety in and around the site and should not overly exasperate the existing kerbside parking situation in the residential area.

The Highways Officers request for an “island” or pedestrian refuge to be constructed on Gladstone Road will reduce the number of parking spaces on Gladstone Road and is outside the application site area. Accordingly on balance the proposal should proceed without such a facility. However should Committee be minded to require the island facility a Grampian condition can be imposed.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV27 – Design of New Developments; ENV28 – Access for Disabled People TRAN9 – Parking; and EMP2 – New Business and Industrial Development of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, Planning Policy Wales 2002 and the approved South Wales Parking Guidelines and the additional parking provision on a site close to the application building, it is considered that the proposed change of use is acceptable in policy, highway development and design terms.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

2. No part of the development hereby approved shall be brought into beneficial use until such time as the parking areas (and the 2 No. disabled parking spaces adjacent to the main entrance), including all associated access and turning areas, have been laid out in full accordance with the details shown on Drawing No. AL (00) 15 and AL (00) 11 and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

3. This consent shall relate to the amended plans reference al (00) 15 received on 5th December, 2006 and the development shall be carried out strictly in accordance with these details.

Reason:

To ensure a satisfactory form of development and for the avoidance of doubt as to the approved plans.

4. Prior to the first beneficial use of the development hereby approved, a Parking Management Plan and Associated Green Travel Plan (which will include details relating to proposals for minimising the use of staff car journeys to and from the site and measures to control and reduce associated car parking both within the site and adjacent residential streets) shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

In the interest of minimising vehicular movements and pressure on parking within the area in compliance with Policy ENV27 'Design of New Developments' of the Unitary Development Plan.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01552/RG3 Received on 2 November 2006

Vale of Glamorgan Council, Dock Office, Barry Docks, Barry, Vale of Glamorgan, CF63 4RT

Malcolm Drysdale, Principal Landscape Architect, Vale of Glamorgan Council, Dock Office, Barry, Vale of Glamorgan, CF63 4RT

Parc Bryn-y-Don, Dinas Powys (recreation fields off Cardiff Road)

Erection of 2 no. 10m floodlight columns to serve the equipped tarmac surfaced skatepark

SITE DESCRIPTION

The application relates to the recreation ground situated off Cardiff Road to the south of Dinas Powys.

DESCRIPTION OF DEVELOPMENT

This is a Regulation 3 application submitted by the Council's Principal Landscape Architect for the erection of 2 No. 10 metre high floodlight columns. The floodlighting would serve a proposed skateboard park (which does not itself require planning permission). This is part of an upgrading programme funded by the Sports Council for Wales that also involves new changing rooms.

PLANNING HISTORY

No relevant history.

CONSULTATIONS

Dinas Powys Community Council has been consulted but no comments have been received to date.

The Director of Legal and Regulatory Services (Environment Health) has no comment.

The Head of Visible Service (Operational Manager (Engineering Design)) has stated that a watercourse crosses the site in close proximity of the proposed column. Details need to be submitted to ensure that the works do not obstruct future maintenance and repair work to the culvert.

REPRESENTATIONS

Nearby residential occupiers have been consulted. The occupier of No.1 Heol-Y-Frenhines has expressed a number of concerns. A copy of his letter is attached as Appendix A.

REPORT

Planning Policies

The development plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011. The site is located outside the settlement boundary for Dinas Powys and so for the purposes of planning policy is located within the countryside. The application has been assessed with regard to the following policies of the Unitary Development Plan:

