

Fitz Project Management, The Backhouse, Island Road, Barry, Vale of Glamorgan. CF62 7AR
(Fitz and Company, The Backhouse, Island Road, Barry. CF62 7AR)

GLENBROOK INN, DOBBINS ROAD, BARRY

Two storey courtyard development of 24 motel rooms

SITE DESCRIPTION

The application relates to an existing public house situated at the junction of Glenbrook Drive and Dobbins Road in Barry.

The site relates to a roughly rectangular piece of land located between the existing public house and the residential dwelling of No. 3 Greenway Court and is currently used as a children's play area.

DESCRIPTION OF DEVELOPMENT

This is an outline application for the construction of a two storey courtyard development for 24 motel rooms, with all matters reserved except for siting and means of access. Under Article 3 of the Town and Country Planning (General Permitted Development Procedure) Order 1995, the agent was requested to submit details of design and external appearance. The required elevational drawings have now been submitted and the proposed extension to the public house to provide a motel will measure a maximum length and width of 25.5 metres with an eaves level of 2.5 metres and ridge height of 5.5 metres. The extension is shown to be cut into the existing sloping site by a maximum of 2 metres at its nearest point to No. 3 Greenway Court.

The proposed floor plans indicate the provision of 12 motel rooms with bathrooms on each floor overlooking the inner courtyard. The plans indicate that all materials will match the existing building which is finished with render and brown concrete interlocking rooms and curved brick window sills.

PLANNING HISTORY

The site has been subject to the following relevant planning applications:

02/00590/FUL – Replace an existing fence with a 2 metre high spike and spear perimeter fence for car park. Approved 14th June, 2002, subject to conditions.

01/00153/FUL – Children's wooden framework external play apparatus, green perimeter fence for beer garden and children's play area, 2 No. 6 m galvanised car park lighting columns. Approved 18th May, 2001, subject to conditions.

CONSULTATIONS

Barry Town Council – Was consulted on the application on 4th June and has made the following comments.

“Following a canvas of local opinion and a full discussion this Council’s Planning Committee deferred the consideration of this application pending this request for further information.

Whilst recognising that this application has been submitted in outline the Committee concluded that insufficient detail had been supplied by the applicant to enable a full appraisal of the impact of the large-scale development proposed on the amenities of the occupiers of the surrounding residential properties. In particular details of the height, massing and design of the motel building are required.”

The Head of Visible Services (Highway Development) - Has raised no objection to the application in principle subject to the applicant satisfying the following conditions:

“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. It is noted that there is adequate parking provision at the site and no alterations to the existing access or creation of a new access from the highway is required as part of this planning application.”

The Director of Legal and Regulatory Services (Head of Legal and Regulatory Services : Environmental Health Officer) – Has raised no objection to the application.

Environment Agency - Was consulted and has responded with a standard guidance note for developers.

Welsh Water - Was consulted and has stated that the proposed development would overload the existing public sewerage system.

“No improvements are planned within Dwr Cymru Welsh Water’s Capital Investment Programme. We consider any development prior to improvement being undertaken to be premature and therefore object to the development. It may be possible for the developer to fund the accelerated provision of replacement infrastructure or to requisition a new sewer under Sections 98-101 of the Water Industry Act 1991.”

REPRESENTATIONS

Adjoining neighbours were notified on 23rd June on the original scheme and re-notified on 8th September following receipt of elevation drawings and a site notice was posted on the same date. To date 3 letters of representation have been received and a petition of 64 names. One of the letters of objection is attached as Appendix A. In summary the concerns relate to insufficient parking to serve both the motel and public house and the increase in noise and disturbance 24 hours a day.

REPORT

The proposal relates to a large scale development providing 24 motel rooms (with bathrooms) over two floors of accommodation, as an extension to the existing public house. However for the assessment of this application the motel is considered as a new hotel facility as opposed to an annex or extension to the public house.

Therefore the main policy contained in the emerging Vale of Glamorgan Unitary Development Plan Deposit Draft (as amended) 2003 is Policy TOUR 2 which relates to new hotels in urban areas and states that any proposals for new hotels in urban areas and extensions to existing accommodation will be permitted if:

- (i) The scale of the proposal or any proposed extension is in keeping with surrounding uses.
- (ii) The proposal does not unacceptably affect the amenity and character of the existing or neighbouring environments by virtue of noise, traffic congestion, exacerbation of parking problems, or visual intrusion.
- (iii) The proposals meet high standards of layout, landscaping and design and has safe vehicular access.
- (iv) Adequate utility and infrastructure services exist, are reasonably accessible, or can be readily and economically provided.
- (v) Suitable access is provided for disabled persons and those with impaired movement.
- (vi) Parking is provided in accordance with the council's approved guidelines.

This policy is also reinforced by Policy ENV25 and the approved Supplementary Planning Guidance 'Barry Development Guidelines'.

In terms of whether the scale of the proposed extension is in keeping with surrounding uses, the existing public house is located in a residential area. Whilst the public house is a large scale building in relation to the surrounding dwellings, it is located centrally within a large site totalling some 0.8 acres (0.32 hectares) with a car park to the rear and a prominent open landscaped frontage onto Dobbins Road with a landscaped child's play area to the side, the site subject to this application. Therefore the spaciousness of the existing public house and its setting is in contrast to the built up residential development around it such that the open nature of the application site is considered to make a significant contribution to the amenity of the area and the street scene of Dobbins Road, a well used vehicular route.

Within this context, it is considered that the introduction of an extension which measures some 25 metres square would result in a large scale building of similar size to the public house where its scale, bulk and form would not be in keeping with nearby residential dwellings which are mainly linked and semi-detached. The development would result in a continuous built up frontage to the site, detrimental to the street scene.

The extension is 25 metres long, approximately the same length as the public house. Concern was raised in respect of the scale of the proposal and its impact on adjoining occupiers. The original plans indicated an extension which would have formed a continuation of the front building line of the public house and would have been extended to within 1 metre of the boundary of the site adjacent to No. 3 Greenway Court. Amended plans have been submitted which indicate a set back on the front elevation of the extension to break up the continuous building line. The extension has also been reduced in length and is now shown to be a minimum of 3 metres from the boundary with No. 3 Greenway Court. Whilst the amended plans have reduced the impact on the adjacent dwelling, it is considered that the scale and form of the extension, whilst set back from the road frontage by some 12 metres, would still nevertheless impact on the street scene, resulting in a loss of the open setting of the existing public house and would project further forward than the established building line of the adjacent properties on Greenway Court particularly when viewed from the south.

With regard to impact on amenity and the character of the existing or neighbouring environments, the existing public house would generate some degree of noise and disturbance. Whilst a petition has been received, no specific reasons were given other than a general concern with regard to the development. The proposal will result in some increase on noise and disturbance over and above the existing public house, however the Environmental Health Officer has not raised an objection to the application.

In terms of traffic generation and parking, the existing public house is served by large car park of some 55 spaces and the Head of Visible Services (Highways), considers that there is adequate parking provision to accommodate the additional proposed motel without the need for alterations to the existing access or creation of a new access from the highway.

With regard to the provision of adequate utility and infrastructure services to serve the proposal, a Welsh Water objection has been received, as the proposed development would overload the existing public sewerage system. Furthermore, they have stated that no improvements are planned within Dwr Cymru Welsh Water's Capital Investment Programme, which would accommodate the extra capacity of the 24 room motel (with bathrooms). They add that the developer may fund the accelerated provision of replacement infrastructure or to requisition a new sewer under Sections 98-101 of the Water Industry Act 1991.

Having clarified the above objection with Welsh Water, they have advised that the improvement works required would be off-site and are estimated at costing in excess of a million pounds. As such it is considered that these improvements works to serve the development are therefore unlikely to be readily and economically provided. Welsh Water did add that the matter could be resolved if they successfully bid for the next round of improvements under their Capital Investment Programme. However until such time their objection is maintained.

The applicant is aware of the objection from Welsh Water and has suggested that the matter be dealt with by way of a Grampian condition. Whilst such a condition can be used as a mechanism to allow occupation following the completion of the improvements to public sewerage system, such works need to be “reasonably attainable”. Given the above and the fact that in the opinion of the Local Planning Authority the improvements required could not be readily or economically provided, these costs may well impact on the viability of the development as a whole. Therefore, such a condition would not be appropriate as it would lead to uncertainty as to whether the development could ever be delivered.

Having been advised of the above, the applicant has now amended the drainage proposals for the site and now proposes to connect to a cesspit, where it is his client’s intention to develop a “Water Saving” policy that will make use of stored rainwater and recycle washing water for soil use. Whilst such a proposal for private sewage treatment may well be acceptable to satisfy Welsh Water, (as there would not be any increase loading on the existing sewerage system) given the scale of development, such on-site sewage treatment plant would have to be fully assessed and considered in full consultation with the Environment Agency. It is considered that such consideration cannot be made under an outline application and should be in the form of a full planning application with a detailed supporting report, drawings and calculations in respect of the proposed means of on-site drainage.

