VALE of GLAMORGAN

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BRO MORGANNWG

[redacted]

Notice of Meeting **PLANNING COMMITTEE**

Date and time of Meeting **THURSDAY, 17TH APRIL, 2008 AT 6.00 P.M.**

Venue **COMMITTEE ROOM NO. 2, CIVIC OFFICES**

## Agenda

## PART I

1. **Apologies for absence.**

2. **Minutes.**

3. **To receive declarations of interest under the Council's Code of Conduct.**
   ***(Note: Members seeking advice on this item are asked to contact the Monitoring Officer at least 48 hours before the meeting).***

4. **Report of the Vale of Glamorgan Conservation Advisory Group held on 20th March, 2008.**

**Reports of the Director of Legal, Public Protection and Housing Services –**

5. Site Inspections – 13th March, 2008.
6. Vale of Glamorgan Conservation Advisory Group: Proposed Timetable of Meetings for 2008/09.

**Reference -**

7. Draft Supplementary Planning Guidance: County Treasures - Cabinet - 2nd April, 2008.

**Reports of the Director of Environmental and Economic Regeneration -**


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**15. Any items which the Chairman has decided are urgent (Part I).**

**PART II**

**THE PUBLIC AND PRESS MAY BE EXCLUDED FROM THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM(S) IN ACCORDANCE WITH SECTION 100A(4) OF THE LOCAL GOVERNMENT ACT 1972.**

**16. Any items which the Chairman has decided are urgent (Part II).**

John Maitland Evans
Chief Executive

11th April, 2008

Local Government (Access to Information) Act 1985
Inspection of background papers - In the first instance enquiries should be made of Mr. C. Hope 01446 (709855).
E-Mail: chope@valeofglamorgan.gov.uk

To the Members of the Planning Committee:
Chairman: Councillor A.D. Dobbinson;
Vice-Chairman: Councillor Ms. R.M. Birch;
Councillors: R.J. Bertin, Mrs. M.E.J. Birch, G.A. Cox, A.M. Ernest, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, M.R. Harvey, F.T. Johnson, G.C. Kemp, A.G. Powell, Mrs. A.J. Preston, Mrs. M. Randall, W.C. Vaughan, S.T. Wiliam, A.J. Williams and M.R. Wilson.

AGENDA ITEM No. 2

# PLANNING COMMITTEE

MINUTES of a meeting held on 13th March, 2008.

Present: Councillor A.D. Dobbinson (Chairman); Councillor Ms. R.M. Birch (Vice-Chairman); Councillors R.J. Bertin, Mrs. M.E.J. Birch, G.A. Cox, A.M. Ernest, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, M.R. Harvey, F.T. Johnson, G.C. Kemp, A.G. Powell, Mrs. A.J. Preston, W.C. Vaughan, S.T. Wiliam, A.J. Williams and M.R. Wilson.

Also present: Councillors S.C. Egan, N.P. Hodges, H.J.W. James, Mrs. M. Kelly Owen, K.R. Stockdale and A.C. Williams.

915 APOLOGIES FOR ABSENCE –

These were received from Councillor Mrs. M. Randall.

916 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 21st February, 2008 be approved as a correct record.

917 DECLARATIONS OF INTEREST –

The following Members declared interests as shown below and vacated the room during consideration thereof:

| | |
|---|---|
| Councillor G.A. Cox | Planning Application 2007/01121/FUL – Former Cabinet Member |
| Councillor A.M. Ernest | Planning Application 2007/01635/FUL – Member of same business organisation.<br>Planning Application 2007/01684/FUL – Close relative lives in the vicinity.<br>Planning Application 2007/01121/FUL – Former Cabinet Member. |
| Councillor Mrs. V.M. Hartrey | Planning Applications 2007/01121/FUL and 2007/01753/RG3 – Cabinet Member. |
| Councillor M.R. Harvey | Planning Application 2007/01121/FUL – Former Cabinet Member. |
| Councillor A.D. Hampton | Planning Application 2007/01121/FUL – Former Cabinet Member. |

| | |
|---|---|
| Councillor H.J.W. James | Planning Application 2007/01121/FUL – Former Cabinet Member. |
| Councillor Mrs. M. Kelly Owen | Planning Application 2007/01635/FUL – |
| Councillor G.C. Kemp | Planning Application 2007/01121/FUL – Former Cabinet Member. |
| Councillor A.C. Williams | Planning Application 2007/01121/FUL – Former Cabinet Member. |

918 VALE OF GLAMORGAN CONSERVATION ADVISORY GROUP –

The following report of the meeting held on 27th February, 2008 was submitted.

*Present: Councillor Ms. R.M. Birch (Chairman); Mr. G. Haynes (Cowbridge and District Local History Society); Mr. L. Miller (Cowbridge Charter Trust); Mr. R. Burston (St. Nicholas Society); Ms. G. Rawson (Bonvilston Civic Trust); Mr. A.H. Jones (Barry Preservation Society); Mr. R. Simpson (Campaign for the Protection of Rural Wales); Councillor Mrs. L. Adams (Cowbridge with Llanblethian Town Council); and Mr. M.R. Flynn (RTPI).*

*Officers: Mr. N. Lloyd, Mrs. J. Crofts and Mr. C. Hope.*

*(a) Apologies for absence -*

*These were received from Councillor A.D. Dobbinson (Vice-Chairman); Mrs. H. March (Llantwit Major Local History Society); Mr. G. Robertson (Penarth Society) and Mrs. E. Jervis (The Wenvoe History Group).*

*(b) Minutes -*

*AGREED - T H A T the minutes of the meeting held on 24th January, 2008 be agreed.*

*(c) Llantwit Major Chamber of Trade -*

*The Chairman advised of an e-mail received from Mr. D. Black in which he had tendered his resignation as a Panel Member on the Advisory Group.*

(d) *Information Feedback* -

*AGREED - T H A T the following feedback on applications previous considered by the Group be noted:*

| | |
|---|---|
| *2007/01683/FUL* | ***35 Bron Awelon, Barry** - single storey side extension. This application was approved.* |
| *2007/01631/FUL* | ***Westbourne School, Hickman Road, Penarth** - demolition of various buildings in courtyard and creation of a new purpose built sixth form centre with external intensive roof for outdoor studies. This application was approved.* |
| *2006/01545/CAC* | ***Shed located on land at The Drope, Drope Road, Vale of Glamorgan** - demolition and removal from site of shed. This application was withdrawn.* |

(e) *Applications in Conservation Areas* –

(i) *Cowbridge and Llanblethian*

***2007/01752/FUL*** *Received on 10 January 2008*
*Mr. N. England, Pwll, y Darren Farm, Welsh St. Donats, Vale of Glamorgan. CF71 7SS*
*Robertson Francis Partnership, 5-7 Museum Place, Cardiff, CF10 3BD*

***The site of the former British Legion Club, Cowbridge.***

*Demolition of former club house building and replacement with residential development of 12 No. 2 bedroom apartments with associated parking and amenity space.*

*RECOMMENDED – REFUSAL – The Group felt that whilst not against the principle of development of the site the proposal was of an inappropriate design with a complex mix of materials and represented an over-development of the site. As such, the proposal did not preserve or enhance the character of the Conservation Area.*

(ii) *Cowbridge with Llanblethian*

***2008/00026/FUL*** *Received on 4 January 2008*
*Mr. and Mrs. J.H. Newark, Old Factory House, Factory Road, Llanblethian, Cowbridge, Vale of Glamorgan, CF71 7JD*
*Robertson Francis Partnership, 5-7 Museum Place, Cardiff, CF10 3BD*

***Old Factory House, Factory Road, Llanblethian***

*Proposed new dwelling incorporating existing residential annexe building.*

*RECOMMENDED – REFUSAL – The Group felt that the application should be refused on the grounds that the design of the application was not appropriate and would not preserve or enhance the setting and character of this complex of buildings nor that of the Conservation Area.*

*(iii)* *East Aberthaw*

***2008/00086/FUL*** *Received on 22 January 2008*
*Mr. and Mrs. Thomas, Burton Cottage, East Aberthaw, Vale of Glamorgan, CF62 3JB*
*Harmers Limited, 39 Lamborne Crescent, Cardiff Business Park, Llanishen, Cardiff, CF14 5GG*

***Land Adjacent to River View, East Aberthaw***

*Proposed detached cottage style four bedroomed dwelling.*

*RECOMMENDED – REFUSAL – The Group felt that the development would have an adverse impact on this part of the Conservation Area and on the adjacent Grade II* Listed Building by virtue of the loss of the open space – the retention of which was more in keeping with the character of the area. The Group, therefore, took the view that the proposal would neither preserve nor enhance the Conservation Area.*

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RESOLVED – T H A T the report be noted.

919 SITE INSPECTIONS (DLPPHS) –

RESOLVED – T H AT the attendance of the following Councillors at the sites indicated below on 21st February, 2008 be noted.

Apologies for absence were received from Councillors R.J. Bertin, Mrs. M. Randall, Mrs. A.J. Preston (Sites (a)-(d) and A.M. Ernest (Site (c) and (d)).

| | | |
|---|---|---|
| (a) | 67 – 79 Dochdwy Road, Llandough | Councillor A.D. Dobbinson (Chairman); Councillors G.A. Cox, A.M. Ernest, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, F.T. Johnson, C.L. Osborne and S.T. Wiliam. |

| | | |
|---|---|---|
| (b) | Site North of Bendrick Road, Barry | Councillor A.D. Dobbinson (Chairman); Councillors G.A. Cox, A.M. Ernest, E. Hacker, A .D. Hampton, Mrs. V.M. Hartrey, F.T. Johnson, K.R. Stockdale and S.T. Wiliam. |
| (c) | Cold Knap: Amendment to Waiting Restriction Order | Councillor A.D. Dobbinson (Chairman); Councillors G.A. Cox, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, F.T. Johnson and S.T. Wiliam. |
| (d) | Pancross Farm, Llancarfan | Councillor A.D. Dobbinson (Chairman); Councillors G.A. Cox, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, H.J.W. James and G.C. Kemp. |

920 BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE DIRECTOR UNDER DELEGATED POWERS (DEER) –

RESOLVED –

(1) T H A T the determination of building applications as listed in the report be noted.

(2) T H A T the Service of Notices under the Buildings (Approved Inspectors Etc.) Regulations 2000 as listed in the report be noted.

921 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR UNDER DELEGATED POWERS (DEER) –

RESOLVED – T H A T the report on the following applications determined under delegated powers be noted.

**Decision Codes**

A - Approved
C - Unclear if permitted (PN)
F - Prior approval required (PN)
H - Allowed : Agricultural Condition Imposed : Appeals
J - Determined by NAfW
L - Approved AND refused (LAW)
P - Permittal (OBS - no objections)
R - Refused
B - No observations (OBS)
E - Split Decision
G - Approved the further information following "F" above (PN)
N - Non permittal (OBS - objections)
Q - Referred to Secretary of State for Wales (HAZ)
S - Special observations (OBS)
U - Undetermined
RE - Refused (Enforcement Unit Attention)

O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement)

V - Variation of condition(s) approved

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|---|---|---|---|
| 2007/01501/FUL | A | 4, Harbour View Road, Penarth | Ground floor extension to rear to enlarge kitchen, form dining area, enlargement of bedroom to roofspace incorporating new rear dormer and alterations to front dormer |
| 2007/01575/FUL | A | 67, Church Meadow, Boverton, Llantwit Major | Proposed two storey rear extension |
| 2007/01588/FUL | A | 1, Llwynrhyddid Cottages, Hensol | Construction of detached double garage adjacent to existing dwelling |
| 2007/01645/FUL | R | 40, Porlock Drive, Sully | Single storey extension at 40, Porlock Drive, Sully |
| 2007/01693/FUL | A | Tynewydd Farm, field between nos. 10 and 11, New barn, St. Athan | Four mobile stables and rolled stone surface |
| 2007/01705/FUL | R | 2, Windsor Terrace, Penarth | Ground floor extension to garage to form garden room inclu. rearrangement of garage roof |
| 2007/01709/FUL | A | 12, Eastgate, Cowbridge | Proposed single storey double garage in rear garden |
| 2007/01718/FUL | A | Curnix Farm, Moulton | Hay barn |
| 2007/01724/FUL | A | 32, Westbourne Road, Penarth | Disabled ramps and alterations for disabled use |
| 2007/01726/FUL | A | 77, Westbourne Road, Penarth | Single storey extension to rear of property, two storey extension to side of property, Provision of new pitched roof construction on existing garage |
| 2007/01727/FUL | A | 2, John Batchelor Way, Penarth Marina | Garage conversion to living room |

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|---|---|---|---|
| 2007/01728/FUL | A | Vishwell Farm House, St. Andrews Road, Wenvoe | Single storey domestic extension |
| 2007/01729/FUL | A | 3, John Batchelor Way, Penarth Marina | Garage conversion to living room |
| 2007/01730/ADV | A | 4, Andrews Buildings, Stanwell Road, Penarth | Replace existing shop sign |
| 2007/01731/FUL | A | Istwyn Barn, Lon Cwrt Ynyston, Leckwith | Three new windows |
| 2007/01734/OUT | A | Port Road, Rhoose | Renewal of application for proposed Class A3 restaurant, car parking, landscaping and access arrangements together with amendments to previously approved car parking layout (application 2003/00827/FUL) |
| 2007/01742/FUL | A | Grounds of Ty Mawr, Llanbethery | Construction of new garage block for Ty Mawr- renewal of planning application 2002/01277/FUL |
| 2007/01743/FUL | A | Grounds of Ty Mawr, Llanbethery | Alteration and conversion of stable block to residential to form one new house- Renewal of planning application 2002/01459/FUL |
| 2007/01749/FUL | A | 56, Tathan Crescent, St Athan | Single storey kitchen extension & extension of existing dormer |
| 2007/01754/FUL | A | 29, Brenig Close, Barry | Single storey front extension |
| 2007/01755/FUL | A | 59, Colcot Road, Barry | 2 No. ground floor windows in side wall |
| 2007/01764/FUL | A | 1, Erw'r Delyn Close, Sully Road, Penarth | White UPVc conservatory with brick walls at rear of property |
| 2007/01778/FUL | A | 4, Ty Draw, Llandow | New conservatory |

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|---|---|---|---|
| 2008/00005/FUL | R | 6, Beaufort Way, Rhoose, | Retention of balcony to rear, including new patio doors |
| 2008/00011/FUL | A | Aberthaw Power Station, The Leys, Aberthaw | Variation of conditions relating to planning permission 2007/00808/FUL |
| 2008/00014/FUL | A | 3, Dannog-y-Coed, Barry | Demolition of conservatory and rebuild single storey extension |
| 2008/00025/FUL | A | Y Berllan, Llysworney, Cowbridge | Two storey rear extension |
| 2007/01261/FUL | A | Ffaldwen fields adjacent to Maerdy Newydd Farm, Bonvilston | Stables |
| 2007/01387/LBC | A | Nash Manor, Nash, Cowbridge | Repair of internal garden wall to a reduced height of 2 metres, restore stone cappings to entire wall to prevent water ingress, repoint wall that remains to original height |
| 2007/01389/FUL | A | Plot at 4, Cosmeston Cottages, Lavernock Road, Penarth | Amendments to previous application 07/00143/FUL including omission of windows, extension of front gable and altered access |
| 2007/01605/FUL | A | 73, Port Road East, Barry | Proposed two storey side extension |
| 2007/01612/FUL | A | Marcross Farm, Marcross | Proposed extension to existing cattle shed |
| 2007/01737/FUL | R | Ty Shwlac, Heol Shwlac, St. Brides Major | Agricultural sheds for storage |
| 2007/01739/FUL | A | 6, Minster Close, Barry | Replacement of existing unsafe closeboard wood fence with same timber new fence 2m x 2.6m high supported by 10.No. timbers. |

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|---|---|---|---|
| 2007/01747/FUL | R | 11, Clive Crescent, Penarth | Variation to condition 1 of planning application 2007/00819/Ful so as to allow clear glazing to be fitted in north west side of conservatory |
| 2007/01748/FUL | A | Jane Hodge Resort Hotel, Trerhyngyll, Cowbridge | Extension to the hotel to form a sun lounge |
| 2007/01765/FUL | A | 36, Celtic Way, Rhoose | Double storey extension to side of dwelling. Take down part of boundary fence, ht 1.700m |
| 2007/01767/FUL | A | 56, Redlands Road, Penarth | Proposed gable end ground and first floor extension |
| 2007/01771/FUL | A | 12, Parc Clwyd, Barry | First floor extension and porch/garage conversion |
| 2007/01773/FUL | A | 10, Dyfnallt Road, Barry | single storey rear extension to form utility & dining room |
| 2007/01774/FUL | A | 9, Heol-y-Felin, Llantwit Major | Conservatory to side |
| 2007/01781/FUL | A | 6, St. Gwynnos Close, Dinas Powys | Two storey rear extension |
| 2007/01782/OUT | R | Rear of 45, South Road, Sully | Erection of a two storey detached dwelling |
| 2008/00010/FUL | A | 3, Montgomery Road, Barry | Rear single storey extension and hardstanding |
| 2008/00023/FUL | A | 59, Plymouth Road, Penarth | Single storey kitchen extension |
| 2008/00037/FUL | A | 4, Andrews Buildings, Stanwell Road, Penarth | Replace existing shop front |
| 2008/00043/FUL | A | 21, Archer Road, Penarth | Amendment to application 2007/01258/FUL |
| 2007/01550/FUL | R | 54, Westward Rise, Barry | Two storey side extension |

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|---|---|---|---|
| 2007/01593/FUL | A | 21, Lavernock Road, Penarth | Alterations to previous approved (06/00438/FUL) for change of use into two flats and dormer loft conversion |
| 2007/01639/FUL | A | The Fruit Garden, Grosfaen Road, Peterston Super Ely | Retrospective planning application to retain buildings constructed on the site including a cafe/farm shop, office, storage areas and external seating area |
| 2007/01683/FUL | A | 35, Bron Awelon, Barry | Single storey side extension |
| 2007/01687/FUL | R | Sutton Farm, Fort Road, Lavernock | Double hip roof conservatory in white UPVc to rear of property |
| 2007/01697/FUL | R | New plot between 21, Main Avenue and 1, Cory Crescent, Wyndham Park Estate, Peterston-Super-Ely | New dwelling on new plot previously within curtilage of 21 Main Avenue |
| 2007/01720/FUL | A | 8, Clive Crescent, Penarth | Extension at second floor level of front elevation - renewal of planning permission 2002/00547/FUL with amendment. |
| 2007/01722/FUL | A | 122, Cornerswell Road, Penarth | Single storey extension to rear of property |
| 2007/01759/FUL | A | The Bay Caravan Park, St. Marys Well Bay, Sully | 8 no. caravan bases |
| 2007/01776/LBC | A | Barclays Bank, 62, High Street, Cowbridge | Installation of two air condenser units in the back yard at the rear of the building |
| 2008/00003/FUL | A | 6, Cwrt Ty Mawr, Penarth | Two storey extension over existing garage to provide two bedrooms |

| | | | |
|---|---|---|---|
| 2008/00004/FUL | A | Highlands, Llanmaes | Extension to rear ground floor, new pitched roof over garage and extension over garage at first floor |
| 2008/00020/FUL | A | 36, Westbourne Road, Penarth | Erection of a timber-framed garden studio to rear garden |
| 2008/00024/FUL | A | 66, Shakespeare Avenue, Penarth | Single storey extension to side and rear of property |
| 2008/00054/FUL | A | 10, Berkley Drive, Penarth | Two storey rear extension and new entrance porch |
| 2008/00064/FUL | A | Meadow View Farm. Crossways, Cowbridge | Agricultural Building |
| 2008/00065/FUL | A | 3, Oak Grove, St. Athan | Conservatory |
| 2008/00066/FUL | A | 26, Coed Mawr, Barry | Edwardian style conservatory to rear elevation |
| 2008/00067/FUL | A | 33, Mountjoy Avenue, Penarth | Single storey extension to rear of property |
| 2008/00080/FUL | A | 22, Grove Place, Penarth | Proposed new gable wall to side elevation with new window to stairway and dormer window to rear elevation |
| 2007/01466/FUL | A | 69, High Street, Barry | Refurbishment of property to include new roof, stone facade repairs and new wooden sash windows. Conversion of 1st & 2nd floor into 2 self contained flats |
| 2007/01495/OUT | R | Adjacent to 23, Orchard Drive, Barry | Proposed new dwelling |
| 2007/01540/FUL | A | Southerndown Lodge, Southerndown | Two storey extension to existing dwelling for use as granny flat |
| 2007/01592/FUL | A | Foxs Ridge, The Nursery, Rhoose | Garage extension |

| | | | |
|---|---|---|---|
| 2007/01622/LBC | A | 69, High Street, Barry | Refurbishment of property to include new roof, stone facade repairs and new wooden sash double glazed windows. Conversion of 1st & 2nd floor into 2 self contained flats. |
| 2007/01662/LBC | A | Ty Fry Farm, Llandow | Replacement of dairy window and renovation and repair of lounge floor |
| 2007/01692/OUT | A | Land to the rear of 115 & 117, Port Road East, Barry | Demolition of existing garage & erection of 1 no. detached dwelling (outline) -resubmission |
| 2008/00008/FUL | A | 2, Broadway Green, St. Nicholas | Two storey extension to side and rear |
| 2008/00016/FUL | A | Plot 1, The Stables, St. Brides Road, Wick | New 4 bed dwelling and garage |
| 2008/00017/FUL | R | Yew Tree Cottage, Colwinston | Extend an existing house to provide one additional bedroom, a bathroom and a sun-room/library |
| 2008/00019/FUL | A | Byways, Church Close, Ogmore By Sea | Alterations & Extensions plus creation of first floor accommodation |
| 2008/00022/FUL | R | Holland Stable, Michaelston Le Pit | Installation of external flue to enable heating using recycled wood pallets/chippings |
| 2008/00028/FUL | A | Windy Ridge, St. Lythans | Single storey extension to front to enlarge lounge |
| 2008/00032/FUL | A | 95, Llanmaes Road, Llantwit Major | Two storey extension to rear |
| 2008/00038/FUL | A | 15, Windsor Terrace, Penarth | Replace existing concrete tiled roof with smooth artificial slate roof |
| 2008/00059/FUL | A | 8, Berkley Drive, Penarth | Single storey rear extension |

| | | | |
|---|---|---|---|
| 2008/00070/FUL | A | 48, Baron Road, Penarth | A single and two storey extension |
| 2008/00087/FUL | A | The Maltings, Water Street, Broughton | Two storey extension |
| 2008/00099/FUL | A | 30, Duffryn Crescent, Peterston Super Ely | Proposed ground floor kitchen extension |
| 2008/00113/FUL | A | Tynewydd, Westgate Street, Cowbridge | Erection of single storey extension (amendment to previous consent) |

922 APPEALS (DEER) –

RESOLVED –

(1) T H A T the list of appeals received and decisions concerning appeals from refusal of the Council of planning permission or in respect of enforcement action as detailed in the report be noted.

(2) T H A T the statistics relating to appeals for April 2007 to March 2008 and list of forthcoming hearings and public hearings as detailed in the report be noted.

923 TREES (DEER) –

(a) Delegated Powers –

RESOLVED – T H A T the report on the following applications determined by the Director under delegated powers be noted:

**Decision Codes**

A - Approved R - Refused
E Split Decision

| | | | |
|---|---|---|---|
| 2007/01715/TPO | R | Elm Grove House, Elm Grove Road, Dinas Powys | Fell Yew tree (T1) in garden area fronting Elm Grove Road. |
| 2007/01735/TPO | A | 13, Laburnum Way, Dinas Powys | Crown reduction and thinning by 35 to 40% (T1) T2, T3 and T4 minor thinning |

| | | | |
|---|---|---|---|
| 2008/00104/TPO | A | 2, Little Avenue, Peterston Super Ely | Remove 2 lower limbs of Horse Chestnut |
| 2008/00058/TCA | A | 29, Porth-Y-Castell, Barry | Fell Copper Beech tree in front garden |
| 2008/00077/TCA | A | 11, Archer Road, Penarth | Fell Lawson's Cypress (front garden) |
| 2007/01760/TPO | A | The Old Rectory, Old Port Road, Wenvoe | Fell 2 conifers and 1 holly |
| 2008/00046/TPO | A | St. Quentins Cottage, St. Quentins Hill, Llanblethian | Fell 3 Conifers; reduce Beech hedge and crown reduction up to 30% to 2 Sycamores. |
| 2008/00058/TCA | A | 29, Porth-Y-Castell, Barry | Fell Copper Beech tree in front garden |
| 2008/00073/TPO | A | Tudor Lodge, Bonvilston | Fell & remove conifers |
| 2008/00132/TCA | A | Mill Lay, Colhugh Street, Llantwit Major | Removal of 1 Fir Tree |
| 2008/00052/TPO | A | 17, Colhugh Park, Llantwit Major | Sycamore- Fell, Lime pollard by 40% |
| 2008/00056/TPO | A | Westard House, Broughton Road, Wick | Fell 1 Ash: remove one limb from Ash and canopy reduction of 25% of another Ash |

(b) General –

Trefnant, Penyturnpike Road, Dinas Powys –

Committee considered a proposal to fell six young trees: 2 (Wych) Elms; an Ash, an Oak, an Alder and a Juniper all ranged around the edge of a swimming pool close to the north boundary of the garden. The whole garden was covered by Tree Preservation Order (No. 2), 1954 which had been confirmed on 5th July, 1955.

None of the trees were mature and all but one were located in confined areas around the swimming pool. For example, the Elm and Ash were in small raised beds and whilst the former tree was clearly dying, the Ash, if left, could undoubtedly cause problems with a retaining wall. There was evidence that patching up with cement had already been carried out. Given the location to the site of the swimming pool and the risks of summer branch drop associated with a mature Ash, this was not an ideal specimen. The Oak, Alder and

Juniper were positioned close to a gravel footpath. Again, the Oak and the Alder had the capacity to grow much larger and the Oak had a long life expectancy. On this basis, it seemed likely that some of the trees had suffered due to root severance perhaps during the time the swimming pool and paths were constructed and although young trees could recover, their proximity to structures and their size potential were already causing concern. It was considered that the trees were inappropriately sited and their felling should be seen as an opportunity for new planting smaller native ornamental trees like Crab Apple, Rowan or Wild Cherry.

The larger free-standing Elm which was closer to the interior of the garden was also dying (as Elms commonly do these days once they reach a certain size, being unable withstand attacks by Dutch Elm) and it was recommended that it be replaced with a Field Maple.

RESOLVED – T H A T the application be approved subject to the following conditions:

1. The work shall be carried out in accordance with accepted rules and practices of good tree surgery to conform to B.S. 3998 – Recommendations for Tree Work.

   Reason:

   To ensure the work is carried out to an acceptable standard.

2. The work hereby approved shall be carried out within twelve months of the date of this consent.

   Reason:

   To ensure the work is completed within a reasonable time limit.

3. A scheme of tree planting of a size and species to be agreed shall replace those around the swimming pool area although they can be planted elsewhere in the rear garden and one Field Maple of extra heavy standard size shall be planted to replace the larger Elm, southwest of the swimming pool. These replacement trees shall be planted in a dormant state between October 2008 and March 2009 and must be properly staked and watered during periods of drought and shall be so maintained for a period of five years. In the event of any tree dying or becoming diseased it shall be replaced with a similar size tree.

   Reason:

   To ensure that the visual amenities of the area are protected and to encourage biodiversity.

(c) Proposal to Confirm a Tree Preservation Order – Higher End, Penmark –

RESOLVED – T H A T consideration of this item be deferred pending a site visit.

924 GENERAL PLANNING MATTERS (DEER) –

(i) Future Format and Constitution of Conservation Area Advisory Group –

Planning Committee were requested to

- give consideration to the future role of the Council's Conservation Area Advisory Group and its management
- progress recommendations from the report made to Cabinet of 5th March, 2008 (a copy of which was attached at Appendix A to the report).

The relevant issues and options were as contained in the background report attached at Appendix B to the report. The Council's position and objectives in running the Group were as described in paragraphs 17/18. Paragraph 19 discussed the creation of a "Forum" in distinction to the current Group organisation, which may have the following key characteristics:

- smaller size
- wider agenda
- improved strategic outlook
- altered membership
- greater independency.

Also attached as Appendix C to the report were three consultation responses received from Members of the Conservation Area Advisory Group in response to issues raised at the extended meeting of 27th July, 2007.

RESOLVED –

(1) T H A T the contents of the report be noted, and be referred to the Conservation Area Advisory Group (Extended Meeting) of 16th April, 2008.

(2) T H A T a further report be submitted to Cabinet and Planning Committee with proposals for the re-organisation of the Conservation Area Advisory Group.

Reasons for decisions

(1) In order to determine the views of the Conservation Area Advisory Group as to the future format of the Group.

(2) In order to provide Cabinet and Planning Committee with a recommended final format and Constitution of the Group which takes account of the consultations undertaken.

(ii) Mount Road, Dinas Powys: Proposed 30 mph Speed Restriction Order –

Approval was sought for the introduction of a Traffic Regulation Order to create a speed restriction of 30 mph over the length of Mount Road, Dinas Powys from its junction with Station Road to its junction with St. Andrew's Road, a distance of approximately 400 meters.

The Council had introduced a 20 mph speed zone over the length of St. Andrews's Road and Britway Road, Dinas Powys as part of a "safe routes to school" scheme. This had included a sign indicating a 30 mph speed limit for Mount Road. However, Mount Road did not have a system of street lighting, consequently it required a Traffic Order to implement this restriction.

The village of Dinas Powys was generally subject to a 30 mph speed restriction with a 20 mph restriction outside the school. However, Mount Road as considered in the report was currently subject to the national speed limit of 60 mph with no footway or street lighting. A number of residential properties were situated along its length, and pedestrians had to walk in the carriageway, including children travelling to and from St. Andrew's Major Church in Wales School.

The local Members and the Chief Constable had been consulted and their responses were awaited.

RESOLVED –

(1) T H A T public notice be given of the Council's intention to make an Order under Sections 81, 82, 83 and 84 of the Road Traffic Regulation Act 1984, as set out at Appendix A to the report.

(2) T H A T in the event of no objections being received, the Order be made.

Reasons for decisions

(1) To comply with the requirements of the Road Traffic Regulation Act 1984.

(2) To permit the speed restriction to be introduced.

925 PLANNING APPLICATIONS (DEER) –

Having considered the following applications for planning permission and, where necessary, the observations of interested parties, it was

RESOLVED – T H A T in pursuance of the powers delegated to the Committee, the following applications be decided as indicated and any other necessary action taken:

**2007/01121/FUL** Received on 31 October 2007
(P62)
Newydd H.A. (1974) LTD., Ty Cadarn, 5, Village Way, Tongwynlais, Cardiff., CF15 7NE

Rhodri Davies, Asbri Planning Ltd., 32 Lambourne Crescent, Llanishen, Cardiff., CF14 5GG

**Former nursery land adjacent to Cemetery Road, Barry**

Erection of 61 No. affordable dwellings (made up of 39 No. houses and two blocks of 11 No. flats) and associated works

REFUSED –

1. The development would result in a loss of public open space to the detriment of the unique character of the Cemetery Approach contrary to Policies ENV24 and REC1 of the Vale of Glamorgan Adopted Unitary Development Plan 1996 – 2011 and advice contained in the Planning Policy Wales (2002), Planning Guidance (Wales) Technical Advice Note 16 (March 1998) and the Draft Revised Technical Advice Note 16 – Sport, Recreation and Open Space (July 2006).

2. The development will result in an insensitive overdevelopment of a unique site adjoining Barry Cemetery which would be out of character with the adjoining environment and would be detrimental to the visual amenities of the area contrary to Policies HOUS11 and ENV27 of the Vale of Glamorgan Adopted Unitary Development Plan 1996 – 2011 and advice contained within Planning Policy Wales (2002).

Councillor A.D. Dobbinson asked that it be recorded that he had voted against this application.

**2004/01809/FUL** Received on 5 November 2004
(P.77)
Fourgreen Development Ltd, Lyte Buildings, Wern Industrial Estate, Rogerstone, Newport. NP10 9YL
Boyes Rees Architects, Palace House, Stow Hill, Newport. , NP20 4EA , ,

**Land adjacent to proposed Rhoose Station, Rhoose**

2 storey commercial and residential mixed use development, with retail at ground floor with flats at first floor.

DEFERRED on the grounds of concern regarding the failure of Welsh Water to adopt the drainage for Rhoose Point and associated highway adoption.

**2006/01807/OUT** Received on 19 December 2006
(P.103)
Cofton Ltd, C/o Agent
Savills 12 Windsor Place, Cardiff, CF10 3BY.

**Land to the south side of the railway line Rhoose Point, Rhoose**

Residential Development and community uses with associated infrastructure

DEFERRED on the grounds of concern regarding the failure of Welsh Water to adopt the drainage for Rhoose Point and associated highway adoption.

**2006/01000/OUT** Received on 4 July 2007
(P.128)
Bloomfield Brothers Limited, Counting House, Celtic Gateway, Cardiff., CF11 0SN
S. G. Williams & Associates, Lombard House, 64, Mansel Street, Swansea., SA1 5TN

**90, Fontygary Road, Rhoose**

Residential development including demolition of existing bungalow and garage

APPROVED subject to the following conditions(s):

1. Approval of the details of the design and external appearance of the dwellings and the landscaping of the site (hereinafter called 'the reserved matters') shall be submitted to and approved by the Local Planning Authority before any development is commenced.

   Reason:

   To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters hereinbefore referred to must be made not later than the expiration of three years beginning with the date of this permission.

   Reason:

   To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. The development to which this permission relates must be begun not later than whichever is the later of the following dates:

   (a) The expiration of five years from the date of this permission.

   (b) The expiration of two years from the date of the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matters to be approved.

   Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

4. This consent shall relate to the plans registered on 17 July 2006 other than where amended by plans reference 12/04/61/2 Rev. A received on 25 July 2007.

Reason:

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

5. Full details of a scheme for the foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any construction works and the approved scheme shall be fully implemented in accordance with the approved details prior to the first beneficial occupation of any of the dwellings.

Reason:

To ensure the satisfactory drainage of the site and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

6. Prior to the commencement of development of any of the plots, full details of a scheme for maintaining flows of watercourses and ditches which pass through the site (including details for future maintenance) shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details and thereafter so maintained at all times.

Reason:

To maintain existing water flows through the site and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

7. None of the dwellings hereby approved shall be brought into beneficial use until the approved access has been constructed in accordance with the approved plans and the access shall thereafter be so retained to serve the development hereby approved.

Reason:

In the interest of highway safety and to ensure a satisfactory form of access to serve the development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

8. Prior to the commencement of any development at the site, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of all existing trees (protected and non protected) and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason:

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

9. 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 each of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

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

10. All means of enclosure associated with the development, to include existing perimeter boundaries to be repaired, rebuilt, or reconstructed and means of enclosures to serve the new dwellings 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 of each of the plots and the means of enclosure shall be implemented in accordance with the approved details prior to any of the respective dwellings being put into beneficial use.

Reason:

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

11. Prior to the first beneficial occupation of the dwellings hereby approved , two bat boxes shall be placed on each dwelling on a southerly facing aspect for which details shall have first been submitted of the design and location of bat boxes. The bat boxes shall thereafter be retained at all times.