- Policy ENV1 'Development in the Countryside' which seeks to protect the countryside from inappropriate development. The policy does allow for appropriate recreational use, and the supporting text states that 'appropriate recreational facilities may be permitted in the countryside where they are of an informal nature and compatible with the rural landscape, nature conservation and visual amenities of the open countryside. Uses such as walking, angling, climbing and picnicking will be acceptable, as these are generally compatible with the rural character of the open countryside. Strict control will however, be exercised over facilities such as car parks and toilet blocks where they are considered appropriate, and these should be sensitively integrated into the countryside.'
- Policy REC7 'Sport and Leisure Facilities' which states that new facilities outside existing town and district centres will be permitted, subject to a number of criteria, including that the proposal has no unacceptable effect on the amenity and character of existing or neighbouring environments by virtue of noise, traffic congestion, exacerbation of parking problems or visual intrusion.
- Policy ENV29 'Protection of Environmental Quality' which states that development will not be permitted if it would be liable to have an unacceptable effect on ... the environment ... due to light or other polluting emissions.
- Policy ENV16 'Protected Species' which states that permission will only be given for development that would cause harm to or threaten the continued viability of a protected species where there are exceptional circumstances that justify the proposals, there is no satisfactory alternative and effective mitigation measures are provided by the developer.

Issues

Having regard to the above policies, the main issues with the proposal are considered to be the visual impact of the floodlighting columns and associated lighting on the rural landscape, the impact of the proposals on the amenities of residents and the potential impact on ecological interests.

Whilst the site is located outside the settlement boundary for Dinas Powys, it does relate to an existing recreation ground and is located in relative close proximity to the settlement of Dinas Powys. The floodlights would be relatively modest in terms of their height (10 metres). The site is not located within an area of designated special landscape value. It is therefore considered that the proposed columns and associated lighting would be acceptable in terms of their impact on the surrounding landscape.

The floodlight columns would be located over 200 metres from the nearest residential property. It is intended that the floodlighting would be automatically turned off no later than 9.00pm, which the applicant has explained is a similar arrangement to the Council's other floodlit skateboard park at Gibbonsdown in Barry. Given the above and the distance of the skateboard park from residential properties, it is considered that the proposals would not adversely affect the amenities of neighbouring residents.

The results of a bat survey has been submitted with the application. This concludes that the proposed lighting for the skate board park will have no significant effect on bat populations. The floodlights will only be a factor in winter months which is outside the bat activity period. A method statement has been agreed to ensure that the proposals will not adversely affect great crested newts that are present on the site.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV1 'Development in the Countryside', REC7 'Sport and Leisure Facilities' and ENV29 'Protection of Environmental Quality' of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and all other material considerations, the proposal is considered acceptable in terms of its visual impact on the surrounding rural landscape, impact on the amenities of nearby residents and impact on ecological interests.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

2. The floodlights shall not be operated between the hours of 9.00pm and 8.00am.

Reason:

To safeguard the amenities of the area, and to ensure compliance with the terms of Policy REC7 of the Unitary Development Plan.

3. The mitigation measures proposed in the 'method statement for disturbance to great crested newts and subsequent maintenance of population' prepared by Smith Ecology Limited dated 31 August 2006 shall be fully implemented in accordance with those details hereby agreed.

Reason:

To protect ecological interests on the site and to comply with Policy ENV16 of the Unitary Development Plan.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01635/RG3 Received on 15 November 2006

Director of Learning & Development, Civic Offices, Holton Road, Barry, Vale of Glamorgan., CF63 4RU

Mark Haynes, Learning and Development, Vale of Glamorgan Council, Civic Offices, Holton Road, Barry., CF63 4RU

Sully Primary School, Burnham Avenue, Sully

Retention of single storey demountable classroom

SITE DESCRIPTION

The application site comprises land situated within the curtilage of Sully Primary School on Burnham Avenue, Sully. The site adjoins residential properties and lies opposite to a sports ground. A public footpath runs adjacent to the site from Burnham Avenue to the sports playing fields.

DESCRIPTION OF DEVELOPMENT

The application requests permission to retain the existing single storey demountable classroom at Sully Primary School.

The demountable unit measures 8.5m in width and 8.2m in length. The Unit includes a pitched roof and is 3.4m in height. It is of white finish with grey metal roof panels. The windows and doors are of white aluminium finish.

The unit is located to the south-east within the school curtilage, and is situated between the main school building and Burnham Avenue. The classroom lies 3.5m from the school boundary line.