To conclude, the scale, form and massing of the extension is considered to result in a loss of what is considered as important open landscape area contributing to the setting of the public house and the amenity of the wider street scene. Furthermore adequate infrastructure services do not exist to serve the proposal and the improvements required are not reasonably accessible, nor could they be readily and economically provided. The following recommendation is therefore made.

03868

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposed development, by virtue of its size, siting, scale and resulting mass, and by the loss of the open landscaped area within which the existing building is viewed, would represent an insensitive form of development, which would unacceptably increase the impact of development on this primarily residential streetscene, to the detriment of its appearance. The proposal is therefore contrary to Policies TOUR2 and ENV25 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004).

2. The proposed development would overload the existing public sewerage system, where no improvements are planned within the Dwr Cymru Welsh Water's Capital Investment Programme. Furthermore, the funding of accelerated provision of replacement infrastructure or the requisition of a new sewer would require significant off-site works which cannot be readily and economically provided. Given that inadequate utility services exist to serve the proposed development and that the proposed extension is not in keeping with surrounding residential character, the proposal is considered contrary to Policy TOUR 2 of the Vale of Glamorgan Unitary Development Plan Deposit Draft (as amended 2003).

Mr. Huw Jones, Red Farm, St. Mary Hill, Vale of Glamorgan. CF35 5DR
(Greenfields Land Reclamation, 42B, Brynmenyn Ind. Estate, Bridgend. CF32
9SQ)

RED FARM, ST. MARY HILL

Conversion of redundant barns and refurbishment of disused farmhouse to private dwellings

SITE DESCRIPTION

The application site is located to the north west of Graig Penllyn, some 60 metres to the east of the main Pentre Meyrick and St. Mary Hill Road. The existing buildings on the site include a farmhouse (owned by the applicants) a group of barns and a disused farmhouse. The site is also occupied by several large steel framed agricultural buildings which are currently being used as a part of a haulage business. It should also be noted that much of the yard is being used for the storage and repair of machinery and vehicles.

DESCRIPTION OF DEVELOPMENT

Following commencement of development on site to convert the barn approved under application ref. 95/01040/FUL, and the farmhouse approved under 97/001092/FUL without discharging the relevant conditions, this application now seeks to regularise the works already undertaken and seeks to renew both consents for the conversion of the redundant barns and the refurbishment and extension of the disused farmhouse to private dwelling.

The conversion of the large "E" shaped barn will provide three separate residential dwellings, where the conversion works and alterations of the elevations will be within the existing fabric of the building. The accommodation will consist of the following:

Dwelling 1 – Single storey accommodation with 3 bedrooms.

Dwelling 2 – Two storey accommodation with 3 bedrooms.

Dwelling 3 – Two storey accommodation with 4 bedrooms.

The proposed curtilage of the barns will consist of a forecourt area to the front and a 6 metre perimeter strip to the rear and side of the barn for amenity space.

The proposal also includes the conversion and extension of the disused cottage (Dwelling 4) which is located opposite the main barn on the other side of the access track, previously approved under application ref. 97/01092/FUL. The existing farmhouse measures a width of 11 metres by a depth of 5 metres. The proposed side extension as amended on the western elevation will be 5 metres wide by a depth of 4.8 metres with a ridge height of 6 metres, 0.5 metres below the main ridge of the dwelling.

The proposal includes an attached garage on the eastern side elevation measuring a width of 2.9 metres by a depth of 5.5 metres and will be set back from the front elevation of the cottage by 1.2 metres.

PLANNING HISTORY

The site has been subject to the following planning applications:

97/01092/FUL – Renovation and extension of disused farmhouse. Approved 12th December, 1997, subject to conditions. Development commenced but conditions not discharged.

95/01040/FUL – Conversion of redundant barns and refurbishment of disused farmhouse to private dwellings. Approved 23rd May, 1996, subject to conditions. Development commenced but conditions not discharged.

81/02120/EST – Established use certificate for the maintenance and parking of lorries. Refused on 11th August, 1982.

CONSULTATIONS

Penllyn Community Council - Was consulted on 22nd September, 2004 and raised no objection to the application.

Welsh Water - Have requested that a conditions and an advisory note shall be attached to any planning permission granted, in order to ensure that foul and surface water are drained separately from the site.

Director of Legal and Regulatory Services (Principal Environmental Health Officer) - Has raised an objection to the application as the redundant barns are located next to land used for a mixture of agricultural and industrial uses. The noise workings within this area is likely to create disturbance at the proposed dwellings.

The Head of Visible Services (Highway Development) - Has not raised an objection to the proposal, subject to the following being satisfied:

1. A turning facility and parking provision in accordance with the South Wales Counties Parking Guidelines shall be provided within the curtilage of the site/for each unit and thereafter retained. Vehicles must be able to enter and exit the site in forward gear.
2. The proposal must not compromise the turning and parking provision already existing at the site.

REPRESENTATIONS

A site notice was posted on 8th March, 2005 and to date no letters of representation have been received.

REPORT

This application relates to a renewal of two separate consents in the form of a single application, being the renovation and extension of disused farmhouse as approved under 97/01092/FUL and the conversion of redundant barns as approved under 95/01040/FUL.

In assessing this application, consideration must be given as to whether there is any material change in the nature of the application and whether there is a material change in both national and local planning policies.

In terms of the nature of the application, the proposal for the conversion of the barn is the same as that previously approved. The conversion and extension of the farmhouse is different to that previously approved in that an amended scheme has now been submitted with a smaller extension and single detached garage, as opposed to the previously approved double garage.

The most relevant policy in assessing this application is Policy ENV7 – Small Scale Rural Conversions contained in the emerging Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004).

This policy states that proposals which involve small scale rural development including conversions of rural buildings to new uses will be permitted if they comply with relevant criteria. In the case of the conversion of a rural building to residential use, the following criteria contained within the above policy are applicable:

- (iii) The building is structurally sound and the conversion can be achieved without substantial reconstruction of the external walls, or extension to the building. However, each proposal will be assessed as a matter of fact and degree, depending on the particular circumstances of the case.
- (iv) Conversion work can be undertaken without unacceptably altering the appearance and rural character of the building.
- (v) Where residential use is considered acceptable, amenity space can be provided within the curtilage of the site without undue incursion into the rural landscape.
- (vi) Vehicular access is available or can be provided from the public highway without any unacceptable effect upon the appearance of the countryside.
- (vii) Satisfactory parking provision can be made within the curtilage of the site.
- (x) The proposal is not incompatible with activities carried out on adjoining land. Applicants may be requested to enter into a legal agreement to control the activities of other land in their ownership.
- (xi) Utility and infrastructure services can be provided without unacceptable visual intrusion and without detriment to the environment.

Given that the barn had already been subject to a structural survey under the previous application, which was considered acceptable, the conversion can be achieved without substantial reconstruction of the external walls, or extension to the building.

In terms of the scale of alterations proposed for the conversion, the current scheme is the same as the previously approved scheme where it was considered that the scale of the alterations to the existing barn and the scheme retains all existing openings with minimal additional openings. Therefore conversion work can be undertaken without unacceptably altering the appearance and rural character of the building.

The amenity space to serve each of the barns is the same as previously approved which relates to forecourt areas to the front of the barn and a 6 metre perimeter to the rear and side of the barn. The amenity space does not project beyond the boundaries of the yard onto adjacent agricultural land and is therefore considered acceptable.

Criterion (x) of the above policy states that the proposal should not be incompatible with activities carried out on adjoining land and that applicants may be requested to enter into a legal agreement to control the activities of other land in their ownership. In this case the land around the barn is being used for the storage and stockpiling of scrapped vehicles, the operation of a haulage yard and carrying out of vehicle repairs in the remaining barns.

Whilst a condition was attached to planning permission ref. 95/01040/FUL to require the cessation of the haulage business operating from the site and the removal of several buildings, it is not considered that such operations and activities can be required to cease by way of condition. Given the objection received from the Environmental Health Officer, these uses would have to cease in the interests of the amenity of the future occupiers of the barns and converted farmhouse. The applicant has confirmed that he would be willing to enter into a Section 106 Legal Agreement, for the cessation of the haulage business, vehicle repairs and the removal of all scrapped vehicles and other materials from the site.

In terms of access, this still remains acceptable and the Head of Visible Services (Highway Development) has not raised an objection to the proposal, subject to turning facilities and parking provision in accordance with the South Wales Parking Guidelines. The site is bounded along its eastern elevation by Public Footpath No. 9 Penllyn, and the definitive map indicates that the proposed eastern boundary enclosure of the site may obstruct the Public Footpath. Therefore, if approved, a condition should be attached requiring that the footpath is not obstructed and, if necessary, provision for a stile be made.