Reason :

In the interests of nature conservation and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

**2007/00546/FUL** Received on 9 November 2007
(P.137)
Mr. Wayne Gill, Gills of Maesteg, Llwydarth Road, Maesteg.
Bernard Clatworthy RIBA., 15, Denison Way, St. Fagans, Cardiff., CF5 4SF

**Upper House Garage, Turkey Street, Llantwit Major**

Demolition of existing garage erection of two number houses

APPROVED subject to the following condition(s):

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

   Reason:

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

2. This consent shall only relate to the amended plans reference P/10C, 11C, 12C and 13B received on 20 December 2007 and the development shall be carried out strictly in accordance with these details.

   Reason:

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

3. Prior to the commencement of work on the construction of the new dwellings hereby approved, full details (including samples) of all external finish materials to be used in the development hereby approved, including materials to be used in the surface finish of the paths, access and parking areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the agreed details.

   Reason:

   In the interests of visual amenity and in order to preserve and enhance the character of the Llantwit Major Conservation Area, as required by Policies ENV17 and ENV20 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

4. Notwithstanding the submitted details, the roofs to each of the plots hereby approved shall be covered in natural slate, samples of which shall first have been submitted to and agreed in writing by the Local

Planning Authority. The roofing material shall thereafter be retained in its approved form unless otherwise approved in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity and in order to preserve and enhance the character of the Llantwit Major Conservation Area, as required by Policies ENV17 and ENV20 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

5. Large scale details at a scale of 1:20 of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges, ridge details and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority prior to their use in the development hereby approved. The development shall not be carried out otherwise than in full accordance with such approved details.

Reason:

In the interests of visual amenity and in order to preserve and enhance the character of the Llantwit Major Conservation Area, as required by Policies ENV17 and ENV20 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

6. No development shall commence on the development hereby approved until such time as a contaminated land assessment and associated remedial strategy, to include measures for the mitigation of the contamination, measures for the protection of surface and ground water, and a timescale for their implementation, has been submitted to and approved in writing by the Local Planning Authority. The approved remedial strategy shall be fully implemented in accordance with its approved details and timetable and, upon completion of the approved works, a verification report shall be submitted to the Local Planning Authority for their written approval.

Reason:

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

7. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To prevent the increased risk of flooding, in accordance with Policy ENV7 of the Adopted Unitary Development Plan.

8. 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 shall be inserted in the dwellings hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To safeguard the privacy of adjoining occupiers, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

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

Reason:

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

10. Full details, to include materials and elevations, of all means of enclosure, including screen walls between plots and adjacent to the entrance driveway, shall be submitted to and agreed in writing by the Local Planning Authority prior to their construction on site. The means of enclosure shall be implemented in accordance with the approved details prior to first beneficial occupation of any dwelling hereby approved, and shall thereafter be retained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity and in order to preserve and enhance the character of the Llantwit Major Conservation Area, as required by Policies ENV17 and ENV20 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

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

Reason:

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

12. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any work commencing on the construction of the dwellings hereby approved.

Reason:

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

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

Reason:

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

14. Notwithstanding the annotations on the approved drawings, the consent hereby granted shall not relate to, or infer acceptance of, the use of the existing building attached to Downcross House as a 'granny flat' or storage use associated with the residential use hereby granted.

Reason:

For the avoidance of doubt.

**2007/01635/FUL** Received on 26 November 2007
(P.148)
Susan Sessions, Holm House, Marine Parade, Penarth, Vale of Glamorgan., CF64 3BG
Susan Sessions, Holm House, Marine Parade, Penarth, Vale of Glamorgan., CF64 3BG

**Holm House, Marine Parade, Penarth**

Amendment of conditions 5 and 7 of application 05/01728/FUL

APPROVED subject to the following condition(s):

1. The removal of Condition No. 5 and variation of Condition No. 7 of permission 2005/01728/FUL regarding the use of facilities at the hotel shall be for a temporary period only and the conditions shall be reinstated in accordance with permission 2005/01728/FUL on 13 March 2009 unless otherwise agreed in writing with the Local Planning Authority.

   Reason:

   To ensure the privacy of nearby residential properties are protected and in order to ensure compliance with Policy ENV29 of the Unitary Development Plan and to prevent noise breakout from the premises.

2. The premises shall not be used for singing, dancing or other forms of public entertainment other than the playing of live or other forms of background music.

   Reason:

   To ensure the privacy of nearby residential properties are protected and in order to ensure compliance with Policy ENV29 of the Unitary Development Plan and to prevent noise breakout from the premises.

3. During the playing of any music, or any other kind of public entertainment, the windows and doors of the Hotel shall be kept closed in accordance with a scheme to be first submitted prior to the commencement of any of the above.

   Reason:

   To ensure the privacy of nearby residential properties are protected and in order to ensure compliance with Policy ENV29 of the Unitary Development Plan and to prevent noise breakout from the premises.

**2007/01684/FUL** Received on 3 December 2007
(P.154)
Llangoedmor Properties, 1-2, Park Road, Penarth, Vale of Glamorgan., CF64 3BD
Mr. T. F. Mathias, 17, Cherry Orchard Road, Lisvane, Cardiff., CF14 0UD

**Parkside Residential Home, 1-2, Park Road, Penarth**

2 storey rear extension to provide 10 en-suite rooms, extension to dining area and laundry

APPROVED subject to the following condition(s):

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

   Reason:

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

2. Details of a planting scheme for the courtyard shall be submitted to the Local Planning Authority for their approval in writing.

   Reason:

   To ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

3. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority 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.

   Reason:

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

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

   Reason:

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

5. The parking provided on the application site, in accordance with the approved plans, shall be made available prior to the first beneficial occupation of the extension hereby approved and the spaces shall be maintained at all times for use in conjunction with the nursing home.

Reason:

In the interests of providing satisfactory off street, car parking and in order to ensure highway safety.

**2008/00027/FUL** Received on 18 February 2008
(P.160)
Pat Walsh, MEJ Developments Ltd, 47, Westcombe Park Road, Blackheath, London., SE3 7QZ
Pat Walsh, MEJ Developments Ltd, 47, Westcombe Park Road, Blackheath, London., SE3 7QZ

**4 & 6, St. Nicholas Road, Barry**

Conversion of redundant retail warehouse space into 2 x 2 bed flats and 2 x 1 bed flats at 6, St. Nicholas Road and replacement garage at 4, St. Nicholas Road

APPROVED subject to the following condition(s):

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

   Reason:

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

2. This consent shall only relate to the amended plans reference 42/L1A, 42/01A, 42/02B, 42/03A, 42/04B, 42/05A, 42/06, 42/07, 42/08 and 42/09, received on the 18 February 2008 and the roof section drawing 42/06, received on the 11 February 2008, and the development shall be carried out strictly in accordance with these details.

   Reason:

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

3. Notwithstanding the submitted details, further details of all windows, rooflights, doors, any new eaves and rainwater goods, including sections to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority, prior to their use in the development. The development shall be constructed in full accordance with the details as agreed and thereafter so maintained at all times.

   Reason:

In the interests of local visual amenities and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

4. The new windows within the South West facing elevation at both ground and first floor levels shall be of fixed pane construction and obscurely glazed at the time of construction and shall be so maintained at all times thereafter. Details of any high level windows that may be required to be openable for ventilation shall be submitted to and agreed in writing by the Local Planning Authority prior to their insertion.

Reason:

To protect the privacy of those within the adjacent property and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

5. The new first floor windows contained within the north west facing elevation shall be obscurely glazed at the time of their insertion and so maintained at all times thereafter and the existing first floor windows within this elevation shall be fitted with obscure glazing prior to the first beneficial occupation of the building and so maintained at all times thereafter.

Reason:

To protect the privacy of the neighbouring properties and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting that Order, no windows shall be inserted into any elevation of the converted building without the prior written consent of the Local Planning Authority.

Reason:

To safeguard the privacy of adjoining occupiers, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

7. The area of amenity space shown on plan Morph 42/06, received on the 18 February 2008, shall be fully laid out prior to the first beneficial occupation of any of the units and shall be retained at all times thereafter for the use of occupants of the residential units hereby approved.

Reason:

To ensure a satisfactory level of amenity space is available to serve the units and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

8. Details of the means of enclosure of the amenity space, including all new retaining walls and fences, existing walls to be retained and the new access point for the occupiers of the single bed flats, shall be submitted to any agreed in writing by the Local Planning Authority, then erected and maintained at all times thereafter in accordance with those details, prior to the first beneficial occupation of any of the units.

Reason:

In the interests of visual amenities and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

9. Prior to the commencement of development full details, including cross sections, of the existing and finished levels of the area of amenity space, the floor levels of the building and the adjoining land shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full accordance with the approved details.

Reason:

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

10. The proposed parking provision as shown on the amended site layout plan (Drawing No. 42/05 A) shall be provided and clearly delineated on the ground for the use of each dwelling unit, prior to the beneficial occupation of any unit and thereafter maintained and retained clear of obstruction at all times for their use associated with this development.

Reason:

To ensure adequate parking facilities are provided to serve the development proposals, in the interests of highway safety and to ensure compliance with Policies ENV27, HOUS8 and TRAN 10 of the Unitary Development Plan.

11. Notwithstanding the provision of the area of amenity space to serve the new residential units, a minimum of three number parking spaces shall be retained within the curtilage of No. 4 St. Nicholas Road to serve this property at all times.

Reason:

To ensure adequate parking facilities are provided to serve the dwelling, in the interests of highway safety and to ensure compliance

with Policies ENV27, HOUS8 and TRAN 10 of the Unitary Development Plan.

12. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995 or any Order amending, revoking or re-enacting that Order no fence, wall or means of enclosure shall be erected, constructed, improved or altered on site without the prior consent of the Local Planning Authority.

Reason:

In the interests of visual amenities and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

13. Prior to its construction, details of the covered bicycle shed and bin store shall be submitted to and agreed in writing by the Local Planning Authority and the structure shall be provided in accordance with those details prior to the first beneficial occupation of any of the units.

Reason:

To ensure the provision of adequate bicycle and bin storage facilities, to encourage the use of sustainable forms of transport, in the interests of visual amenities and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

**2008/00068/FUL** Received on 17 January 2008
(P.172)
Mr. David Harris, Old Froglands, Llanmaes, Llantwit Major., Vale of Glamorgan., CF61 2XR
Mr. S. J. Williams, Hyder Consulting, HCL House, Fortran Road, St. Mellons, Cardiff., CF3 0EY

**Pen-y-Bryn, Bottom Farm, Llanmaes**

Temporary agricultural accommodation

REFUSED Written representation

1. The existing agricultural enterprise fails both the functional and financial tests in that there is insufficient functional need for a worker to be present on-site on a full time basis and the financial basis of the enterprise would not support a full time worker. The proposal therefore represents an unjustified dwelling in the open countryside, which is contrary to Policies ENV1- Development in the Countryside, ENV4 - Special Landscape Areas, ENV10 - Conservation of the Countryside, ENV27 - Design of New Developments, HOUS3 - Dwellings in the Countryside;and HOUS5 - Agricultural or Forestry Dwellings, of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and

the advice contained within Planning Policy Wales (2002) and TAN 6 - Agricultural and Rural Development.

**2008/00094/FUL** Received on 23 January 2008
(P.178)
Mr. Mark Canning, West Ceffyl, Broughton, Vale of Glamorgan.
Chris J. Morgan, 4A Fontygary Road, Rhoose, Vale of Glamorgan., CF62 3DR

**Land and buildings at Crofta Farm, Ystradowen**

Change of use of agricultural building to 1 no. dwelling (barn 2 only)

REFUSED Written representation

1. In the opinion of the Local Planning Authority the proposal, due to its isolated location and associated new works, represents the introduction of an unsustainable new dwelling in the countryside, unjustified for agricultural or forestry purposes. The proposal will serve to urbanise the site and prejudice the use of adjoining agricultural land all to the detriment of the character and appearance of the surrounding countryside contrary to Policies ENV1 - Development in the Countryside, ENV8 - Small Scale Rural Conversions, ENV10 - Conservation of the Countryside, ENV11 - Protection of Landscape Features, ENV27 - Design of New Developments, HOUS3 - Dwellings in the Countryside, and Strategic Policies 2 and 8 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on the Conversion of Rural Buildings and Sustainable Development; and national guidance contained in Planning Policy Wales March 2002.

**2007/01753/RG3** Received on 19 December 2007
(P.187)
The Vale of Glamorgan Councill, Docks Office, Barry, Vale of Glamorgan., CF63 4RT
Mark White, Project Mgt Unit, Dept of EER, Docks Offuce, Barry., Vale of Glamorgan., CF63 4RT, ,

**The Innovation Quarter, Hood Road, Barry**

Outline planning application for A 14-19 Learning Centre

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

1. Application for approval of the reserved matters hereinbefore referred to must be made not later than the expiration of three years beginning with the date of this permission.

   Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. The development to which this permission relates must be begun not later than whichever is the later of the following dates:

   (a) The expiration of five years from the date of this permission.

   (b) The expiration of two years from the date of the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matters to be approved.

   Reason:

   To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called `the reserved matters`) shall be submitted to and approved by the Local Planning Authority before any development is commenced.

   Reason:

   To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

4. No development shall take place until such time as finished floor levels of the development have been submitted to and approved in writing by the Local Planning Authority, such details to be informed by the preparation of a Flood Consequences Assessment.

   Reason:

   In order to protect the development from flooding, as required by Policy ENV7 of the adopted Unitary Development Plan.

5. No development shall commence until a contaminated land assessment and associated remedial strategy have been submitted to and approved in writing by the Local Planning Authority. The assessment shall follow the guidance contained in `Contaminated Land a Guide for Developers and shall include:

   a) A Phase 1 Preliminary Risk Assessment (Desk Study) which shall detail the history of the site uses and identify and evaluate all potential sources and impacts of land and/or groundwater contamination.

b) Where the preliminary risk assessment identifies potentially unacceptable risks at the site, a suitably qualified and accredited person shall carry out a site investigation, the requirements of which shall be agreed with the Local Planning Authority in writing before any site surveys are commenced.

c) A site investigation report detailing all investigative works and sampling on site.

Any approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works additional unidentified contamination is encountered this shall be fully assessed and an appropriate remediation scheme agreed in writing with the Local Planning Authority. Upon completion of the works a verification report shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

In the interests of public health and safety in accord with Policy ENV27 - Design of New Developments of the Unitary Development Plan.

6. Any soils or materials to be imported onto the site shall be assessed for chemical and other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing with the Local Planning Authority prior to the soils being imported. The development shall be implemented thereafter in accordance with the agreed scheme.

Reason:

In the interests of public health and safety in accord with Policy ENV27 - Design of New Developments of the Unitary Development Plan.

7. The submitted reserved matter details shall be in line with the aims and objectives of the Statement of Sustainability submitted in support of the application.

Reason:

To ensure a sustainable form of development in accordance with the Supplementary Planning Guidance on Sustainable Development.

8. The reserved matters details shall provided for a public artwork feature on the site, equivalent to one percent of the total build costs, details of which shall first be submitted to and agreed in writing by the Local Planning Authority.

Reason:

In the interests of quality design and enhancement of public places in accordance with the Supplementary Planning Guidance on Public Art.

9. Prior to first beneficial use of the development hereby approved, details of the manner by which the development will contribute to sustainable public transport in the locality shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into beneficial use until such provision as been made in full accordance with such agreed details.

Reason:

To ensure the development meets the Council's expectations for sustainable transport, in accordance with Policies 2 and 8 of the Adopted Unitary Development Plan.

10. Prior to the beneficial occupation of the development hereby approved, a Travel Plan shall be prepared to include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use. The Travel Plan shall thereafter be implemented in accordance with the approved details.

Reason:

To ensure the development accords with sustainability principles and that site is accessible by a range of modes of transport in accordance with Unitary Development Plan Policies 2, 8 and ENV27 - Design of New Developments

11. Foul water and surface water discharges shall be drained separately from the site, with no surface water or land drainage run-off allowed to connect (either directly or indirectly) into the public sewerage system.

Reason:

To protect the integrity, and prevent hydraulic overloading, of the Public Sewerage System, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

Agenda Item No. 4

# VALE OF GLAMORGAN CONSERVATION ADVISORY GROUP

MINUTES of a meeting held on 20th March, 2008.

Present: Councillor A.D. Dobbinson (Vice-Chairman in the Chair); Mr. A.H. Jones (Barry Preservation Society); Mr. R. Simpson (Campaign for the Protection of Rural Wales); Mr. G. H. Haynes (Cowbridge and District Local History Society); Councillor H. Morgan (Cowbridge with Llanblethian Town Council); Councillor J.W. Veasey (Llancarfan Community Council); Mrs. S.E. Taylor (Llancarfan Society); Mrs. H. March (Llantwit Major History Society) and Ms. P. Goodwin (Pride in Barry).

Officers: Mrs. J. Crofts, Mr. N. Lloyd and Mr. J. Rees.

(a) Apologies for absence -

These were received from Councillor Ms. R.M. Birch (Chairman); Mr. G. Robinson (Penarth Society); Mr. R. Burston (St. Nicholas Society); Mrs. J. Williams (The Victorian Society); and Councillor Mrs. E. Jervis (The Wenvoe History Group).

(b) Minutes -

AGREED - T H A T the minutes of the meeting held on 27th February, 2008 be agreed, subject to it being noted that matters relating to the County Treasures were outside the terms of reference of this Group. However, should the Group deem it appropriate, the matter could be discussed as an item at a future meeting of the Extended Group.

(c) Information Feedback -

AGREED - T H A T the following feedback on applications previously considered by the Group be noted:

| | |
|---|---|
| 2007/00546/FUL | **Upper House Garage, Turkey Street, Llantwit Major** - demolition of existing garage erection of two houses. This application was approved. |
| 2008/00086/FUL | **Land adjacent to River View, East Aberthaw** - proposed detached cottage style four bedroom dwelling. This application was refused. |
| 2007/01752/FUL | **The site of the former Royal British Legion Club, Cowbridge** - demolition of former club house building and replacement with residential development of twelve no. 2 bedroom apartments |

| | |
|---|---|
| | with associated parking and amenity space. This application was withdrawn. |

(d) Applications in Conservation Areas -

(i) Aberthin

**2008/00162/FUL** Received on 8th February 2008

Mr. M. Rees & Mrs. S. Kemp, c/o Agent
Alun Arthur, 71, Merthyr Mawr Road, Bridgend, CF31 3NS

**Cross House, Cowbridge Road, Aberthin**

Two storey side extension with garage to ground floor; single to one-half storey rear extension.

RECOMMENDED - APPROVAL - in considering this application, the Group had no objection to the proposal, subject to the Local Planning Authority if it were so minded to approve the application, they condition any consent stipulating that materials should be in keeping with the conservation area viz, slate and render.

(ii) Cowbridge

**2008/00184/FUL** Received on 11th February 2008

A.&J. Thomas, Hir Pob Aros, Cwrt Llanfleiddan, Llanblethian, Vale of Glamorgan CF71 7JZ
Loyn & Co. Architects, 21, Victoria Road, Penarth, Vale of Glamorgan CF64 3EG

**6, Westgate, Cowbridge**

Rear extension to existing terraced house and new garage coach house to end of garden.

RECOMMENDED - T H A T whilst the Group had no objection in principle to the proposed two storey extension to the rear of the property. It did however, object to the scale and form of the replacement of the existing pre-fabricated garage at the bottom of the garden with a two storey coach house with garage space to the ground floor and a studio space to the first floor, given that it fails to preserve or enhance the character of the conservation area.

(iii) Llancarfan

**2008/00209/FUL** Received on 15th February 2008

Mr. & Mrs. R. Williams, Caradoc Cottage, Llancarfan, Vale of Glamorgan CF62 3AG
S.G. Williams & associates, Lombard House, 64, Mansel Street, Swansea SA1 5TN

**Caradoc Cottage, Llancarfan**

Proposed demolition of existing property and construction of 2 no. new dwellings with detached garages.

RECOMMENDED - REFUSAL - the Group opposed the demolition of the existing cottage, recognising its positive contribution to the semi-rural landscape, in a prominent part of the conservation area. The proposal by introducing two dwellings with an urban character, would by their very nature not preserve or enhance the character of the conservation area.

**2008/00233/FUL** Received on 21st February 2008

Llancarfan & District Community Association, c/o Ty Uchaf, Llancarfan, Vale of Glamorgan CF62 3AD
A.N. Renwick, Ty Cattwg, Llancarfan, Vale of Glamorgan CF62 3AL

**Llancarfan Community Hall, Llancarfan**

Extension to accommodate stage, store, WCs, disabled WC and new access to first floor balcony room.

RECOMMENDED - APPROVAL.

(iv) St. Brides Major

**2008/00195/FUL** Received on 14th February 2008

Mr. & Mrs. C. Davies, Old Paddock Cottage, St. Brides Major, Vale of Glamorgan CF32 0SB
Mr. & Mrs. C. Davies, Old Paddock Cottage, St. Brides Major, Vale of Glamorgan CF32 0SB

**Briars Bank Garage, Penylan Road, St. Brides Major**

Demolition of existing garage and construction of single storey 1 bedroom studio dwelling.

RECOMMENDED - REFUSAL - the Group considered that the scale, form design and materials of the proposed new dwelling, did not preserve or enhance the character of the conservation area.

**2008/00210/FUL** Received on 15th February 2008

Mr. N. Hall, 55 Merthyr Mawr Road, Bridgend CF31 3NN
Mr. N. Hall, 55 Merthyr Mawr Road, Bridgend CF31 3NN

**Kingshall Farm, St. Brides Major**

Conversion of existing barn to residential.

RECOMMENDED - APPROVAL.

# The Vale of Glamorgan Council

# Planning Committee: 17th April, 2008

# Director of Legal, Public Protection and Housing Services

# Site Inspections

## Purpose of the Report

1. To note the attendance of the following sites indicated below on 13th March, 2008.

## Recommendations

To note the report.

## Reasons for the Recommendations

To advise Committee.

## Background

2. The following site inspections were requested by the meeting of the Planning Committee on 21st February, 2008.

## Relevant Issues and Options

3. Apologies for absence were received from Councillors R.J. Bertin and A.M. Ernest (Sites (a)-(d) and Mrs. A.J. Preston (Site (d)):

| | | |
|---|---|---|
| (a) | Holm House, Marine Parade, Penarth | Councillor A.D. Dobbinson (Chairman); G.A. Cox, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, A.G. Powell, Mrs. A.J. Preston, A.C. Williams and A.J. Williams. |
| (b) | Parkside Residential Home, 1-2 Park Road, Penarth | Councillor A.D. Dobbinson (Chairman); Councillors G.A. Cox, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, A.G. Powell, Mrs. A.J. Preston and A. C. Williams. |

| | | |
|---|---|---|
| (c) | Land adjacent to Rhoose Station | Councillor A.D. Dobbinson (Chairman); Councillors G.A Cox, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, H.J.W. James, G.C. Kemp, A.G. Powell and Mrs. A.J. Preston. |
| (d) | Land South Side of Railway Line, Rhoose | Councillor A.D. Dobbinson (Chairman); Councillors G.A Cox, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, H.J.W. James, G.C. Kemp and A.G. Powell. |

## Resource Implications (Financial and Employment)

4. None.

## Legal Implications (to Include Human Rights Implications)

5. None.

## Crime and Disorder Implications

6. None.

## Equal Opportunities Implications (to include Welsh Language issues)

7. None.

## Corporate/Service Objectives

8. None.

## Policy Framework and Budget

9. None.

## Consultation (including Ward Member Consultation)

10. None.

## Relevant Scrutiny Committee

11. None.

## Background Papers

Nil.

## Contact Officer

Mr. C. Hope Tel: 01446 709855 E-mail: CHope@valeoglamorgan.gov.uk

## Officers Consulted

None.

## Responsible Officer:

P.H. Evans
Director of Legal, Public Protection and Housing Services

# The Vale of Glamorgan Council

# Planning Committee:17th April, 2008

# Report of the Director of Legal, Public Protection and Housing Services

# Vale of Glamorgan Conservation Advisory Group: Proposed Timetable of Meeting for 2008/09

## Purpose of the Report

1. To approve a Timetable of Meetings for the Vale of Glamorgan Conservation Advisory Group for 2008/09.

## Recommendations

That the timetable referred to in paragraph 3 below be approved.

## Reasons for the Recommendations

To set a timetable for meetings of the Vale of Glamorgan Conservation Advisory Group for 2008/09.

## Background

2. Meetings of the Advisory Group have generally been held on a four weekly basis, commencing at 6.00 p.m. on Wednesdays or Thursdays. The minutes of the Advisory Group are reported to the Planning Committee.

## Relevant Issues and Options

3. In order to continue the current arrangements, the following timetable of meetings has been drawn up:

**2008**

- 29th May (Thursday)
- 19th June (Thursday)
- 17th July (Thursday)
- 28th August (Thursday)

- 24th September (Wednesday)
- 29th October (Wednesday)
- 27th November (Thursday)

**2009**

- 7th January (Thursday)
- 29th January (Thursday)
- 26th February (Thursday)
- 18th March (Wednesday)
- 23rd April (Thursday).

## Resource Implications (Financial and Employment)

4. None as a direct result of this report.

## Legal Implications (to Include Human Rights Implications)

5. None as a direct result of this report.

## Crime and Disorder Implications

6. None as a direct result of this report.

## Equal Opportunities Implications (to include Welsh Language issues)

7. None as a direct result of this report.

## Corporate/Service Objectives

8. Protecting, preserving and enhancing the natural and built environment through the planning processes.

## Policy Framework and Budget

9. The proposals within this report are in accordance with the Policy Framework and Budget.

## Consultation (including Ward Member Consultation)

10. The Conservation Group will be advised of the above arrangements.

## Relevant Scrutiny Committee

11. Economy and Environment.

## Background Papers

None.

## Contact Officer

Mr. C. Hope (01446) 709855.

## Officers Consulted

All relevant Chief Officers have been consulted on the contents of this report.

## Responsible Officer:

P.H. Evans
Director of Legal, Public Protection and Housing Services.

Agenda Item No. 7.

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17TH APRIL, 2008

REFERENCE FROM CABINET: 2ND APRIL, 2008

**"C3473 DRAFT SUPPLEMENTAL PLANNING GUIDANCE: COUNTY TREASURES (DEER) (SCRUTINY – ECONOMY AND ENVIRONMENT) – Urgent by reason of the need to make a decision prior to the next Committee**

Cabinet received a report which advised of the draft Supplementary Planning Guidance (SPG) 'County Treasures', which had been developed to support the policies and proposals contained within the Adopted Vale of Glamorgan Unitary Development Plan 2005 (UDP).

Once approved, the SPG shall be used for development control purposes and shall be a material consideration in the determination of planning applications. A copy of the guidance was attached at Appendix A to the report.

The County Treasures survey uniquely contained a 'unified' list of historic built assets found within the Vale of Glamorgan. It therefore contained listed buildings, Scheduled Ancient Monuments, as well as 362 entries identified as being of 'local importance'. The SPG was designed to provide planning guidance as advice on this locally listed element of the survey.

The document provided information on the following issues:

- Background
- Identification of Local Entries
- Criteria for Selection and Review
- Status and Policy Background
- Planning Control: Strategic Policy Context
- Planning Control: Detailed Implications
- Where to View County Treasures.

This was a matter for Executive decision.

RESOLVED

(1) T H A T a copy of the report and SPG attached at Appendix A to report be referred to Planning Committee and the Conservation Area Advisory Group for consultation purposes.

(2) T H A T subject to the views of the Planning Committee and the Conservation Area Advisory Group, a consultation exercise be undertaken on the contents of the draft SPG targeting 'interested parties'.

(3) T H A T subject to the views of the Planning Committee and the Conservation Area Advisory Group, the draft SPG be approved for interim development control purposes and made available on the Council's website.

(4) T H A T a further report be presented to Cabinet outlining the responses to the consultation exercise, together with any proposed changes to the draft SPG.

Reasons for decisions

(1) To obtain the views of the Planning Committee and the Conservation Area Advisory Group on the draft SPG.

(2) To obtain the views of interested parties on the draft SPG.

(3) To allow the draft SPG to be considered in the determination of any planning applications.

(4) To advise Cabinet of the results of the consultation exercise together with any proposed changes to the draft SPG."

**Matter which the Chairman has decided is urgent by reason of the need to make a decision prior to the next committee.**

# The Vale of Glamorgan Council

# Cabinet Committee 2nd April, 2008

# Report of the Director of Environmental and Economic Regeneration

# Draft Supplementary Planning Guidance: County Treasures

## Purpose of the Report

1. To advise Cabinet of the draft Supplementary Planning Guidance (SPG) 'County Treasures', which has been developed to support the policies and proposals contained within the Adopted Vale of Glamorgan Unitary Development Plan 2005 (UDP).
2. Once approved, the SPG shall be used for development control purposes and shall be a material consideration in the determination of planning applications. A copy of the guidance is attached at Appendix 'A'.

## Recommendations

It is recommended that:

1. A copy of this report and SPG attached at Appendix 'A' be referred to Planning Committee and Conservation Area Advisory Group for consultation purposes.
2. Subject to the views of the Planning Committee and Conservation Area Advisory Group, a consultation exercise be undertaken on the contents of the draft SPG targeting "interested parties".
3. Subject to the views of Planning Committee and Conservation Area Advisory Group, the draft SPG be approved for interim development control purposes and made available on the Council's website.
4. A further report be presented to Cabinet outlining the responses to the consultation exercise, together with any proposed changes to the draft SPG.

## Reasons for the Recommendations

1. To obtain the views of the Planning Committee and Conservation Area Advisory Group on the draft SPG.
2. To obtain the views of interested parties on the draft SPG.
3. To allow the draft SPG to be considered in the determination of any planning applications.

4. To advise Cabinet of the results of the consultation exercise together with any proposed changes to the draft SPG.

## Background

3. The County Treasures list was considered and endorsed in Cabinet of 20th June, 2007 (Minute C3071 refers). It is the product of a number of years research, which commenced in 2001, and co-operation between town/community councils, local amenity societies, history groups and individual volunteers. It was largely funded by the Heritage Lottery Fund which entailed the appointment of a project coordinator in 2002. However, from 2005 the final presentation and editorial process was undertaken by the Council. The list is now available for inspection on the Council's website, and as hard copy for reference in County Libraries. A CD containing the list had also been provided to all schools in the Council's area.

4. Conservation of the built heritage is a key objective of the UDP, contained within Strategic Policy 1. Elsewhere, the UDP contains policies that cover a wide range of topics also linked to issues of the historic environment, including Policy ENV 17 which is repeated below:

**POLICY ENV 17 - PROTECTION OF BUILT AND HISTORIC ENVIRONMENT**

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

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

WILL NOT BE PERMITTED

5. The production of this SPG will help guide developers and encourage best practice throughout the Vale.

6. The Welsh Assembly Government (WAG) also advises that SPG should be prepared in consultation with the general public and interested parties and must be the subject of a Council resolution.

## Relevant Issues and Options

7. The County Treasures survey uniquely contains a 'unified' list of historic built assets found within the Vale of Glamorgan. It therefore contains listed buildings, Scheduled Ancient Monuments, as well as 362 entries identified as being of 'local importance'. The SPG is designed to provide planning guidance as advice on this locally listed element of the survey.

8. The document provides information on the following issues:

- Background
- Identification of Local Entries
- Criteria for Selection and Review
- Status and Policy Background
- Planning Control: Strategic Policy Context
- Planning Control: Detailed Implications
- Where to View County Treasures

## Resource Implications (Financial and Employment)

9. The SPG has been written and designed in-house by officers of the Conservation and Design Team and has been undertaken within the current budget for the Planning Division.

## Legal Implications (to Include Human Rights Implications)

10. When adopted the SPG shall be a material consideration in the determination of planning applications/appeals pursuant to guidance contained in Unitary Development Plans Wales (2001). The weight attached to the guidance contained in the SPG will be dependent on the extent to which it has undergone public consultation.

## Crime and Disorder Implications

11. None.

## Equal Opportunities Implications (to include Welsh Language issues)

12. None.

## Corporate/Service Objectives

13. The SPG will contribute to the Council's corporate priority "to achieve a quality environment through promotion and use of sustainable practices, and by making the best use of current and future resources".

## Policy Framework and Budget

14. This report is a matter for Executive Decision by Cabinet.

## Consultation (including Ward Member Consultation)

15. In accordance with the Council's protocol for the preparation of SPG, following consultation with Cabinet and Planning Committee external consultation shall be undertaken with interested parties.

16. No ward Member consultation has been undertaken as the report has implications for the Vale of Glamorgan as whole rather than specific wards.

## Relevant Scrutiny Committee

17. Relevant Scrutiny Committee.

## Background Papers

The Adopted Unitary Development Plan (1996 – 2011)
County Treasures (2007)

## Contact Officer

Peter Thomas, Tel: 01446 704 628

## Officers Consulted

Operational Manager – Development Control.
Operational Manager – Legal Services – Committee Reports

## Responsible Officer:

Rob Quick Director of Environmental and Economic Regeneration

# County Treasures

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VALE of GLAMORGAN
BRO MORGANNWG

The Vale of Glamorgan © 2008

# 1.0 INTRODUCTION

1.1 National policy and legislation provide statutory protection for the most important elements of the historic built environment by recognising:

- buildings/structures of special architectural/historic interest (listed buildings)
- scheduled ancient monuments
- conservation areas

These form the principal ways by which buildings, monuments and wider areas that make up the built cultural heritage of the Vale of Glamorgan are recognised.

1.2 It is also evident, however, that a number of other buildings and elements, whilst not of equal merit or interest in comparison with nationally recognised examples, are nevertheless of considerable local interest and value.

1.3 This supplementary planning guidance is specifically concerned with such locally identified entries contained within the County Treasures list.

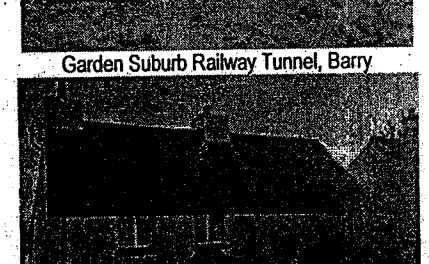
# 2.0 BACKGROUND TO THE COUNTY TREASURES INVENTORY

2.1 The County Treasures project is unique in Wales in providing a unified list of historic built assets located in the Vale of Glamorgan. It therefore describes nationally recognised lists and schedules as well as 362 entries recognised as being of local merit. Included for comprehensiveness are parks and gardens included in the Cadw/Icomos Register of Parks and Gardens of Special Interest in Wales (Glamorgan).

2.2 For identification, the local entries currently recognised in the County Treasures list are described in Appendix 1 to the SPG.

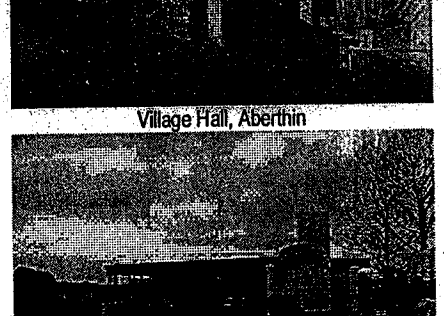
# 3.0 IDENTIFICATION OF LOCAL ENTRIES

Garden Suburb Railway Tunnel, Barry



The Ramblers, Colwinston

Village Hall, Aberthin



Modern housing at The Mount, Dinas Powys

3.1 The local items were identified by means of a partnership between the Council, representatives of town/community councils, the Penarth Society, other local amenity societies and independent local volunteers. Led by a steering group appointed in 2002, the project was partly funded by the Heritage Lottery Fund which provided support for a project co-ordinator.

3.2 In July, 2005, the Council accepted responsibility for the data editing process and finalisation of the database. In order to ensure the robustness of the list, each local entry has been assessed in terms of its merits, integrity and authenticity. List descriptions, maps and photographs have been verified and entries reviewed to ensure consistency in approach. For the purposes of brevity given the size of the overall list (standing at 1,200 entries) listed buildings and Scheduled Ancient Monuments contain descriptions extracted from the statutory lists and schedules.