PLANNING HISTORY

2003/00872/ADV – A flagpole to display the Eco-schools Green Flag Award. The application was approved on 1 of August 2003.

2002/00989/REG3 – Single storey demountable classroom unit. The application was approved 3 September 2002.

1999/00647/REG3 – New demountable building providing pre-school nursery facility and associated external works. The application was approved 29 July 1999.

For further planning history, please refer to the application file.

CONSULTATIONS

Sully Community Council was consulted on 1 December 2006. To date, no representation has been made.

Operational Manager Parks & Ground Maintenance was consulted on 1 December 2006. To date, no representation has been made.

REPRESENTATIONS

Nos. 7, 9, and 14 Burnham Avenue and No. 9 Lynmouth Drive were consulted on 1 December 2006. To date, no representations have been made.

A site notice posted on 7 December 2006. To date, no representation has been made.

REPORT

Planning Policies

ENV27 – DESIGN OF NEW DEVELOPMENTS.

Issues

The demountable classroom unit under consideration was previously approved in July 2002. (ref: 2002/00989/REG3); and has since been in use by Sully Primary school as an additional classroom.

The structure is generally well screened by mature trees which line the boundary of the school to the east. The unit is however visible from the public footpath which leads to the sports ground, and from properties in close proximity to the school boundary on Burnham Avenue. However the classroom unit has no overlooking windows and is considered that the unit it is sited in a location where it does not affect the amenity of neighbouring properties and causes no detrimental impact upon the appearance of the school site within the immediate street scene and nearby playing fields.

The development is considered to not effect the amenity and availability of outdoor play areas within the curtilage of the school, and has no significant effect on the availability of on-site parking. Furthermore, the unit causes no detrimental or overbearing impact upon the original school building.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policy ENV27 “Design of New Developments” it is considered that the proposal is acceptable. The single storey demountable classroom unit at Sully Primary School causes no harm to the privacy or amenities of any adjoining neighbour and has no detrimental impact upon the scale of the existing property or the visual amenities of the surrounding street scene. Therefore, the development complies with Policy ENV27 and the Councils ‘Amenity Standards’ Supplementary Planning Guidance.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. This consent shall be for a temporary period only and the unit shall be removed from the site on or before 31 January 2010.

Reason:

The development is of a temporary design and structure and the Local Planning Authority would not grant permanent consent in the interests of the visual amenities of the area, and in accordance with Policy ENV27 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01636/RG3 Received on 15 November 2006

Director of Learning and Development, Vale of Glamorgan Council, Civic Offices,
Holton Road, Barry, Vale of Glamorgan., CF63 4RU
Mark Haynes, Learning and Development, Vale of Glamorgan Council, Civic
Offices, Holton Road, Barry, Vale of Glamorgan., CF63 4RU

Rhws Primary School, Fontygary Road, Rhoose

Retention of single storey double demountable classroom

The property is a Grade II Listed Building.

The application was advertised on 29 November 2006.

SITE DESCRIPTION

The application site is located within the grounds of an existing primary school on the south side of Fontygary Road, Rhoose. In addition to the planning history, the Rhws Primary School has recently been classified as a Grade II Listed Building.

DESCRIPTION OF DEVELOPMENT

The application seeks permission for the retention of a demountable unit that accommodates two additional classrooms. The existing demountable buildings are located to the east of the older units and to rear of the main school building on its southern side. The proposed single storey, pitched roof unit measures approximately 22.4m x 6.4m and be finished externally in light grey textured coating to walls with dark blue/grey profiled metal roof.

PLANNING HISTORY

99/01294/REG3 – Demountable classroom unit. Approved 5 January 2000.

00/00008/REG3 – Retention of single demountable nursery unit. Approved 23 March 2000.

00/00638/REG3 – Single storey detached classroom. Approved 26 July 2000 subject to conditions including window obscure glazing and landscaping. A subsequently amended scheme for a second classroom was agreed on 5 September 2000.