With regard to the refurbishment, conversion and extension of the disused farmhouse, in policy terms the use of the property as a dwelling has been abandoned. Therefore the conversion and extension of the farmhouse should also be assessed against the above referenced Policy ENV7 whilst having regard to its status as a former dwelling. The existing fabric of the farmhouse remains and appears structurally sound and the roof has also been recently replaced. The proposal relates to the sympathetic conversion of the farmhouse, where all existing openings and doorways will be re-used. Generally the conversion of the farmhouse is in accordance with the above referenced policy. The proposal also relates to an extension to the farmhouse. Whilst the policy states that such conversion works should be achieved without an extension to the building, it does state that proposals will be assessed as a matter of fact and degree, depending on the particular circumstances of the case. In this case consideration should be given to the fact that a larger extension was approved under application ref. 97/01092/FUL. That approval related to the construction of a 6 metre wide extension to the side of the house by a depth of 4.8 metres and the construction of a double attached garage on the opposing side elevation.

Given the passage of time since that approval, it is considered reasonable to still permit an extension to the farmhouse given that it was formerly used as a dwelling, although such an extension should not result in a dwelling which would be disproportionate in size to the original dwelling in order to retain its rural character. In this regard it was considered that the original approval would no longer retain the character of the dwelling and amendments were requested. The revision submitted relates to a reduction in the width of the extension from 6 metres to 5 metres and a single attached garage in place of the double attached garage. The amendments as submitted now retain the rural character of the former farmhouse and are considered acceptable.

To conclude it is considered that there are no overriding policy objections to the proposal which relates to the renewal of previously approved consents, subject to the applicant entering into a Section 106 Legal Agreement for the cessation of the haulage business, vehicle repairs and the removal of all scrapped vehicles and other materials from the site.

03874

RECOMMENDATION

Subject to the applicant first entering into a Section 106 Legal Agreement to secure the cessation of the haulage business, vehicle repairs and the removal of all scrapped and other materials from the site, and subject to the following conditions, the application be approved.

Subject to the following condition(s):

1. The permission hereby granted shall relate to the amended plans, reference 9504 PL 1-07 and 9711-104A received by the Local Planning Authority on 13th December, 2004 and 17th January, 2005 respectively.

2. Notwithstanding the submitted plans, prior to the commencement of development full details in respect of the proposed access, vehicle turning areas and provision for on-site parking and surfacing, to a scale of 1:200 which shall incorporate all of the following requirements, shall be submitted to and agreed in writing by the Local Planning Authority and shall be fully laid out prior to the beneficial use of the site and thereafter maintained.
 - i. Access to be a minimum width of 4.5m and surfaced in a bound material for a length of 10m from the adopted highway.
 - ii. Any gates to be set back 5m from the adopted highway and must open inwards.
 - iii. A minimum of 3 No. parking spaces to be provided to serve each of the units hereby approved.
 - iv. A suitable turning area to be provided to ensure all vehicles can enter and leave via the access in forward gear.
3. Notwithstanding the submitted details, further details of all windows, doors, eaves and rainwater goods, to a scale of 1:10, 1:20 and 1:50 as appropriate, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and shall be constructed in full accordance with the details as agreed and thereafter maintained at all times.
4. Samples of slate, ridge and hip tiles and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and shall thereafter be carried out in accordance with the agreed samples and thereafter maintained at all times.
5. A Method Statement detailing the cleaning, repair, repointing and where necessary the reinstatement of the stone elevations shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and the development shall be constructed in full accordance with the agreed Method Statement and thereafter maintained at all times.
6. All means of enclosure associated with the development hereby approved, shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use
7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

8. 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.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting that Order, no additional windows, doors or any other openings shall be inserted into any elevation of the converted barn or farmhouse hereby permitted, without the prior written consent of the Local Planning Authority.
10. 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(s):

1. For the avoidance of doubt.
2. In the interests of highway safety.
3. To safeguard local visual amenities.
4. To safeguard local visual amenities.
5. In the interests of visual amenities.
6. In the interests of visual amenity.
7. To safeguard local visual amenities.
8. To ensure satisfactory maintenance of the landscaped area.
9. To safeguard the privacy of adjoining occupiers and to maintain the character of the converted rural buildings.
10. To enable the Local Planning Authority to control the scale of development.

NOTE:

1. **The applicant shall be advised that the application is site crossed by Public Footpath No. 9 Penllyn. Any proposal to modify or obstruct the line of the footpath shall not be carried out without first contacting the Public Rights of Way Officer (who can be contacted on 01446 704810) for advice as to the procedural requirements for any such proposal.**

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.

Tesco Stores Ltd, Cirrus Building, Shire Park, Welwyn Garden City, Herts, AL7 1AB.

(Design Base Ltd, Northside, Wells Road, Chilcompton, Bath, BA3 4ET.)

TESCO SUPERSTORE. WESTERN ROAD, PENARTH

Temporary garden centre marquee

SITE DESCRIPTION

The Tesco superstore site in Penarth consists of a large superstore building, a petrol filling station and car park located alongside Terra Nova Way in Penarth Haven.

DESCRIPTION OF DEVELOPMENT

The application seeks consent to construct a temporary structure at the front of the Tesco superstore. It will consist of a tarpaulin material and will be in a white colour. The marquee will have barrier rails around the outside for protection against cars and in the interests of highway and pedestrian safety.

It will measure 5 metres in total height, 9.2 metres in width and 9.2 metres in depth. The location for the new marquee will be on existing car parking spaces.

The application was originally submitted seeking consent for a 5 year period to allow siting each year between the months of April to October.

PLANNING HISTORY

Current and previous planning applications on this site are:

04/01709/ADV - For hoardings at the site. Current application, not yet determined.

03/00839/FUL – For a proposed cage marshalling building within the service yard, erection of covered trolley bays and alterations to road layout within car park. This was approved on 24th October, 2003.

CONSULTATIONS

Penarth Town Council – Was consulted on 27th October, 2004. Representation was received on 15th November, 2004 indicating that the application should be approved subject to the following comments:

- “1. Planning permission should be limited to 1 year only in order that the effect of the operation can be reviewed and in view of the fact the proposed marquee is considered to be an unsuitable structure as a means of permanent development.

2. The issue of vehicle/pedestrian conflict needs to be assessed having regard to the proposed location of the marquee immediately to the front of the main entrance to the store and its siting adjacent to vehicular routes within the overall car park layout.
3. Consideration being given to requiring the applicants to contribute towards local highway improvements as a goodwill gesture by means of a Section 106 Agreement, particularly as the proposal could lead to an increase in traffic flows to the site.”

The Head of Visible Services (Highway Development) – Was consulted on the 16th November, 2004. Original representation was received on 8th December, 2004 indicating that there was no objection, providing that there had been no complaints during the 12 months trial. Further representation was received on 10th December changing the initial comments made, as follows:

- A pedestrian barrier should be erected on the open side of the marquee to prevent any conflict with vehicles in the car park.
- A twelve month trial.
- The marquee should be protected by plastic water filled crash barriers.

REPRESENTATIONS

Two site notices were displayed on 11th November, 2004.

The Oystercatcher, Chandler House and Faraday House were consulted on 2nd November, 2004.

A representation was received from Brynawel Fuchsia and Garden Centre, Penarth on 19th November, 2004. Their objection is attached at Appendix A. An e-mail from Councillor Paul Church was also received on 18th November highlighting concerns in regard to the application.

A representation from McCanna and Partners Consulting Engineers was received on 17th November, highlighting concerns regarding traffic and the quantity of rubbish generated on site.

REPORT

The new temporary structure will be a prominent feature when viewed from within the site of the Tesco superstore. However, and in contrast it will not be overly intrusive when viewed outside the Tesco site, due to the site being well screened. It will therefore only be visible to the customers of Tesco, The Oystercatcher and from distant views to some of the residents of the nearby Penarth Haven residential development. The proposal is for the siting of a temporary structure for a temporary period and only relates to siting between the months of April and the end of October. As a consequence of discussions the applicant has agreed to the temporary period being for a trial period of 1 year only. Given that the siting of the marquee will only take place between April and October a condition allowing the development to the 31st October, 2005 is suggested. It is considered that as a result, the development should not adversely affect the character of the area.

Initial concerns were raised with regard to safety, especially the safety of pedestrians. The marquee was originally located within 8 existing car parking spaces at the front entrance of the superstore, within a very busy area where cars converge regularly due to the location of an ATM machine, as well as being near parking spaces for the disabled.

After negotiation, amended plans have now been received, relocating the marquee away from the main entrance, the ATM machine and the disabled parking. The revised location is not as heavily trafficked and is located further away from the highway. As a consequence the development will therefore be less prominent.

It is not considered that the marquee will adversely affect the number of parking spaces for the store, as there is an adequate number of spaces already provided and in use.

In view of the submission of amended plans, the application is recommended for approval, on a temporary basis.