# 4.0 CRITERIA FOR SELECTION AND REVIEW

4.1 The original list of local entries was selected on the basis of criteria designed to assist in recognising and quantifying candidates of merit. It is intended to retain these criteria in terms of future candidacy. These criteria are as follows:

1 Architectural interest – buildings which are of importance to the Vale of Glamorgan for the interest of their architectural design, decoration and craftsmanship; also important examples of particular building types and techniques;

2 Historic Interest – this includes buildings which illustrate important aspects of the Vale of Glamorgan's social, economic, cultural or military history;

3 Close Historical Association – with the Vale of Glamorgan's important people or events;

4 Group Value – especially where local buildings comprise an important architectural or historic unity;

5 Old or rare local buildings that have been altered too much to warrant being included on the national statutory list, but nonetheless retain character.

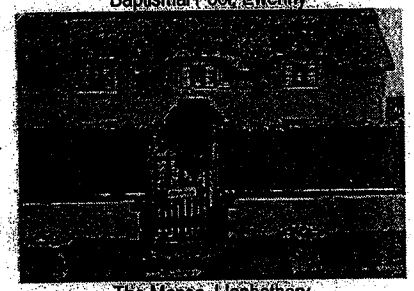
4.2 The local list is not static and it is recognised that the perception of locally important buildings and the contribution they make to the local historic environment may change in the future. To this end, the Council will monitor and review the 'County Treasures' list on a regular basis.

4.3 It is also recognised that additions may need to be made as circumstances warrant in between periods of review. For example, as part of its ongoing review of Conservation Areas in the Vale of Glamorgan the Council is recognising new, locally important historic buildings as part of the appraisal process. This will bring forward new candidates for inclusion.

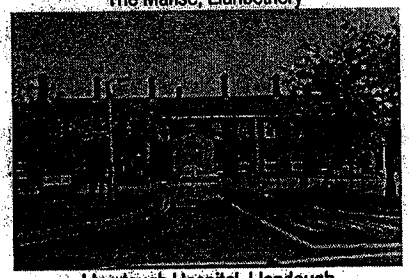
4.4 As County Treasures is a unified list, new entries identified as being of statutory significance (i.e. listed buildings and scheduled ancient monuments) will also need to be added.

# 5.0 STATUS AND POLICY BACKGROUND OF THE SUPPLEMENTARY PLANNING GUIDANCE

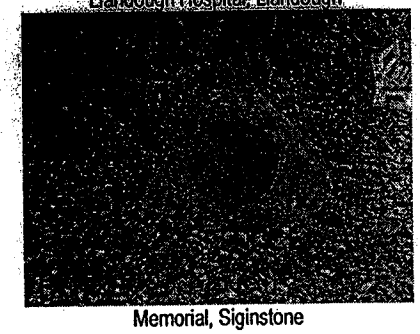
Baptismal Pool, Ewenny



The Manse, Llanbethery



Llandough Hospital, Llandough



Memorial, Siginstone

5.1 This document is non-statutory in nature and is designed to supplement and interpret existing policy guidance contained in Planning Policy Wales (2002) and in the Adopted Vale of Glamorgan Unitary Development Plan ('UDP'), 1996-2011.

5.2 Only the policies in the Development Plan can have the special status afforded by Section 54A of the Town and Country Planning Act, 1990 (as amended) in determining planning applications. However, the Welsh Assembly Government advises Supplementary Planning Guidance may be taken into account as a material consideration.

5.3 The weight afforded to the document is increased if it has been prepared in consultation with the general public and interested parties and it has been the subject of a Council resolution. Whilst this list has already been prepared in conjunction with representatives of participating local town/community councils, it has nevertheless been made subject to further consideration as described in Appendix 2.

5.4 The key policy contained in the UDP relating to locally listed entries in the 'County Treasures' list is ENV17 which states as follows:

**POLICY ENV 17 - PROTECTION OF BUILT AND HISTORIC ENVIRONMENT**

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

(i) A BUILDING OR GROUP OF BUILDINGS, STRUCTURE OR SITE OF ARCHITECTURAL OR HISTORIC INTEREST, INCLUDING LISTED BUILDINGS AND CONSERVATION AREAS;

(ii) SCHEDULED ANCIENT MONUMENTS AND SITES OF ARCHAEOLOGICAL AND / OR HISTORIC INTEREST;

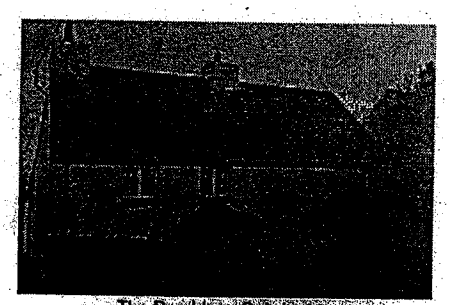
(iii) DESIGNED LANDSCAPES, PARKS OR GARDENS OF HISTORIC, CULTURAL OR AESTHETIC IMPORTANCE

WILL NOT BE PERMITTED.

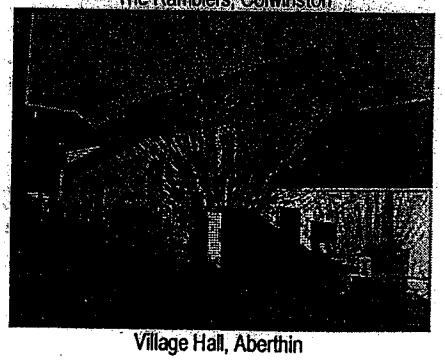
Associated policies contained in the UDP relating to the historic built environment are ENV 18, 19, 20, 21, 22, and 23. These are summarised in Appendix 3.

5.5 The Council is currently preparing a Local Development Plan (2011-2026) and it is intended to incorporate the local list and appropriate policies relating to it within that Plan.

5.6 The County Treasures survey was approved in Cabinet of 20th June, 2007 (Minute No. C3071 refers) and this document on XX (Minute No. XX refers).



The Ramblers, Colwinston



Village Hall, Aberthin

# 6.0 PLANNING CONTROL OVER 'LOCALLY LISTED' ENTRIES: STRATEGIC POLICY CONTEXT

6.1 Both the Adopted Unitary Development Plan (UDP) and the emergent Local Development Plan contain strategic policies that emphasise the value of 'local distinctiveness' in the environment of the Vale of Glamorgan. The recognition of locally important buildings and structures is thereby given an added dimension in the overall consideration of planning applications, with an emphasis given to the need for justification for the loss or unsatisfactory alteration of such buildings and intervention in development proposals.

Strategic Policy 1 of the UDP states as follows:

**STRATEGIC POLICY 1**

THE VALE OF GLAMORGAN'S DISTINCTIVE RURAL, URBAN AND COASTAL CHARACTER WILL BE PROTECTED AND ENHANCED. PARTICULAR EMPHASIS WILL BE GIVEN TO CONSERVING AREAS OF IMPORTANCE FOR LANDSCAPE, ECOLOGY AND WILDLIFE, THE BEST AND MOST VERSATILE AGRICULTURAL LAND AND IMPORTANT FEATURES OF THE BUILT HERITAGE. PROPOSALS WHICH ENHANCE THESE AREAS WILL BE FAVOURED.

Policy CSP10 of the Draft Preferred Strategy of the Local Development Plan (2011 – 2026) states:

**CSP10: BUILT AND NATURAL ENVIRONMENT**

THE VALE OF GLAMORGAN'S BUILT AND NATURAL ENVIRONMENTAL ASSETS WILL BE PROTECTED AND WHERE POSSIBLE ENHANCED. APPROPRIATE DEVELOPMENT PROPOSALS SHOULD PROMOTE:

- HIGH QUALITY DESIGN THAT REINFORCES LOCAL CHARACTER, ENHANCES LANDSCAPE SETTINGS, AND RESPECTS THE CULTURAL AND HISTORIC QUALITIES OF INDIVIDUAL BUILDINGS OR CONSERVATION AREAS
- OPPORTUNITIES FOR THE CREATION, CONSERVATION OR RESTORATION OF DESIGNATED SITES OF NATIONAL AND LOCAL NATURE CONSERVATION INTERESTS.

6.2 Existing adopted policy in Supplementary Planning Guidance to the UDP (contained within Conservation Areas in the Rural Vale) sets out a method and detailed guidance as to how the specific policies can be achieved. This is applied by means of a 'sensitive development test' (Paragraphs 4.2, 4.3, page 10), which emphasises the need to recycle and convert historic buildings within a site. The method and sensitive development test are applied to all adopted Conservation Area Appraisals for villages within the Vale of Glamorgan and to the Penarth Conservation Area.

# 7.0 PLANNING CONTROL OVER 'LOCALLY LISTED' ENTRIES: DETAILED IMPLICATIONS

7.1 The inclusion of locally listed buildings on the County Treasures list does not have any immediate effect in law and they are not currently subject to any additional planning controls over alteration or demolition.

7.2 Entries located within conservation areas are already subject to the extended planning controls (e.g. over demolition) that exist in them.

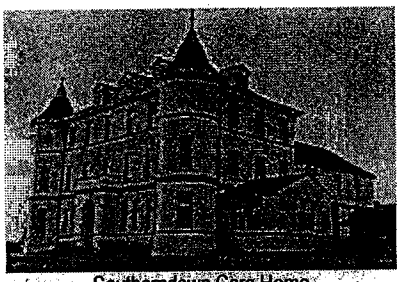
7.3 The Town and Country Planning (General Permitted Development) Order, 1995 grants certain rights (known as permitted development rights) in law. This allows certain limited forms of development (such as extensions within prescribed limits) without the need to make a planning application. Although these currently remain as existing, the Council will in future assess the need to apply a direction under Article 4 of this order to restrict development rights to properties contained on the County Treasures list.

7.4 As entry on the County Treasures list confers a level of added status to the perceived value of a building (see para 6.1). This may be reflected in several further ways in the consideration of planning applications:

(a) applications for external alteration, extension and change of use of a building should take into account its special local interest in terms of appropriateness of design and use of materials.

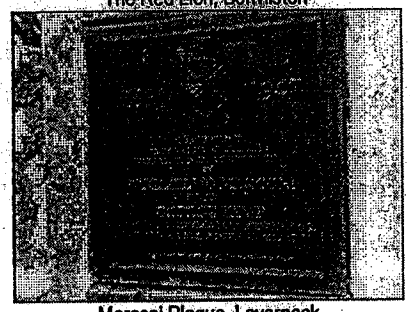
(b) Buildings that are designed to be located within the setting of a County Treasure should be designed to be sympathetic in terms of form, scale and appearance.

## 8.0 WHERE TO VIEW COUNTY TREASURES

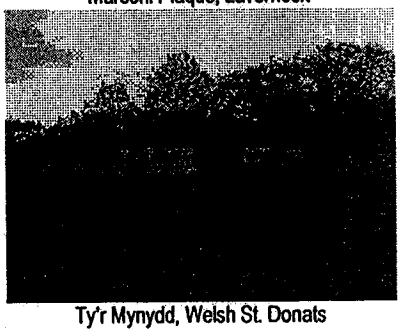


Southerndown Care Home

The Red Lion, Bonvilston



Marconi Plaque, Lavernock



Ty'r Mynydd, Welsh St. Donats

9.1 County Treasures is now available on the Council's website and includes the name and community of each building along with an architectural description, its reason for inclusion, a photograph and map.

9.2 To view County Treasures, please go to: **www.valeofglamorgan.gov.uk/living/planning/** "County Treasures" is contained within the Planning Policy section where each community is listed individually.

9.3 Alternatively it is available for viewing at the Vale's libraries.

9.4 For further information or advice on the Local List, contact the Conservation and Design Team at:

**Planning and Transportation**
Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT
www.valeofglamorgan.gov.uk

Tel: 01446 704 626/8
Fax: 01446 704 846

# Appendix 1 – Locally Listed County Treasures

| Treasure Ref | Local Name |
|---|---|
| ***Barry*** | |
| 191 | Barry Garden Suburb Tunnel |
| 199 | Barry Island Railway Heritage Centre |
| 2475 | Barry Island Shelter - Eastern |
| 2474 | Barry Island Shelter - Western |
| 1513 | Barry Road - Jenner Park School |
| 1484 | Cadoc Crescent - Palmerston Learning Community Centre |
| 1415 | Cadoxton - Coldbrook Road West - Double Cottage |
| 1413 | Cadoxton - Coldbrook Road West - Golden Grove |
| 1412 | Cadoxton - Coldbrook Road West - The Bowers |
| 1414 | Cadoxton - Coldbrook Road West - Yew Tree House |
| 1420 | Cadoxton - Cowbridge Street - Hatch Cottage |
| 1421 | Cadoxton - Cowbridge Street - Rock Cottages |
| 1511 | Cadoxton School |
| 1538 | College Road - St. Dyfan Welsh Medium School |
| 1517 | Garden Suburb |
| 1512 | Gladstone Road - Gladstone Primary School |
| 1510 | Gladstone Road - Memorial Hall |
| 186 | Harbour Road - Harbour Cottage |
| 1532 | High Street - High Street School |
| 2476 | Holton Road - Merchant Seaman Memorial |
| 1445 | Holton Road - Numbers 74 to 82 (even numbers) |
| 1514 | Holton Road - Schools |
| 1534 | Mount Pleasant - Baptist Church |
| 1562 | Old Harbour - York Breakwater |
| 195 | Park Road - St. Francis Millennium Centre |
| 1529 | Porthkerry Park - Cwmciddy Sawmill |
| 189 | Porthkerry Road - South - Royal Mail Post Box |

| Treasure Ref | Local Name |
|---|---|
| 190 | Porth-y-Castell - West - Royal Mail Post Box |
| 1531 | Romilly Park Road - Gorsedd Circle |
| 1515 | Romilly Road - Romilly School |
| 197 | St. Nicholas Road - St. Nicholas Community Hall |
| 1525 | St. Nicholas Road - Bethel Baptist Church |
| 1536 | St. Nicholas Road - Ship Hotel |
| 1560 | Trinity Street - Holy Trinity Church |
| 1486 | Vere Street - The Admiral |
| 1426 | Victoria Park Road - Old Mill Farm |
| 1490 | Weston Square - Aurora Court |
| 1491 | Weston Square - Cadoxton Conservative Club |
| 1492 | Weston Square - Hilary Mews |
| 1561 | Windsor Road Congregational Church |

## *Colwinston*

| | |
|---|---|
| 756 | Colwinston - Baptismal Pool |
| 775 | Colwinston - Bell House - Old School Bell |
| 763 | Colwinston - Church Cottage |
| 764 | Colwinston - Church Farm |
| 760 | Colwinston - Church of St. Michael and All Angels - Stone Altar in Churchyard |
| 762 | Colwinston - Colwinston House |
| 755 | Colwinston - Ebenezer Baptist Chapel |
| 771 | Colwinston - Lower House Farm - Slaughter House |
| 794 | Colwinston - Parish Well |
| 781 | Colwinston - Seion Presbyterian Chapel |
| 785 | Colwinston - Sycamore Tree Inn |
| 787 | Colwinston - The Ramblers |
| 776 | Colwinston - The Ramblers - Royal Mail Post Box |
| 791 | Colwinston - Ty Maen Farm |
| 799 | Colwinston - Yew Tree Cottage |
| 798 | Colwinston - Yew Tree Farm |
| 757 | Outlying - Brocastle Barn |
| 758 | Outlying - Brocastle Farm |
| 765 | Outlying - Claypit Farm |
| 766 | Outlying - Crack Hill House |
| 778 | Outlying - Parcae Farmhouse |
| 795 | Outlying - Splott Well |

| Treasure Ref | Local Name |
|---|---|
| 792 | Outlying - Ty Draw Farm |

## *Cowbridge with Llanblethian*

| | |
|---|---|
| 1638 | Aberthin - Aberthin House - Bridge |
| 1635 | Aberthin - Penylan House |
| 2471 | Aberthin - Village Hall |
| 1447 | Cowbridge - Eastgate - Number 69 |
| 1650 | Cowbridge - Eastgate / Aberthin Road - Milestone |
| 2470 | Cowbridge - High Street - Bridge at Glanthaw |
| 1446 | Cowbridge - High Street - Number 45, 47 and Vertity's Court |
| 1648 | Cowbridge - High Street - Verity's Court - Cobbled Paving |
| 1629 | Llanblethian - Cross House / The Cross |
| 1634 | Llanblethian - Factory Road - Woollen Factory |
| 2472 | Llanblethian - Factory Road - Workers Cottages |
| 1630 | Llanblethian - Hill House |
| 1633 | Llanblethian - Porth y Green |
| 1631 | Llanblethian - St. Quintin's House |
| 1627 | Outlying - Crossways House |
| 1628 | Outlying - Marlborough Grange |
| 1643 | Outlying - Newton House |

## *Dinas Powys*

| | |
|---|---|
| 4 | Dinas Powys - Britway Road - Holly Cottage |
| 505 | Dinas Powys - Elm Grove Road - Cross Keys Public House |
| 485 | Dinas Powys - Heol y Cawl - Hill Croft |
| 486 | Dinas Powys - Heol y Cawl - North Cottages |
| 490 | Dinas Powys - Highwalls Road - Terraced Cottages |
| 489 | Dinas Powys - Highwalsl Road - Ebenezer Chapel |
| 491 | Dinas Powys - Mill Road - Mill (House) |
| 496 | Dinas Powys - Station Road - Methodist Chape |
| 501 | Dinas Powys - Station Road - Star Public House - Barn at the rear |
| 2436 | Dinas Powys - The Mount - Modern Housing |
| 1339 | Dinas Powys - The Mount - Mount Cottage |
| 503 | Dinas Powys - The Mount - The Mount Lodge |
| 499 | Dinas Powys - The Square - Three Horse Shoes Public House |
| 523 | Outlying - Argae Lane - Coldbrook Fawr |
| 522 | Outlying - Cadoxton Road - Pont y Rhydyll |

| Treasure Ref | Local Name |
|---|---|
| **Ewenny** | |
| 1660 | Corntown - Corntown Road - Baptismal Pool |
| 815 | Corntown - Corntown Road - Corntown Well |
| 816 | Corntown - Corntown Road - Well |
| 1246 | Ewenny - Zoar Chapel |
| 1244 | Llampha - Llampha Farm Wall - Royal Mail Post Box |
| 811 | Llampha - Can-yr-Adar Cottage |
| 810 | Llampha - Pentre Hwnt |
| 818 | Outlying - Medieval Site |
| **Llancarfan** | |
| 2480 | Llanbethery - Cartref |
| 2479 | Llanbethery - Courthouse Cottage |
| 1396 | Llanbethery - The Manse |
| 1397 | Llanbethery - The Vines |
| 2481 | Llanbethery - Ty Mawr |
| 1549 | Llanbethery Farm |
| 52 | Llancarfan - Capel Yr Efail (Bethlehem Chapel) |
| 1392 | Llancarfan - Chapel Cottage |
| 48 | Llancarfan - Corner House |
| 635 | Llancarfan - Fox and Hounds Public House |
| 1226 | Llancarfan - Great House |
| 1555 | Llancarfan - Primary School |
| 51 | Llancarfan - Whitechapel |
| 1436 | Outlying - Crosstown |
| 1225 | Outlying - Pen Onn Farmhouse |
| **Llandough (near Penarth)** | |
| 1236 | Eastbrook Road, Llandough Baptist Church |
| 573 | Llandough Hospital |
| **Llandow** | |
| 407 | Llandow - Church of the Holy Trinity - Cross Socket Stone and Remains of Shaft |
| 733 | Llandow - Franklen Farm |
| 416 | Llandow - The Lodge |
| 644 | Llanmihangel - Church of St. Michael - Cross in Churchyard |
| 394 | Llysworney - Came Arms |
| 405 | Llysworney - Corner House |

| Treasure Ref | Local Name |
|---|---|
| 396 | Llysworney - Dyffryn Maelog |
| 390 | Llysworney - Keeper's House |
| 392 | Llysworney - Moat Farm House |
| 397 | Llysworney - White Gables |
| 398 | Llysworney - Wolf House |
| 627 | Sigingstone - Castle Pond |
| 868 | Sigingstone - Memorial to Llandow Air Disaster (1950) |
| 656 | Sigingstone - Moorshead Farm |
| 623 | Sigingstone - Pump House |
| 622 | Sigingstone - Wilton House |

## *Llanfair*

| | |
|---|---|
| 319 | Llandough - Llandough Castle - Mews |
| 1388 | Llandough - Llandough Mill |
| 324 | Llandough - The Cottage |
| 298 | St. Hilary - Kninkin Cottage (or Ninkhill) |
| 292 | St. Hilary - Little Hall Cottage |
| 1360 | St. Hilary - New Beaupre - The Cot Farm |
| 289 | St. Hilary - Old Post Office |
| 284 | St. Hilary - Pinklands (The Lodge) |
| 287 | St. Hilary - The Old Farm |
| 286 | St. Hilary - The Tithe Barn |
| 1362 | St. Hilary - Village Farm - Pill Box |
| 307 | St. Mary Church - Gigman Mill |
| 311 | Outlying - St. Mary's Well and Eye Well |

## *Llangan*

| | |
|---|---|
| 1247 | Llangan - Ty Mawr (South of Church) |
| 1271 | St. Mary Hill - Cwrt |
| 1258 | St. Mary Hill - Village House |
| 1248 | Treoes - Persondy |
| 1249 | Treoes - Ty Mawr |
| 1266 | Outlying - Croes y Defaid |

## *Llanmaes*

| | |
|---|---|
| 38 | Llanmaes - Brown Lion House |
| 42 | Llanmaes - Gadlys Farm |
| 37 | Llanmaes - Malifant Castle (Llanmaes Castle) |

| Treasure Ref | Local Name |
|---|---|
| 34 | Llanmaes - Mill House Cottage |
| 43 | Llanmaes - The Smithy |
| 2495 | Llanmaes - Village Hall (Former School) |
| 46 | Llanmaes - West Farmhouse and Barn |

## *Llantwit Major*

| | |
|---|---|
| 867 | Boverton - Orchard House Folly |
| 611 | Boverton - Orchard Lodge |
| 1205 | Llantwit Major - 1 & 2 Methodist Lane - Cottages |
| 1451 | Llantwit Major - Bakers Lane - Ivy Cottage |
| 218 | Llantwit Major - Bakers Lane - Numbers 1 and 2 The Gardens |
| 213 | Llantwit Major - Castle Street - Felsted - Wall |
| 226 | Llantwit Major - Church Lane - Barn |
| 1198 | Llantwit Major - Church Lane - Church House |
| 1197 | Llantwit Major - Colhugh Street - Anchor Cottages |
| 595 | Llantwit Major - Colhugh Street - Woodford House |
| 590 | Llantwit Major - Flanders Road - White House |
| 596 | Llantwit Major - Ham Lane - Ham Manor Lodge |
| 2477 | Llantwit Major - Hill Head - Terraced Housing |
| 1204 | Llantwit Major - Methodist Lane - Tabernacle Chapel - Horse Mount |
| 1203 | Llantwit Major - Methodist Lane - Tabernacle Presbyterian Chapel |
| 234 | Llantwit Major - Wesley Street - Former Wesleyan Chapel |
| 232 | Llantwit Major - Wesley Street - Hodnant |
| 215 | Llantwit Major - West Street - Huntsmans Cottage |
| 220 | Llantwit Major - West Street - Old Malt House Cottage |
| 214 | Llantwit Major - West Street - West House |
| 231 | Llantwit Major - Wine Street - Ty'r Angel |
| 604 | Outlying - Colhuw Beach - Remains of Medieval Harbour |
| 632 | Outlying - Cwm Colhugh - Pill Box (World War II) |
| 582 | Outlying - Old Vicarage |
| 628 | Outlying - St. Donats Summerhouse |

## *Michaelston*

| | |
|---|---|
| 1600 | Michaelston-Le-Pit - Home Farm |
| 1601 | Michaelston-Le-Pit - Home Farm Barn |
| 1606 | Michaelston-Le-Pit - Tile House |
| 1604 | Outlying - Bryn Robin |
| 1607 | Outlying - Woodlands Community Care Centre |

| Treasure Ref | Local Name |
|---|---|

## *Penarth*

| | |
|---|---|
| 568 | Cogan - Pill Street - Cogan School |
| 883 | Lavernock Road - Former Cement Works (Harvester) |
| 907 | Penarth - Albert Road - Albert Road Methodist Church |
| 906 | Penarth - Albert Road - Bellevue |
| 926 | Penarth - Alexandra Park |
| 548 | Penarth - Alexandra Park - Alexandra Lodge |
| 930 | Penarth - Alexandra Park - Dingle Bridge |
| 873 | Penarth - Archer Road - Numbers 23 and 25 |
| 912 | Penarth - Arcot Street - Former St. Joseph's Church and School |
| 549 | Penarth - Beach Road - The Kymin |
| 882 | Penarth - Clinton Road - Number 13 - Cefn Bryn |
| 915 | Penarth - Cornerswell Road - Victoria Primary School |
| 544 | Penarth - Esplanade - Edwardian Terrace and Seacot |
| 543 | Penarth - Esplanade - Italian Gardens, Public Shelter |
| 542 | Penarth - Esplanade - Mediterraneo |
| 1221 | Penarth - Marine Parade - Number 3 and Number 4 |
| 1220 | Penarth - Marine Parade - Number 7 |
| 1219 | Penarth - Marine Parade - Number 8 |
| 1218 | Penarth - Marine Parade - Number 9 |
| 1217 | Penarth - Marine Parade - Number 10 |
| 1215 | Penarth - Marine Parade - Number 12 |
| 1502 | Penarth - Marine Parade - Skomer |
| 556 | Penarth - Paget Place - Northcliffe Cottage |
| 884 | Penarth - Plassey Street - Bethel Chapel |
| 2473 | Penarth - Plassey Street - Holy Nativity Church |
| 910 | Penarth - Plassey Street - Tabernacle Baptist Church |
| 1207 | Penarth - Plymouth Road - The Railway Hotel Public House |
| 891 | Penarth - Raisdale Road - "Raisdale" |
| 892 | Penarth - Raisdale Road - Modern House |
| 899 | Penarth - Rectory Road - The Old Rectory |
| 1342 | Penarth - Redlands Road - Numbers 47 and 49 and Earl Road - Number 1 |
| 917 | Penarth - Royal Buildings East and Station Approach, Off Stanwell Road |
| 923 | Penarth - Royal Buildings West, Off Stanwell Road |
| 881 | Penarth - St. Augustines Place - St. Augustine's Churchyard - Joseph Parry Memorial Stone |
| 937 | Penarth - Stanwell Road - Stanwell Road Baptist Church |

| Treasure Ref | Local Name |
|---|---|
| 903 | Penarth - Stanwell Road - Washington Gallery |
| 902 | Penarth - Stanwell Road - Washington Hotel Complex |
| 1365 | Penarth - Stanwell Road- West House |
| 1349 | Penarth - Tower Hill - Coast Guard Storage Building |
| 934 | Penarth - Tower Hill - Coastguard Look-out Tower |
| 1501 | Penarth - Tower Hill - Coastguard Rocket Carriage House |
| 921 | Penarth - Victoria Road - Baptist Church Sunday School |
| 922 | Penarth - Victoria Square - All Saints Church |
| 897 | Penarth - Westbourne Road - Number 75 |
| 1324 | Penarth - Windsor Gardens - Gardens and Bandstand |
| 540 | Penarth - Windsor Gardens - South Lodge |
| 924 | Penarth - Windsor Terrace and Rectory Road - Royal Mail Post Box |

## *Pendoylan*

| | |
|---|---|
| 2493 | Pendoylan - Heol St. Cattwg |
| 1347 | Pendoylan - Red Lion Inn |
| 1321 | Outlying - Bethania Chapel |
| 330 | Outlying - Bolgoed |
| 337 | Outlying - Bryn Heligan |
| 1 | Outlying - Clawdd Coch Farmhouse |
| 1348 | Outlying - Ffynnon Deilo (House) |
| 326 | Outlying - Maes yr Haul |
| 331 | Outlying - Trehedyn House |
| 9 | Outlying - War Memorial Hall |

## *Penllyn*

| | |
|---|---|
| 177 | City - Royal Mail Post Box |
| 342 | Llansannor - Crofta |
| 172 | Llansannor - Pant-y-Llwydd Farm |
| 1302 | Penllyn - Castle Lodge Ruin |
| 1276 | Penllyn - Coffin Stiles |
| 1288 | Penllyn - Cymle |
| 1366 | Penllyn - Fferm Goch Pwll Meyrich Agricultural Houses |
| 11 | Penllyn - Penllyn Court |
| 1285 | Penllyn - Village House |
| 1310 | Ystradowen - Ash Hall |
| 1304 | Ystradowen - Llwyn-nwydog |
| 1277 | Outlying - Moors Road - Bridge Over River Thaw |

| Treasure Ref | Local Name |
|---|---|
| 1311 | Outlying - Pencyrn |

## *Peterston-Super-Ely*

| | |
|---|---|
| 1230 | Peterston-Super-Ely - Peterston Church Hall |
| 2394 | Peterston-Super-Ely - Ty Mawr |
| 1228 | Outlying - Pont Llanbedr |

## *Rhoose*

| | |
|---|---|
| 448 | East Aberthaw - Marsh Cottages - Number 1 and 2 |
| 447 | East Aberthaw - The Haven |
| 452 | Fonmon - Fonmon Castle - Lodge Near Entrance |
| 1140 | Fonmon - Royal Mail Post Box adjoining Village Pond |
| 456 | Fonmon - Woodhouse |
| 1589 | Fonmon - Woodside Cottage |
| 1593 | Fontygary - Kenilworth |
| 1585 | Penmark - Holly Cottage |
| 2435 | Penmark - Old Vicarage |
| 441 | Penmark - Penmark Village Hall |
| 1586 | Penmark - The Cottage |
| 470 | Porthkerry - Porthkerry House |
| 475 | Porthkerry - Upper Porthkerry Farm Stables |
| 462 | Rhoose - Fontygary Road - Fontygary Inn |
| 1596 | Rhoose - Fontygary Road - Rhoose Farm House |
| 1592 | Rhoose - Fontygary Road - Village Pump |
| 1594 | Rhoose - Greystones |
| 463 | Outlying - The Highwayman |
| 458 | Outlying - Welford Farm House |
| 459 | Outlying - Welford Farm House - Outbuildings |

## *St Athan*

| | |
|---|---|
| 2483 | Flemingston - Rose Cottage |
| 2482 | Flemingston - The Rectory |
| 370 | St. Athan - Howell's Well |
| 1580 | St. Athan - Llantwit Road - Porth Glyndwr and Swallows Rest |
| 1581 | St. Athan - Llantwit Road - The Wagon Barn |
| 376 | St. Athan - Llantwit Road - Dyffryn House |
| 368 | St. Athan - St. Tathans Church - Berkerolle's Tomb - Chests |
| 379 | St. Athan - The Green |

| Treasure Ref | Local Name |
|---|---|
| 1575 | Outlying - Seaview Farm |

## St Brides Major

| | |
|---|---|
| 674 | Ogmore - The Pelican in Her Piety Inn |
| 679 | Ogmore-by-Sea - Craig Royal Mail Post Box |
| 682 | Ogmore-by-Sea - The Craig |
| 681 | Ogmore-by-Sea - Tusker House |
| 683 | Southerndown - Southerndown Care Home |
| 668 | Southerndown - Stile |
| 946 | St. Brides Major - Old School Bell Tower |
| 969 | St. Brides Major - War Memorial |
| 678 | Outlying - Religious Ruins |

## St Donats

| | |
|---|---|
| 276 | St. Donats - Old Forge |
| 273 | St. Donats - Royal Mail Post Box |
| 265 | Outlying - East Monkton |
| 240 | Outlying - Llan Farm |
| 264 | Outlying - West Monkton and Associated Farm Buildings. |

## St Nicholas and Bonvilston

| | |
|---|---|
| 2484 | Bonvilston - Church Cottage |
| 2490 | Bonvilston - Plasnewydd |
| 2487 | Bonvilston - Red Lion |
| 2488 | Bonvilston - Red Lion Cottages |
| 2485 | Bonvilston - Sheep Court Farm |
| 2486 | Bonvilston - Sheeps Court Cottage |
| 2489 | Bonvislton - Bonvilston House - Woodland Lodge, Gate Piers and Remnants of Stables |
| 14 | Dyffryn - Dyffryn Lodge |
| 1345 | St. Nicholas - Button Ride |
| 1612 | St. Nicholas - Police Station |
| 1317 | St. Nicholas - Westways |
| 1622 | St. Nicholas - Brook Lane - Mwddlescwm |
| 24 | St. Nicholas - Dyffryn Close |
| 21 | St. Nicholas - Dyffryn Lane - Stone Stile |
| 2 | St. Nicholas - Llanelnydd |
| 1621 | St. Nicholas - Manor House |
| 1314 | St. Nicholas - Old School House |

| Treasure Ref | Local Name |
|---|---|
| 1614 | St. Nicholas - Pwllsarn - Mounting Block |
| 1313 | St. Nicholas - St. Nicholas Church - Village Pump |
| 1613 | St. Nicholas - St. Nicholas Church - War Memorial |
| 30 | St. Nicholas - Trehill - Mounting Block |
| 1326 | St. Nicholas - Trehill Cottage |
| 20 | St. Nicholas - Trehill Presbyterian Chapel |
| 5 | St. Nicholas - Ty To Gwellt |
| 1022 | St. Nicholas - Village Farm - Farmhouse |
| ***Sully*** | |
| 828 | Cog - Swanbridge Road - Homestead Cottage |
| 829 | Cog - Swanbridge Road - Nicells |
| 853 | Cosmeston - Lavernock Road - Cosmeston Cottage |
| 864 | Cosmeston - Lavernock Road - Cosmeston Medieval Village |
| 866 | Lavernock - Church of St. Lawrence - Plaque Commemorating Marconi |
| 832 | Sully - Cog Road - Briarside and Middleton Cottage |
| 837 | Sully - Hayes Road - Hayes House |
| 850 | Sully - South Road - Dunster Cottage |
| 835 | Sully - South Road - Old School |
| 847 | Sully - South Road - Square Tower House |
| ***Welsh St Donats*** | |
| 355 | Prisk - Prisk Farm |
| 349 | Welsh St. Donats - Church Farm |
| 348 | Outlying - Caercady House |
| 354 | Outlying - Ty'r Mynydd |
| ***Wenvoe*** | |
| 1495 | Wenvoe - Alps Farm |
| ***Wick*** | |
| 2494 | Broughton - Box Cottage |
| 751 | Broughton - Broughton Chapel |
| 712 | Broughton - Ivy Cottage |
| 2491 | Broughton - Le Chateau |
| 1378 | Broughton - Old Carpenters Arms |
| 744 | Broughton - The Malt House |
| 738 | Clemenstone - Clemenstone House |
| 1382 | Picket - Church Farm - Worker's Cottages |

| Treasure Ref | Local Name |
|---|---|
| 1383 | Picket - St. Andrew's Church (Ruins) |
| 704 | Wick - Little West Farm |
| 698 | Wick - The Lamb and Flag Public House |
| 720 | Wick - West Farm - Victorian Slaughter House and Barn |
| 716 | Wick - West House |
| 714 | Wick - Wick Unitarian Chapel |

## Appendix 2 – The Consultation Process

Barry Town Council
Colwinston Community Council
Cowbridge with Llanblethian Town Council
Dinas Powys Community Council
Ewenny Community Council
Llancarfan Community Council
Llandough Community Council
Llandow Community Council
Llanfair Community Council
Llangan Community Council
Llanmaes Community Council
Llantwit Major Town Council
Michaelston Community Council
Penarth Town Council
Pendoylan Community Council
Penllyn Community Council
Peterston-super-Ely Community Council
St Athan Community Council
St Brides Major Community Council
St Donats Community Council
St Georges Community Council
St Nicholas and Bonvilston Community Council
Sully Community Council
Welsh St Donats Community Council
Wenvoe Community Council
Wick Community Council

Penarth Society
Llantwit Major Historic Society

## Appendix 3 – Summary of UDP Policies

**POLICY ENV 17 - PROTECTION OF BUILT AND HISTORIC ENVIRONMENT**

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

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

WILL NOT BE PERMITTED.