03/00438/REG3 - Installation of demountable unit. Approved 5 June 2003.

05/01866/RG3 – Initial refurbishment of an existing classroom unit and proposed soft play area. Approved 13 February 2006.

05/01708/FUL – Installation of pre-fab classroom, assorted site works and safety facing. Approved 17 October 2006.

05/00872/REG3 – Installation of demountable classroom and associated site works. Approved 25 July 2005.

CONSULTATIONS

Civil Aviation Authority were consulted on 29 November 2006. The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria. Accordingly, this department has no safeguarding objection to the proposal.

REPRESENTATIONS

Nos. 1 & 2 Halley Court; 8-22 South View; 19-27 Havant Close; and Rhoose Library were consulted on 29 November 2006.

A site notice was posted on 14 December 2006.

No representations have been received.

REPORT

The application site is located within the grounds of an existing primary school on the south side of Fontygary Road, Rhoose. In addition to the planning history, the Rhws Primary School has recently been classified as a Grade II Listed Building.

Committee Members will note from the planning history that there have been a considerable number of demountable classroom units erected within the school grounds in recent years. In planning terms this has an impact in terms of the intensity of use of the school and available car parking provision plus the visual impact within the area and any subsequent impact on neighbouring occupiers.

Planning Policies

The relevant Policies are considered to be Policies ENV27 - Design of New Developments and ENV17 - Protection of Built and Historic Environment contained in the Vale of Glamorgan adopted Unitary Development Plan 1996-2011. Policy ENV27 states that developments must be of a high standard of design, and have full regard to the context of the local natural and built environment and its special features. New development will be permitted where it:

- (i) COMPLEMENTS OR ENHANCES THE LOCAL CHARACTER OF BUILDINGS AND OPEN SPACES;
- (ii) MEETS THE COUNCIL'S APPROVED STANDARDS OF AMENITY AND OPEN SPACE, ACCESS, CAR PARKING AND SERVICING;
- (iii) ENSURES ADEQUACY OR AVAILABILITY OF UTILITY SERVICES AND ADEQUATE PROVISION FOR WASTE MANAGEMENT;
- (iv) MINIMISES ANY DETRIMENTAL IMPACT ON ADJACENT AREAS;
- (v) ENSURES EXISTING SOFT AND HARD LANDSCAPING FEATURES ARE PROTECTED AND COMPLEMENTED BY NEW PLANTING, SURFACE OR BOUNDARY FEATURES;
- (vi) ENSURES CLEAR DISTINCTION BETWEEN PUBLIC AND PRIVATE SPACES;

- (vii) PROVIDES A HIGH LEVEL OF ACCESSIBILITY, PARTICULARLY FOR PUBLIC TRANSPORT, CYCLISTS, PEDESTRIANS AND PEOPLE WITH IMPAIRED MOBILITY;
- (viii) HAS REGARD TO ENERGY EFFICIENCY IN DESIGN, LAYOUT, MATERIALS AND TECHNOLOGY; AND
- (ix) HAS REGARD TO MEASURES TO REDUCE THE RISK AND FEAR OF CRIME.

Policy ENV17 clearly aims to protect the environmental qualities of the built and historic environment, including Listed Buildings.

Issues

The retention of the demountable units is temporary in nature and in aesthetic terms have little merit and do not complement the architecture, design and setting of the existing school building. A proliferation of these buildings is also of concern in design terms. Notwithstanding this it is noted that the classrooms will remain to the rear elevation of the main school and therefore will not be visible from the public highway. For the residents on the southern and eastern boundaries of the school the building will be viewed against the backdrop of the main school building and other demountable units. The proposed siting is also such that there should be no significant adverse impact on the amenities currently enjoyed by the neighbouring properties.