03867

RECOMMENDATION

APPROVE subject to the following condition(s):

1. This permission shall be for a temporary period only expiring on the 31st October, 2005. The marquee and all associated structures and fixtures shall be removed from the site and all car parking spaces reinstated before the 30th November, 2005.
2. The permission hereby granted shall relate to the amended plans, reference Drawing No. 3019.04.103 received by the Local Planning Authority on 3rd March, 2005.
3. The marquee will be used for the purpose of a garden centre, which shall be solely related and ancillary to the existing Tesco operation on the site.
4. Barrier safety rails shall be constructed around the marquee in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby approved.

Reason(s):

1. Permission is being sought for a temporary period only.
2. For the avoidance of doubt.
3. In order to control the sole use of the marquee.
4. In the interest of highway/pedestrian safety and for the protection of the marquee.

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.

Mr. and Mrs. R. Godfrey, 6, Uphill Close, Sully, Vale of Glamorgan. CF64 5UT
(A. J. Design Associates, P. O. Box 21, Barry, Vale of Glamorgan. CF62 4YL)

6, UPHILL CLOSE, SULLY

Proposed extension, roof alterations and internal works

SITE DESCRIPTION

The application site relates to a 2 bedroom bungalow at No. 6, Uphill Close, Sully.

The L-shaped site is approximately 570m² and is located at the head of the cul-de-sac. The plot lies between the detached bungalows of Nos. 5 and 7, Uphill Close and backs onto the open countryside of Sully Moors.

It is within the Identified Residential Settlement Boundary of Sully.

DESCRIPTION OF DEVELOPMENT

The application seeks Planning Permission for a 1st floor extension, roof alterations and internal works to convert the bungalow into a dormer bungalow. It is proposed to increase the depth of the bungalow from 7.2m to 9.5m and extend the height of the roof from 4.75m to 5.6m at ridge level. The eaves height is retained at 2.3m. The main entrance is relocated from the carport area at the side of the bungalow to the front elevation together with a new pitched roof front porch (2m in width x 1.15m in depth x 3.6m to ridge). The existing flat roof single garage and car port are to be demolished and replaced by a new full depth garage with pitched roof and front gable projection. The integral garage is 4m wide (1.2m wider than the existing garage) and projects 1.5m further than the extended dwelling at the rear and 0.6m at the front. It is 4.5m to ridge height and has a pitched roof to the front and a flat roof to the rear. Three pitched roof dormer windows are proposed to the front elevation with two pitched roof dormer windows and a velux rooflight to the rear.

The dormer bungalow will include a new hallway, cloakroom, a dining room, lounge, kitchen, breakfast area, utility room and guest bedroom with en-suite facility at ground floor and three bedrooms (one with en-suite) and a bathroom at 1st floor. All materials are to match the existing dwelling (concrete roof tiles, facing brickwork to front and side elevations and rendered rear wall, white double glazed UPVC windows and doors, softwood stained timber dormer windows and black UPVC rainwater goods). The extended dwelling has a gross floor area of approximately 230 sq. m. and benefits from approximately 370sq m of outdoor amenity space to the front, side and rear of the property. A gap of 2m and 5m is retained between the extended dormer bungalow and the adjacent properties of Nos. 5 and 7, Uphill Close respectively.

PLANNING HISTORY

None.

CONSULTATIONS

Sully Community Council – Were consulted on 26th November, 2004 and re-consulted on 31st January, 2005. Their original comments are as follows:

“The Sully Community Council wish to inform you that we would object to this planning application receiving planning consent on the following grounds:

1. Over-development of the site.
2. By allowing front dormers this would lead to lack of privacy for other residents.
3. Would be out of character to surrounding area.
4. Raising of roof level.
5. Increased vehicular traffic causing additional car parking problem.

We as a Community Council also fully support the objections submitted from residents and copies of which forwarded to my Council.”

The Community Council was notified of the receipt of amended plans on 31st January, 2005, but comments on the amended scheme have yet to be received.

REPRESENTATIONS

Neighbouring occupiers were notified on 26th November, 2004 and re-notified on 31st January, 2005.

The occupiers of Nos. 1, 2, 4, 5 and 7 Uphill Close have objected to the proposal on the following grounds:

- The extended dormer bungalow is out of character with the rest of the bungalows in Uphill Close.
- Loss of natural daylight and sunlight to the properties to the north of the application site.
- The proposed cloakroom and window is directly opposite and in close proximity to the main entrance to No. 5, Uphill Close and this could lead to noise and air pollution.
- The public sewerage system could be overloaded.
- The dormer windows to the front of the property could prejudice the privacy of adjoining occupiers.
- Disruption during the construction period.
- The development represents an over development of the site.

Three letters that are generally indicative of the points raised are attached as Appendix A to this report. All other letters are retained on file for the inspection of Members.

The local Member Councillor Ernest has commented as follows:

“I have received objections from neighbouring occupiers, in respect of proposed development at the above site. In essence, these objections relate to: -

Issues of privacy – the probability that users of the proposed new rooms in the development would overlook room(s) of adjacent properties.

Gross overdevelopment - the current bungalow styling would be converted to a multi-stored dwelling house, destroying the symmetry of the neighbourhood.

Loss of character – the built form of this pleasant cul-de-sac would be totally altered by the proposed development.

Issues of loss of light to No.5, which had similar problems some 6 years or so ago, when the other adjacent property was further developed from the original design, causing privacy issues.

I appreciate that the Planning Department will have received objections directly from some of my constituents, but having heard the difficulties likely to be caused to the immediate neighbours, I wish to support their concerns. I would be grateful if you would record my concerns within the file for this application, prior to determination.”

Councillor Ernest has also requested that the application be reported to Planning Committee for consideration.

REPORT

As the site lies within the Residential Settlement Boundary of Sully, the proposal can be assessed against the criteria set out in Policies H18, M11 and EV19 of the approved South Glamorgan Structure Plan for Alteration No.1 (June 1989); the East Vale Local Plan (1987); Policies HOUS2 – Additional Residential Development, HOUS9 – Residential Development Criteria, and ENV25 – Design of New Development of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004); the approved South Wales Parking guidelines and Planning Policy Wales (March 2002).

The main issues relate to the siting and the scale of the extended dormer bungalow; the impact of its design and scale on the character and appearance of the cul-de-sac, the potential impact on the privacy and amenities of neighbouring occupiers and the provision of usable outdoor amenity space and parking.

The existing bungalow is consistent with the surrounding properties apart from No. 4, Uphill Close, which has a dormer extension following planning permission in May, 1998. The proposed 1st floor extension adds 800mm to the height of the dwelling.

Whilst the design and scale of the extended dwelling is of a different scale to the two flanking properties, the cul-de-sac does not lie within a Conservation Area. However, the materials are consistent with the existing bungalow and it is considered that the proposed dwelling and dormer window features should not have a detrimental effect on the visual amenities of the area.

The rear bedroom dormer window has been replaced by a velux rooflight in order to reduce the potential for overlooking the neighbouring property at No. 5, Uphill Close and to reduce the bulk of the development close to the boundary with that property. As the dwelling is orientated at a right angle to No.7, Uphill Close it is considered that the front dormer windows will only have oblique views towards that property and the rear dormers should not overlook the garden of that property. There are no habitable windows in the side elevations of the proposed dwelling and therefore the proposal should preserve the privacy of the adjoining occupiers, in accordance with advice contained within the Amenity Standards Supplementary Planning Guidance. The ground floor cloakroom window fronting the entrance to No. 5, Uphill Close should be obscurely glazed and fixed to preserve the amenities of the neighbouring occupier.

Whilst the development would result in the loss of the some of the rear garden area, the dwelling will retain approximately 370m² of outdoor amenity space and this is in accordance with advice contained within the adopted Supplementary Planning Guidance Note on 'Amenity Standards'.

The parking guidelines recommend that dwellings of over 120m² of gross floorspace should be provided with at least 3 No. surface parking spaces on the driveway and the scheme proposes one integral garage to accommodate two cars and at least two surface parking spaces on the driveway.

Having regard to the above, the following recommendation is made.

Consideration of this application was deferred at the previous Committee Meeting on 17th March, 2005 to enable Committee Members to inspect the site. It is currently anticipated that the inspection will take place on 11th April, 2005.

3850

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.
2. The permission hereby granted shall relate to the amended plans, reference 04 Rev A and 05 Rev A received by the Local Planning Authority on 14th January, 2005.
3. The cloakroom window to the north elevation of the dwelling shall be obscurely glazed and be a fixed non-opening type, and shall be so maintained at all times.

4. The garage(s) hereby approved shall not be used for commercial purposes and shall not be used for storage or parking of vehicles other than private motor vehicles.

Reason(s):

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. In the interests of residential privacy and amenity.
4. To safeguard local amenities.

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.