**POLICY ENV 18 - ARCHAEOLOGICAL FIELD EVALUATION**

WHERE DEVELOPMENT IS LIKELY TO AFFECT A KNOWN OR SUSPECTED SITE OF ARCHAEOLOGICAL SIGNIFICANCE, AN ARCHAEOLOGICAL EVALUATION SHOULD BE CARRIED OUT AT THE EARLIEST OPPORTUNITY AND MAY BE REQUIRED BEFORE THE PROPOSAL IS DETERMINED. DETAILED PLANS WOULD NEED TO REFLECT THE CONCLUSIONS OF THE EVALUATION.

**POLICY ENV 19 - PRESERVATION OF ARCHAEOLOGICAL REMAINS**

WHERE DEVELOPMENT IS PERMITTED WHICH AFFECTS A SITE OF ARCHAEOLOGICAL IMPORTANCE ARCHAEOLOGICAL MITIGATION MEASURES WILL BE REQUIRED TO ENSURE PRESERVATION ON SITE OR ADEQUATE RECORDING PRIOR TO DISTURBANCE.

**POLICY ENV 20 - DEVELOPMENT IN CONSERVATION AREAS**

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

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

**POLICY ENV 21 - DEMOLITION IN CONSERVATION AREAS**

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

(i) LISTED BUILDING CONSENT FOR THE DEMOLITION OF A LISTED BUILDING OR BUILDING/STRUCTURE WITHIN ITS CURTILAGE WILL ONLY BE GIVEN IN EXCEPTIONAL CIRCUMSTANCES;

(ii) THE DEMOLITION OF AN UNLISTED BUILDING OR STRUCTURE WITHIN A CONSERVATION AREA WILL BE PERMITTED WHERE FULL PLANNING PERMISSION HAS BEEN GRANTED FOR THE PROPOSED NEW USE OR DEVELOPMENT; AND

(iii) PROPOSALS FOR THE DEMOLITION OF A BUILDING IN A CONSERVATION AREA SHOULD BE ACCOMPANIED BY PROPOSALS FOR THE APPROPRIATE RE-USE OF LOCAL INDIGENOUS MATERIALS WHICH REFLECT THE CHARACTER OF THE CONSERVATION AREA.

**POLICY ENV 22- ADVERTISEMENTS IN CONSERVATION AREAS**

ADVERTISEMENTS WITHIN CONSERVATION AREAS SHOULD RESPECT THE FORM OF THE BUILDING ON WHICH THEY ARE DISPLAYED IN STYLE AND SCALE AND SHOULD NOT BE AN INCONGRUOUS ELEMENT IN THE STREETSCENE. TRADITIONAL MATERIALS AND SIMPLE TYPEFACES ARE FAVOURED. INTERNALLY ILLUMINATED FASCIA SIGNS AND BOX SIGNS WILL ONLY BE PERMITTED WHERE THEY WOULD NOT UNACCEPTABLY AFFECT THE CHARACTER AND APPEARANCE OF THE CONSERVATION AREA.

**POLICY ENV 23 - SHOPFRONT DESIGN IN CONSERVATION AREAS**

RETENTION OF THE ESTABLISHED CHARACTER AND APPEARANCE OF SHOP-FRONTS IN CONSERVATION AREAS WILL BE FAVOURED. PROPOSALS FOR NEW SHOP-FRONTS, ALTERATIONS AND SECURITY SHUTTERS WILL ONLY BE PERMITTED WHERE THEY REFLECT THE DESIGN, CHARACTER, SCALE AND PROPORTION OF BUILDINGS AND RELATE SYMPATHETICALLY TO THE CHARACTER OF NEIGHBOURING PROPERTIES.

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

1. BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE DIRECTOR UNDER DELEGATED POWERS

(a) Building Regulation Applications - Pass

For the information of Members, the following applications have been determined:

| | | | |
|---|---|---|---|
| 2007/0317/BR | AC | 58, St. Davids Crescent, Penarth | Two storey rear extension (as amended) |
| 2007/0857/BR | AC | Fairways, 8, Tyla Rhosyr, Cowbridge | Two storey side and rear additions. |
| 2007/0912/BR | AC | 7, Elm Close, Sully | Single storey rear extension |
| 2008/0001/PV | A | 7, Colhugh Park, Llantwit Major | Recovering of flat roof with single ply membrane, upgrading thermal insulation |
| 2008/0023/BR | AC | Court Road Depot, Barry Road, Barry | New single storey demountable modular building to provide office accommodation |
| 2008/0035/BR | AC | Former Mulligans Restaurant, Stalling Down, Nr Cowbridge | Part demolition and rebuilding of gable end, new entrance and stillage room construction. Re roofing and new external/internal timber flooring |
| 2008/0058/BR | AC | Efail y Roper, Trerhyngyll, nr Cowbridge | Two storey domestic extension |
| 2008/0061/BR | AC | Mothercare, Unit 4, Valegate Retail Park, Culverhouse Cross | Installation of mezzanine floor, disabled lift,staircases and associated fire protection |

| | | | |
|---|---|---|---|
| 2008/0073/BR | AC | 9, Stanwell Crescent, Penarth | Installation of floor joists to loft and universal beam to support at 1st floor level |
| 2008/0078/BR | AC | 21, Orchard Drive, Barry | Single storey granny annex and garage |
| 2008/0082/BR | AC | Caerannwyl, Flemingston, Vale of Glamorgan, CF62 4QJ | Extension to garage store |
| 2008/0097/BR | AC | 98, Salisbury Road, Barry | Minor extensions and alterations to existing surgery |
| 2008/0119/BR | AC | Orchard House, Port Road, Wenvoe | First floor extension to provide additional bedroom/ensuite bathroom |
| 2008/0125/BR | AC | 10, Fennel Close, Penarth | First floor extension over existing garage. |
| 2008/0130/BR | AC | Peter Alan Headquarters, Vale Gate Retail Park, Copthorne Way, Culverhouse Cross | Demountable partitioning and glazing partitioning to first floor area |
| 2008/0133/BR | AC | Dinas House, Wick Road, Ewenny | Carry out non structural refit to shop premises. |
| 2008/0134/BR | AC | 42, High Street, Cowbridge | Internal alterations |
| 2008/0135/BR | AC | 1, Spitzkop, Llantwit Major | Roof alterations to garage |
| 2008/0141/BR | AC | 4, Hawthorn Close, Dinas Powys | Extend ground floor on rear elevation to include a new kitchen and dining room. To take out existing window and construct a bay window |
| 2008/0143/BR | AC | Unit F, Valegate Retail Park, Culverhouse Cross | Installation of mezzaninefloor, disabled lift, staircases and associated fire protection |
| 2008/0144/BR | AC | MFI, Unit B, Valegate Retail Park, Culverhouse Cross | Installation of mezzanine floor, disabled lifts, staircases and associated fire protection |

| | | | |
|---|---|---|---|
| 2008/0145/BR | AC | Bonvilston Cottage, Bonvilston | Partial re-building and other alterations to main entrance hall |
| 2008/0146/BR | AC | Oasis Bar, 18, Windsor Road, Penarth | Refurbishment of existing club for same use. Cosmetic/decorative changes to existing building |
| 2008/0147/BR | AC | 67, Church Meadow, Boverton | Two storey rear extension (as amended) |
| 2008/0150/BR | AC | 46, Heol St. Cattwg, Pendoylan, Cowbridge | New chimney to existing dwelling |
| 2008/0151/BR | AC | 5, Maes Y Felin, Llandow | Internal alterations to kitchens and dining area |
| 2008/0156/BN | A | 45, Dock Street, Cogan | Single storey extension to enlarge kitchen and incorporate downstairs WC and shower room |
| 2008/0157/BR | AC | Plot 1, The Stables, St. Brides Road, Wick | New dwelling |
| 2008/0158/BR | AC | Millies Madhouse, Ogmore Road, Ewenny | Internal alterations |
| 2008/0159/BN | A | 25, Cwrt Y Vil Road, Penarth | Single storey extension inc kitchen and new garage. |
| 2008/0160/BN | A | Discovery House, Llancarfan | Extension to south west elevation |
| 2008/0161/BN | A | Y Berllan Fach, Dimlands, Llantwit Major | Single storey extension to front elevation and first floor extension above existing single storey lounge. |
| 2008/0162/BN | A | 12, Heol Gwerthyd, Pencoedtre Village, Barry | Garage conversion to study/living room. Conversion to loft void above garage to creating gallery from rear bedroom. |
| 2008/0163/BN | A | 18, Britway Road, Dinas Powys | Loft conversion |

| | | | |
|---|---|---|---|
| 2008/0164/BR | AC | 29, Marine Walk, Ogmore By Sea | Single storey sun lounge extension to rear of dwelling |
| 2008/0165/BR | AC | Arosfa, Sonseil Lane, Pencoedtre Road, Barry | Two storey rear extension and internal alterations |
| 2008/0166/BN | A | 200, Westbourne Road, Penarth | Knock through from kitchen to dining room |
| 2008/0166/CW | A | 61, Westward Rise, Barry | Cavity wall insulation |
| 2008/0167/BN | A | 43, Afal Sur, Pencoedtre Village, Barry | Four panel patio doors with balcony restraint to enhance views in lounge. |
| 2008/0167/CW | A | 12, Morningside Walk, Barry | Cavity wall insulation |
| 2008/0168/BN | A | Orchard Lodge, Orchard Close, Boverton | Garage conversion to art studio, including new floor, radiator, front door and velux/sunpipe. |
| 2008/0168/CW | A | 98, Port Road East, Barry | Cavity wall insulation |
| 2008/0169/BN | A | 7, North Walk, Barry | Loft conversion |
| 2008/0169/CW | A | 49, The Parade, Barry | Cavity wall insulation |
| 2008/0170/BR | AC | 33, Station Road, Penarth | Bathroom alterations |
| 2008/0170/CW | A | 16, Lakeside, Barry | Cavity wall insulation |
| 2008/0171/BR | AC | 8, Tan Y Fron, Barry | Single storey side extension to provide bedroom and shower room |
| 2008/0171/CW | A | 4, Maes y Coed, Barry | Cavity wall insulation |
| 2008/0172/BR | AC | 34, Llys Dwynwen, Llantwit Major | Garage to house scooter |
| 2008/0172/CW | A | 17, Clement Place, Barry | Cavity wall insulation |
| 2008/0173/CW | A | 3, Dochdwy Road, Llandough, Penarth | Cavity wall insulation |
| 2008/0174/BR | AC | 1, Duffryn Crescent, Peterston Super Ely | Extension of ground floor family and first floor extension over |

| | | | |
|---|---|---|---|
| 2008/0174/CW | A | 24, Birch Lane, Penarth | Cavity wall insulation |
| 2008/0175/CW | A | 68, Uplands Crescent, Llandough, Penarth | Mark Insulations Ltd, |
| 2008/0176/BN | A | Penllyne Bungalow, Llanmaes, Llantwit Major | Converting existing garage into living space |
| 2008/0176/CW | A | 50, Uplands Crescent, Llandough, Penarth | Cavity wall insulation |
| 2008/0177/CW | A | 80, Althorp Drive, Penarth | Cavity wall insulation |
| 2008/0178/BN | A | 56, Rosella House, The Waterfront, Barry | Internal alterations comprising of mezzanine floor for two bedrooms with en-suites. Also total changes to the layout of the whole flat. |
| 2008/0178/CW | A | 6, Vale View Crescent, Llandough, Penarth | Cavity wall insulation |
| 2008/0179/CW | A | 36, Heath Avenue, Penarth | Cavity wall insulation |
| 2008/0180/CW | A | 55, Pant Y Celyn Road, Llandough, Penarth | Cavity wall insulation |
| 2008/0181/BN | A | 7, Smithies Avenue, Sully | Erection of single storey rear extension and internal alterations |
| 2008/0181/CW | A | 63, Byrd Crescent, Penarth | Cavity wall insulation |
| 2008/0182/BN | A | Morannedd, Colhugh Street, Llantwit Major | Convert garage to storage area |
| 2008/0182/CW | A | 57, Uplands Crescent, Llandough, Penarth | Cavity wall insulation |
| 2008/0183/BN | A | 6, Norman Cottages, Michaelston le Pit | Garage with store room and attic storage |
| 2008/0183/CW | A | 60, The Parade, Barry | Cavity wall insulation |
| 2008/0184/CW | A | 82, Uplands Crescent, Llandough, Penarth | Cavity wall insulation |
| 2008/0185/BR | A | 28, Colcot Road, Barry | Single storey rear extension |

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|---|---|---|---|
| 2008/0185/CW | A | 62, Uplands Crescent, Llandough, Penarth | Cavity wall insulation |
| 2008/0186/BR | A | 41, St. Nicholas Road, Barry | Provision of an en-suite shower room |
| 2008/0186/CW | A | 1, Grassmere Close, Llandough, Penarth | Cavity wall insulation |
| 2008/0187/BN | A | 61, Broadway, Llanblethian, Cowbridge | Demolition of existing pantry demolition of partial structural wall to create new opening to enlarge kitchen. |
| 2008/0187/CW | A | 54, Uplands Crescent, Llandough, Penarth | Cavity wall insulation |
| 2008/0188/BN | A | 81b, Glebe Street, Penarth (Ground Floor) | works associated with environmental health notice - Move kitchen into living room and associated plumping ventilation |
| 2008/0188/CW | A | 7, Ash Grove, Llandough, Penarth | Cavity wall insulation |
| 2008/0189/BN | A | 5, Sir Ivor Place, Dinas Powys | New internal shower drain to link to existing soil and vent pipe |
| 2008/0189/CW | A | 35, Cowslip Drive, Penarth | Cavity wall insulation |
| 2008/0190/BN | A | 49, Heol Leubren, Pencoedtre, Barry | Two storey extension to side of existing dwelling with a single storey extension to front incorporating a utility room and porch. |
| 2008/0190/CW | A | 44, Shakespeare Avenue, Penarth | Cavity wall insulation |
| 2008/0191/BN | A | Ty Parc, Higher End, St. Athan | Conversion of garage to habitable room |
| 2008/0191/CW | A | 21, Barberry Rise, Penarth | Cavity wall insulation |
| 2008/0192/BR | AC | Windy Ridge, St. Lythans | Single storey extension to enlarge lounge |
| 2008/0192/CW | A | 8, Heath Avenue, Penarth | Cavity wall insulation |

| | | | |
|---|---|---|---|
| 2008/0193/BR | AC | 11, Stradling Place, Llantwit Major | Two storey side and rear extension to provide new, family room and dining room with two new first floor bedrooms, one with en-suite. Single storey front porch with cloaks. |
| 2008/0193/CW | A | 37, Chantry Rise, Penarth | Cavity wall insulation |
| 2008/0194/BR | AC | 36, Celtic Way, Rhoose | Double storey extension to side of dwelling for lounge, study, bedroom and en-suite |
| 2008/0194/CW | A | 15, Wick Road, Ewenny | Cavity wall insulation |
| 2008/0195/BR | A | 3, Fairoaks, Dinas Powys | Shower Installation |
| 2008/0195/CW | A | 13, Downfield Close, Llandough, Penarth | Cavity wall insulation |
| 2008/0196/CW | A | 42, Uplands Crescent, Llandough, Penarth | Cavity wall insulation |
| 2008/0197/CW | A | 33, Dochdwy Road, Llandough, Penarth | Cavity wall insulation |
| 2008/0198/BN | A | 25, Heol Miaren, Barry | Change of use garage to habitable room |
| 2008/0198/CW | A | 18, Dochdwy Road, Llandough, Penarth | Cavity wall insulation |
| 2008/0199/BN | A | 106, Port Road East, Barry | Remove part of an internal load bearing wall. |
| 2008/0199/CW | A | 9, Fairfield Road, Penarth | Cavity wall insulation |
| 2008/0200/CW | A | 98, Wordsworth Avenue, Penarth | Cavity wall insulation |
| 2008/0201/CW | A | 24, Teasel Avenue, Penarth | Cavity wall insulation |
| 2008/0202/BN | A | Tynewydd, Westgate Street, Cowbridge | Single storey extension and dormer extension |
| 2008/0202/CW | A | 9, Barberry Rise, Penarth | Cavity wall insulation |
| 2008/0203/CW | A | 7, Fennel Close, Penarth | Cavity wall insulation |

| | | | |
|---|---|---|---|
| 2008/0204/BR | AC | 79, Cog Road, Sully | Single storey extension |
| 2008/0204/CW | A | 6, Heath Avenue, Penarth | Cavity wall insulation |
| 2008/0205/BR | AC | 10, Cherwell Road, Penarth | Single storey extension |
| 2008/0205/CW | A | 3, Bramble Rise, Penarth | Cavity wall insulation |
| 2008/0206/BN | A | 85, Lavernock Road, Penarth | Opening up kitchen to dining room and inserting steel beam |
| 2008/0206/CW | A | 11 Swn Y Mor, Barry | Cavity wall insulation |
| 2008/0207/BN | A | 13, Y Graig, Ogmore By Sea | Conversion of garage |
| 2008/0207/CW | A | 6, Swn Y Mor, Barry | Cavity wall insulation |
| 2008/0208/BN | A | St. Annes, Victoria Park Road, Barry | Fit new staircase, take down supporting wall |
| 2008/0208/CW | A | 1, Marine Drive, Barry | Cavity wall insulation |
| 2008/0209/CW | A | 15, Westward Rise, Barry | Cavity wall insulation |
| 2008/0210/BN | A | 4, Westward Rise, Barry | Loft Conversion with loft skylight window |
| 2008/0210/CW | A | 19, Marine Drive, Barry | Cavity wall insulation |
| 2008/0211/BN | A | 75, Boverton Road, Llantwit Major | Two storey extension |
| 2008/0211/CW | A | 70, Colcot Road, Barry | Cavity wall insulation |
| 2008/0212/BN | A | 27, Mountbatten Road, Woodfield Heights, Barry | Convert garage into a utility room |
| 2008/0212/CW | A | 48, St. Pauls Avenue, Barry | Cavity wall insulation |
| 2008/0213/BN | A | Branksome Cottage, Penylan Road, St. Brides Major | Conversion of garage to habitable room. Conversion of 2 small bedrooms into one |
| 2008/0214/BN | A | 12, Cornerswell Place, Penarth | Sloping roof to rear on existing single storey extension in line with planning permission. |

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|---|---|---|---|
| 2008/0214/CW | A | 1, Clement Place, Barry | Cavity wall insulation |
| 2008/0215/CW | A | 58, The Parade, Barry | Cavity wall insulation |
| 2008/0216/BN | A | 31, Mountjoy Avenue, Penarth | Single storey extension |
| 2008/0216/CW | A | 15, Marine Drive, Barry | Cavity wall insulation |
| 2008/0217/BN | A | 71, Castle Drive, Dinas Powys | Bay window |
| 2008/0217/CW | A | 3, Cliffwood View, Barry | Cavity wall insulation |
| 2008/0218/BN | A | 7, Romilly Road, Rhoose | Single storey extension |
| 2008/0218/CW | A | 21, Marine Drive, Barry | Cavity wall insulation |
| 2008/0219/BN | A | 49, The Parade, Barry | Two storey extension to the rear of the house |
| 2008/0219/CW | A | 6, Marine Drive, Barry | Cavity wall insulation |
| 2008/0220/BN | A | 2, Dylan Close, Llandough | Conversion of an integral garage for room/storage play conversion |
| 2008/0220/CW | A | 7, Cliffwood View, Barry | Cavity wall insulation |
| 2008/0221/BN | A | The Anstees, Cory Crescent, Peterston Super Ely | Roof space alterations to include two new velux roof lights, new juliettee balcony new window and new gabled roof. |
| 2008/0221/CW | A | 12, Cliffwood View, Barry | Cavity wall insulation |
| 2008/0222/CW | A | 20, Marine Drive, Barry | Cavity wall insulation |
| 2008/0224/BN | A | 43, Harding Close, Boverton | Conversion of existing garage to a habitable room |
| 2008/0225/BN | A | 37, Clos Ogney, Llantwit Major | Single garage conversion which is integral to the house. Wall between kitchen and garage will be removed to enlarge living area |
| 2008/0225/CW | A | 41, St. Pauls Avenue, Penarth | Cavity wall insulation |

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|---|---|---|---|
| 2008/0226/BN | A | New House, (Wheelrights), Colhugh Street, Llantwit Major | Installation of en-suite shower room, revised layout of existing bathroom incl new shower. Installation of new staircase from basement garage to kitchen plus partitioning of garage to form utility area. Garden decking |
| 2008/0226/CW | A | 31, Fairfield Road, Penarth | Cavity wall insulation |
| 2008/0227/BN | A | 55, Sir Ivor Place, Dinas Powys | Blocking up and altering external openings. New foul drain connection |
| 2008/0227/CW | A | 49, Cowslip Drive, Penarth | Cavity wall insulation |
| 2008/0228/BN | A | 31, Porlock Drive, Sully | Two storey side extension to include lounge, WC, bedroom with en-suite |
| 2008/0228/CW | A | 17, Uplands Crescent, Llandough, Penarth | Cavity wall insulation |
| 2008/0229/CW | A | 47, Cowslip Drive, Penarth, | Cavity wall insulation |
| 2008/0230/CW | A | 20, Whitewell Road, Barry | Cavity wall insulation |
| 2008/0231/BN | A | 12, Parc Clwyd, Barry | First floor extension and porch/garage conversion |
| 2008/0231/CW | A | 17, Tennysqn Road, Barry | Cavity wall insulation |
| 2008/0232/CW | A | 19, Cardigan Crescent, Llantwit Major | Cavity wall insulation |
| 2008/0233/BN | A | 12, Greave Close, Wenvoe | First floor extension and new garden store |
| 2008/0233/CW | A | 15, Jenner Road, Barry | Cavity wall insulation |
| 2008/0234/CW | A | 13, Jenner Road, Barry | Cavity wall insulation |
| 2008/0235/CW | A | 7, Willow Close, Penarth | Cavity wall insulation |
| 2008/0236/CW | A | 12, Tennyson Road, Penarth | Cavity wall insulation |

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|---|---|---|---|
| 2008/0237/BN | A | 9, Belle Vue Terrace, Penarth | Internal works consisting of removal of chimeny breast between dining room and kitchen. Installation of new kitchen units cooker and replacement windows and door. |
| 2008/0237/CW | A | 51, Cwm Barry Way, Barry | Cavity wall insulation |
| 2008/0238/CW | A | 2, Dinas Road, Penarth | Cavity wall insulation |
| 2008/0240/CW | A | 8, Dunster Drive, Sully | Cavity wall insulation |
| 2008/0242/CW | A | 25, Dunster Drive, Sully | Cavity wall insulation |
| 2008/0243/CW | A | 54, Beechwood Drive, Penarth | Cavity wall insulation |
| 2008/0244/CW | A | 27, Harlech Drive, Dinas Powys | Cavity wall insulation |
| 2008/0245/CW | A | 14, Pant Y Celyn Road, Llandough, Penarth | Cavity wall insulation |
| 2008/0246/CW | A | 9, Highbridge Close, Sully | Cavity wall insulation |
| 2008/0247/CW | A | 8, Raglan Close, Dinas Powys | Cavity wall insulation |
| 2008/0248/CW | A | 17, Laburnum Way, Dinas Powys | Cavity wall insulation |
| 2008/0249/CW | A | 2, Swanbridge Grove, Sully | Cavity wall insulation |
| 2008/0250/CW | A | 16, Sycamore Close, Dinas Powys | Cavity wall insulation |
| 2008/0251/CW | A | 6, Dunsten Close, Dinas Powys | Cavity wall insulation |
| 2008/0252/CW | A | 2, Chestnut Close, Dinas Powys | Cavity wall insulation |
| 2008/0253/CW | A | 5, Robin Hill, Dinas Powys | Cavity wall insulation |
| 2008/0254/CW | A | 34, Beechwood Drive, Penarth | Cavity wall insulation |
| 2008/0255/CW | A | 77, Laburnum Way, Penarth | Cavity wall insulation |

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|---|---|---|---|
| 2008/0256/CW | A | 70, Althorp Drive, Penarth | Cavity wall insulation |
| 2008/0257/CW | A | 3, Burnham Avenue, Sully | Cavity wall insulation |
| 2008/0258/CW | A | 15, Winsford Road, Sully | Cavity wall insulation |
| 2008/0259/CW | A | 6, Winsford Road, Sully | Cavity wall insulation |
| 2008/0260/CW | A | 42, Minehead Avenue, Sully | Cavity wall insulation |
| 2008/0261/CW | A | 8, Dryden Road, Penarth | Cavity wall insulation |
| 2008/0262/CW | A | 14, Dunster Drive, Penarth | Cavity wall insulation |
| 2008/0263/CW | A | 5, Harlech Close, Dinas Powys | Cavity wall insulation |
| 2008/0264/CW | A | 96, St. Davids Crescent, Penarth | Cavity wall insularion |
| 2008/0265/CW | A | 27, St. Peters Road, Penarth | Cavity wall insularion |
| 2008/0266/CW | A | 61, Uplands Crescent, Llandough, Penarth | Cavity wall insularion |
| 2008/0267/CW | A | 25, Porth Y Castell, Barry | Cavity wall insularion |
| 2008/0268/CW | A | 8, Porth Y Castell, Barry | Cavity wall insularion |
| 2008/0269/CW | A | 311, Barry Road, Barry | Cavity wall insularion |
| 2008/0270/CW | A | 10, Cwm Barry Way, Barry | Cavity wall insularionm |
| 2008/0271/CW | A | 64, Plymouth Road, Barry | Cavity wall insularion |
| 2008/0272/CW | A | 59, Westward Rise, Barry | Cavity wall insularion |
| 2008/0273/CW | A | 22, Willow Close, Penarth | Cavity wall insularion |
| 2008/0274/CW | A | 1, Orchard Drive, Barry | Cavity wall insularion |
| 2008/0275/CW | A | 47, Severn Avenue, Barry | Cavity wall insularion |
| 2008/0276/CW | A | 27, Bron Awelon, Barry | Cavity wall insularion |
| 2008/0277/CW | A | 8, Coates Road, Penarth | Cavity wall insularion |
| 2008/0278/CW | A | 20, West Walk, Barry | Cavity wall insularion |
| 2008/0279/CW | A | 71, North Walk, Barry | Cavity wall insularion |

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|---|---|---|---|
| 2008/0280/CW | A | 14, Coates Road, Penarth | Cavity wall insularion |
| 2008/0281/CW | A | 41, Sullivan Close, Penarth | Cavity wall insularion |
| 2008/0282/CW | A | 35, Purcell Road, Penarth | Cavity wall insularion |
| 2008/0283/CW | A | 26, Britten Road, Penarth | Cavity wall insularion |
| 2008/0284/CW | A | 30, Sea View Place, Llantwit Major | Cavity wall insularion |
| 2008/0285/CW | A | 68, Purcell Road, Penarth | Cavity wall insularion |
| 2008/0286/CW | A | 31, Sea View Place, Llantwit Major | Cavity wall insulation |
| 2008/0287/CW | A | 28, Sea View Place, Llantwit Major | Cavity wall insulation |
| 2008/0288/CW | A | 100, Pontypridd Road, Barry | Cavity wall insulation |
| 2008/0289/CW | A | 120, Colcot Road, Barry | Cavity wall insulation |
| 2008/0290/CW | A | 17, The Parade, Barry | Cavity wall insulation |
| 2008/0291/CW | A | 62, Westward Rise, Barry | Cavity wall insulation |
| 2008/0292/CW | A | 15, Cedar Way, Penarth | Cavity wall insulation |
| 2008/0293/CW | A | 156, Phyllis Street, Barry | Cavity wall insulation |
| 2008/0294/CW | A | 3, Britten Road, Penarth | Cavity wall insulation |
| 2008/0295/CW | A | 11, Lidmore Road, Barry | Cavity wall insulation |
| 2008/0296/CW | A | 4, Lidmore Road, Barry | Cavity wall insulation |
| 2008/0297/CW | A | 87, Jenner Road, Barry | Cavity wall insulation |
| 2008/0298/CW | A | 13, Hawthorn Road, Barry | Cavity wall insulation |
| 2008/0299/CW | A | 9, Bron Awelon, Barry | Cavity wall insulation |
| 2008/0300/CW | A | 15, Heol Sirhwi, Barry | Cavity wall insulation |
| 2008/0301/CW | A | 40, Westward Rise, Barry | Cavity wall insulation |
| 2008/0302/CW | A | 37, Willow Close, Penarth | Cavity wall insulation |
| 2008/0303/CW | A | 18, Sullivan Close, Penarth | Cavity wall insulation |

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|---|---|---|---|
| 2008/0304/CW | A | 35, Sullivan Close, Penarth | Cavity wall insulation |
| 2008/0305/CW | A | 2, Coates Road, Penarth | Cavity wall insulation |
| 2008/0306/CW | A | 43, Colcot Road, Barry | Cavity wall insulation |
| 2008/0307/CW | A | 7, Morningside Walk, Barry | Cavity wall insulation |
| 2008/0308/CW | A | 5, Cwm Barry Way, Barry | Cavity wall insulation |
| 2008/0309/CW | A | 36, The Wheate Close, Rhoose | Cavity wall insulation |
| 2008/0310/CW | A | Lamont, Claude Road West, Barry | Cavity wall insulation |
| 2008/0311/CW | A | 39, Andover Close, Barry | Cavity wall insulation |
| 2008/0312/CW | A | 301, Barry Road, Barry | Cavity wall insulation |
| 2008/0313/CW | A | 49, Penlan Road, Penarth | Cavity wall insulation |
| 2008/0314/CW | A | 9, Cae Glas, Barry | Cavity wall insulation |
| 2008/0315/CW | A | 63, Bronawelon, Barry | Cavity wall insulation |
| 2008/0316/CW | A | 35, Hastings Avenue, Penarth | Cavity wall insulation |
| 2008/0317/CW | A | 25, Guys Road, Barry | Cavity wall insulation |
| 2008/0318/CW | A | 4, West Farm Close, Ogmore By Sea | Cavity wall insulation |
| 2008/0319/CW | A | 14, West Farm Road, Ogmore By Sea | Cavity wall insulation |
| 2008/0320/CW | A | 1, Maes Lloi, Aberthin | Cavity wall insulation |
| 2008/0321/CW | A | Dolwar, St. Brides Road, Wick | Cavity wall insulation |
| 2008/0322/CW | A | 61, Fouracres Close, Barry | Cavity wall insulation |

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|---|---|---|---|
| 2008/0323/CW | A | 125, Westward Rise, Barry | Cavity wall insulation |
| 2008/0324/CW | A | 8, Keteringham Close, Sully | Cavity wall insulation |

(b) Building Regulation Applications - Reject

For the information of Members, the following applications have been determined:

| | | | |
|---|---|---|---|
| 2008/0201/BN | R | 54, Port Road East, Barry | Two storey side extension and porch since storey extension on rear of house |
| 2008/0236/BN | R | Kingshall Farm, St. Brides Major | Conversion of the existing single storey barn to a residence including full renovation and extension |

(c) The Building (Approved Inspectors etc.) Regulations 2000

For the information of Members the following initial notices have been received:

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|---|---|---|---|
| 2008/0019/AI | A | 10, Heol Y Fro, Llantwit Major | Loft conversion |
| 2008/0020/AI | A | Little West Farmyard (barn conversion), Broughton Road, Wick | Barn conversion |
| 2008/0021/AI | A | 15, Britten Road, Penarth | Construction of single storey rear extension |
| 2008/0022/AI | A | Morningside, Llancarfan | Dormer extension to existing loft and internal configuration to existing bedrooms to create en-suite and walk in wardrobe to dwelling |
| 2008/0023/AI | A | Mothercare UK Ltd., Unit C, Valegate Retail Park, Culverhouse Cross | Internal alterations and fit out works |
| 2008/0024/AI | A | 6, Paget Road, Penarth | Rear ground floor extension alterations to front elevation and construction of garage at rear of property |

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|---|---|---|---|
| 2008/0025/Al | A | 60, Greenfield Avenue, Dinas Powys | Alterations and refurbishment of existing dental surgery |
| 2008/0026/Al | A | 29, Glastonbury Road, Sully | Two storey extension to dwelling and extension of existing dormers to incorporate en-suite facility |
| 2008/0027/Al | A | 31, Cambourne Close, Barry | Loft conversion |
| 2008/0028/Al | A | 5, Wallston Close, Wenvoe | Loft conversion |
| 2008/0029/Al | A | 32, Highwalls Road, Dinas Powys | Open plan conservatory extension |
| 2008/0030/Al | A | 4, Eagleswell Road, Llantwit Major | Structural alterations for lintels |
| 20080031/Al | A | 33, Westgate, Cowbridge | Extension |

(d) Section 32 Building Act, 1984

It is proposed to implement the above section of the Building Act with a view to remove from the filing system, building regulation plans relating to work which has not commenced. This section of the Building Act makes provision for the local authority to serve notice in respect of plans which are three or more years old. Where such notices have been served (when the proposal has not commenced), it means that the plans are of no further effect and can be destroyed.

It is proposed to serve notices in respect of the following Building Regulations applications:

2003/1130/BR
2003/1214/BR
2004/0862/BR
2004/1564/BR
2005/0055/BR
2005/0134/BR
2005/0148/BN
2005/0162/BR
2005/0209/BR
2005/0212/BR
2005/0232/BR
2005/0236/BR
2005/0256/BR
2005/0278/BR
2005/0303/BN
2005/0380/BR
2005/0393/BR
2005/0404/BR
2005/0426/BR
2005/0450/BN
2005/0460/BR
2005/0518/BR

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

3. PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR UNDER DELEGATED POWERS

If Members have any queries on the details of these applications please contact the Department.