In design terms it is considered that the proposal will not complement the architecture or setting of the existing Grade II Listed Building and consequently should be conditioned as a temporary structure in order to protect the context of the existing school building. As it is retention of a classroom there will be no staff increases and as such no highway concerns. Therefore, the recommendation is for approval.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV27 and ENV17 the proposed retention of the classroom is considered acceptable. There are no changes to the demountable unit and it will have no further impact than the existing. The classroom will be located to the rear and concealed from any wider impact upon the visual amenities of the Grade II listed Building. As such, the proposal is considered to comply with Policies ENV27 - Design of New Developments and ENV17 - Protection of Built and Historic Environment contained in the Vale of Glamorgan adopted Unitary Development Plan 1996-2011.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. This permission shall be granted for a temporary period only, expiring three years from the date of this consent and the unit shall be completely removed on or before that date unless a formal consent for its retention has been granted by the Local Planning Authority.

Reason:

In order to clarify its temporary status and to protect the character and setting of a Grade II Listed Building and to comply with Policies ENV27 and ENV17 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01638/RG3 Received on 15 November 2006

Director of Learning & Development Civic Offices, Holton Road, CF63 4RU
Mark Haynes Learning & Development, Civic Offices, Holton Road, Barry, CF63 4RU

Llanilltud Fawr Comprehensive School, Ham Lane East, Llantwit Major

Retention of single storey double classroom demountable

SITE DESCRIPTION

The application relates to a single storey demountable classroom unit in the grounds of Llanilltud Fawr Comprehensive School, Llantwit Major.

DESCRIPTION OF DEVELOPMENT

An application under Regulation 3 of the Town and Country Planning General Regulations for the retention of the classroom following the expiry of a previous temporary permission.

PLANNING HISTORY

03/00437/REG3 - Demountable classroom unit comprising two classrooms and ancillary facilities. Approved 5 June 2003 for a temporary period that expired on 4 June 2006.

CONSULTATIONS

Llantwit Major Town Council was consulted on 29 November 2006. No comments have been received at the time of preparing this report.

REPRESENTATIONS

The application was advertised by a site notice on 29 November 2006. No comments have been received at the time of preparing this report.

REPORT

The demountable building is a two classroom single storey unit, 23 x 6.5 metres in area, located on the eastern side of the main group of school buildings in the centre of the school site. The application seeks its permanent retention.

Planning Policies

The proposal has to be assessed against the objectives of Policy ENV27 (Design of New Development) of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, which seeks to ensure (amongst other things) that new development has regard to the appearance and character of the local area.

Issues

Condition No. 3 of planning permission ref: 03/00437/REG3 states:

- ‘1. This permission shall be for a temporary period only, expiring three years from the date of the decision, and the unit shall be completely removed from the site on or before that date unless a formal consent for its retention has been given by the Local Planning Authority.

Reason:

In the interests of visual amenity.’

The unit is coloured light grey and although it is visible from considerable distances across the open playing fields it appears as part of the main school building complex and is not a prominent or intrusive feature.

The closest dwellings are over 100 metres away at Wordsworth Close, and it appears that there will be no adverse impact on residential amenity.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having had regard to Policy ENV27 (Design of New Developments), it is concluded that retention of the building will have no adverse impact on the character or appearance of the area and that the objectives of that Policy are met.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. This permission shall be for a temporary period only, expiring three years from the date of the decision, and the unit shall be completely removed from the site on or before that date unless a formal consent for its retention has been given by the Local Planning Authority.

Reason:

In order to clarify its temporary status and to comply with Policies ENV27 and ENV17 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01639/RG3 Received on 15 November 2006

Director of Learning and Development, Vale of Glamorgan Council, Civic Offices,
Holton Road, Barry, Vale of Glamorgan.

Mark Haynes, Learning and Development, Vale of Glamorgan Council, Civic
Offices, Holton Road, Barry, Vale of Glamorgan.,

Ysgol Iolo Morganwg, Broadway, Cowbridge

Retention of nursery demountable classroom.

The development is situated within the Cowbridge with Llanblethian Conservation Area.