Clair Toplis, Vale of Glamorgan Council, Dock Office, Barry, Vale of Glamorgan.
CF63 6RT
(Dennis Hellyar, Austin Smith Lord Architects, 1, Dunleavy Drive, Cardiff. CF11
0SN)

**ENTREPRENEURSHIP CENTRE SITE, ADJACENT HOOD ROAD, BARRY
WATERFRONT**

New build consisting of workshops and offices for young and new businesses

The property adjoins a Grade II Listed building.

The application was advertised on 22nd March, 2005.

SITE DESCRIPTION

The application relates to a site of approximately 1.3 hectares located to the west of the Grade II Listed Pump House and to the south of the Barry College Skills Centre at the western end of the Barry Waterfront development area. The site is presently unused scrub-land, formerly part of the extensive railway sidings in this area, and is at a higher level than the Pump House. The site is part of the Commercial Heritage and Education Quarter of the Waterfront development.

DESCRIPTION OF DEVELOPMENT

This is an application under Regulation 3 of the Town and Country Planning General Regulations for an Entrepreneurship Centre, comprising office accommodation and work space for small businesses. The Centre is proposed to be a two storey building of approximately 1500 sq.m floor area, arranged as two wings off a central reception core, with 15 offices and 8 workshops. Parking for 34 vehicles, including four disabled spaces plus areas for operational access to the workshops, is proposed with access off the road currently serving the Skills Centre. This proposal is essentially a re-siting and re-design of a similar proposal approved in 2002 but not implemented.

PLANNING HISTORY

(Overlapping site) 01/01573/REG3 : Entrepreneurship Centre. Approved 28th February 2002. Not implemented.

CONSULTATIONS

Barry Town Council welcome the project. They have no objections subject to:

- (i) the Highway Authority being fully satisfied with the proposals for vehicular access, and
- (ii) the Local Planning Authority being satisfied:
 - (a) that the design, finish and colouring will relate well to the adjoining Grade II Listed Pumphouse, the Hood Road Goods Shed and the Skills Centre;

- (b) with the level of on-site car parking and proposals for deliveries and the manoeuvring of vehicles within the rear service area; and
- (c) with proposals for landscaping, planting and site enclosure.

Their letter is attached as Appendix A.

Environment Agency - Consider that previous activities on the site may have caused contamination and recommend that a site investigation and appropriate mitigation should be carried out. Their letter is attached as Appendix B.

Director of Legal and Regulatory Services (Pollution Control Officer) - Has no objection in principle but notes that elevated concentrations of metals were detected during preliminary site investigation works and therefore insists that additional site investigation works be carried out and a remediation method statement be prepared prior to any development taking place. He gives detailed information on the particular methods of survey that must be carried out. His memo is attached as Appendix C.

The Head of Visible Services (Highway Development) – Was consulted on the 27th January, 2005.

The comments are referred to in the body of the report.

The matter was subject to a presentation to the Design Commission for Wales on the 2nd March, 2005, with presentations being given to the architect for the scheme. The comments of the Commission can be summarised as follows:

- In terms of internal arrangements, the Commission questioned the high ceilings to the office units.
- There was concern that the store room was within the most prominent location of the building and the panel considered that a more active use should be proposed in this location.
- In general, on internal arrangements, the panel felt that the floorspace and section of the building should be reviewed to provide better quality workshop and office space.
- On external space and appearance, the panel concluded that the quality of external work is critical to the setting of the building and its connectivity to adjoining sites and buildings. The Design Commission paid particular regard to planting proposals and the need for landscaping.

REPRESENTATIONS

The application was advertised on site on 31st January, 2005 and the necessary publicity for an application affecting the setting of a Listed Building was carried out on 22nd March 2005. No comments have been received at the time of writing this report.

REPORT

The proposal is essentially a redesign, on an amended site, of the similar proposal approved in 2002, and the scheme forms a central part of the redevelopment of the Commercial Heritage and Education Quarter. There is no objection in principle in policy terms to the development and it generally meets the criteria attached to Policy EMP3 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004), although there are outstanding issues with access, parking and landscaping that are addressed below.

This will be an important building in a prominent elevated position. The proposed design, to incorporate facing brickwork to match the adjoining Pumphouse with areas of timber cladding at first floor level under a slate roof with solid rooflight features, again designed to emulate the Pumphouse, attempts to replicate the strong Victorian railway engineering vernacular of the area which has already been strengthened by the adjoining Skills Centre.

The Council's Conservation Architect considers the proposal to be acceptable. With reference to the comments of the Design Commission for Wales, these are noted as referring in the main to internal matters. The matter relating to external appearance and setting are all adequately covered by conditions.

The application as submitted makes no provision for landscaping of the site. In view of its prominent location, close to a Grade II Listed Building, I consider a full landscaping scheme should be prepared to minimise the visual impact of the development in this important area.

The proposal as submitted includes a new access on to the existing Skills Centre access road off the Ffordd y Mileniwm/Hood Road roundabout, but the application site boundary includes additional land on the north and east sides of the Pump House which is intended to be used for a future improved access to the entire complex. The Council's highway engineers consider that the currently proposed arrangement is acceptable only as a temporary arrangement and in the longer term Condition No. 3 adequately covers this point, they require an improved access to be approved and implemented.

The proposed car parking and industrial operational parking requirements appear to meet the Council's approved Parking Guideline standards for this mixed development. However, both Planning Policy Wales 2002 and Technical Advice Note (Wales) 18 Transport (1998) encourage developers to restrict parking and to improve public transport, walking and cycling on new developments that have transport implications. Furthermore, Policy 8 of the Council's Local Transport Plan (2000) states that 'the Council will promote the development of green transport plans at locations where there are significant transport movements'. It would therefore appear appropriate to request the preparation and implementation of a travel plan for this site.

03869

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.
2. Prior to the commencement of development, a programme of site investigation works designed to ascertain whether the site is contaminated, shall be implemented in accordance with details to be first submitted in writing to and approved in writing by the Local Planning Authority. Any remediation measures deemed to be required as an outcome of the investigation programme shall be carried out prior to the commencement of development or at such other time as may be required in writing by the Local Planning Authority.
3. Notwithstanding the submitted plans, prior to the building hereby approved being brought into beneficial occupation, a scheme for the improvement of the access into the site shall be submitted in writing for the written approval of the Local Planning Authority. The scheme shall include full details of the timing of the access improvement works having regard to the likely occupation of the building hereby approved and the development of other phases of the Innovation Quarter.
4. Details of the materials and colour of the external finishes of the proposed building, including roof slates and facing brickwork shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.
5. Prior to its construction, full details of the design and materials of the bin store shall be submitted in writing to and approved in writing by the Local Planning Authority. The store shall be constructed in accordance with the approved details.
6. Prior to the building hereby approved being brought into beneficial occupation, a travel plan for the site shall be submitted in writing to and approved in writing by the Local Planning Authority. The approved plan shall be implemented at the time of the building hereby approved being brought into beneficial occupation and shall be retained in operation at all times.
7. The proposed parking and operational turning areas shown on drawing reference L(90)002 submitted with the application shall be laid out and surfaced in accordance with the specification on that drawing prior to the building hereby approved being brought into beneficial occupation.
8. Prior to the building hereby approved being brought into beneficial occupation, details of the proposed cycle parking facilities shall be submitted in writing to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the building hereby approved being brought into beneficial occupation and shall be retained in use at all times thereafter.
9. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

10. 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.
11. Prior to its construction, full details of the proposed site boundary treatment, including the proposed spike and spear fencing and the sliding gate, shall be submitted in writing to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to the building hereby approved being brought into beneficial occupation and shall be retained in use at all times thereafter.

Reason(s):

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of prevention of pollution.
3. In the interests of highway safety.
4. To safeguard local visual amenities.
5. In the interests of visual amenity.
6. In the interests of encouraging the use of public transport to the site.
7. To ensure adequate parking is provided for the development.
8. To be added.
9. To safeguard local visual amenities.
10. To ensure satisfactory maintenance of the landscaped area.
11. In the interests of visual amenity.

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.

John Homfray, Penllyn Court, Cowbridge, Vale of Glamorgan. CF71 7RQ
(Noel Architects, Walters Buildings, Clarence Road, Cardiff. CF10 5FA)

LLWYNHELIG FARM, COWBRIDGE

Three bedroom bungalow for an agricultural worker

SITE DESCRIPTION

The application site comprises an area of scrubland located to the south of an existing dwelling "White Cottage" and forming part of an existing agricultural enterprise at Llwynhelig Farm lying on the northern side of Cowbridge.

DESCRIPTION OF DEVELOPMENT

This is an application for full planning permission for the construction of a detached, hipped roof bungalow for an agricultural worker. The proposed bungalow would be sited to the south of an existing agriculturally tied dwelling within the Llwynhelig Farm complex. It would measure approximately 13.5m x 12m to a ridge height of 6.5m. The accommodation will comprise 3 No. bedrooms, living room, kitchen/dining room, utility room, bathroom, shower room and wc, plus garage and a lobby entrance porch. The external finishes will be render and Welsh slate. Vehicular access will be directly off the existing internal access drive through the farm.