**Decision Codes**

A - Approved
C - Unclear if permitted (PN)
F - Prior approval required (PN)
H - Allowed : Agricultural Condition Imposed : Appeals
J - Determined by NAfW
L - Approved AND refused (LAW)
P - Permittal (OBS - no objections)
R - Refused
O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement)
B - No observations (OBS)
E - Split Decision
G - Approved the further information following "F" above (PN)
N - Non permittal (OBS - objections)
Q - Referred to Secretary of State for Wales (HAZ)
S - Special observations (OBS)
U - Undetermined
RE - Refused (Enforcement Unit Attention)
V - Variation of condition(s) approved

| | | | |
|---|---|---|---|
| 2007/00582/FUL | A | 58, St. Davids Crescent, Penarth | Single and two storey extension to rear plus extension to front |
| 2007/01535/OUT | R | Land at Weycock Road, Barry - Part of Welford and Sutton Mawr Farms | Erection of an agricultural barn and access areas for storage of animals, foodstuffs and agricultural machinery |
| 2007/01711/FUL | A | Ivy Cottage, Llanmaes | Single storey rear extension |
| 2008/00034/FUL | A | 49, Heol Leubren, Pencoedtre, Barry | proposed two storey extension to side of existing dwelling with a single storey extension to front incorporating a utility room and porch |

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| 2008/00035/FUL | A | Meadowview, Colwinston, Cowbridge | Subdivision of dwelling to 2 dwellings and alterations |
| 2008/00039/FUL | A | 9, Dros-y-Mor, Marine Parade, Penarth | Amendment to rear elevation, new solar panels to each roof slope (amendement to approval 2007/00417/FUL) |
| 2008/00040/LAW | A | 13, York Place, Barry | Conversion of house into two self contained flats |
| 2008/00041/FUL | A | 23, Dinas Road, Penarth | Proposed ground floor kitchen, bedroom, bathroom and porch extension |
| 2008/00044/FUL | A | 34, Llys Dwynwen, Llantwit Major | Proposed garage to house scooter |
| 2008/00048/LBC | A | 22, High Street, Cowbridge | Retrospective application in respect of unauthorised works undertaken to the interior of the existing Grade II property |
| 2008/00050/FUL | A | Field 7179 off Aberthin Lane, Aberthin | Riding Arena/Manege |
| 2008/00051/FUL | A | 34, St. Pauls Avenue, Barry | Loft conversion (resubmission) |
| 2008/00053/FUL | A | 49, Colcot Road, Barry | Proposed two storey rear extension and loft conversion |
| 2008/00057/FUL | A | 319, Barry Road, Barry | First floor extension to provide dressing room |
| 2008/00062/FUL | A | Former Mulligans Restaurant, Stalling Down, Cowbridge | To provide an additional escape stairs from external decking area at first floor level to restaurant |

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|---|---|---|---|
| 2008/00095/OBS | S | Cardiff International Sports Village, (Whole site), Dunleavy Drive, Grangetown, Cardiff | Variation of condition 26, (and variation of conditions 1, 23, 25,28,29 and 55 to accord with changes to condition 26), of planning permission no. 05/01754C, to increase no. of dwellings from 1127 to 1800 (amended plans) |
| 2008/00102/FUL | A | 37, South Road, Sully | Amendment to previous consent 05/01182/FUL |
| 2008/00106/FUL | A | 36, Coleridge Avenue, Penarth | Increase the size of existing single storey extension |
| 2008/00108/FUL | R | Primrose View, St. Quentins Close, Llanblethian | Demolition of existing bungalow and construction of two detached dwellings |
| 2008/00112/FUL | A | 47, Cornerswell Road, Penarth | Single storey rear extension |
| 2008/00124/FUL | A | 36, Oxford Street, Barry | Installation of upvc conservatory to rear elevation |
| 2008/00130/FUL | A | 71, Castle Drive, Dinas Powys | Bay window to front |
| 2007/01051/FUL | R | 17, Newbarn, St Athan | Two storey extension to side & rear and single storey extension to rear |
| 2007/01711/FUL | A | Ivy Cottage, Llanmaes | Single storey rear extension |
| 2007/01723/FUL | A | 6, Highfield Road, Barry | Proposed dormer to side and rear of roof, also to include alterations to existing single storey extension |
| 2007/01738/FUL | A | Within the Marina Boatyard, which is located between Penarth Portway and the Escarpment, Penarth Marina | Erection of a boat cover structure within the boatyard, which can be moved. |

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|---|---|---|---|
| 2007/01766/FUL | R | 5, Cog Road, Sully | Redevelopment of site to provide four residential apartments |
| 2007/01770/LBC | A | Atlantic College, St. Donats Castle, Llantwit Major | Repair breaches in sea wall, fill voids behind wall and reface with dressed stone to match existing as near as possible, also flexible decking replacement |
| 2007/01780/FUL | A | Llandough Hospital, Llandough | A single storey extension to an existing ward in addition to refurbishment works |
| 2008/00029/FUL | A | 32, Llwyn Y Gog, Rhoose | Proposed extension |
| 2008/00061/FUL | A | 3, Ashgrove, Dinas Powys | Two storey side extension & side single storey rear |
| 2008/00063/FUL | A | Rushmore House, The Herberts, St Mary Church | Removal of condition 2 of planning permission 85/00969/FUL |
| 2008/00071/FUL | A | 1, Montgomery Road, Barry | Two storey side extension to include disabled facilities |
| 2008/00078/FUL | A | Little West, Southerndown | Conversion of existing building and construction of 8 apartments |
| 2008/00081/FUL | A | Little West Farmyard (barn conversion), Broughton Road, Wick | Barn conversion |
| 2008/00082/FUL | A | Duffryn House, Welsh St. Donats | Proposed replacement dormer windows (2 no.) |
| 2008/00084/FUL | A | Barry Island Post Office, 6, Plymouth Road, Barry Island | Single storey stock room extension |
| 2008/00085/FUL | A | Ydfa, Corntown | Single storey garage extension |
| 2008/00086/FUL | R | Land adjacent to River View, East Aberthaw | Proposed detached cottage style four bedroomed dwelling |

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| 2008/00088/FUL | A | Hamard House, Cardiff Road, Barry | Separation of existing to provide three separate units and the installation of new composite system to the walls and roof of the existing industrial warehouse. |
| 2008/00091/ADV | A | Co-op Pharmacy, 148, Holton Road, Barry | 1 x fascia Sign, 1 x D/S proj. sign |
| 2008/00092/FUL | A | Planhigyn, Penylan Road, St. Brides Major, Nr. Bridgend | Installation of conservatory to side elevation |
| 2008/00101/FUL | A | 53, Maesycwm Street, Barry | Single storey extension to provide ground floor showering facilities for a disabled person |
| 2008/00107/FUL | R | The Old Rectory, Bonvilston | Two storey extension with single storey extension to garage and kitchen |
| 2008/00109/FUL | A | 183, Pontypridd Road, Barry | Edwardian style conservatory to rear elevation |
| 2008/00116/FUL | A | 104, Stanwell Road, Penarth | Replace existing conservatory with new white hardwood conservatory |
| 2008/00128/FUL | R | 4, Cwrt Llanfair, St. Mary Church | First floor extension above garage/hall of existing house |
| 2008/00136/FUL | A | Plot 2, The Stables, St. Brides Road, Wick | Revised plan. External of garage to include some revised window styles and garage roof raised by 1m to accommodate store above. |
| 2008/00139/FUL | R | 6, Paget Road, Penarth | Rear ground floor and first floor extensions, proposed garage to rear of garden. Alteration to front elevation to provide new bi-fold doors at first floor level with Juliet balcony and new decking area at rear |

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|---|---|---|---|
| 2008/00160/FUL | A | 1, Eurgan Close, Llantwit Major | Proposed two-storey extension and alterations, new front entance, new pitched roof to garage |
| 2008/00163/FUL | A | 2, Tudor Close, Penarth | To extend exg. garage & convert to study, new front entrance porch- to form new pitch roof over exg. flat roof garage & utility toilet & to construct to rear of dwelling new compton prefab garage |
| 2008/00164/FUL | A | Cottrell Park Golf Club, St. Nicholas | Proposed extension to existing golf club house |
| 2008/00173/FUL | R | 23, Teasel Avenue, Penarth | Two storey side extension to existing semi-detached dwelling |
| 2008/00231/PNA | R | Glyndwr Vineyard, Llanblethian, Cowbridge | Proposed agricultural building to provide tractor & implement store, fruit grate & general store |
| 2007/01047/FUL | A | Pen Y Bryn, Penylan Road, Aberthin | Extension to the rear elevation |
| 2007/01434/LBC | A | Pen-y-Bryn, Pen-y-Lan Road, Aberthin | Small extension to side of existing cottage and a separate oak framed structure linked to existing with glazed walkway |
| 2007/01721/FUL | A | Stepaside, Peterston-Super-Ely | Extension over existing lounge to create 2 new bedrooms and bathroom and construction of car port |
| 2007/01762/FUL | A | 6, St. Nicholas Road, Barry | Retention of existing first floor flat above shop and installation of external staircase to form new access. |
| 2008/00047/FUL | A | 80, St. Davids Crescent, Penarth | 2 storey rear extension to provide additional living accommodation |
| 2008/00079/FUL | A | 14, Four Acre, Llantwit Major | Attic conversion with dormer window to rear |

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|---|---|---|---|
| 2008/00083/FUL | A | 51, South Road, Sully | Second storey extension |
| 2008/00089/FUL | A | Loos House, Watery Lane, Welsh St. Donats | Remove existing single skin metal garage roof and replace with pitched slate roof insulated and lined |
| 2008/00093/FUL | A | Hendre Wen (Plot Two), Rock Road, St. Athan | Proposed replacement dwelling - (existing bungalow structurally defective and dilapidated) |
| 2008/00096/FUL | A | 5, Evenlode Avenue, Penarth | New single storey lean to garage, garden wall and railings |
| 2008/00105/FUL | A | 8, The Heathers, Barry | Attic conversion with dormer window |
| 2008/00121/FUL | A | 27, Drylla, Dinas Powys | White lean-to proch |
| 2008/00126/FUL | A | 18, Herbert Street, Barry | Proposed single storey side and rear extension to form new garage/bathroom/kitchen |
| 2008/00129/FUL | A | 119, Stanwell Road, Penarth | Two storey extension to the existing house plus rear conservatory |
| 2008/00133/FUL | A | Home Farm, Dyffryn | Roof over an existing structure to convert its use from a silage clamp to grain store |
| 2008/00135/FUL | A | 49, Andrew Road, Penarth | First floor rear extension (retrospective) |
| 2008/00146/FUL | A | Cartre Glas Farm, Welsh St. Donats | 2 storey rear extension and alterations to farm house |
| 2008/00178/FUL | A | Comet, Unit E, Valegate Retail Park, Culverhouse Cross, Cardiff | Installation of new fire exit doors to existing retail unit |
| 2008/00180/FUL | A | Mothercare, Unit C, Valegate Retail Park, Culverhouse Cross, Cardiff | Installation of new fire exit doors to existing retail unit |
| 2008/00181/FUL | A | MFI, Unit B, Valegate Retail Park, Culverhouse Cross, Cardiff | Installation of new fire exit doors to existing retail unit |

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|---|---|---|---|
| 2008/00182/FUL | A | Dreams, Unit D, Valegate Retail Park, Culverhouse Cross, Cardiff. | Installation of new fire exit doors to existing retail unit |
| 2008/00097/FUL | A | 49, Clive Place, Penarth | Demolish and rebuild garage |
| 2008/00103/FUL | A | Ashley Cottage, Bridge Road, Llanblethian, Cowbridge | Two storey side extension, single storey rear extension to replace existing and front porch |
| 2008/00110/FUL | A | 34, Coleridge Avenue, Penarth | Demolish existing single storey extension and replace with new single storey extension |
| 2008/00118/FUL | A | 129, Lavernock Road, Penarth | Extension to provide new single storey utility room and cloak room |
| 2008/00119/FUL | R | 21, Orchard Drive, Barry | Proposed granny annex & garage |
| 2008/00122/FUL | A | The Watermill, Ogmore By Sea, Bridgend | Proposed timber frame smoking shelter |
| 2008/00127/FUL | A | 19, East View, Llandow | Single storey kitchen extension |
| 2008/00137/FUL | R | 115 and 117 Port Road East, Barry | To convert existing dwellings to 12 bedroom hotel with manager's accommodation to roof void. Construct rear extensions and front entrance foyer and provide car parking |
| 2008/00138/FUL | A | 8, Tan Y Fron, Barry | Single storey side extension |
| 2008/00140/FUL | A | Broadgate House, The Broad Shoard, Cowbridge | Lean to rear conservatory |
| 2008/00144/FUL | A | 86, Redlands Road, Penarth | Loft conversion with 2 No. pitched roof dormers, extension to ground floor |

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|---|---|---|---|
| 2008/00148/FUL | A | 90, Barry Road, Barry | Conversion of ground floor shop into residential use to form a single dwellinghouse |
| 2008/00149/FUL | R | 71, Broadway, Cowbridge | Extend rear residential boundary line by 20 metres to increase garden curtilage |
| 2008/00150/FUL | R | 69, Broadway, Cowbridge | Extend rear residential boundary line by 20 metres. |
| 2008/00152/FUL | A | Llantwit Major Rugby Club, Boverton Road, Llantwit Major | Single storey glazed covered area with open sides to provide a dry viewing area |
| 2008/00154/ADV | A | Sarah Edwards Pharmacy, 7, Boverton Road, Llantwit Major | Shop Sign |
| 2008/00155/FUL | A | 186, Jenner Road, Barry | Domestic block shed |
| 2008/00190/FUL | A | 85, Cornerswell Road, Penarth | Two storey extension at rear and demolition of single storey annexe at rear |
| 2008/00193/FUL | A | Heavenly Interiors, 15, Poundfield, Llantwit Major | Change of use to tea rooms (first floor area) |
| 2008/00201/FUL | A | 37, Cog Road, Sully | Two storey side extension to provide granny annexe and access ramp |
| 2008/00256/FUL | R | 17, Rectory Drive, St. Athan | Proposed rear two storey extension to provide granny flat |
| 2008/00261/FUL | A | 3, Lynton Close, Sully | Single storey extension to side and rear |
| 2007/01610/FUL | A | Tesco Stores Ltd., Western Road, Penarth | Erection of a 10.6m tall 6kW micro wind turbine for a period of 15 years |
| 2007/01757/FUL | R | Midfield House, Pen Y Turnpike Road, Dinas Powys | 2 No. prefabricated stable blocks (comprising 7 No. stables & tack/feed room) and workshop |

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|---|---|---|---|
| 2008/00151/FUL | A | Pippins, Trerhyngyll, Cowbridge | Extension to dormer bungalow with dormers to roof, extension to rear |
| 2008/00157/FUL | R | 11, Warwick Way, Barry | Dormer extension to rear of main roof |
| 2008/00158/FUL | A | Old Station Yard, Gileston | Extension of car parking yard |
| 2008/00161/FUL | R | 52, Clos Ogney, Llantwit Major | Garage extension along side existing garage |
| 2008/00162/FUL | R | Cross House, Cowbridge Road, Aberthin | Two storey side extension with garage to ground floor; single to one-half storey rear extension |
| 2008/00166/FUL | A | 6, The Verlands, Cowbridge | Single storey extension to garage in front of house incorporating entrance lobby. Alterations to vehicular access |
| 2008/00170/FUL | A | Land to the rear of 50, Holton Road, Barry | Construction of 3 no. retail units with offices over |
| 2008/00175/FUL | A | 9, Cwrt y Vil Road, Penarth | To extend to rear of dwelling new breakfast/living room to include internal alterations (previously planning consent 07/01232/FUL |
| 2008/00212/FUL | R | 184, Colcot Road, Barry | Proposed first floor side extension and loft conversion |

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

4. APPEALS

(a) Planning Appeals Received

| | |
|---|---|
| L.P.A. Reference No: | 2006/00505/FUL |
| Appeal Method: | Written Representations |
| Appeal Reference No: | 08/2068401 |
| Appellant: | Mr. & Mrs. Oliver, |
| **Location:** | **Glenholme Farm, Peterston-Super-Ely** |
| Proposal: | First floor games room extension |
| Start Date: | 29 February 2008 |

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| L.P.A. Reference No: | 2007/01078/FUL |
| Appeal Method: | Written Representations |
| Appeal Reference No: | 08/2068480 |
| Appellant: | Chris and Mary Roach, |
| **Location:** | **The Barn adjacent to Glan Y Mor House, Off Heol Las, Wick** |
| Proposal: | Conversion and extension of redundant agricultural barn to a dwelling including associated amenity area |
| Start Date: | 5 March 2008 |

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Enforcement Appeals Received

None.

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(b) Planning Appeal Decisions

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| L.P.A. Reference No: | 2007/01390/ADV |
| Appeal Method: | Written Representations |
| Appeal Reference No: | H/07/2061683 |
| Appellant: | Lidl UK., |
| **Location:** | **Lidl, Cennin Pedr, Pencoedtre Village, Barry** |
| Proposal: | 2 x Billboards: 1 x wallmounted, 1 x freestanding |
| Decision: | Appeal Dismissed |
| Date: | 7 March 2008 |
| Inspector: | Mr. J.T.H. Evans |
| Council Determination: | Delegated |

**Summary**

In dismissing the appeal, the Inspector considered the first of the billboards (attached to the store itself) to be an over-large and over-prominent structure. He considered it to represent an incongruous feature in the predominantly residential area that would be detrimental to its good degree of visual amenity.

As to the second billboard (free standing on the boundary of the site adjacent to the highway), the Inspector considered this to be over-large and an incongruous feature in this view significantly harming it and the current good level of visual amenity this area currently enjoys. He also commented that it would be a large and prominent item of large scale advertising close to the footway along Trem Y Coed and somewhat overpowering to passing pedestrians and motorists. Furthermore, the rear, blank face of the billboard, when seen from within the car park, would cause similar harm to the view of the mature woodland to its rear.

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|---|---|
| L.P.A. Reference No: | 2007/00410/FUL |
| Appeal Method: | Written Representations |
| Appeal Reference No: | 07/2058868 |
| Appellant: | Mr. W. J. Laing, |
| **Location:** | **Capehart, Higher End, St. Athan** |
| Proposal: | Single storey extension to kitchen at front of house |
| Decision: | Appeal Dismissed |
| Date: | 27 February 2008 |
| Inspector: | Ms. P. Davies |
| Council Determination: | Delegated |

**Summary**

In dismissing the appeal, the Inspector commented that, notwithstanding the diversity in the form and arrangement of dwellings in the wider area generally, the appeal property is part of a distinct group of houses that derive a strong visual uniformity from their consistency in style and even set back from the road. He stated that the easily apparent building line is a particularly distinctive component of the group that stands out in the street scene. In this context, the forward siting of the proposal and it's massing and scale arising from its substantial depth and width, would result in a prominent and obtrusive form of development that would harmfully disrupt the visual integrity of the group. The Inspector found this to cause unacceptable harm to the character and appearance of the street scene, contrary to Council Policy and SPG.

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| | |
|---|---|
| L.P.A. Reference No: | 2007/00387/FUL |
| Appeal Method: | Written Representations |
| Appeal Reference No: | 07/2058135 |
| Appellant: | Mr. David Hitt, |
| **Location:** | **29, St. Lythan Close, Dinas Powys** |
| Proposal: | Dormer loft conversion |
| Decision: | Appeal Dismissed |
| Date: | 5 March 2008 |
| Inspector: | Ms. P. Davies |
| Council Determination: | Committee |

**Summary**

In dismissing the appeal, the Inspector concluded that the proposal would be harmful to the character and appearance of the area, contrary to the objectives of Council Policy ENV27 and SPG, she found that, as the dormer extends at a fairly flat angle from the ridge height of the dwelling and across most of the rear width of the roof plane, it resulted in a development of substantial scale and bulk that relative to the modest proportions of the existing dwelling, appears disproportionate and overly dominant. She considered the use of materials to exacerbate these unacceptable effects, and found that, in this reasonably uniform context, where the roofscape of the adjoining terraces remains largely unaltered, the dormer extension is an obtrusive feature that harmfully disrupts the integrity of the terrace.

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| | |
|---|---|
| L.P.A. Reference No: | 2007/00840/FUL |
| Appeal Method: | Hearing |
| Appeal Reference No: | 07/2058083 |
| Appellant: | Ms. Whithouse |
| **Location:** | **17, Tyle House Close, Llanmaes** |
| Proposal: | Two storey side extension |
| Decision: | Appeal Dismissed |
| Date: | 10 March 2008 |
| Inspector: | Mr. A. H. Vaughán |
| Council Determination: | Delegated |

**Summary**

The Inspector found that the development would unacceptably dominate the site and its immediate neighbour and produce a cramped development style harmful to both the character and appearance of the area, breaching Council Policy ENV27.

The Inspector took into account the submissions made regarding the personal needs of the appellant for accommodating an ageing relative in the extension, but did not consider these to overcome his objections to the scheme, particularly as planning permission had already been granted for the site that would provide the facilities at first floor level to meet the personal needs of the appellant.

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| | |
|---|---|
| L.P.A. Reference No: | 2006/00403/FUL |
| Appeal Method: | Written Representations |
| Appeal Reference No: | 07/2057420 |
| Appellant: | Mr. S. Harvey, |
| **Location:** | **6, Spencer Street, Barry** |
| Proposal: | Proposed garden store to rear garden, consisting of ground and first floor |
| Decision: | Appeal Dismissed |
| Date: | 17 March 2008 |
| Inspector: | Ms. Rebecca Phillips |
| Council Determination: | Delegated |

**Summary**

In the Inspector's opinion, a building of the height proposed, positioned mid-terrace, would represent an inappropriate form of development that would be incongruous with the more domestic scale of adjacent buildings.

He thought that the building would appear overly dominant and disproportionate in relation to its surroundings, and, by virtue of the short rear gardens and proximity to the rear elevations of neighbouring properties, the height and scale of the building would have an overbearing effect on the adjoining occupiers. For these reasons the Inspector dismissed the appeal and found that the proposal would be detrimental to the character and appearance of the surrounding area and harm the living conditions of the adjoining occupiers in conflict with Policy ENV27 of the Unitary Development Plan.

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| | |
|---|---|
| L.P.A. Reference No: | 2006/01491/FUL |
| Appeal Method: | Hearing |
| Appeal Reference No: | 07/2054837 |
| Appellant: | Mr. Paul Llewellyn, |
| **Location:** | **Land formerly part of Rectory Farm, Llandough** |
| Proposal: | Agricultural dwelling - resubmission of application 05/01712/FUL |
| Decision: | Appeal Dismissed |
| Date: | 27 February 2008 |
| Inspector: | Mr. T. J. Morgan |
| Council Determination: | Committee |

**Summary**

The dwelling was proposed on the grounds that it was required for an agricultural worker. The Inspector fully appraised all information submitted in support and justification of the proposed dwelling, in line with Council Policy and National Planning Guidance in the form of Policy TAN 6 – Development Involving Agricultural Land, which sets out certain tests that should be applied when considering applications for new dwellings for agricultural workers.

The first of these tests is a 'functional' test. In this regard, the Inspector agreed with the appellant that a worker needs to be on hand day at night when calving and lambing are taking place at the farm. However, the Inspector commented that this is only for a period of about three months of the year starting in March, as such it is possible to meet such a need by the temporary stationing of a caravan under Class A of Part 5 of Schedule 2 to the Town and Country planning (General Permitted Development Order) 1995. The Inspector considered all other functional reasons for a permanent residence at the site, including stock monitoring, security and the possible introduction of a second calving period. However, having considered the advice given in Policy TAN 6 he considered that there was not, at present, sufficient additional evidence to satisfy the functional test for a dwelling. As such he found that this factor alone was sufficient to justify a refusal of planning permission.

Having considered the accounts of the farm holding, the Inspector also found the proposal to fail the financial test, as set out in TAN 6, due to the absence of certain year's accounts. The Inspector also considered the guidance in TAN 6 which requires that agricultural dwellings should be of a size commensurate with the established functional requirement. He found the dwelling in this case to be a substantial one that did not accord with TAN 6, particularly as the dwelling would be a second home on the enterprise and TAN 6 advises that it is the requirements of the enterprise rather than the owner or occupier which are relevant to determining the size of the dwelling.

The Inspector was also concerned with the location of the house and garage, away from the farm buildings and prominent in the landscape. Given the location in a Special Landscape Area, he considered the development would have an unacceptable effect on the character and appearance of the locality.

Finally, the Inspector bore in mind that the encouragement of the continuation of family farming in Wales as an aim of the National Assembly and the provision of suitable residential accommodation for later generations of farming families. However, he considered the present functional needs and the unproven financial test, together with the size and location of the proposed dwelling meant that the proposal could not be justified in the present circumstances and as a result there is conflict with Council Policy and national guidance.

---

L.P.A. Reference No: 2006/00800/FUL
Appeal Method: Public Local Inquiry
Appeal Reference No: 07/1201076
Appellant: RWE npower plc.,
**Location:** **Aberthaw Power Station, The Leys, Aberthaw**
Proposal: Extension in height of the existing Aberthaw Power Station ash mound to 65 metres AOD
Decision: Appeal Withdrawn
Date: 29 February 2008
Inspector:
Council Determination: Committee

**Summary**

Appeal withdrawn

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(d) April 2007 – March 2008 Appeal Statistics

| | | Determined Appeals | | | Appeals withdrawn /Invalid |
|---|---|---|---|---|---|
| | | Dismissed | Allowed | Total | |
| **Planning Appeals** (incl. tree appeals) | WR | 29 | 11 | **40** | 5 |
| | H | 8 | 1 | **9** | 1 |
| | PI | - | - | **-** | 1 |
| **Planning Total** | | 37 (76%) | 12 (24%) | **49** | 7 |
| **Enforcement Appeals** | WR | 2 | 2 | **4** | 1 |
| | H | - | - | **-** | - |
| | PI | - | - | **-** | - |
| **Enforcement Total** | | 2 (50%) | 2 (50%) | **4** | - |
| **All Appeals** | WR | 31 | 13 | **44** | 6 |
| | H | 8 | 1 | **9** | 1 |
| | PI | - | - | **-** | 1 |
| **Combined Total** | | 39 | 14 | **53** | 8 |

Background Papers

Relevant appeal decision notices and application files (as detailed above).

Contact Officer - Justina M Walsh, Tel: 01446 704690

Officers Consulted:

Head of Planning and Transportation

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

5. TREES

(a) Delegated Powers

If Members have any queries on the details of these applications please contact the Department.

**Decision Codes**

A - Approved R - Refused
E Split Decision

| | | | |
|---|---|---|---|
| 2008/00123/TCA | A | 27, Victoria Road, Penarth | Fell Cherry Tree |
| 2008/00115/TPO | A | 10, Merevale, Dinas Powys | Fell 2 lines Cypress |
| 2008/00168/HR | A | Monkton Farm, Wick | Hedgerow removal between OS enclosures 5351,7054, 7343 (north) and 6127,7529 (south) |
| 2008/00177/TPO | A | Northcliffe Apartments, Paget Place, Penarth | Fell one Macra Carpa and four Holm Oaks |
| 2007/01744/TPO | A | Conifers, Siginstone, Cowbridge | To carry out periodic maintenance of 7 Beech trees. |
| 2008/00213/TCA | A | 1, Mill Park, Cowbridge | Fell Silver Birch |
| 2008/00234/TPO | R | 26, Pwll Y Min Crescent, Peterston Super Ely | Fell 2 Silver Firs T1 (and T2 - T2, Dangerous/Exempt) |
| 2008/00275/TCA | A | Laburnum Lodge, St. Nicholas | Fell row of Cypress along north boundary of garden and remove dead Dwarf Weeping Willow - Salix `Kilmarnock` within rear garden (south) |

| | | | |
|---|---|---|---|
| 2008/00221/TPO | A | 23, Maillards Haven, Penarth | Pollard Lime trees (x 2) |
| 2008/00235/TCA | A | Pen y Garreg, Piccadilly, Llanblethian | Heavy pollarding of Ash |
| 2008/00286/TCA | A | 2, Elm Grove Lane, Dinas Powys | Fell Yew Tree |
| 2008/00297/TPO | A | 22, Maillards Haven, Penarth | Prune 3 Lime trees removing dead wood/branches |

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

5. TREES

(b) General

REPORT TO PLANNING COMMITTEE TO PROPOSE THE CONFIRMATION OF A TREE PRESERVATION ORDER

SITE AND TREE DESCRIPTION

The site is the eastern end of the village of Penmark called Higher End.

This report seeks confirmation of the Tree Preservation Order No. 25, 2007, which covers a stand of mature Austrian Pine trees which are growing on a strip of land running parallel with and adjoining garden land belonging to No. 1 Higher End and includes three Austrian Pines located in front of two large Dutch barns south of the strip.

TREE HISTORY

1996/00172/TCA - Site next to Higher End, Penmark. Tree surgery as indicated in letter of application dated 22nd February, 1996. Approved 29 February 1996.

REPRESENTATIONS

A letter of representation from Wardell Armstrong (dated 17 December 2007) acting on behalf of the owner/occupiers of 1 Higher End details concerns in respect of *lack of amenity value* and *health and safety* with particular regard to the four Austrian Pines closest to No. 1 Higher End which they have labelled trees A, B, C and D. In essence, the owner/occupiers are of the opinion that,

- trees A, B, C and D ..."...contribute neither to the wider landscape nor the character of the Conservation Area..." in part, because, from the east these trees are hidden from view and also because, they maintain that being Austrian Pines the trees are not a native species and would be better replaced with Oak, for example.

- trees B, C and D are poor specimens and tree A is becoming over-mature and that as a result the tree may become unstable and fall or lose lower limbs, all of which may cause damage to the property.

REPORT

Members will recall that this proposal was considered at the March meeting of Planning Committee and that a site inspection was recommended. This inspection will take place on the morning of 17 April 2008. The views expressed in the submitted representations have been considered, and whilst it is true that trees B, C and D have a sparse form they do contribute to the group especially when viewed from a distance, such as from the B4265 coast road where the whole group serves as an interesting feature on the skyline by virtue of the contrast between the low linear aspect of the large Dutch barns against the backdrop of an undulating evergreen silhouette. Although the trees do not actually mask the barns, without the Austrian Pines in the background the barns would visually take on greater prominence and their loss should therefore be guarded against and it is felt their removal would be of significant detriment to views from the south (the coast road).

Regarding the points made on grounds of health and safety where tree A is concerned, there is not sufficient evidence to verify that this tree should be excluded from the Order because of a risk of it becoming unstable. In this regard there does not appear the evidence of serious decay or movement in the rootplate. Furthermore, there is no record of any enquiry being made with a view to felling the trees because of such concerns and if the owner/occupiers wish to prevent damage from sudden loss of limbs by falling dead wood they can do so without needing consent from the Local Planning Authority, as the Tree Preservation Regulations allow. If in the future evidence can be produced to support a case for the tree(s) being hazardous, this can be examined and if supported, appropriate action taken.

A further letter of representation has been received (dated 7 April 2008) from Wardell Armstrong which argues that whilst the Pines are visible in their entirety from the B4265, their amenity is enjoyed mainly by drivers, in this setting, and given that drivers will be focussed on their driving, if the trees A, B, C and D were removed it would barely register. They supply photos in support.

While this argument could be applied to many instances where groups of trees are being assessed for protection, this group in particular, is considered to work, by distracting the eye away from the Dutch barns. This effect would be significantly lessened if trees A, B, C and D were, for example, removed.

RECOMMENDATION

(1) It is recommended that this Tree Preservation Order be confirmed.

Contact Officer - Margaret Krzemieniewski, Tel: 01446 704742

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

Sent by recorded delivery

Wardell Armstrong
Engineering & Environmental Solutions

*Our ref:* SAC/MB/02/CA10062 *Date*: 7th April 2008

Head of Planning and Transportation,
Vale of Glamorgan Council,
Dock Office,
Subway Road,
Barry Docks
Vale of Glamorgan
CF63 4RT

D.E.E.H
RECEIVED
ACTION BY: JMW/MRK
NO: P196
ACK:

RECEIVED
08 APR 2008
ENVIRONMENTAL AND ECONOMIC REGENERATION

Dear Sirs,

**Tree Preservation Order (No 25) 2007, Higher End, Penmarc**

We submitted a letter of objection to the Council on 17th December 2008, on behalf of Mr and Mrs N Crane in relation to the making of a Tree Preservation Order (TPO) at the above property. We understand that the Notice of Confirmation was issued in error and, therefore, further representations can be made.

The Provisional Order relates to a total of 20No trees, all Austrian Pines. As previously, this objection relates solely to the 4No trees immediately to the east of Higher End house. Their approximate locations and canopy spreads are shown in red, lettered from A to D, on a marked up copy of the plan accompanying the Notice of Making of Tree Preservation Order, and is attached hereto.

The report to the 13th March planning committee seeking confirmation of the order, states that

> *".....from the B4265 coast road where the whole group serves as an interesting feature on the skyline ....."*

and goes on to say that

> *".....Although the trees do not actually mask the barns, without the Austrian Pines in the background the barns would visually take on greater prominence and their loss should therefore be guarded against and it is felt their removal would be of significant detriment to views from the south (the coast road)."*

The report is clear that the views to which these 20 trees as a whole contribute, are from the B4265 coast road, which is located broadly 500m to the south of the trees. It is noted that the Council is not looking to TPO these trees for the contribution they make to the Conservation Area; rather it is for their contribution to distant views for which they seek their protection.

We recently undertook a visual assessment from this road, following the Guidelines for Landscape and Visual Impact Assessment, Second Edition, edited by The Landscape Institute. This identified the contribution the 4 trees make to the views available between the A4226 roundabout at the eastern end and the junction at Woodhouse to the west. We chose a day with good visibility allowing long range views, and as November to April is the best time of year to undertake visual assessment, views were unobstructed by deciduous vegetation. We identified from where views are available, and from where views are either unavailable or restricted to the point that they would be unavailable when vegetation has leafed out. Representative photographs were taken at eye level, representing peoples' natural view, which is the equivalent of taking photographs with a 50mm (approximate) lens.

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Subsidiary Companies: Wardell Armstrong International, Camborne; Wardell Armstrong Laird Menzies, Edinburgh.

The location of the photographs and the areas of visibility and no visibility are shown on the enclosed drawing number CA10062/01.

The visual assessment has shown that:

1. views of the tree group are limited to glimpses at the eastern and western ends of the section of road assessed, and views from the central section are obscured by vegetation;
2. as there are limited opportunities for pedestrians to use this road, we could only obtain these photographs by parking the car and walking. Views, therefore, are primarily available to motorists, where drivers will clearly be concentrating on the road and only the very merest of glimpses will be available to passengers;
3. where views are available they are unobstructed and panoramic;
4. where the tree group is visible, it forms a very small percentage of a wide panorama;
5. when visible, the trees are seen as a group rather than individually and
6. when viewed from the east, the 4 trees that are the subject of this objection are almost totally obscured by the remaining 16 further to their east.

It should be stressed that it is not our client's current intention to fell the 4 trees. However, to show how little these 4 particular trees contribute to the view, we have produced photomontages of the tree group showing the potential view with those 4 trees removed. These are shown on the enclosed figures 1, 2 and 3. In each case, the impact of the removal of these 4 trees on the view is virtually imperceptible. In that regard, we contend that it is the remaining group of 16 trees that contribute positively to the view, and that that view will remain virtually unaltered whether the 4 trees in question are included or excluded from the TPO.

Having undertaken the visual assessment, we maintain, as stated in the previous objection letter, that these 4 trees have minimal amenity value both in terms of their physical quality and the limited number of viewers and views effected. In conclusion, therefore, it is our opinion that these 4 trees need not be included within the TPO to maintain the quality of long distance views and whether they are there or not, the remaining 16 trees would still serve "*...as an interesting feature on the skyline...*", the barns would not "*...visually take on greater prominence...*" and their removal would not "*...be of significant detriment to views from the south (the coast road).*"

We trust you will take this reasonable and justified position into account when considering this matter on site.