SITE DESCRIPTION

The application site relates to land at Ysgol Iolo Morgannwg Primary School, located on Broadway in Cowbridge. The application site falls within the Cowbridge with Llanblethian Conservation Area.

DESCRIPTION OF DEVELOPMENT

This is a full application for the retention of the demountable classroom to continue to provide a nursery classroom with toilets and showers, cloakroom and kitchen facilities.

The demountable classroom is sited some 20 metres back from the edge of the highway between the school and the recently constructed multi-use enclosed play area. The demountable unit measures 15 metres in length by a width of 8 metres, to a maximum height of 4 metres above ground level. The classroom is served by external stairs and ramp with double door access into the building. The building is finished in a textured coating to match the existing colour of the school, with a polyester powder coated composite metal roof light grey in colour.

PLANNING HISTORY

04/00078/REG3 – Erection of metal toy store. Withdrawn 20 January 2005.

02/01551/REG3 – Erection of demountable nursery classroom. Approved 16 January 2003 subject to conditions. (Temporary consent).

00/01273/FUL – Siting of a steel container for storage purposes. Approved 20 December 2000 subject to a 2 year temporary consent.

CONSULTATIONS

Cowbridge with Llanblethian Town Council –has no objection.

Head of Visible Services (Highway Development) observations in relation to previous application ref: 02/01551/REG3 are still applicable.

REPRESENTATIONS

Adjacent occupiers were notified and to date no letters of objection have been received.

REPORT

This is an application made under Regulation 3 of the Town and Country Planning General Regulations by the Director of Learning and Development (in accordance with the Constitution giving Chief Officers or Service Heads delegated authority).

Planning permission was previously granted under ref: 02/01551/REG3 for the erection of demountable nursery classroom and included associated works to provide a new access and car parking. However Condition No. 2 stated that the consent was for a temporary period and that the unit shall be removed from the site on or before 1 September 2006. The reason being that the unit was considered to be temporary, due to its structure and design and that the Local Planning Authority would not grant permanent planning permission in the interests of visual amenities of the area.

In assessing this application, the main issue is to consider the continued impact of the proposal on the Cowbridge with Llanblethian Conservation Area.

Planning Policies

The following Policies contained within the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 are relevant.

ENV20 – Development in Conservation Areas

Proposals for new development or alterations to buildings or features within Conservation Areas will be permitted where they preserve or enhance the character of the Conservation Area. Such proposals will need to reflect:

- (i) The scale, design, layout, character, materials and setting of those buildings which establish the character of the area;
- (ii) The patterns of use which establish the character of the area;
- (iii) Important open space within and adjoining conservation areas;
- (iv) Important trees and hedgerows; and
- (v) Ponds and streams.

ENV27 – Design of New Developments

Proposals for new development must have full regard to the context of the local natural and built environment and its special features. New development will be permitted, where amongst other things, it complements or enhances the local character of buildings and open spaces and minimizes any detrimental impact on adjacent areas.

Issues

The original scheme as approved under ref: 02/01551/REG3, included a proposed new access and car parking and landscaping, which has now been fully implemented in accordance with the approved plans. In particular the unit is set back some 20 metres from the edge of the highway and is screened by car parking. Therefore the low level unit as sited is considered to have little impact on the street scene of Broadway.

The agent has stated that the unit will be used as nursery building for the foreseeable future, to provide Welsh medium nursery provision in the Cowbridge and rural vale area and due to pupil numbers is still required by the school.

The unit has been sited on the land since 2003 and therefore its actual impact can be fully considered. Whilst it is of a utilitarian design, for the reasons given above, it is not considered that it would cause significant harm to the setting of the school or the wider Conservation Area, if it were to be permanently sited on the land.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 54A of the Town and Country Planning Act 1990 (as amended), which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV20 – Development in Conservation Areas and ENV27 – Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, the continued siting of the demountable unit is considered acceptable having regard to its siting, scale, form and design and would not have an adverse impact on the setting of the school or the wider character of the Conservation Area.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. The access, turning area and parking arrangements as laid out on site and as detailed on Drawing No. AL(00)12 shall be retained at all times to serve the development hereby approved.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policy ENV27 and TRAN 10 of the Unitary Development Plan.