PLANNING HISTORY

There has been a considerable number of applications submitted in relation to the surrounding farm. Of particular relevance to the current application are: -

Cord 171/72 and Cord 93/71 – Agricultural dwelling "White Cottage".

74/0120 – Agricultural dwelling "The Lodge".

74/1125 – Agricultural dwelling "Robin Hill".

01/00036/FUL – New farm shop and access road. Refused 29th June, 2001 on the ground of intensified use of a sub-standard access to the detriment of highway safety.

04/00734/FUL – Retention of taxi business. Approved 27th August, 2004 subject to no more than four vehicles and temporary use which shall cease on or before 1st September, 2007.

04/01472/FUL – Convert old calf shed into game processing unit. Approved 22nd October, 2004 subject to no more than two vehicles and use restricted to that specified in application.

CONSULTATIONS

Penllyn Community Council – Were notified on 28th January, 2005.

Environment Agency – Submitted “Standard Advice Guidance Note for Developers” only.

Welsh Water – No comment as the applicants intend utilising private drainage facilities.

Glamorgan Gwent Archaeological Trust – No objection.

Director of Legal and Regulatory Services, Pollution Section – No comments.

Agricultural Consultant – The Council’s appointed agricultural advisor has submitted an appraisal on the application. This is reproduced in full at Appendix A. The conclusion states: - “In our opinion there is insufficient evidence that there is a proven need for this dwelling.”

REPRESENTATIONS

The occupiers of neighbouring properties were notified on 28th January, 2005. In addition a site notice was posted on 10th February, 2005. No representations have been received to date.

REPORT

The site is located in the countryside outside of the defined settlement boundary for Cowbridge. As such the following policy background is relevant.

The adopted development plan is comprised of the South Glamorgan Structure Plan Proposals for Alteration No. 1 1989 and the Cowbridge Local Plan 1986. Policies EV3 and H10 of the Structure Plan carry a presumption against urban development and new housing within the countryside unless justified for the purpose of agriculture or forestry.

Policy EV19 of the Structure Plan relates to the design of new development requiring a standard of design that has full regard to its relationship with adjacent buildings and groups of buildings, especially within or adjacent to a Conservation Area, important townscape or landscape features. In addition the site lies within the Thaw Valley Special Landscape Area identified in Policy EV12 of the Structure Plan.

Policies 1 and 2 of the Cowbridge Local Plan restrict residential development in Cowbridge to infill and the implementation of allocated sites. Individual houses in the countryside will only be permitted where necessary for agriculture. Policies 36 and 37 of the Cowbridge Local Plan aim to protect the countryside from development which would detract from its rural character and landscape quality, particularly in the Thaw Valley Area of Special Landscape Value.

The most up-to-date policies are contained within the emerging Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004).

Policy ENV1 relates to development in the countryside and states: -

WITHIN THE DELINEATED COUNTRYSIDE PERMISSION WILL ONLY BE GRANTED FOR:

- (i) DEVELOPMENT WHICH IS ESSENTIAL FOR AGRICULTURE, HORTICULTURE, FORESTRY OR OTHER DEVELOPMENT INCLUDING MINERAL EXTRACTION, WASTE MANAGEMENT, UTILITIES OR INFRASTRUCTURE FOR WHICH A RURAL LOCATION IS ESSENTIAL;
- (ii) APPROPRIATE RECREATIONAL USE;
- (iii) THE RE-USE OR ADAPTATION OF EXISTING BUILDINGS PARTICULARLY TO ASSIST THE DIVERSIFICATION OF THE RURAL ECONOMY;
- (iv) DEVELOPMENT WHICH IS APPROVED UNDER OTHER POLICIES OF THE PLAN.

Policy ENV XXX – Special Landscape Areas identifies the site as lying within the Upper Thaw Valley Special Landscape Area and permits development where it can be demonstrated that it would not adversely effect the landscape character, landscape features or visual amenities of the Special landscape Area.

Policy ENV 25 refers to the design of new development and requires that it has full regard to the context of the local natural and built environment and its special features.

Policy HOUS 3 of the Unitary Development Plan relates to dwellings in the countryside and states that the erection of new dwellings in the countryside will be restricted to those that can be justified in the interests of agriculture and forestry. Policy HOUS 5 relates to agricultural or forestry dwellings and states: -

“THE DEVELOPMENT OF NEW DWELLINGS BEYOND THE IDENTIFIED SETTLEMENT BOUNDARIES DESIGNATED BY POLICY HOUSE 2 IN ASSOCIATION WITH AGRICULTURE OR FORESTRY WILL BE PERMITTED IF:

- (1) AN ESSENTIAL NEED, BASED ON A FUNCTIONAL AND WHERE APPROPRIATE FINANCIAL NECESSITY IS CLEARLY DEMONSTRATED.
- (2) THE SCALE, SITING, DESIGN, LANDSCAPE AND EXTERNAL APPEARANCE OF THE PROPOSED NEW DWELLING IS COMPATIBLE WITH ANY EXISTING RELATED STRUCTURES AND THE SURROUNDING LANDSCAPE; AND
- (3) AN ACCEPTABLE ACCESS TO THE DWELLING CAN BE PROVIDED.

IF THESE CRITERIA ARE MET A CONDITION WILL BE IMPOSED ON ALL NEW AGRICULTURE/FORESTRY DWELLINGS LIMITING THE OCCUPATION OF THE DWELLING TO A PERSON SOLELY, OR MAINLY, WORKING, OR LAST WORKING IN THE LOCALITY, IN AGRICULTURE AS DEFINED IN SECTION 336 OF THE TOWN AND COUNTRY PLANNING ACT 1990, OR IN FORESTRY OR A WINDOW OR WIDOWER OF SUCH A PERSON, AND TO ANY RESIDENT DEPENDANTS.”

National guidance is contained within Planning Policy Wales March, 2003. Paragraph 9.36 indicates that new houses in the open countryside require special justification, for example, where they are essential to enable farm or forestry workers to live at or close to their place of work in the absence of nearby accommodation. In line with TAN 6 “Agricultural and Rural Development” the guidance requires that in determining planning applications for agricultural dwellings consideration should be given to:

- “A functional test to establish whether, for the proper functioning of the enterprise (in terms of both its current and likely future requirements), one or more workers needs to be readily available at most times; and
- A financial test to establish that the farming enterprise is economically viable, since if it is not, new permanent accommodation cannot be justified on agricultural grounds, and to provide evidence of the size of dwelling which the unit can sustain.”

In assessing the proposal against the above policies and guidance it is noted that the Council’s appointed agricultural advisor has undertaken an appraisal of the application. Under the functional test, which is required to show that there is a proven agricultural need for a farm worker to be present on site most times out of necessity, it is noted that there are already six dwellings on the farm. The Council’s own records show that “Robin Hill”, “The Lodge” and “White Cottage” all within close proximity to the application site are all the subject of valid agricultural occupancy conditions. The proof required is that there is sufficient “additional” need and the appraisal indicates that insufficient evidence of a proven need has been submitted to satisfy the functional test. Since the functional test has not been satisfied further information on the financial test has not been sought.

A secondary issue in the determination of this application relates to the details of design and the impact on the surrounding countryside and the Upper Thaw Valley Special Landscape Area. It is noted that the Council’s Highway Engineer has no objections in principle subject to car parking and on-site turning facilities. As regards the size, scale and design of the house itself it is not possible to judge whether or not the dwelling would be commensurate with the requirements of the particular agricultural enterprise without undertaking the financial test. This test has not been undertaken as the functional test has failed. Notwithstanding this, whilst the proposed dwelling is a relatively unimposing building located in the vicinity of the existing development at Llwynhelig Farm, nevertheless it represents unjustified new housing in the countryside that would consolidate and intensify development at the farm complex which would detract from the rural character of the Upper Thaw Valley Special Landscape Area.

In view of the above the following recommendation is made.

03873

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. In the opinion of the Local Planning Authority, there is insufficient evidence to prove the need for an additional agricultural dwelling to serve the farming enterprise. The proposal therefore amounts to an unjustified new dwelling in the countryside that would adversely affect the rural character of the surrounding countryside, in particular the Upper Thaw Valley Special Landscape Area, contrary to Policies EV3, EV12, EV19 and H10 of the South Glamorgan Structure Plan Proposals, for Alteration No. 1 1989; Policies Nos. 1, 2, 36 and 37 of the Cowbridge Local Plan 1986; Policies ENV1, ENVXXX - Special Landscape Areas, ENV25, HOUS3 and HOUS5 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004); and National Guidance contained in Planning Policy Wales March, 2002.

Mr Arthur Reed, C/O 28, Maes Y Wennol, Miskin, CF72 8SB.
(Steve Thomas, 21, Oaklands Avenue, Bridgend, CF31 4ST.)