**Yours sincerely**

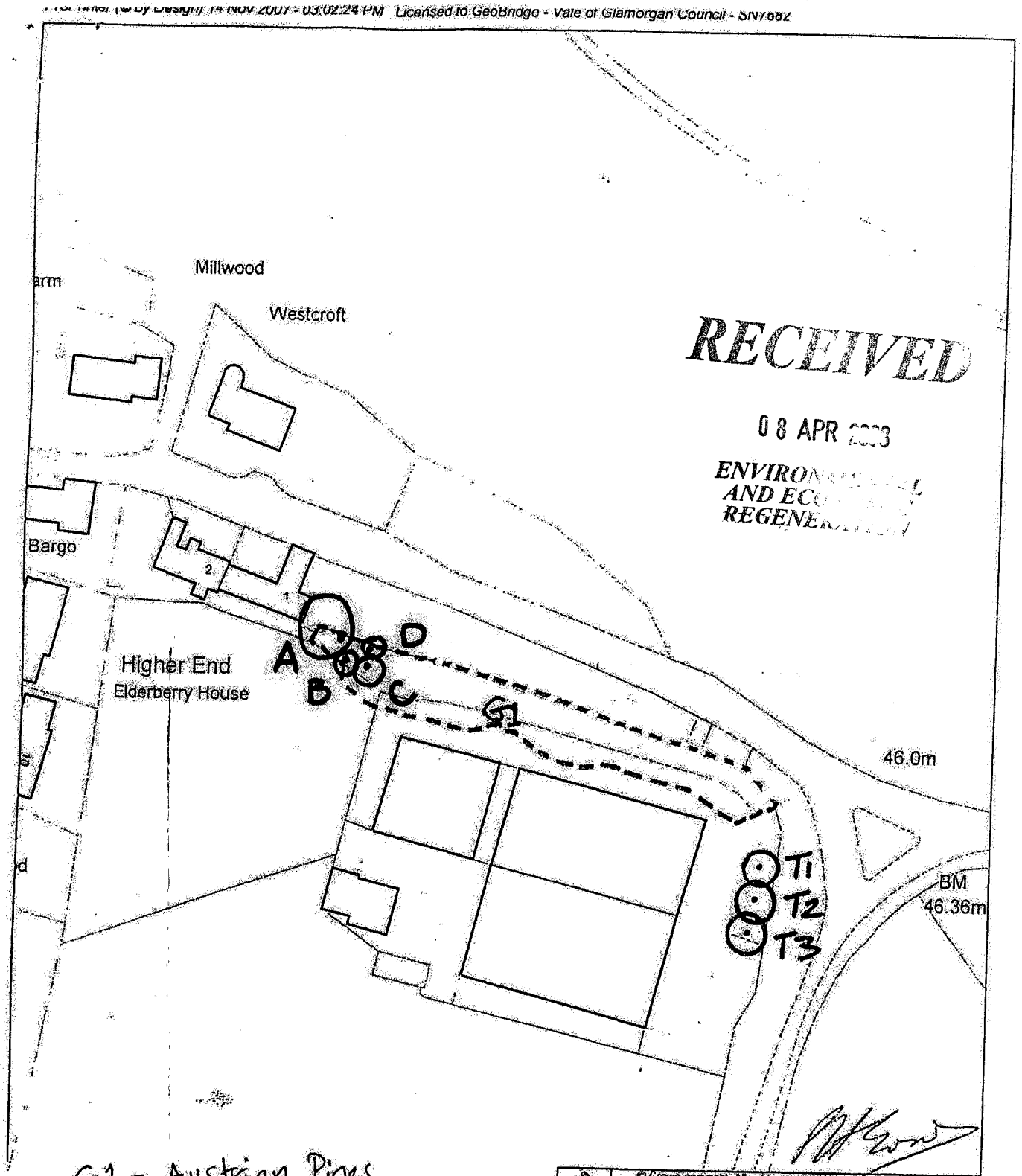
for Wardell Armstrong LLP

**MYFANWY BREWSTER**
Associate Director Landscape Architect
mbrewster@wardell-armstrong.com

encl.

cc. Mr and Mrs Crane
Gordon Kemp

Licensed to GeoBridge - Vale of Glamorgan Council - SN7682




RECEIVED
08 APR 2008
ENVIRONMENTAL AND ECONOMIC REGENERATION

G1 - Austrian Pines

T1 - Austrian Pine
T2 - Austrian Pine
T3 - Austrian Pine

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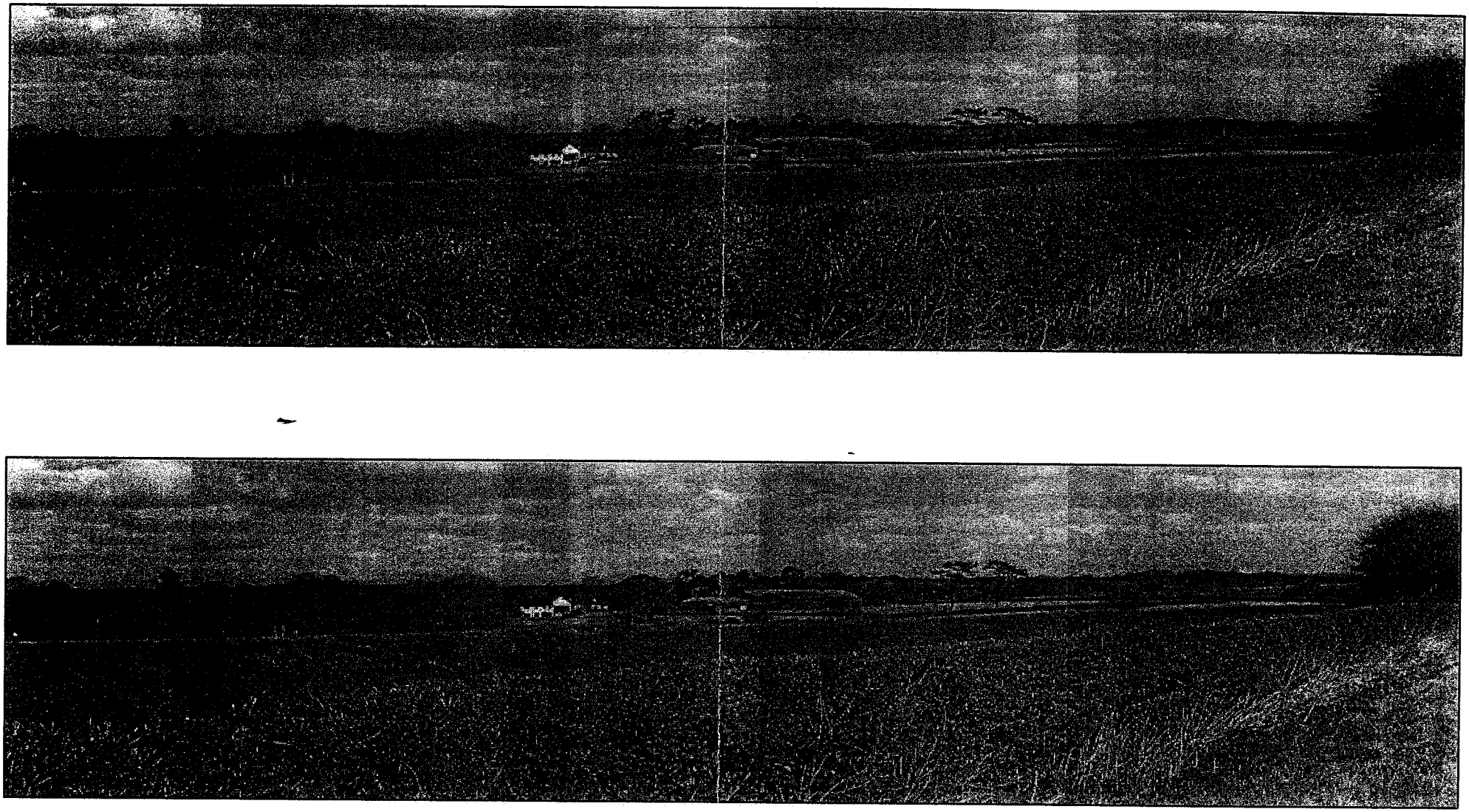
Cyngor Bro Morgannwg rhif trwydded 100023424 2007.

| | |
|---|---|
| The Vale of Glamorgan Council | |
| Department: | |
| Title: TREE PRESERVATION ORDER (no.25), | |
| Drawn By: 2007 at HIGHER END, PENMARK | |
| VALE of GLAMORGAN / BRO MORGANNWG | Scale 1:1000 |
| | Time 03:02:24 PM |
| | Date 14 Nov 2007 |

Viewpoint 3

Figure 3



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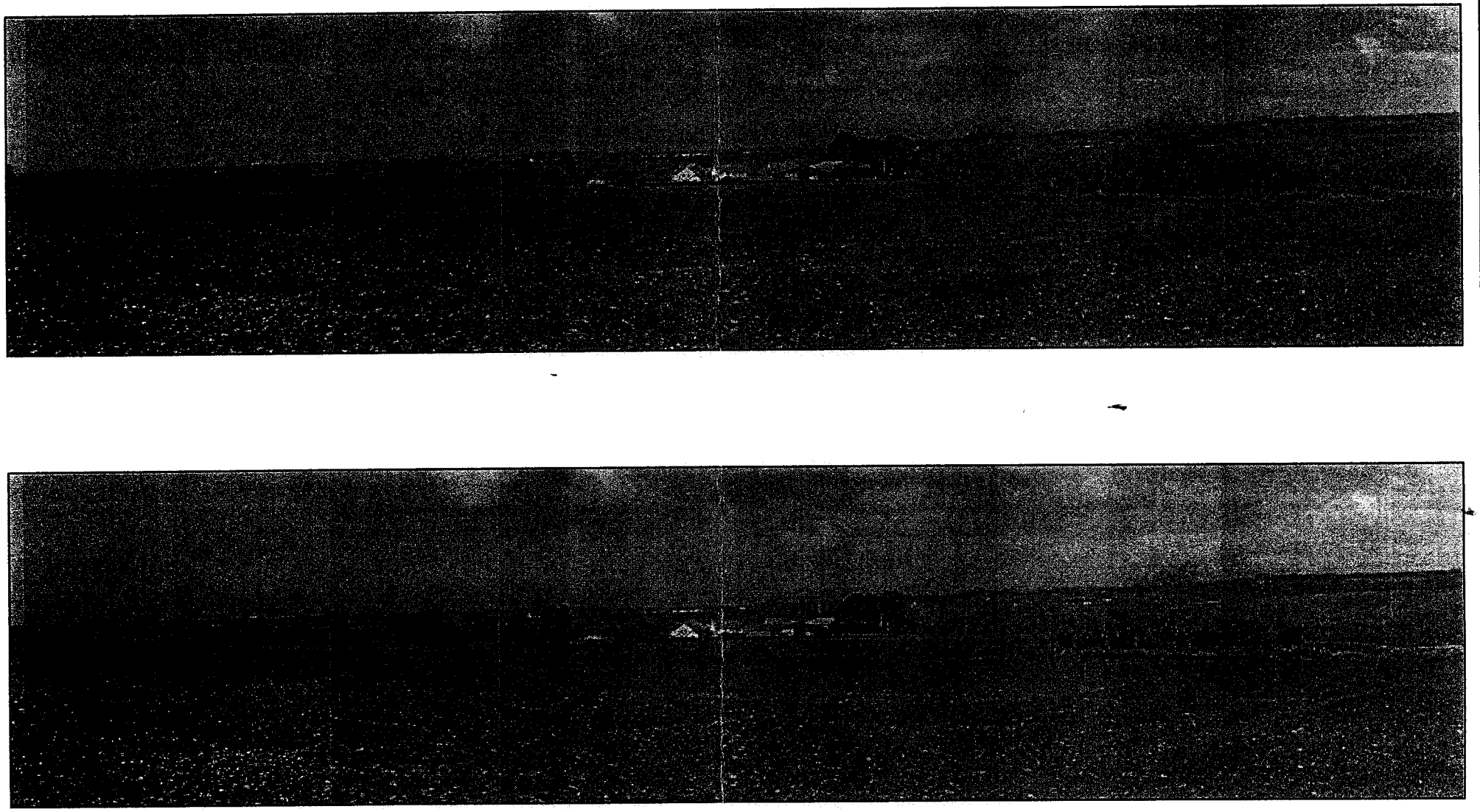
Viewpoint 1

Figure 1



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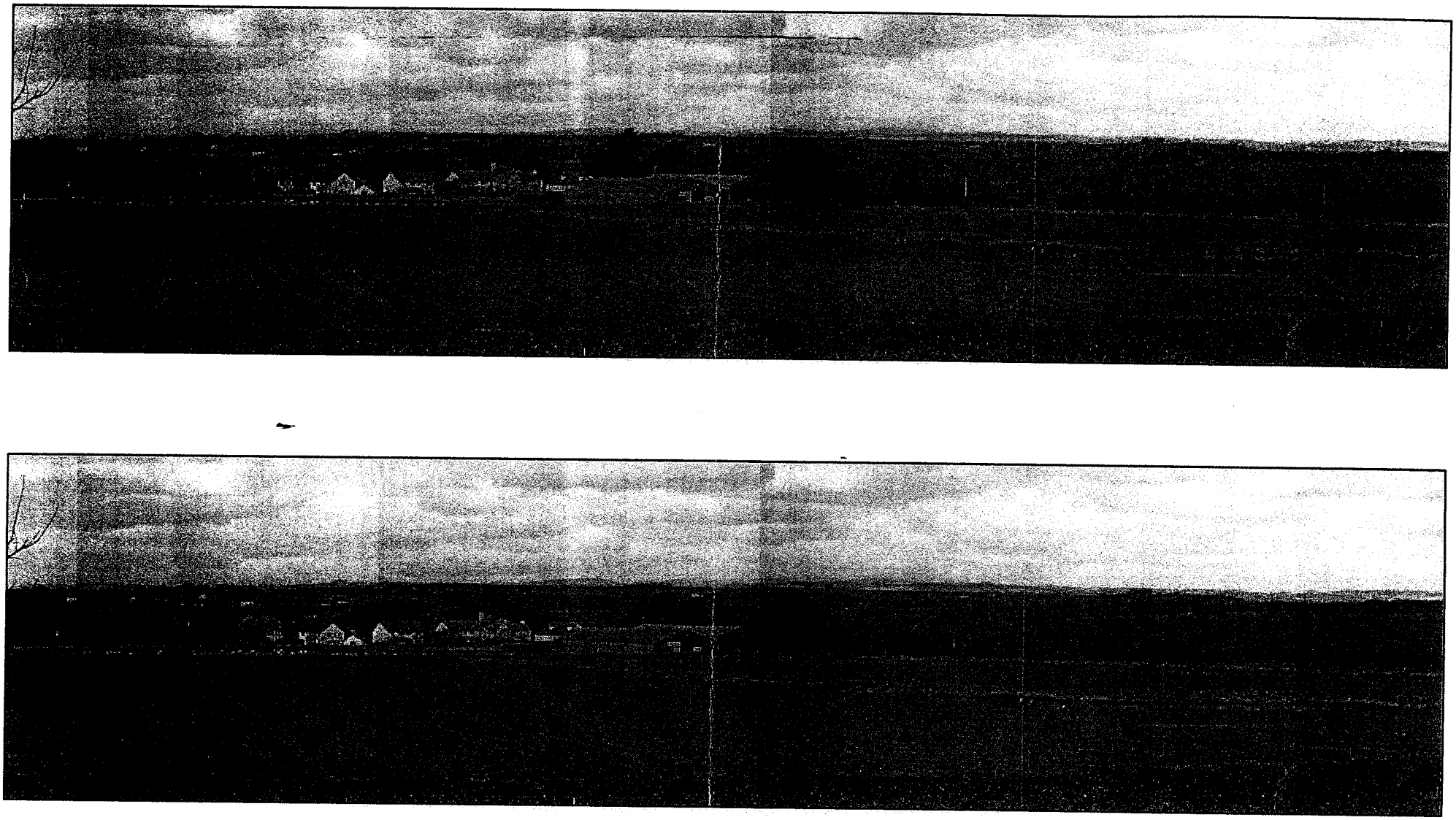
Viewpoint 2

Figure 2



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Agenda Item No. 12(i)

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

7. ENFORCEMENT ACTION

LAND AND BUILDINGS AT BEECH HOUSE, NO. 69, BROADWAY, COWBRIDGE

Background

1. A complaint has been received by the Local Planning Authority on 21 June 2007 that an alleged breach has taken place at Beech House, No. 69, Broadway, Cowbridge.

Details of the Breach

2. Following an initial complaint regarding the erection of an unauthorised front boundary wall and untidy land to the rear of a newly erected dwelling a site inspection was undertaken. It was noted that there was a garden curtilage extension to the rear of the original dwelling house at No. 69 and the recently approved dwelling house (Ref: 07/00326/FUL), No. 71, Broadway, Cowbridge.

3. The extended gardens at Nos. 69 and 71 have been landscaped in grass and are level with the remainder of the garden. The developer has removed the previous means of rear boundary treatment that separated the extended land from the approved curtilages at Nos. 69 and 71, Broadway. The garden extensions not only extend beyond the curtilage of the original dwelling house but also approximately 20-25 metres beyond the settlement boundary of Cowbridge and Llanblethian as defined by the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, encroaching into the Lower Thaw Valley Special Landscape Area.

Planning History

4. 2007/00326/FUL - New 5 Bedroom, 4 storey detached dwelling with garage for 2 cars and external parking for three. Approved 23 April 2007.

2006/00181/FUL - Demolition of garage/conservatory and erection of a side extension. Approved 12 April 2006.

2006/00178/RES - New Dwelling House. Approved 8 September 2006.

2005/01140/OUT - Outline application for the construction of one dwelling. Approved. 23 September 2005.

2005/00824/TPO - Fell 3 Douglas Firs. Approved 7 June 2005.

2004/01670/OUT - Construction of one Dwelling. Withdrawn 14 February 2005.

Action Pursued to Date

5. Following a site visit a number of letters have been sent to all of those with an interest in the properties and the acting agent. All offending properties have now been contacted in writing and made fully aware of the planning implications arising from their actions.

6. Following a number of calls to the agent two planning applications were submitted in February 2008. The applications were received for both properties to retain the garden extensions. The two applications were subsequently refused planning permission on 28 March 2008.

Planning Policy

7. In assessing this application consideration must be given to local planning polices and the following are considered relevant in assessing this application:

ENV1 - Development in the Countryside
ENV4 - Special Landscape Areas
ENV27 - Design of New Developments

of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Policy ENV1 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; or

(iv) Development which is approved under other policies of the plan.

The site lies within the Special Landscape Area defined under Policy ENV4 and therefore it is important to note that the site lies within an area identified for its special landscape value. Thus it is recognised that any form of development can have a significant impact on the quality of the rural landscape.

Reasons for Serving an Enforcement Notice

8. The garden extensions extend the two individual house plots approximately 20-25 metres beyond the lawful domestic curtilage. Aerial photograph evidence confirms that in July 2001, all the land subject of this report was in agricultural use and clearly separated from each house plot by a hedgerow. In this case, the house plots at Nos. 69 and 71, Broadway, have been defined by a new post and rail fence.

9. The land encroached upon is located outside the settlement boundary of Cowbridge with Llanblethian and into the Lower Thaw Special Landscape Area as identified in the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011. As such, there is a strong presumption against any form of residential development, which in turn would include the use of land for residential gardens. The use of agricultural land for such purposes is, therefore, considered to represent an unjustified encroachment into the countryside and rural landscape and is a use which, if left unchallenged, could set an unwelcome precedent for this type of development elsewhere.

10. Cumulatively, the enclosure of land within extended residential curtilages would be to the detriment of visual amenities of the open countryside, and the protected Lower Thaw Valley Special Landscape Area, contrary to the objectives of Policies ENV1 and ENV4 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011. It is considered that the change of use would only serve to urbanise or domesticate the appearance of the site creating an excessive intrusion into the open countryside to the detriment of the wider rural setting and the Lower Thaw Valley Special Landscape Area.

11. If this breach continues and is not enforced against, claims of lawful use could be made for the land in the future. This would result in full residential permitted development rights being afforded to the land, potentially resulting in sizeable but deemed permitted development outbuildings being constructed. Any uncontrolled built development could clearly cause further harm to the undeveloped open countryside and Protected Lower Thaw Valley Special Landscape Area. Consequently, the development would not only adversely alter the character of the site and its surroundings, but would serve to undermine the purpose of the Cowbridge and Llanblethian Settlement Boundary and the Lower Thaw Valley Special Landscape Area, which seeks to protect the undeveloped and unspoilt nature of the area, contrary to the objectives of Policies ENV1, ENV4 and ENV27 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Conclusions

12. The extended residential curtilage represents an excessive intrusion into the rural landscape which detracts from the character of the open countryside and the site location within the Lower Thaw Valley Special Landscape Area. As such, it is considered that the proposal is contrary to Policies ENV1, ENV4 and ENV27 of the Adopted Unitary Development Plan 1996-2011.

13. Given the above, therefore, the breach must be assessed against those adopted policies which seek to protect the rural landscape and open countryside from unrelated urban developments. The proposal is, therefore, contrary to Policies ENV1, ENV4 and ENV27 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Legal Implications (to include Human Rights Implications)

14. If an Enforcement Notice is served, the recipient has a right of appeal under Section 174 of the Town and Country Planning Act 1990 (as amended).

15. The Action is founded in law and would not be considered to breach any of the rights referred to in the Human Rights Act.

Resource Implications (Financial and Employment)

16. Any costs involved in drafting and issuing Notices, attending enquiries and undertaking monitoring work can be met within the departmental budget. There are no employment issues.

Equal Opportunities Implications (to include Welsh Language Issues)

17. None.

RECOMMENDATION

(1) That the Director of Legal, Public Protection and Housing Services be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:

(i) That the use of the land as a residential garden should cease.

(ii) The removal of any residential and domestic paraphernalia from the encroached land.

(iii) The erection of a satisfactory form of boundary fence to separate the approved residential curtilages from the encroached land.

In the event of non compliance with the Notice, authorisation is also sought to take such legal proceedings as may be required.

Reason for Recommendation

(1) To prevent the encroachment and residential use of land outside the settlement boundary into the open countryside and Lower Thaw Special Landscape Area. As such, it is considered that the proposal is contrary to Policies ENV1, ENV4 and ENV27 of the Adopted Unitary Development Plan 1996-2011.

Background Papers

Enforcement File Ref: ENF/2007/0238/PC

Contact Officer - Mr. Morgan P. Howell, Tel: 01446 704743

Officers Consulted:

All relevant Chief Officers have been consulted on the contents of this report.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

Agenda Item No. 12 (ii)

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

7. ENFORCEMENT ACTION

LAND AND BUILDINGS AT PALLA FARM, PETERSTON-SUPER-ELY

Background

1. As a result of the Enforcement Unit's own observations in February this year, it was noted that a substantial, single storey, stone-faced building had been erected in a field adjacent the extensive Palla Farm complex (near Peterston-Super-Ely), which from remote viewing, had all the outward appearance of being a house. Whilst it was subsequently confirmed from internal inspection, that it was only being used as a mixed agricultural/domestic store building comprising of two large, open plan rooms, it nevertheless had all the structural elements (domestic doors, upvc double glazed windows with leaded lights, cavity walls, damp course, and outside, a raised patio area) and was of a design, that would require relatively limited additional works to convert to residential.

Details of the Breach

2. As detailed above, not only is the building wholly unauthorised as a built structure, it is considered to be of a design that in the Council's opinion, is clearly intended to be a house. It is considered that regardless of its current alleged use as an agricultural/domestic store, and the claim of the landlord of its intended purpose (it is understood that the Palla Farm holding extends to some 80 acres, but has no other supporting agricultural buildings), it is considered not to be of an appropriate design for such purposes. Planning case law does support the argument that a building, which has the outward appearance of a house, but may well be being used for other purposes, can still be viewed as being an intended house.

Action Pursued to Date

3. Delegated authorisation of the Head of Planning and Transportation already obtained to serve either a Planning Contravention Notice or Request for Information for the purposes of establishing the ownership of the site, albeit the landlord has already responded to letters and has been met on site.

Planning History

4. 04/00018/FUL - Two-storey Extension (to Chestnut Cottage). Refused 1 March 2004.

91/00379/FUL - Conversion of Outbuilding to Residential. Approved 23 July 1991.

86/0691 - Erection of Tractor Store. Approved 23 September 1986.

5. There is also a complex planning enforcement history to the site. In April 1984 and in May 1985, Enforcement Notices were served concerning the unauthorised conversion of former barns to residential use.

6. Further to the above, it was later determined that in view of the changes in the Council's barn conversion policies, the above referenced planning permission ref: 91/00379/FUL, eventually approved the previously enforced against barn conversion elements, which by then also included the use of a subsequently erected and approved tractor store extension (ref: 86/0691), for independent residential accommodation purposes.

The Issues

Policy

7. This unauthorised development is being assessed against Policies ENV1 – Development in the Countryside, ENV10 – Conservation of the Countryside, HOUS3 – Dwellings in the Countryside and HOUS5 – Agricultural or Forestry Dwellings, of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011. Planning Policy Wales Technical Advice Note (Wales) No 6- Agricultural and Rural Development and Planning Policy Wales March 2002, are also considered relevant.

8. The primary concern in this case is what this Council views as not only the erection of an unauthorised building in the countryside, but one which has the clear outward appearance of being a dwelling house. Whilst it is currently acknowledged that at present, the building is being used for a mix of agricultural and domestic storage purposes, it has nevertheless been constructed in such a manner, uses materials and is also of a scale and design, that is considered far more consistent with a residential property than any use as an agricultural store. The building has been given the name Sheep House which clearly indicates an intent to use the building as a dwelling.

9. It is located outside any recognised residential curtilage (Palla Farm comprises today, 4 separate properties) albeit appearing to immediately adjoin such curtilages and is therefore not a building that could be constructed with the benefit of any residential permitted development rights.

10. The landowner claims that full utility services have not been provided other than water, although on inspection, there were obvious signs of an electricity supply as well. However and regardless of whether this is the case, it is nevertheless still considered that it would only require a nominal amount of additional work, both internally and externally, to convert the building to full residential within the fabric of what has already been stated, has the clear outward appearance of being a house. It is therefore still the Council's contention, supported by several case law examples, that what has been constructed and regardless of its current use, does not meet the criterion of having been designed for agricultural purposes.

11. It should be noted at this stage that the landlord claims that the main part of the building was erected over 4 years ago and therefore, as a structure, it may already be immune from enforcement action. However, it is clear that the building was under continuous construction and was not in fact finished, (air-photograph evidence confirms that it has grown substantially since June 2006 to almost double its size shown then). Further works also included the subsequent provision of an extensive raised patio area, the enclosure of the building by dwarf stone walls, and the laying of a hard surface between those walls and the building, to create what could now be viewed as a nominal curtilage. Accordingly Planning case law does allow the Council to argue that a single and on-going building operation has been undertaken. As a consequence, it is considered that the whole building is still within time to take enforcement action under the 4 year rule and this is regardless of the fact that some elements may or may not have been under construction over 4 years ago.

Conclusions

12. Given the above comments made in regard to the external appearance of the building having all the constructional elements and design of a house, and not of a design or scale that may be nominally expected or encouraged for a so called, agricultural (store) building, it is considered that all those policies which presume against non-conforming development in the open countryside and which is not considered necessary for the purposes of agriculture and forestry, are applicable.

13. Whilst it is acknowledged that at present, the building is only being used for mixed domestic and agricultural storage purposes, it would nevertheless require only a nominal amount of additional work to convert to full independent residential purposes. It is further contended that the outside construction of a substantial area of raised patio, together with enclosing dwarf walls around the whole building, are not only wholly unnecessary for the purposes of agriculture, they are all domestic features that add further to the appearance of the building as a dwelling house. As such, it is considered that the development is contrary to the above referenced UDP planning policies and guidance as a consequence, it is recommended that enforcement action be authorised for the total demolition of the building.

Legal Implications (to include Human Rights Implications)

14. If an Enforcement Notice is served, the recipient has a right of appeal under Section 174 of the Town and Country Planning Act 1990 (as amended).

15. The Action is founded in law and would not be considered to breach any of the rights referred to in the Human Rights Act.

Resource Implications (Financial and Employment)

16. Any costs involved in drafting and issuing Notices, attending enquiries and undertaking monitoring work can be met within the departmental budget. There are no employment issues.

Equal Opportunities Implications (to include Welsh Language Issues)

17. None.

RECOMMENDATION

(1) That the Director of Legal, Public Protection and Housing Services be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:

(i) The total demolition of the unauthorised subject building and thereafter, the removal of all demolition products from the site.

Reason for Recommendation

(1) It is considered that by virtue of its scale, design, method of construction and use of materials, which includes the insertion of a domestic style of upvc, double glazed, leaded light windows, domestic style doors, barge board detailing and the construction of outside domestic features including a patio area, the building has not been constructed for the purposes of agriculture or forestry, but is in fact, tantamount to a new dwelling in the open countryside for which no agricultural, forestry or equine use justification can be made. The development is therefore considered contrary to the terms and aims of Policies ENV1, ENV10, HOUS3 and HOUS5 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and the advice contained within Planning Policy Wales 2002 and Technical Advise Note (Wales) No 6.

In the event of non compliance with the Notice, authorisation is also sought to take such legal proceedings as may be required.

Background Papers

Enforcement File Ref: ENF/2008/0096/PRO

Contact Officer - Mr. G. R. Thomas, Tel: 01446 704694

Officers Consulted:

All relevant Chief Officers have been consulted on the contents of this report.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

Agenda Item No. 12 (iii)

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

## 7. ENFORCEMENT ACTION

## LAND AND BUILDINGS OFF PENYTURNPIKE ROAD, DINAS POWYS (WEST WIND FARM)

### Background

1. An in-house complaint was first received by the Enforcement Unit on 26 May 2005 which alleged that there were on-going tree felling/ground clearance works in a field and attached woodland area located at the Leckwith village end of Penyturnpike Road, Leckwith. Whilst investigated and monitored, nothing untoward was noted and the file closed. In November 2005, the case officer then noted that small animal pens had been erected, soon followed by works to widen the existing field access and partially hard-surface the same.

2. Over the following 2 years to the present day, the site has gradually developed in that other animal pens, cages and sheds have been erected, a metal box container, van body and fuel tank have been sited, and numerous stockpiles of woods, some in the form of prefabricated roof trusses and planks, stone, metalwork, builders wastes, plastics and what can only be described as miscellaneous other wastes and items have been deposited, placed or are being stored upon the land.

### Details of the Breach

3. As detailed above, whilst in terms of actual structures, the breach of planning control may be considered relatively minor, albeit clearly having increased since first observed, what is of greater concern is the other activities being undertaken such as the depositing and stockpiling of what appear to be, mainly waste materials. Whilst at the time of writing, the landowner has submitted to date, 3 planning applications for various, barns, stables and new access, with the exception of the latest application submitted March 2008, which remains undetermined, both earlier applications were withdrawn. It should be noted however that none of those applications show any of the current sites operations or structures.

Action Pursued to Date

4. The landowner has been notified on several occasions in writing and alerted to the Council's increasing concerns on the sites development and operations. Whilst in view of the applications submitted, no action has been taken to date, given the timescales which are involved, matters now need to be progressed to a conclusion.

Planning History

5. 08/00287/FUL - New barn (for horses) and access. Undetermined.

07/00489/FUL - Barn, stables and access. Withdrawn.

06/025699/- - Barn, stables and access. Withdrawn as incomplete.

08/00052/PD - Erection of chicken houses. Planning permission required.

The Issues

Policy

6. The unauthorised uses and structures at this site are being assessed against planning Policies ENV1 - Development in the Countryside, ENV3 - Green Wedges, ENV10 - Conservation of the Countryside, and ENV27 - Design of New Developments, of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011. Planning Policy Wales Technical Advice Note (Wales) No 6, and Planning Policy Wales Mach 2002 are also considered relevant.

7. The primary issue in this case is the uncontrolled use of the site for the purposes of erecting a number of animal pens, cages and sheds, most used to keep fowl birds, the siting of other structures such as a metal box container, what appears to be an elevated fuel oil tank, a van body mounted on a trailer and the storing, stockpiling and depositing of various forms of building materials, wastes and miscellaneous other items, where no agricultural, forestry or equine justification has been made.

8. In acknowledging that most of the pen, cage or shed structures are relatively minor in themselves, the site is clearly expanding and proliferating and despite informing the landowner of the Council's concerns at a relatively early stage, operations have still continued to escalate. Most recently, it has now been observed that builders' wastes have been deposited (along with the previously observed other wastes) and whilst the landowner has explained these deposits as intended for the future use of creating tracks, no consents exist for any such works. In addition, the enlarged access is also considered unacceptable, given its location on a blind bend and the speed of traffic along what is a relatively narrow, winding, but nevertheless still classified road and where the national speed limit is applicable.

Conclusions

9. As stated above, given this site has continued to not only expand in blatant disregard of planning controls and the written advice of the Council, the other uses such as the deposit, storage and stockpiling of various wastes, builders materials, woods and the siting of inappropriate structures such as the box container, van body and fuel tank, not only have no agricultural purpose, they are uses, operations and structures that are wholly unacceptable in any event. As such, given this case has now been ongoing for over 2 years, it is considered that regardless of the landowners attempts to gain planning permission for a barn or stable facilities, the current activities, uses and structures are considered as wholly unrelated to those proposals and therefore require action in their own right as such activities are seen as contrary to the aims and terms of the above referenced planning policies.

Legal Implications (to include Human Rights Implications)

10. If an Enforcement Notice is served, the recipient has a right of appeal under Section 174 of the Town and Country Planning Act 1990 (as amended).

11. The Action is founded in law and would not be considered to breach any of the rights referred to in the Human Rights Act.

Resource Implications (Financial and Employment)

12. Any costs involved in drafting and issuing Notices, attending enquiries and undertaking monitoring work can be met within the departmental budget. There are no employment issues.

Equal Opportunities Implications (to include Welsh Language Issues)

13. None.

RECOMMENDATION

(1) That the Director of Legal, Public Protection and Housing Services be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:

(i) The permanent removal from the land of all pens, cages, sheds, portable barriers and fences, the trailer and van body, the fuel tank and metal box container and thereafter, the cessation of the use of the land for such purposes.

(ii) The permanent removal from the land of all deposited, stockpiled or stored items whether fabricated or not, to include all woods, plastics, metals, builders wastes and materials, stone, bricks, drums, pipework and any domestic items and thereafter, the cessation of the use of the land for such purposes.

(iii) The reinstatement of the original field access onto Pen-y-Turnpike Road in accord with details to be first submitted for the further approval of the Local Planning Authority and which details shall also make provision for a replacement indigenous species hedgerow along the Pen-y-turnpike Road frontage of the site.

In the event of non compliance with the notice, authorisation is also sought to take such legal proceedings as may be required.

Reason for Recommendation

(1) It is considered that no agricultural, forestry or equine justification can be made for the various structures erected, sited or placed upon the land, nor can similarly, any justification be made for the stockpiling, depositing and storage of various wastes, building materials, fabricated and other types of woods, metals, plastics, stone, brick and miscellaneous other items. As such, the development, uses and other activities are considered to be contrary to the terms and aims of Policies ENV1, ENV3, ENV10 and ENV27, f the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and also the advice contained within Planning Policy Wales March 2002 and Technical Advise Note (Wales) No 6.

Background Papers

Enforcement File Ref: ENF/2005/0289/M

Contact Officer - Mr. G. R. Thomas, Tel: 01446 704694

Officers Consulted:

All relevant Chief Officers have been consulted on the contents of this report.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

Agenda Item No. 12 (iv)

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

7. ENFORCEMENT ACTION

LAND AND BUILDINGS AT CHANNEL CENTRE, TY VERLON INDUSTRIAL ESTATE, CARDIFF ROAD

Background

1. A complaint has been received by the Local Planning Authority regarding the siting of a hot food takeaway unit at the Ty Verlon Industrial Estate, Cardiff Road.

Details of the Breach

2. Following an initial site inspection it was noted that the hot food takeaway unit was permanently sited in the private parking area of the commercial premises at Bigliss House, Sully View, Ty Verlon Industrial Estate. The van is sited in the area of parking associated with unit 5, which is occupied by a meat wholesaler. The van is mainly used during the daytime (i.e. office hours) by visiting members of the public.