2. The landscaping scheme for the site shall be as approved under Drawing Nos. AL(00) 27 and 28 under Condition No. 5 of planning permission ref: 02/01551/REG3 and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01693/RG3 Received on 23 November 2006

Director Learning & Development, Vale of Glamorgan Council, Civic Offices,
Holton Road, Barry, Vale of Glamorgan, CF63 4RU
Property Section, Finance, ICT & Property, Vale of Glamorgan Council, Civic
Offices, Holton Road, Barry, CF63 4RU

Ysgol Gwaun-y-Nant, Amroth Court, Caldy Close, Barry

New brick clad toy store and covered play area

SITE DESCRIPTION

The application site lies within the curtilage of Gwaun-Y-Nant Primary School, on Caldy Close, Barry. The site includes the main school building with attached classroom extension and associated car parking and outdoor play area. The Early Years Unit includes an outdoor play area enclosed by a 1m high steel fence, and is covered with safety surface.

DESCRIPTION OF DEVELOPMENT

The application has been submitted to request permission to erect a new toy store and covered play area for use by the Early Years Unit of Gwaun-Y-Nant Primary School. The proposed development will be situated within the enclosed outdoor play area adjoining the Early Years Unit classroom to the North-East of the main school building.

The proposed toy store is to be 4.8m in length and 5.7m in width, incorporating a faced brickwork finish to match the existing school building.

The application also requests permission to install three roller shutters in order to form a new enclosed play area. The shutters, to be finished in blue coating, will extend from the existing toy store to the proposed new toy store, therefore having an overall width of 8.5m.

The proposed roller shutters, enclosed play area and new toy store will be covered by a pitched metal roof of dark sea grey finish. This will give the development an overall height of 3.2m, width of 12.4m, and projecting from the East elevation of the main school building by 4.8m.

The main access door which links the Early Years Unit to the outdoor play area is to be replaced by a wider doorway, in order to make the access point DDA (Disability Discriminations Act) compliant. The proposed doorway is to be 2m in width.

The existing Gwaun-Y-Nant Primary School Sign will be moved to a visible location, should the application be approved.

PLANNING HISTORY

2002/00388/REG3 – Single storey demountable unit comprising two classrooms, teaching stores, toilets, library and cloaks area to be linked to main building with corridor. Approved on 23 May 2002.

2000/00241/PND – Demolition of caretakers house. Approved on 24 March 2000.

1999/00821/REG3 – Single storey teaching area extension. Approved on 23 September 1999

For further planning history, please refer to application file.

CONSULTATIONS

Barry Town Council were consulted on 5 December 2006. To date, no representation has been made.

REPRESENTATIONS

Nos. 17 & 18 Laburnum Close were consulted on 5 December 2006. Nos. 19, 20, 21, 22, 23, 24 and 25 Laburnham Close; Nos. 12, 13, 14, 15, 16, 17 Amroth Court; Nos. 7, 8, 9, 10, 11 Laugharne Court; and No.1 Long Meadow Drive, were consulted on 12 December 2006. To date, no representation has been made.

A site notice was posted on 7 December 2006. To date, no representation has been made.

REPORT

Planning Policies

ENV27 – DESIGN OF NEW DEVELOPMENTS.

Issues

The development will be situated on the East elevation of the main school building, and therefore will be visible from the main school entrance and associated car park. The development will also be visible from residential properties to the East and North of the site. However as the development is of a considerable distance from the overlooking properties, it is considered that the proposals have no detrimental effect on amenities. Furthermore, the development has no detrimental impact upon the appearance of the School from its main vehicular and pedestrian entrance.