**LAND ADJACENT TO THE COTTAGE, RAILWAY VIEW, ST. BRIDES MAJOR,
BRIDGEND**

New detached domestic dwelling

SITE DESCRIPTION

The application site comprises part of the garden curtilage to an existing detached dwellinghouse and is currently occupied by a single storey detached garage. The site is located in the countryside to the north of St. Brides Major.

DESCRIPTION OF DEVELOPMENT

This is an outline application with all matters other than siting and access reserved for subsequent detailed approval, for the construction of a detached dwelling. It is noted however that the submitted plans state that the position is for "indicative purpose only". Notwithstanding this, the plans show the demolition of the existing garage and a new dwelling sited approximately 18.6m from the existing house. A new vehicular access will be created in the north eastern corner of the site.

PLANNING HISTORY

95/0156 – Former Ogwr Borough Council. Construction of 4 detached houses. Refused 12th May, 1995 for the following reasons:

- “1. The site lies in a rural area and the proposal, which constitutes an undesirable intensification of development in ribbon form, would be prejudicial to the character of the area in which it is intended that the existing uses of land shall remain for the most part undisturbed, would be contrary to established national, regional and local planning policies and would set an undesirable precedent for further applications for similar development in the area to the detriment of visual amenities.
2. The narrow access road leading to the site is unsuitable to serve the proposed development.
3. The proposed additional use of the sub-standard access will create increased traffic hazards, to the detriment of highway safety, to and from the classified route B4265.
4. The design of the proposed dwellings will introduce alien features into this rural area to the detriment of its character and local visual amenities.”

96/00812/FUL – Two storey extension to existing dwelling. Approved 11th October, 1996.

97/01002/FUL – Single storey sun lounge. Approved 31st October, 1997.

97/01304/OUT – New dwelling. Refused 26th March, 1998 for the following reason:

“The proposal represents intensification of ribbon development in the open countryside contrary to Policies EV1, EV11, EV12 and H12 of the adopted Ogwr Borough Council Local Plan 1995.”

99/00917/FUL – Garage. Approved 1st October, 1999.

CONSULTATIONS

St. Brides Major Community Council – “My Council feels that insufficient information was supplied with this application to make a fair assessment as there are no details or measurements to be guided by.”

Environment Agency – Submitted their “Standard Advice Guidance Note for Developers”, only.

Welsh Water – No objections, suggested conditions and advisory notes.

Director of Legal and Regulatory Services (Pollution Section) – No comment.

The Head of Visible Services (Highway Development) – Was consulted on the 23rd February, 2005. A response is awaited.

REPRESENTATIONS

The owners of neighbouring properties were notified on 23rd February, 2005. In addition, the application was advertised on site and in the press on 1st March, 2005.

No representations have been received to date.

REPORT

The site is located within the countryside a considerable distance outside of the defined settlement boundary for St. Brides Major. The following policy background is therefore relevant.

The adopted development plan for the area is comprised of the Mid Glamorgan Structure Plan Proposals for Alteration No. 1, 1989 and the Ogwr Borough Local Plan 1995. Relevant policies in the Structure Plan include Policy S3 which carries a presumption against unnecessary development in the countryside, including the extension of ribbon and sporadic development, and Policy S35 which restricts housing development in the rural coastal area of Ogwr to limited infilling and rounding off.

Within the Ogwr Local Plan relevant policies include Policies EV1 and EV11 which restrict development in the countryside outside of defined settlement boundaries. In addition Policy EV12 states:

“The extension of ribbon development and/or sporadic development or its intensification throughout the Borough, particularly within the surrounding isolated pockets of houses in the countryside, will not be permitted.”

Whilst Policy H12 allows for small scale infilling and rounding off of St. Brides Major new housing not related to the settlements will not be permitted.

The most up-to-date policies are contained within the emerging Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004). The Plan contains similar policies to those referred to above, including Policies ENV1, HOUS2 and HOUS3 which aim to protect the countryside from unjustified and inappropriate development.

In addition it is noted that the site lies adjacent to the Castle upon Alun Special Landscape Area, one of the important features of which is its “remote” nature and sense of wilderness. Policy ENV XXX – Special Landscape Areas states that new development within or closely related to the Special Landscape Areas will be permitted where it can be demonstrated that it would not adversely effect the landscape character, landscape features or visual amenities of the Special Landscape Area.

The above local policies follow the national guidance contained within Planning Policy Wales March 2002. Paragraph 9.3.1 states:

“New housing developments should be well integrated with and connected to the existing pattern of settlements. The expansion of towns and villages should avoid creating ribbon development, coalescence of settlements or a fragmented development pattern.”

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

The proposal is to construct a new dwelling in the countryside in a location well outside of the defined settlement boundary for St. Brides Major. The proposal cannot, therefore, be considered as “infill” or “rounding off” development but rather it represents the intensification of the existing sporadic, ribbon housing development sited along the western side of a rural access track. The construction of the proposed dwelling cannot be justified in policy terms for the purposes of agriculture or forestry. It is considered that the construction of such an unjustified dwelling would seriously detract from the rural surroundings, in particular the remote and unspoilt nature of the adjacent Castle upon Alun Special Landscape Area.

In view of the above the following recommendation is made.

03870

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. In the opinion of the Local Planning Authority the proposal represents the unjustified intensification of sporadic, ribbon development in the countryside which would adversely affect the unspoilt rural character of the area, in particular the remote wilderness nature of the adjacent Castle upon Alun Special Landscape Area contrary to Policies S3 and S35 of the Mid Glamorgan Structure Plan Proposals for Alteration No. 1, 1989; Policies EV1, EV11, EV12 and H12 of the Ogwr Borough Local Plan 1995; Policies ENV1, ENVXXX - Special Landscape Areas, HOUS2 and HOUS3 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004); and national guidance contained within Planning Policy Wales March 2002.

Mr. Kelvin Roberts, C/o Agent.
(Jenkins Gould Partnership, Union Offices, Quarella Road, Bridgend. CF32 0LB
)

LAND AT VALE COTTAGE, ST. DONATS

Erection of detached dwelling

The application was advertised on 15th March, 2005.

SITE DESCRIPTION

The application site relates to the southern part of the curtilage of Vale Cottage, St. Donats. The site is approximately 1300m² and lies to the north of the village. It is bounded by a detached dwelling to the north (Vale Cottage), woodland and a brook to the south and west and it fronts onto the road to the east. The site lies on a bank and includes mature trees and a stone wall along its boundary. There is no existing access to this part of the site.

It is designated as open countryside and lies within the Glamorgan Heritage Coast.

DESCRIPTION OF DEVELOPMENT

The application seeks Outline Planning Permission for a detached dwelling on land at Vale Cottage, St. Donats. All matters are reserved for future approval apart from access and siting.

PLANNING HISTORY

05/00341/OUT - Erection of a detached dwelling to the north of Vale Cottage. Yet to be determined.

87/00259/FUL - Detached double garage and garden store. Approved 28th April, 1987.

CONSULTATIONS

St. Donats Community Council – “The Community Council would question whether this application is outside the terms of the Vale Council UDP as the development is situated on land which it is believed falls inside the local Conservation Area and the Glamorgan Heritage Coast boundary. The land in question is situated on a considerable slope and we would question its suitability for building.”

The Head of Visible Services (Highway Development) - Was consulted on 2nd March, 2005. No comments have been received to date.

Dwr Cymru/Welsh Water - Was consulted on 2nd March, 2005 and advises:

“As the applicant intends utilising private drainage facilities we as Network Development Consultants on behalf of Dwr Cymru Welsh Water have no comment to make on the above Planning Application. However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.”

Environment Agency - Were consulted on 2nd March, 2005. A copy of their letter is attached as Appendix A to the report.

CADW Welsh Historic Monuments – Were consulted on 2nd March, 2005 and no comments have been received to date.

Heritage Coast Centre – Were consulted on 2nd March, 2005 and no comments have been received to date.

The Director of Legal and Regulatory Services (Environmental Health) – Was consulted on 23rd February, 2005. “This department has no comment to make regarding the above application.”

REPRESENTATIONS

Neighbouring occupiers were notified on 2nd March, 2005 and the application was advertised on site and in the press on 15th March, 2005. The occupiers of Copper Beach and The Woodlands have objected to the proposal on the following grounds:

- A new access and additional vehicles using the narrow road to the detriment of highway safety.
- A new dwelling would detract from their amenities.
- The ground is unsuitable for building as it floods during the winter.
- The applicant is not a permanent resident.
- The proposed dwelling lies within the Heritage Coast.
- The setting of a precedent.

The two letters are attached as Appendix B to this report.

REPORT

The application seeks outline consent for a residential development at Vale Cottage, St. Donats. The rectangular site lies well outside any identified Residential Settlement Boundaries, forms part of the open countryside, is within the Heritage Coast and is described in the application form as “part of grounds surrounding Vale Cottage”.