3. The siting of a hot food takeaway unit on the site requires the benefit of planning permission as this activity has resulted in a material change of use of the land from a car park associated with a commercial/industrial premises to a hot food take away use.

Action Pursued to Date

4. A number of requests have been made of the owner to cease the unauthorised use and remove the van from the site. No attempt has been made to comply with these requests.

Planning History

5. None relevant, although action was taken in the late 1990's relating to a similar use in this general location.

The Issues

Policy

6. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011. The policy relevant in this case is, therefore, EMP4 – Protection of Land for Employment Uses.

Reasons for Serving an Enforcement Notice

7. The burger van is located in the parking are of a collection of small commercial/industrial units close to the entrance of the Ty Verlon Industrial Estate. The parking area and the row of at least four units are enclosed by a 2 metre high post and wire mesh fence. The site can be clearly seen for the public highway and from the adjoining Cardiff Road. There are at least four separate businesses that share this small enclosed parking area, including a very busy builder's merchant. Whilst the van does not occupy a parking space on the car park (it is located in the corner of the site on an elevated concrete base), it has been noted that the burger van itself generates a significant volume of traffic to an already very busy and confined site. This has resulted in complaints from adjoining businesses regarding the nuisance caused by customers of the hot food takeaway unit parking their vehicles in the parking areas of adjoining businesses.

8. In addition to this problem, the siting of the unit on this parking area is considered to add visual clutter to the site. The industrial units in the vicinity are set back from the highway leaving an area of open parking forecourt to the front. The unit is in a prominent location, directly adjacent to the adjoining highway, and clearly visible from the public highway. The unit is, therefore, considered to have a detrimental effect on general amenity of the area.

9. Finally, the Ty Verlon Industrial Estate, of which this site is part, is identified in the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 as an existing employment site. Policy EMP4 states that *'on existing employment sites ....development of uses that are not contained in Classes B1, B2 and B8 of The Town and Country Planning (Use Classes) Order 1987 (as amended) will not be permitted'*. The hot food takeaway unit changes the use of the land to Use Class A3 of the 1987 Order. As such, this unauthorised change of use of the land is contrary to council policy and is unacceptable as it compromises the protection of employment sites from inappropriate uses. There is also concern that this may set an unacceptable precedent for the siting of other such units on the numerous employment sites across the Vale.

Conclusions

10. In view of the findings above, it is considered expedient to pursue action to require the cessation of the use of the land and the removal of the unit.

Legal Implications (to include Human Rights Implications)

11. If an Enforcement Notice is served, the recipient has a right of appeal under Section 174 of the Town and Country Planning Act 1990 (as amended).

12. The Action is founded in law and would not be considered to breach any of the rights referred to in the Human Rights Act.

Resource Implications (Financial and Employment)

13. Any costs involved in drafting and issuing Notices, attending enquiries and undertaking monitoring work can be met within the departmental budget. There are no employment issues.

Equal Opportunities Implications (to include Welsh Language Issues)

14. None.

RECOMMENDATION

(1) That the Director of Legal, Public Protection and Housing Services be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:

(i) The cessation of the use of the land for siting of a mobile unit for the purposes of the take away sale of food.

(ii) Removal from the land of the hot food takeaway unit and associated equipment.

In the event of non compliance with the Notice, authorisation is also sought to take such legal proceedings as may be required.

Reason for Recommendation

(1) The siting of the mobile hot food take away unit, at this prominent and highly visible location is considered to have a detrimental effect on the general amenity of the area contrary to Policy ENV27 of the Vale of Glamorgan Adopted Development Plan 1996-2011.

Background Papers

Enforcement File Ref: ENF/2007/0188/PC

Contact Officer - Miss Justina Walsh, Tel: 01446 704690

Officers Consulted:

All relevant Chief Officers have been consulted on the contents of this report.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

8. GENERAL PLANNING MATTERS

DRAFT BARRY WATERFRONT DEVELOPMENT PRINCIPLES

Purpose of Report

1. To give consideration to the attached draft document which sets out the Council's vision and aspirations for the development of the Waterfront, Barry.

2. The report to Cabinet and the attached appendix (the Draft Barry Waterfront Development Principles) is attached as an appendix to this report.

Background, Relevant Issues and Options

3. All the background, issues and relevant information is as contained in the attached appendices.

Relevant Scrutiny Committee

4. Economy and Environment.

RECOMMENDATIONS

(I) That Planning Committee considers the attached report to Cabinet on the 16 April 2008 and endorses the content for the purposes of consultation.

(2) That a future report be presented to Planning Committee on the results of the consultation exercise.

Reasons for Recommendation(s)

(1) In order to provide Cabinet with the resolution of Planning Committee, and to allow consultation to take place on the document.

(2) To feedback the results of consultation of Planning Committee in due course.

Background Papers

Report to Cabinet of 16 April 2008.

Contact Officer – D. R. Thomas, Tel; 01446 704630

Officers Consulted:

Not applicable.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

# The Vale of Glamorgan Council

APPENDIX A

## Cabinet Meeting: 16th April, 2008

## Director of Environmental and Economic Regeneration

## Barry Waterfront Development Principles: Draft for Consultation

### Purpose of the Report

1. The purpose of this report is to seek endorsement of a draft document entitled Barry Waterfront Development Principles.

### Recommendations

1. That, subject to consultation with Planning Committee and the Economy and Environment Scrutiny Committee, the Draft Barry Waterfront Development principles document is endorsed for the purposes of consultation.
2. That following the undertaking of consultation, Cabinet receive a further report detailing the outcome of the consultation process and a consideration of any amendments necessary to the document.

### Reasons for the Recommendations

1. To allow the Council to consult on the content of the document.
2. To allow Cabinet to consider the responses arising out of the consultation process in advance of adopting the Barry Waterfront Development principles document.

### Background

2. Members will be aware that a consortium of developers consisting of Persimmon Homes, Taylor Wimpey and Barratt Homes have recently (October 2007) entered into an agreement with Associated British Ports and The Welsh Assembly Government for the right to develop the area known as Waterfront 2. This Council has received presentations, both at Cabinet and Scrutiny Committee level from the consortium and officers have attended meetings and discussions to provide an input into the ongoing 'pre-application' work being undertaken by the consortium and their various agents and advisors.

## Relevant Issues and Options

3. Waterfront 2 includes the areas commonly known as West Pond and South Quay, but also includes the site due south of Gladstone Road bridge (Arno Quay) and land to the South East of the Dock Office (East Quay). The consortium is progressing the master planning of the site, in advance of the submission of planning applications for the development of these sites, and to this end their agents have prepared various documents, the most recent being a Draft development Brief, prepared in February 2008. This is the consortium's brief, and whilst your officers have provided comments on the content of the document, they are of the view that it is not in a form that can be adopted as Supplementary Planning Guidance by the Council.

4. The Council, both at officer and member level has at every available opportunity indicated that there are a number of necessary and reasonable benefits to be delivered through the development of the remaining areas of the Waterfront, and to this end, a document has been prepared entitled 'Barry Waterfront Development Principles'. The document outlines the Council's Vision for the development of the area as follows:

   'The creation of a sustainable new urban quarter with distinctive neighbourhoods, attractive places and community facilities that complement, integrate and link with Barry Town and Barry island, whilst taking full advantage of the maritime setting of the No.1 Dock'.

5. The document is attached at Appendix A and it sets out the key principles which must be considered as part of any future master plan and subsequent planning submission for the Waterfront. These are:

- A mix of uses
- Use of the Water
- A phased development
- Integration
- A sense of place
- Community Pride
- Sustainability
- Design Quality
- Movement and Accessibility
- Planning obligations

In particular, the document makes it clear that the Council expects a highway link to the Island in advance of the occupation of any development on the West Pond and South Quay sites, the provision of a range of non-residential uses, including community based and a range of leisure and commercial facilities to be delivered in a phased manner. Furthermore, the document advises that the Council wishes to see an exemplar development in terms of design and sustainability.

6. It is proposed that, subject to consideration by the Council's Planning Committee and the Economy and Environment Scrutiny Committee, the Development principles document be made subject to consultation for a period of 4 weeks. The matter will then be reported back to the Council's Cabinet which can consider the results of that consultation exercise and the requirement, or otherwise to amend the document.

## Resource Implications (Financial and Employment)

7. The document has been prepared by officers from within the Planning and Transportation Division, within the existing budgets.

## Legal Implications (to Include Human Rights Implications)

8. Once endorsed the draft document will carry weight as a material consideration in the determination of planning and transportation issues relating to the Waterfront. Once adopted by the Council, following consultation, the weight afforded to the document will be increased.

## Crime and Disorder Implications

9. The document contains references to Secure by Design and the creation of new communities with a sense of Civic Pride. These are important issues in the master planning and planning application stages of the waterfront.

## Equal Opportunities Implications (to include Welsh Language issues)

10. Through consultation, the Council will hope to obtain as many views as possible on the content of the document in advance of its adoption.

## Corporate/Service Objectives

11. The document, once adopted will form a key document in promoting the mixed use development of Barry waterfront and the delivery of a new road link to Barry Island.

## Policy Framework and Budget

12. The report is a matter for Executive Decision by Cabinet

## Consultation (including Ward Member Consultation)

13. Baruc, Buttrills and Castleland Ward Members have been consulted on the report and the content of the document in accordance with the Council's procedures for the production of Site Development Briefs (2004)

## Relevant Scrutiny Committee

14. Economy and Environment

## Background Papers

Draft Barry Waterfront Development Principles

## Contact Officer

Rob Thomas - Head of Planning and Transportation -Tel No 01446 704630

## Officers Consulted

Head of Service, Economic Development and Leisure
Project Manager

Operational Manager Engineering Design and Procurement, Visible Services.

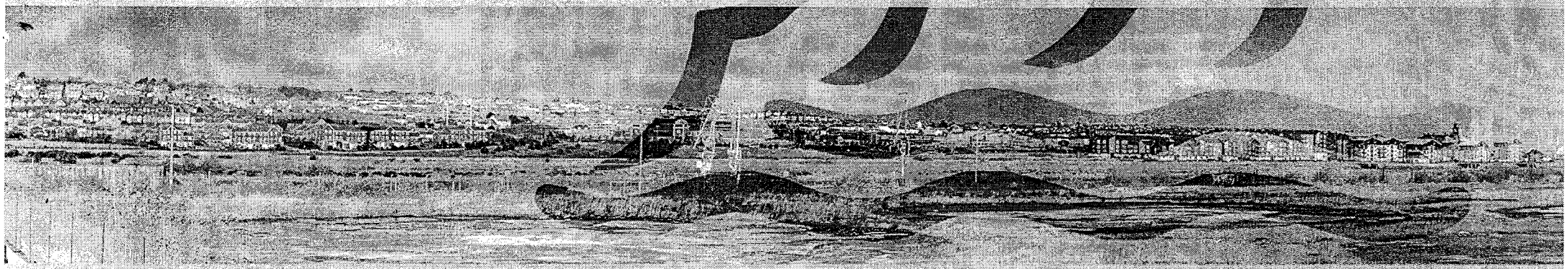
**Responsible Officer:**

Rob Quick, Director of Environmental and Economic Regeneration

April 2008

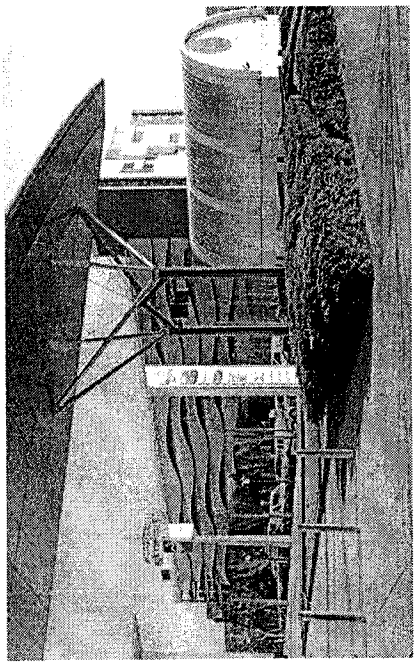
Draft

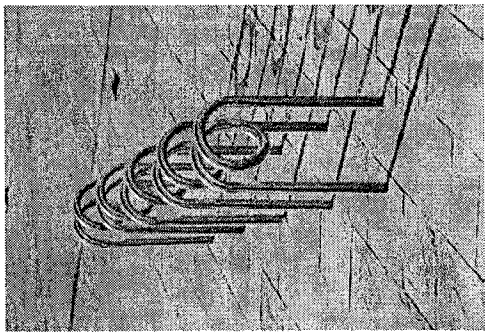
# Barry Waterfront

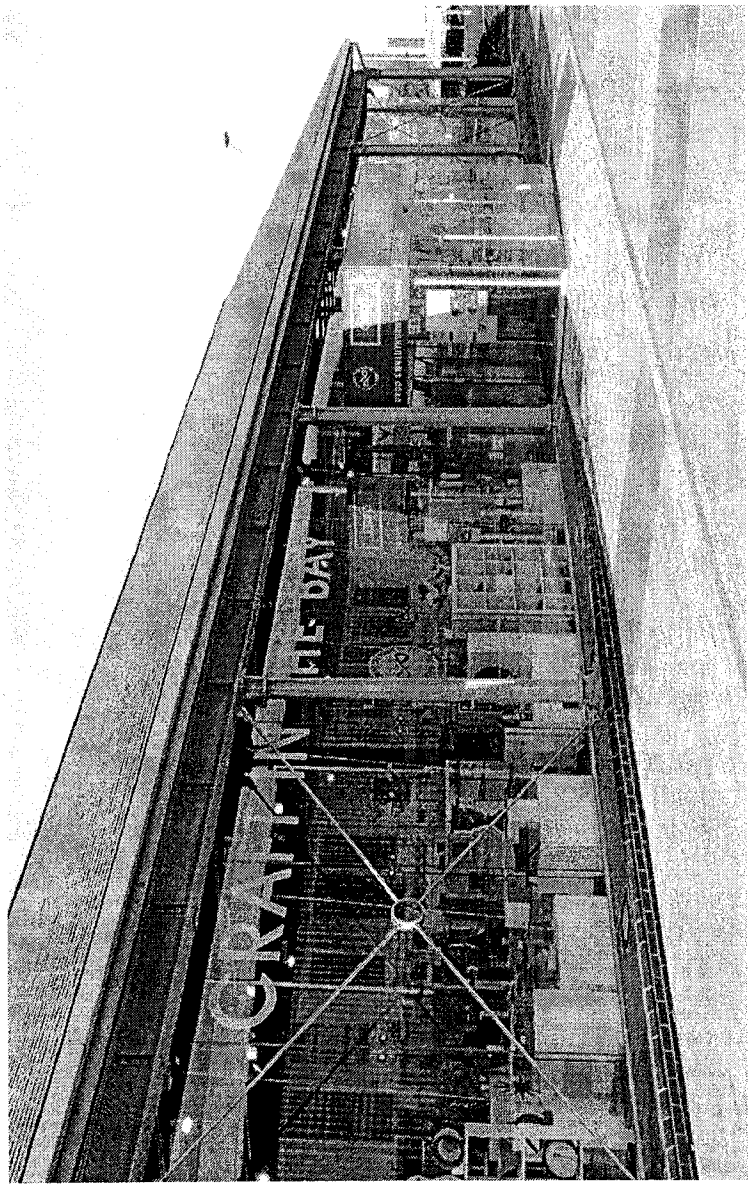


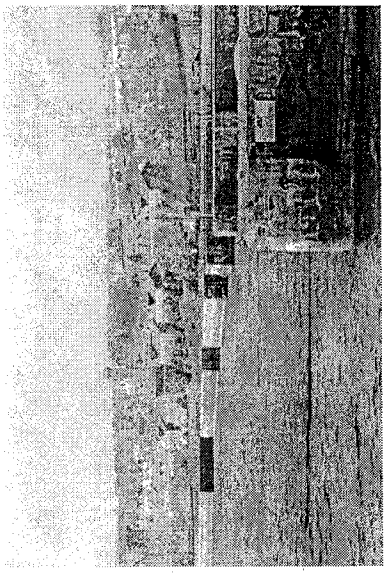
# Development Principles

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









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# Barry Waterfront

# Remaining Sites to be developed

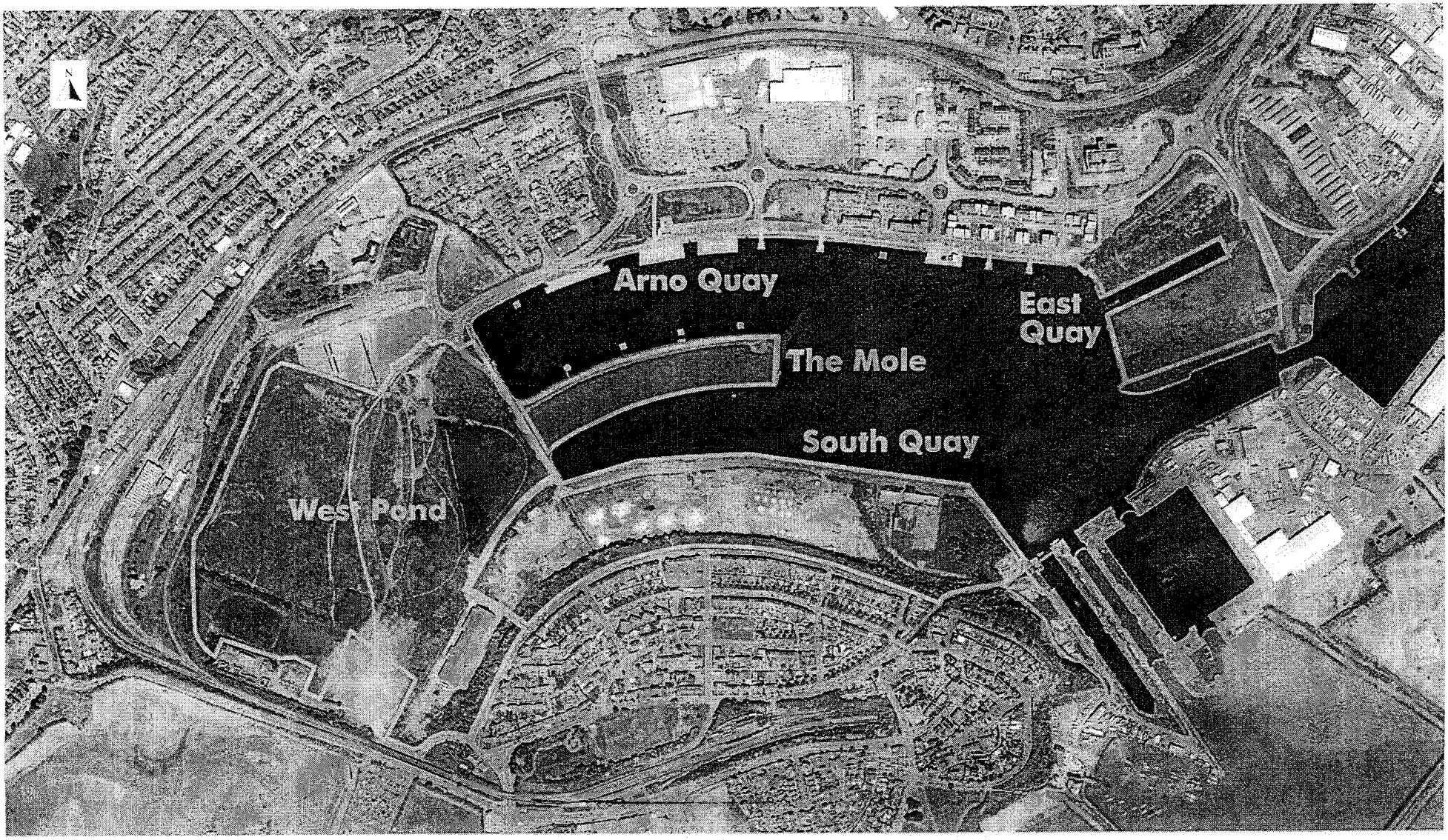



**Illustration 1.**

# 1. Introduction

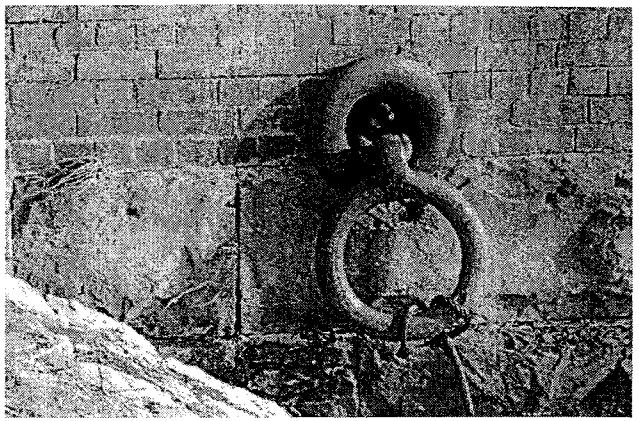
## Purpose of the Document

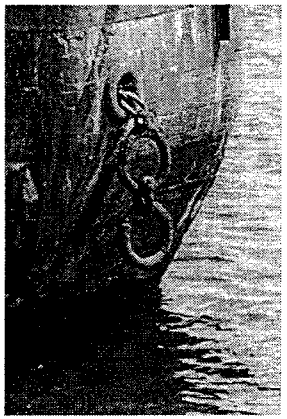
This Document has been prepared by the Council and provides development principles for the remaining Barry Waterfront site areas as shown on the aerial photograph illustration reference 1.

In October 2007, a Consortium of housebuilder developers of Persimmon Homes, Taylor Wimpey and Barratt Homes entered into an agreement with Associated British Ports and the Welsh Assembly Government for the right to develop the Waterfront area covered by this document, except the Mole which is owned by ABP.

This document also refers to important adjacent sites which are in the Council's ownership such as the car parks at West Pond and the Island, land adjoining the Innovation Quarter and Nells Point at Barry Island and to other sites including the funfair site which are in private ownership. However, it should be noted that this document does not provide development principles for these adjacent sites but rather just seeks to ensure that the developer master planning of the remaining Waterfront site areas takes into consideration key adjoining sites. Illustration 2 shows the location of all of the sites referred to in this Development Principles Document.

The Adopted Vale of Glamorgan Unitary Development Plan 1996-2011 requires a comprehensive approach to the development of the Waterfront and as a consequence this draft document has been prepared in order to identify the Council's aspirations for the site and to inform the proper future masterplanning of the area.





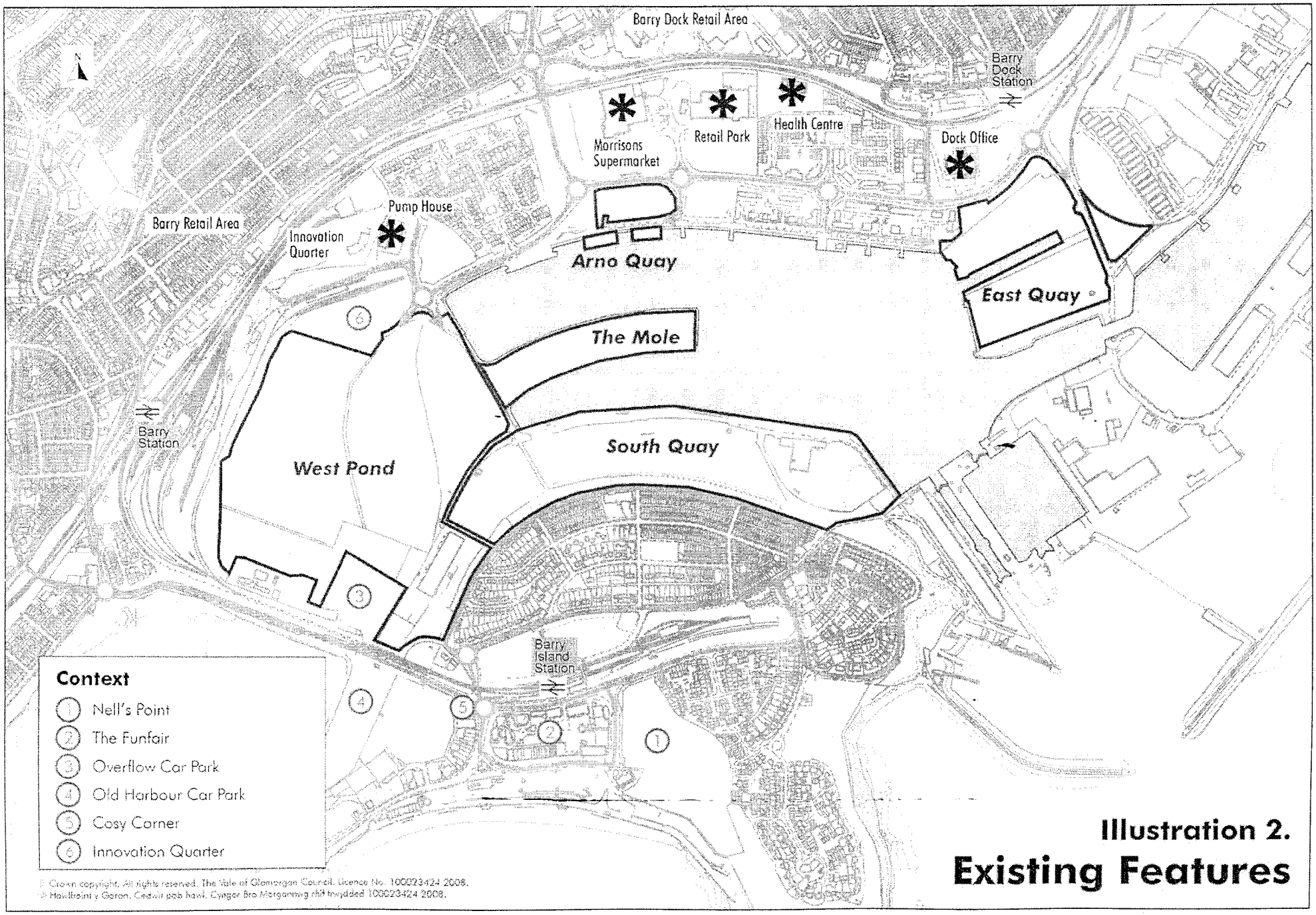
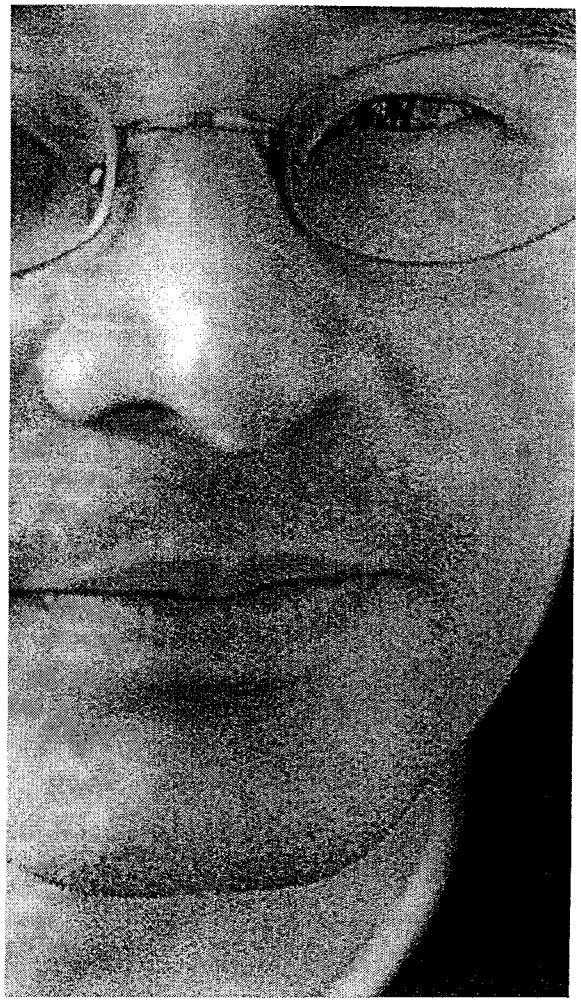



**Illustration 2.**

# Existing Features

The Objectives of this Document are to:

- outline the Council's Vision for Barry Waterfront and assist in the identification of key adjoining sites;
- describe the existing Barry Waterfront sites, their surroundings facilities and links;
- outline the Planning and Transportation requirements for the remaining Barry Waterfront sites including the need for the Developers future masterplan to embrace key adjoining sites;
- assist the developers in the preparation of a masterplan for the remaining Waterfront areas;
- inform future developers of the Council's requirements in respect of future Planning Application Requirements, and
- to assist the Council in the determination of those applications.

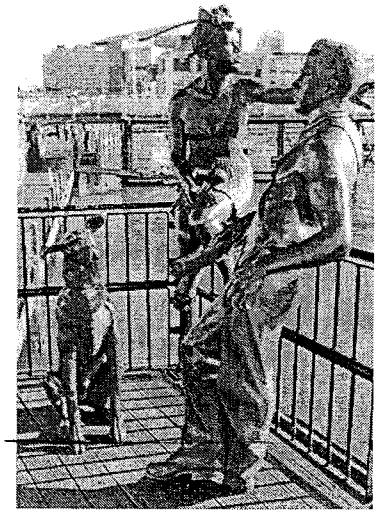


## The Vision

*"The creation of a sustainable new urban quarter with distinctive neighbourhoods, attractive places and community facilities that complement, integrate and link with Barry Town and Barry Island, whilst taking full advantage of the maritime setting of the No. 1 Dock.*

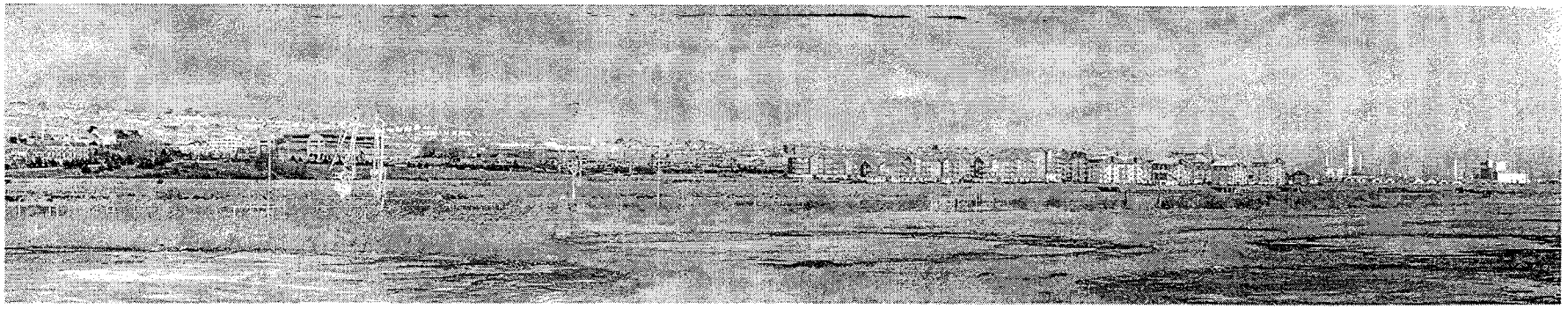
## Status of the Document

In accordance with the Vale of Glamorgan Council's protocol for preparing development briefs, this Development Principles document will need to be formally considered by the Council's Cabinet in consultation with relevant Committees. Following Cabinet's approval of the document a public consultation exercise will need to be undertaken, the results of which will be reported back to the Council's Cabinet and relevant Committees. Once finally approved the document and associated supporting information will be adopted and as a consequence will form a significant material consideration in the determination of any future application (s) for the sites.

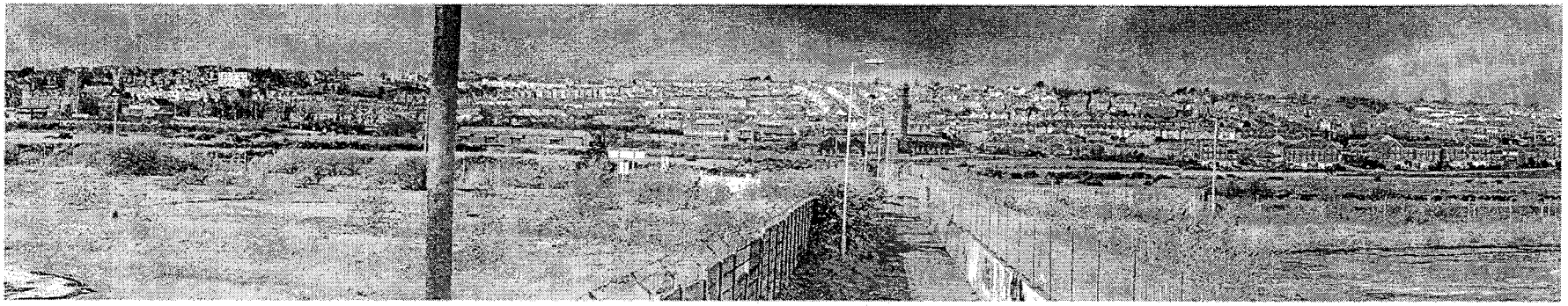


# Illustration 3

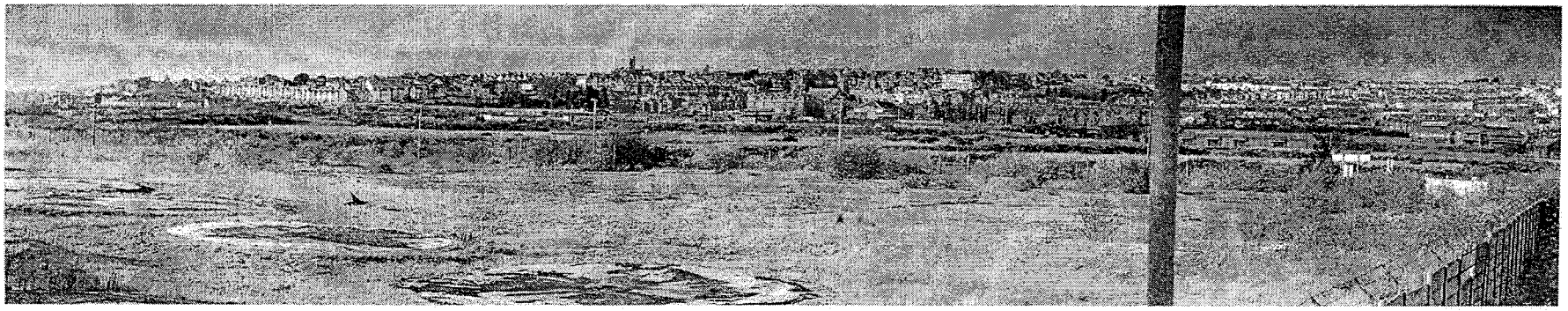
## Topography of the Waterfront



View to the East

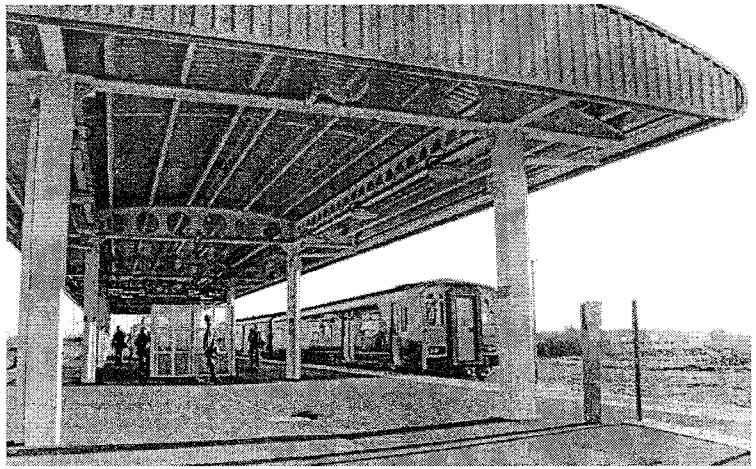


View towards Barry



View to the West

## 2. The Site and its Surroundings

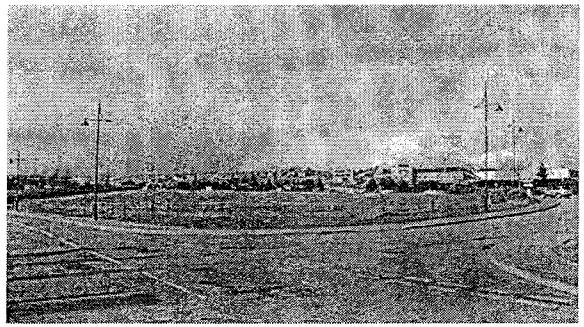


### Location

The Waterfront is located to the south-west of Barry town centre and is positioned between the town centre, Barry Island and the Old Harbour. The area encloses some 30 hectares of water with 4.3 kilometres of quayside. The railway between Cardiff and Barry Island borders the perimeter to the north. The existing waterfront development comprises some 782 residential units together with a retail area incorporating a retail food store and non-food retail units as well as a medical centre. To the west of the Gladstone Bridge, is the Innovation Quarter which comprises a range of office and business starter units (refer to illustration 2).