The proposed new toy store and associated roller shutters will be located within the confines of the outdoor play area of the Early Years Unit. The development is not considered to have any detrimental or overbearing impact upon the appearance of the main school building. Furthermore, the new toy store doorway will be South facing, and will be accessible should the proposed roller shutters be closed.

The outdoor play area is approximately 13m by 20m in size, and therefore it is considered that the development would not have a negative impact upon the availability of outdoor play area for the Early Years Unit.

The alteration to the main access point which links the Early Years Unit to the outdoor play area will have no significant impact upon the classroom or play area.

The development has no impact upon the availability of on-site parking within the school curtilage.

CONCLUSION

Having regard to Policy ENV27 "Design of New Developments" it is considered that the proposal is acceptable. The proposed toy store and covered play area at Ysgol Gwaun-Y-Nant causes no harm to the privacy or private amenities of any adjoining neighbour and has no detrimental impact upon the scale of the existing property or the visual amenities of the surrounding street scene. Therefore, the development complies with Policy ENV27 and the Councils 'Amenity Standards' Supplementary Planning Guidance.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

NOTE:

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

2006/01697/RG3 Received on 23 November 2006

Dir of Learning & Devt., Vale of Glamorgan, Civic Offices, Holton Road, Barry,
Vale of Glamorgan., CF63 4RU
Property Division, Finance, ICT & Property, Civic Offices, Holton Road, Barry.,
CF63 4RU

Hafen Treharne, Treharne Road, Gibbonsdown, Barry

Conversion of flat to be DDA accessible

SITE DESCRIPTION

The application site comprises of a three storey residential property on Treharne Road, Gibbonsdown, Barry. The premises provides short-stay accommodation for fifteen families. The property can be accessed from the front and rear elevations, and also includes rear car parking space for residents.

DESCRIPTION OF DEVELOPMENT

The application has been submitted to request permission to adapt a ground floor flat to the rear of the premises to be DDA (Disability Discriminations Act) accessible. The development will include an insertion of a new doorway to the South West elevation of the building. The proposed doorway will be 0.8m wide and 2.5m in height, and will replace the existing window.

A new wall including a handrail is proposed to be erected attached to the South West elevation and is to extend 0.5m and be 0.6m in height.

PLANNING HISTORY

1991/00914/REG4 – Short stay hostel for fifteen homeless families, including Warden's office, ancillary accommodation, car parking and landscaping works. Approved on 3 December 1991.

CONSULTATIONS

Barry Town Council were consulted on 8 December 2006. To date, no representation has been made.

REPRESENTATIONS

Nos. 54, 60, 64, 66, 70, 72, 74 76 Dylan Crescent and No. 2 Ar-y-Nant were consulted on 8 December 2006. Nos. 1, 2 & 3, Dyfnallt Road were consulted on 12 December 2006. To date, no representations have been received.

A site notice was erected on 7 December 2006. To date, no representations have been received.

REPORT

Planning Policies

ENV27 – DESIGN OF NEW DEVELOPMENTS

Issues

The application site is located to the rear of the main building and is not visible from the highway. The alterations will be generally visible from properties to the rear, but such is the scale of the development that it is considered that there will be no detrimental impact upon the amenity of the surrounding properties.

The development is not considered to have any detrimental or overbearing impact upon the appearance of the residential premises. Furthermore, the alterations to the ground floor flat and extension of outside wall does not affect the amenity and open space available to the rear of the building, landscaping to this immediate area is to be maintained.

The development has no effect on the availability of on-site parking and access from the rear car park to the main entrance of the premises. It is considered that the installation of the hand rail would further improve the accessibility of the premises.

CONCLUSION

Having regard to Policy ENV27 “Design of New Developments” it is considered that the proposal is acceptable. The proposed alterations to the rear the rear of the premises causes no harm to the privacy or private amenities of any adjoining neighbour and has no detrimental impact upon the scale of the existing property or the visual amenities of the surrounding street scene. Therefore, the development complies with Policy ENV27 and the Councils ‘Amenity Standards’ Supplementary Planning Guidance.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

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Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.