The proposal can be assessed against Policies H10 – Dwellings in the Countryside, EV13 – New Development Along the Heritage Coast of the approved South Glamorgan Structure Plan (June 1989); Policies ENV1 – Development in the Countryside, ENV4 – The Glamorgan Heritage Coast, ENV9 – Conservation of the Countryside ENV10 – Protection of Landscape Features, HOUS2 – Additional Residential Development, HOUS3 – Dwellings in the Countryside of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004) and Planning Policy Wales (March 2002).

As all matters apart from siting and access are reserved for future approval, the main issue relates to the principle of the proposed development being outside the settlement boundary, in the open countryside and within the Heritage Coast.

The site lies within St. Donats, which is not identified as being among those settlements within the Vale that can be considered to be suitable for accommodating further residential developments. The justification for this is clarified within the accompanying text to Policy HOUS3 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2003):

“Those rural villages not identified in Policy HOUS2 are considered not to have sufficient physical form or capacity to assimilate new residential development without having a detrimental impact on their existing character and environment. Additional residential development in certain villages will not be permitted in order to protect their character and appearance. Consequently these have been excluded from Policy HOUS2. Furthermore, the many groups of scattered and loose knit buildings in the Rural Vale cannot be regarded as settlements under the terms of Policy HOUS2. These are little more than pockets of dwellings and farmsteads lying in isolation in the countryside. Additional dwellings would be inappropriate in these locations unless justified in the interests of agriculture or forestry.”

Consequently, development within settlements other than those identified within policy would be considered to constitute development within the open countryside, with new housing being restricted only to housing that can be justified for forestry and agricultural purposes. No such justification has been included within the application and it is assumed that the proposal is for private housing.

The curtilage of Vale Cottage forms part of the countryside and acts as an important “open space” between buildings at the northern edge of the village. The site lies wholly within the Glamorgan Heritage Coast where priority is given to agriculture, landscape and nature conservation. There are trees present on the site, however following an assessment undertaken by the Council, none of the trees which would need to be removed to accommodate the development are worthy of a Tree Preservation Order. There are no objections raised specifically relating to loss of tree cover.

The gable end of the proposed dwelling would be within 9m of the main south facing windows of the existing dwelling at Vale Cottage and it is considered that this is likely to have a detrimental effect on the amenities and privacy of the occupiers of this property, although no formal details of the dwelling have been submitted at this stage.

Having regard to the above, the following recommendation is made.

03871

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposal, by reason of its location, would represent an unacceptable form of new residential development in the countryside and the Glamorgan Heritage Coast that cannot be justified in the interests of agriculture or forestry. Accordingly it would both breach and undermine the objectives of Policies ENV1, ENV4, ENV9, ENV10 and HOUS3 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004) and Policies H10 and EV13 of the South Glamorgan Structure Plan Proposals for Alteration No. 1, 1989.

Mr. Kelvin Roberts, C/o Agent.
(Jenkins Gould Partnership, Union Offices, Quarella Road, Bridgend. CF32 0LB)

LAND AT VALE COTTAGE, ST. DONATS

Erection of detached dwelling

The application was advertised on 15th March, 2005.

SITE DESCRIPTION

The application site relates to the northern part of the curtilage of Vale Cottage, St. Donats. The site is approximately 1300m² and lies to the north of the village. It lies between detached dwellings to the north (The Woodlands) and the south (Vale Cottage), woodland and a brook to the west and it fronts onto the road to the east. The site lies in a dip that is considerably lower than the main road level and includes mature trees and a stone wall along its boundary. It is adjacent to an existing detached double garage with a pitched roof and access to the site is via an existing gateway and drive.

It is designated as open countryside and lies within the Glamorgan Heritage Coast.

DESCRIPTION OF DEVELOPMENT

The application seeks Outline Planning Permission for a detached dwelling on land at Vale Cottage, St. Donats. All matters are reserved for future approval apart from access and siting. The existing garage is to be demolished to make way for the new detached property and the existing access and driveway is to be shared with Vale Cottage.

PLANNING HISTORY

05/00265/OUT - Erection of a detached dwelling to the south of Vale Cottage (yet to be determined).

87/00259/FUL - Detached double garage and garden store. Approved 28th April, 1987.

CONSULTATIONS

St. Donats Community Council - Was consulted on 17th March, 2005. No comments have been received to date.

The Head of Visible Services (Highway Development) - Was consulted on 17th March, 2005. No comments have been received to date.

Dwr Cymru/Welsh Water - Was consulted on 17th March, 2005 and advises:

“As the applicant intends utilising private drainage facilities we as Network Development Consultants on behalf of Dwr Cymru Welsh Water have no comment to make on the above Planning Application. However, should circumstances change and a connection to the public sewerage system/public sewerage treatment works is preferred we must be re-consulted on this application.”

Environment Agency - Was consulted on 17th March, 2005. No comments have been received to date.

CADW Welsh Historic Monuments – Was consulted on 17th March, 2005 and no comments have been received to date.

The Head of Economic Development and Leisure (Operational Manager (Countryside & Environmental Projects) – Was consulted on 17th March, 2005 and has no observations save for advising that Paul Dunn (Principal Ranger at Glamorgan Heritage Coast) may make comments.

Heritage Coast Centre – Was consulted on 17th March, 2005 and no comments have been received to date.

The Director of Legal and Regulatory Services (Environmental Health) – “This Department has no comment to make regarding this application.”

The Head of Visible Services (Operational Manager Engineering Design) – Was consulted on 17th March, 2005. “A watercourse passes on the boundary of the proposed development and it may be affected by the proposed boundary. 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.”

REPRESENTATIONS

Neighbouring occupiers were notified on 17th March, 2005 and the application was advertised on site and in the press on 15th March, 2005. No representations have been received to date.

REPORT

The application seeks outline consent for a residential development at Vale Cottage, St. Donats. The site lies outside any identified Residential Settlement Boundaries, forms part of the open countryside, is within the Glamorgan Heritage Coast and is described in the application form as “part of grounds surrounding Vale Cottage.”

The proposal can be assessed against Policies H10 – Dwellings in the Countryside, EV13 – New Development Along the Heritage Coast of the approved South Glamorgan Structure Plan (June 1989); Policies ENV1 – Development in the Countryside, ENV4 – The Glamorgan Heritage Coast, ENV6 – Water Resources, ENV9 – Conservation of the Countryside ENV10 – Protection of Landscape Features, HOUS2 – Additional Residential Development, HOUS3 – Dwellings in the Countryside of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004) and Planning Policy Wales (March 2002).

As all matters apart from siting and access are reserved for future approval, the main issue relates to the principle of dwelling outside the settlement boundary, in the open countryside within the Heritage Coast.

The site lies within St. Donats, which is not identified as being among those settlements within the Vale that can be considered to be suitable for accommodating further residential developments. The justification for this is clarified within the accompanying text to Policy HOUS3 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2003):

“Those rural villages not identified in Policy HOUS2 are considered not to have sufficient physical form or capacity to assimilate new residential development without having a detrimental impact on their existing character and environment. Additional residential development in certain villages will not be permitted in order to protect their character and appearance. Consequently these have been excluded from Policy HOUS2. Furthermore, the many groups of scattered and loose knit buildings in the Rural Vale cannot be regarded as settlements under the terms of Policy HOUS2. These are little more than pockets of dwellings and farmsteads lying in isolation in the countryside. Additional dwellings would be inappropriate in these locations unless justified in the interests of agriculture or forestry.”

Consequently, development within settlements other than those identified within policy would be considered to constitute development within the open countryside, with new housing being restricted only to housing that can be justified for forestry and agricultural purposes. No such justification has been included within the application and it is assumed that the proposal is for private housing.

The curtilage of Vale Cottage forms part of the countryside and acts as an important “open space” between buildings at the northern edge of the village. The site lies wholly within the Glamorgan Heritage Coast where priority is given to agriculture, landscape and nature conservation. There are trees present on the site, however following an assessment undertaken by the Council, none of the trees which would need to be removed to accommodate the development are worthy of a Tree Preservation Order. There are no objections raised specifically relating to the loss of tree cover.

The dwelling is set back approximately 21m from the highway and is not in line with the established properties at The Woodlands and Vale Cottage. The site is elevated above The Woodlands and it is considered that the new dwelling would overlook the adjacent property and would be likely to have a detrimental effect on the amenities and privacy of the occupiers of The Woodlands.

03872

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposal, by reason of its location, would represent an unacceptable form of new residential development in the countryside and the Glamorgan Heritage Coast that cannot be justified in the interests of agriculture or forestry. Accordingly, it would both breach and undermine the objectives of Policies ENV1, ENV4, ENV9, ENV10 and HOUS3 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004) and Policies H10 and EV3 of the South Glamorgan Structure Plan Proposals for Alteration No. 1, 1989.