### Topography



The topography of the Waterfront is varied. The town centre slopes down to the Waterfront and then rises steeply along the southern boundary with Barry Island. The elevated position of the surrounding areas provides vistas of the dockland and northern slopes of Barry Island. The majority of the site itself is relatively flat as can be seen by illustration 3.

### Road and Public Transport Access

The site is accessible from the A4055 that runs almost parallel to the railway line and connects with Gladstone Bridge into the site. Ffordd y Mileniwm provides the main access into the site from the east, which runs through the northern part of the site serving the Waterfront. Clive Road runs to the southern edge of the site with Hood Road enabling access from the north-west. The site currently has poor access from the adjacent road and rail network.

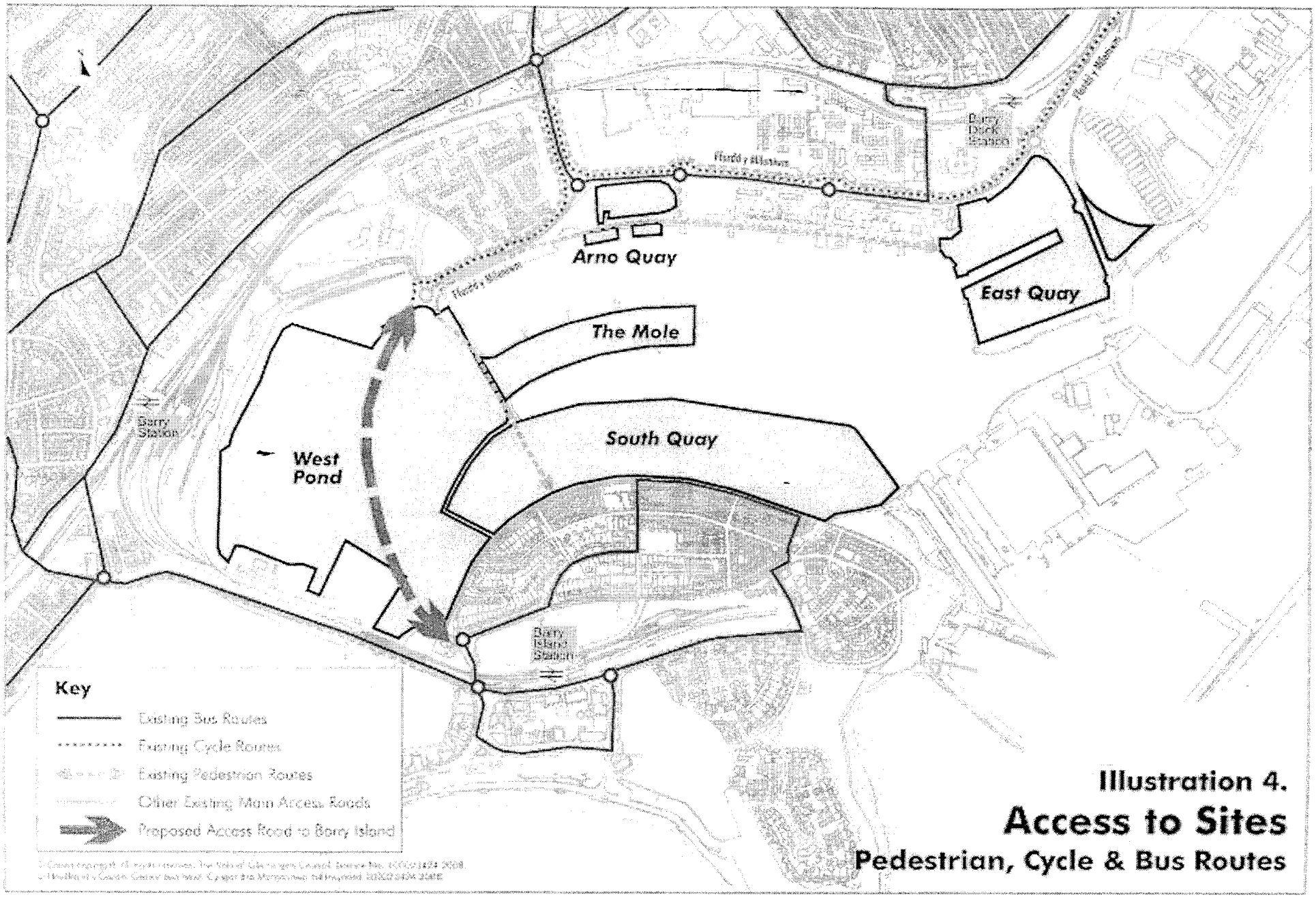
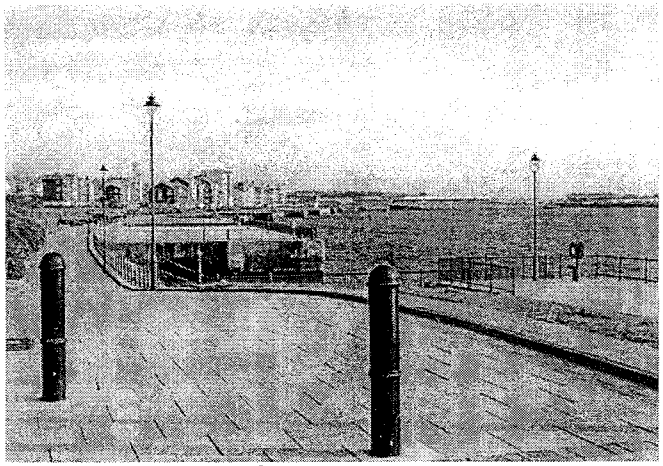



**Illustration 4.**

# Access to Sites

## Pedestrian, Cycle & Bus Routes

Three railway stations, namely Barry Dock, Barry Town and Barry Island lie within close proximity to the site. The existing main accesses and public transport routes are marked on illustration 4.

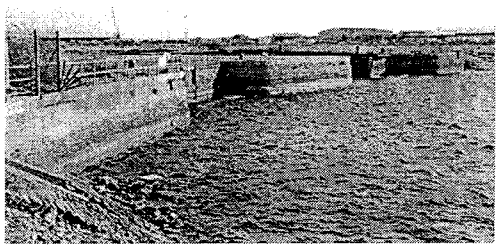


## Pedestrian Access

Pedestrian access from the town centre to the Waterfront is currently obtained via Holton Road, Gladstone Bridge and Subway Road. A set of galvanised steel steps provide access from the cliff top of Barry Island down to South Quay and West Pond sites. The main pedestrian routes are shown on illustration 4. There is a commitment to a further access via a footbridge located adjoining the Waterfront Medical Centre, rising over the railway line and landing on Dock View Road.

## Existing Important Features

Two important listed buildings and local landmarks lie to the northern part of the site: the Dock Office to the east and the Hydraulic Pumphouse to the west. These together with other existing key features are shown on illustration 2.



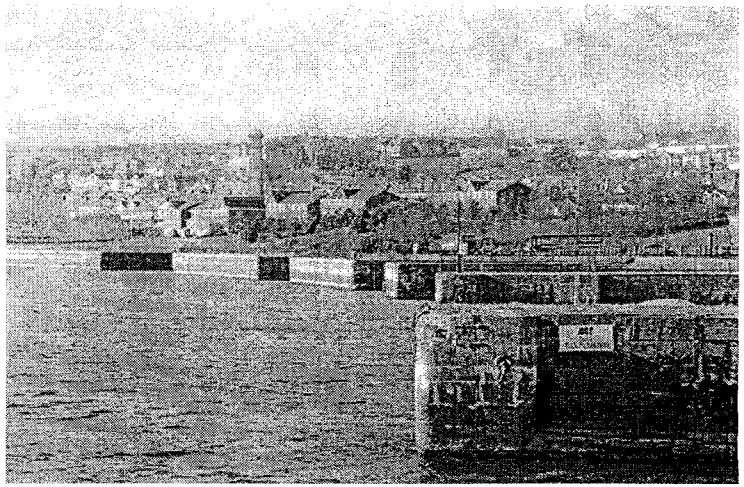
## The Sites

All of the sites which are the subject of this document are shown on illustration 1.

### West Pond

The West Pond site is bounded by the rail and steam railway lines to the north-west and south. No. 1 Dock and the steep cliffs of Barry Island form the boundaries to the east. Vehicular access to the site is currently via the Ffordd y Mileniwm road to the north-east.

The Barry Island road from Barry town leads to Hood Road that is to the north of the site and this links into the western Ffordd y Mileniwm roundabout. Vehicular access to the south-east corner of the site is via a circular route from the southern Harbour Road which links into Paget Road.

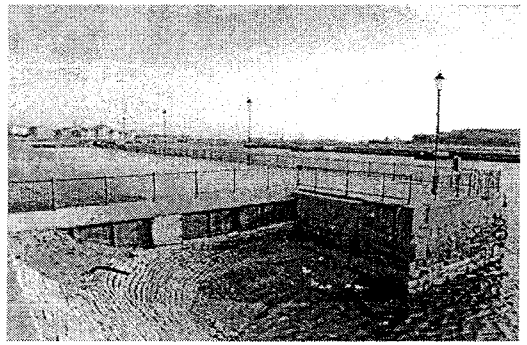


### South Quay

South Quay is bounded by No. 1 Dock to the east and north, Barry Island cliffs to the south and the West Pond site to the west. Vehicular access to South Pond is currently either from Powell Duffryn Way, which runs along the dock wall of West Pond or from Charles Darwin Way which enters the south-eastern edge of the site from Barry Island.

### Arno Quay

Arno Quay is a key waterfront site acting as a gateway to the Waterfront. To the rear of the site is Ffordd y Mileniwm, but at a higher level of some 4-5 metres.

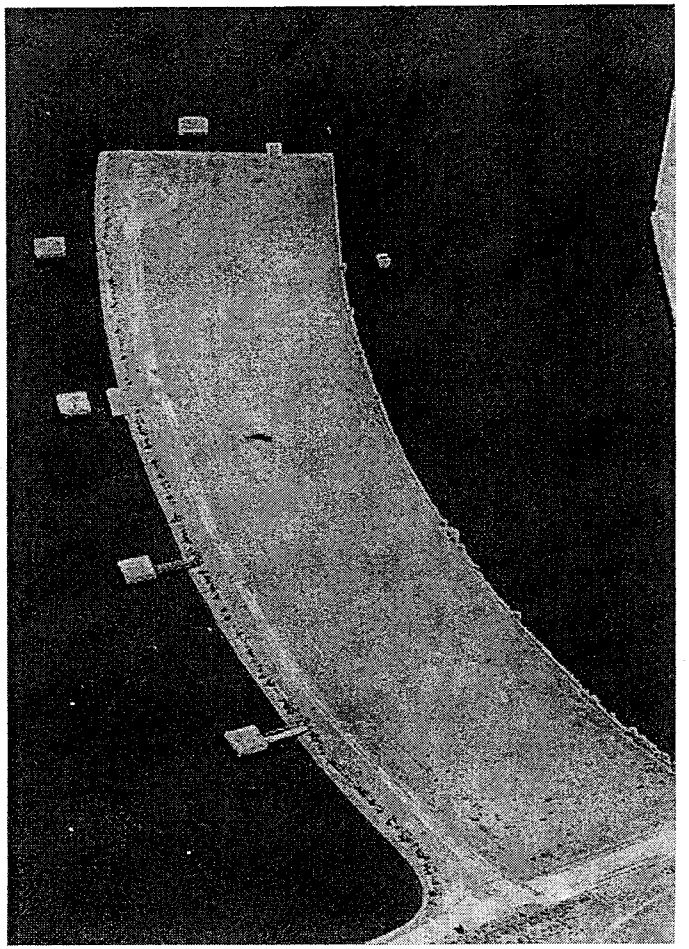


### East Quay

East Quay is somewhat isolated from the rest of Waterfront Barry, by its geographic location as well as the surrounding infrastructure and built form. The close proximity of the old docklands buildings and railway line to the east, the security fence to the south and the water on both the southern and western sides start to create a peninsula development linked only by Cory Way and the extended dockside promenade from the west.

## The Mole

The Mole area is situated at the centre of the site and projects into the centre of the dock. The land is currently retained by Associated British ports, with the potential to provide land based facilities for a new Marina.



## Site History

The comprehensive redevelopment of Barry Waterfront was originally granted outline planning permission for residential, commercial, business, retail, leisure and open space uses in July 1988, by the Secretary of State for Wales. A renewal of the consent was granted in September 1991 and expired in 1994. In October, 1994, the Council resolved to grant outline planning permission for the development of this site subject to the completion of a Section 106 Agreement. This was signed in May 1997.

The planning history at Appendix 1 details the numerous relevant applications which have been considered to date. Up to January 2008, 782 residential units (including 96 at Jackson's Quay) have been approved of which 686 have been constructed. In addition circa 6000sqm of retail has been built in the form of the Morrisons Supermarket, Petrol Station and car park, and a further 5600sqm in the Retail Park opposite (KFC restaurant, Halfords, Argos, In Store, and Focus DIY with garden centre). A health centre and pharmacy has been built on site N2A 'Holton Reach'. Illustration 2 shows these sites.

## Local Policy Context

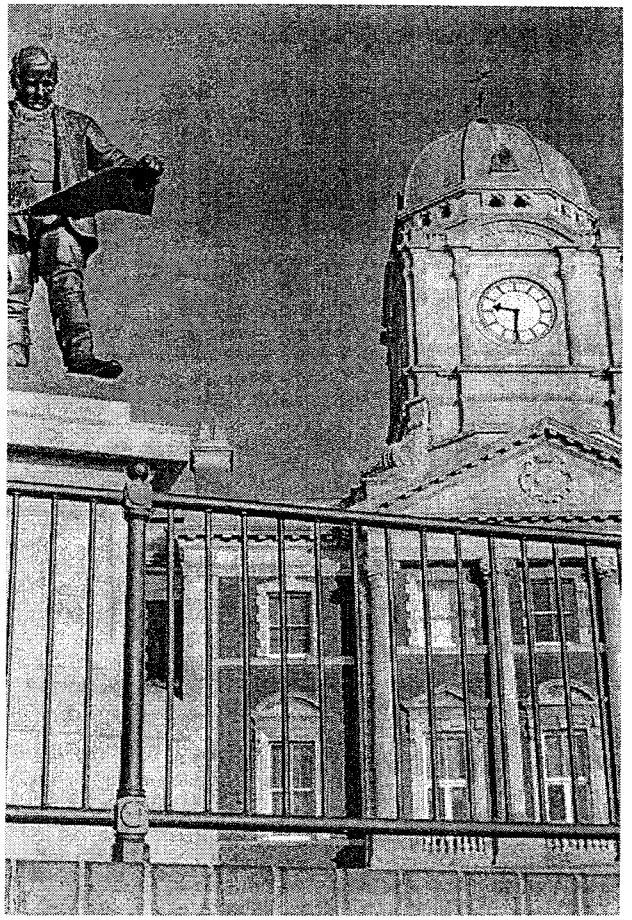
The Vale of Glamorgan Unitary Development Plan 1996-2011 (UDP) was adopted by the Council in April 2005. Barry Waterfront is allocated as a Comprehensive Redevelopment Area in the UDP, for which the following policies are particularly relevant:

Policy HOUS 1(1) – Residential Allocations
Policy EMP 1(14) – Land for Employment Uses
Policy ENV 6 – East Vale Coast
Policy ENV 25 – Regeneration of Urban Areas
Policy TRAN 1(ii) – Strategic Highways
Policy TRAN 3(i) – Rail Development
Policy SHOP 3(iv) – Retail Development
Policy SHOP 4 – Retail Warehousing in Barry Waterfront
Policy COMM 3(iii) – Provision of Schools

All of these policies together with the Adopted UDP can be found on the Council's website www.valeofglamorgan.gov.uk.

The supporting text to UDP Policy HOUS 1 states that the Council will through discussions with developers, seek to secure affordable housing, public open space, landscaping, and contributions for education, recreation, public transport and cycleway provision. In addition, part of paragraph 4.4.4 states:

"The development of the site (referring specifically to South Quay) will be guided by a Development Brief, which is to be produced in partnership with the Council. The purpose of



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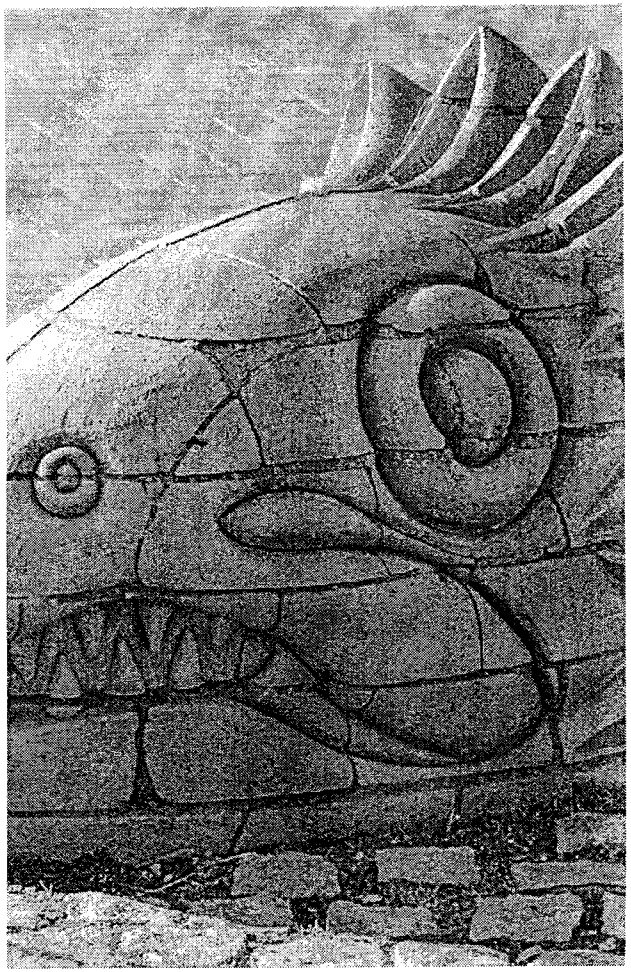
the Brief will be to ensure that the development of this site makes an effective and positive contribution to the social, economic and environmental wellbeing of the community".

A Local Development Plan (LDP) is currently in the early stages of preparation and will provide a new planning policy framework post April 2011. As the preparation of the LDP is in the early stages there are no LDP policies with weight as material planning considerations at the time of writing. However, the background research being undertaken to inform the plan making process will be relevant to the development control and decision making process in respect of this development. In addition, it is worth noting that the Draft LDP Preferred Strategy identifies Barry as a key settlement in line with the Wales Spatial Plan which supports the continued regeneration of Barry Waterfront.

In addition to the relevant Local policies, any masterplanning of the site and subsequent planning submissions, the developer will have to incorporate the requirements of national policy and guidance. In particular, consideration must be given to the aims of the Wales Spatial Plan, Planning Policy Wales (March 2002), relevant Technical Advice Notes and recent Ministerial Interim Planning policy Statements on topics such as Affordable Housing, Climate Change, Sustainability and Design and Access.

At the regional level, consideration needs to be given to regional statements and guidance on land use planning, transportation and waste.



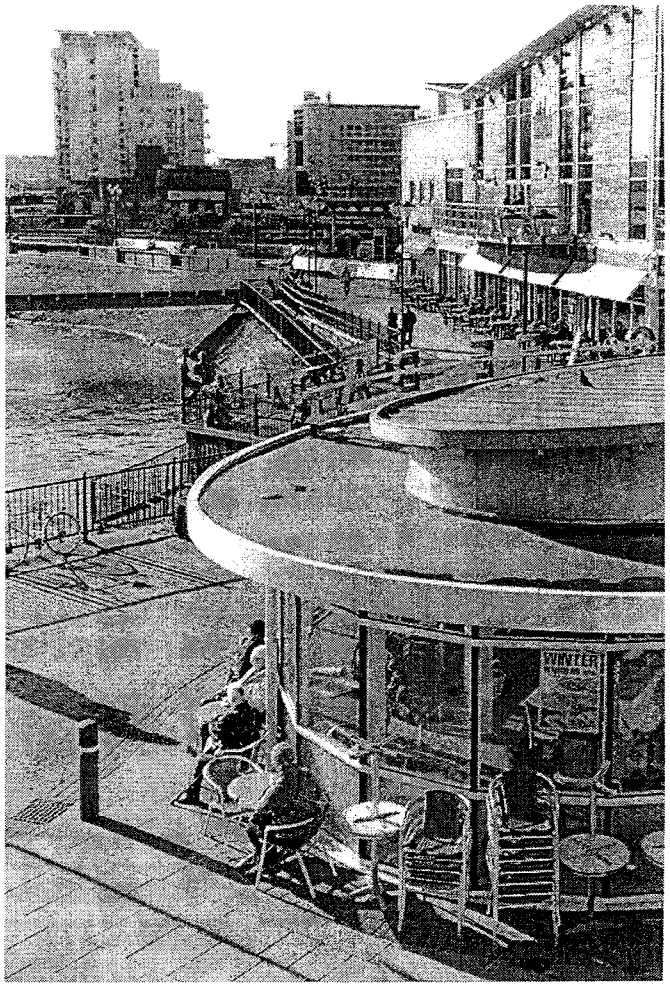
## 3. Key Planning and Transportation Requirements for the Waterfront

### Introduction

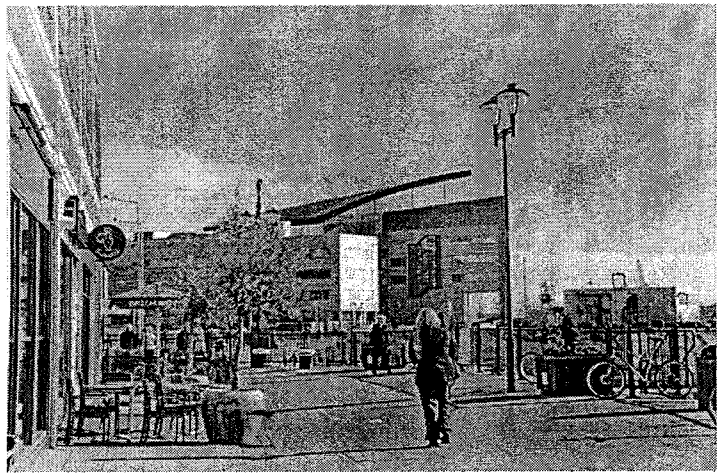
The Council is seeking a sustainable new urban quarter with distinctive neighbourhoods, attractive places and community facilities that complement, integrate and link with Barry town and Barry Island. It is essential, therefore, that the development proposals respond positively to the existing Waterfront development, Barry Town Centre, the Water and Barry Island. This will only be achieved, if linkages are improved between all these areas and adjoining context sites (see illustration 2) allowing the free flow of traffic and pedestrian movements within and beyond the Waterfront area.

The following is an outline of the key principles, which must be considered as part of any future masterplan for the Waterfront. In this regard the Council considers the following principles to be of the utmost importance and critical to the success of the masterplanning process:

- A mix of uses
- Use of the Water
- A phased development
- Integration
- A sense of place
- Community Pride
- Sustainability
- Design Quality
- Movement and Accessibility
- Planning Obligations

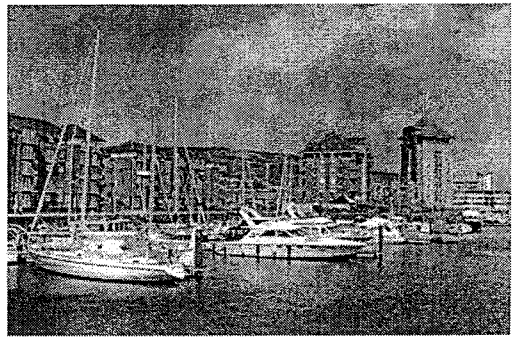


## A Mix of Uses



Whilst it is acknowledged that the developer consortium has successfully bid for the site on the basis of an anticipated quantum and range of development, it is critical that the development of the Waterfront delivers a varied range of uses to serve the needs of the development and area as a whole, in an appropriately phased manner. It is expected that the development will deliver a high quality, high density development with a minimum of 2000 new residential units, a range of appropriate A3 and related uses (public houses, cafes and restaurants), leisure based uses with particular emphasis on the effective use of the water for activities, tourist facilities, attractions and accommodation. In addition, the development must deliver community based facilities for the planned new population as well as the existing population at the Waterfront and beyond. This is of particular importance to ensure that the development is integrated with the existing Waterfront and adjoining areas of Barry and the Island.

A mixture of uses is also fundamental to the creation of vibrant and active neighbourhoods creating a sense of place and providing good natural surveillance of public areas. This will assist in creating an attractive yet safe environment for people to enjoy.



## Use of the Water

The relationship of the Waterfront to the water is key. The water should be seen as an active part of the development rather than just a backdrop. Detailed consideration must be given to what uses can be made of the water, as the effective use of the water could provide a valuable opportunity to create attractive and usable public spaces. The Mole provides a unique opportunity to deliver a Marina for Barry and it is the Council's view

that the development of the waterfront must encompass this important water based opportunity. The Council will, therefore, expect the masterplanning process to address the opportunities for the Mole. Consideration should also be given to the use of water as a potential method of transport.

## A Phased development

Phasing will be essential to the success of the scheme. It is imperative that the new road link to the Island, key public transport linkages and sustainable transport connections to the Island and the town are available for use prior to the occupation of any part of the development planned for the West pond and South Quay areas.

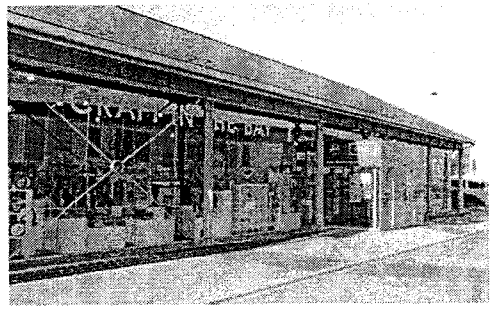
In addition, the provision of community facilities such as schools, playing fields and community halls must be available to users at the earliest opportunity. This will be achieved through appropriate planning obligations.

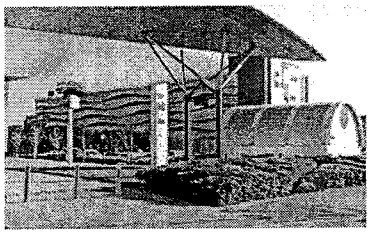
All elements of the scheme will be the subject of a phasing plan, to reflect the aspirations of the emerging Local Development Plan, and agreed with the Council as local planning authority. The phasing of the development must in particular ensure an appropriate and timely supply of affordable housing throughout the development.

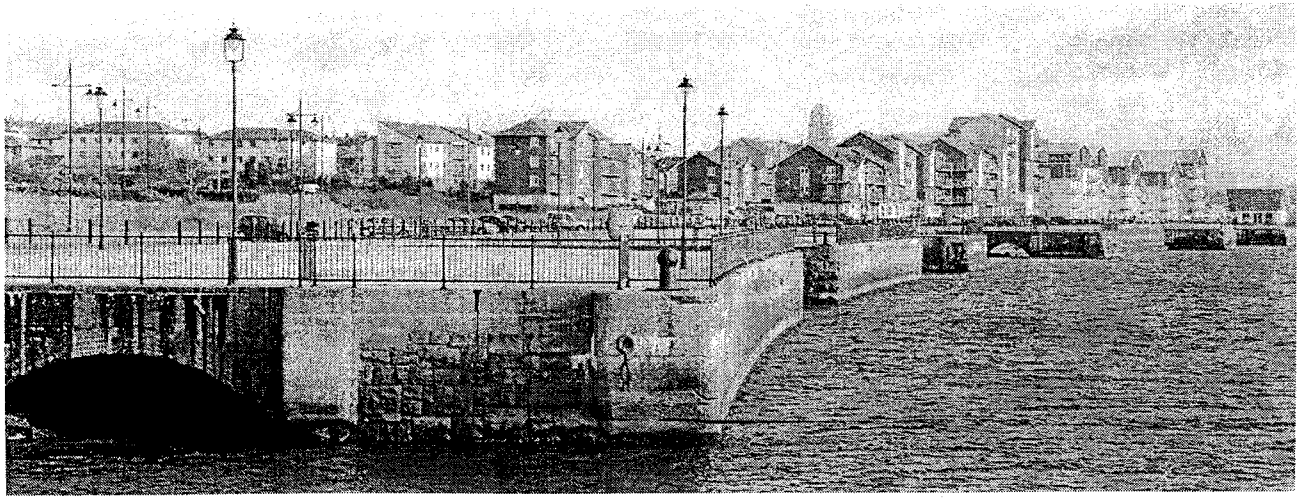
## Integration

The development must integrate the Waterfront to the Island and to Barry via both road and sustainable transport measures in order to make a sustainable and vibrant community. Both the existing and proposed communities must have easy access to the range of new facilities to be provided as part of the Waterfront as well those existing facilities and opportunities that exist within the wider Barry Area. Opportunities need to be taken to ensure that each distinct area can easily access and benefit from appropriate new non-residential facilities. In this regard the master planning process will need to identify key opportunities for the delivery of non-residential elements throughout the site.

In addition, the master planning process must have regard to the context of and where feasible integrate with the site, the opportunities offered by adjoining sites at Barry Island, including Nells Point, the funfair, the Council's car parks adjoining West Pond and the Old Harbour as well as Cosy Corner, as shown on illustration 2.

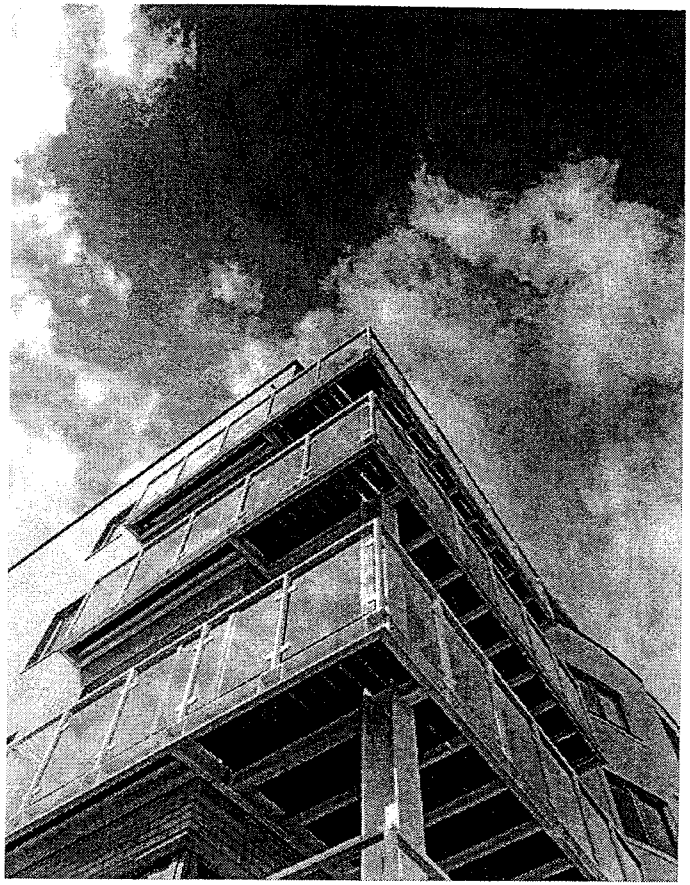






## A Sense of Place

The development must create an integrated sense of place and image, using common design themes and public realm treatments. It is envisaged that this development will be a major destination for the residents of the Waterfront and the wider area. The Council will actively promote and encourage the use of high quality materials and finishes, with the aim of achieving an exemplar development. A Public Realm Strategy will need to be prepared for the whole site and submitted with the planning application detailing the design concept for the public realm taking account of street furniture, materials, public art and associated infrastructure. This strategy must embrace the guidance contained within Technical Advice Note 12-Design and the Manual for Streets.



## Community Pride

The development must be planned and delivered in a manner that allows the new community to take ownership of the Waterfront development. It is essential that the development allows both existing and future residents to live, work and play. This will be secured through the creation of a well planned, safe and desirable community, in which residents can take pride in their environment. This will only be delivered through the excellent design of buildings and spaces, the provision of a range of community opportunities and excellent linkages to facilities and services.

## Sustainability

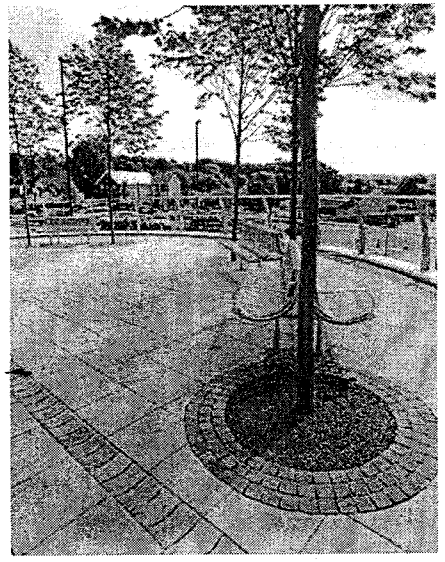
The development should incorporate the best sustainable practices across all aspects of the design, construction, management and maintenance regimes. The size of the development creates an excellent opportunity for innovative and experimental forms of design and the use of technology in shaping a unique modern urban quarter.

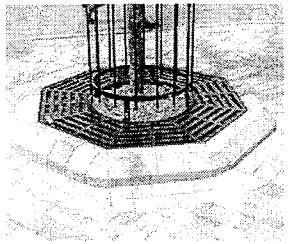
The development should seek to minimise the use of natural resources including energy and water. Recycling opportunities should be maximised.

All of the residential units will be expected to meet the "Eco-Homes-excellent" rating current at the date hereof (or such other equivalent standard from time to time in force). All commercial leisure and retail buildings will be expected to meet BREEAM 'excellent' standard (or such other equivalent standard from time to time in force) with an aspiration for both units and commercial leisure and retail buildings to achieve carbon neutral status by 2011.

Opportunities must be taken to incorporate locally sourced materials in the development of the site, in the interests of sustainability and to ensure the character of the development reflects its unique location.

The development offers an excellent opportunity for areas of open space to be managed positively for biodiversity. Detailed consideration should be given through the masterplanning process, to biodiversity in providing an opportunity for sustainable development and therefore actively contributing to the environmental wellbeing of communities.





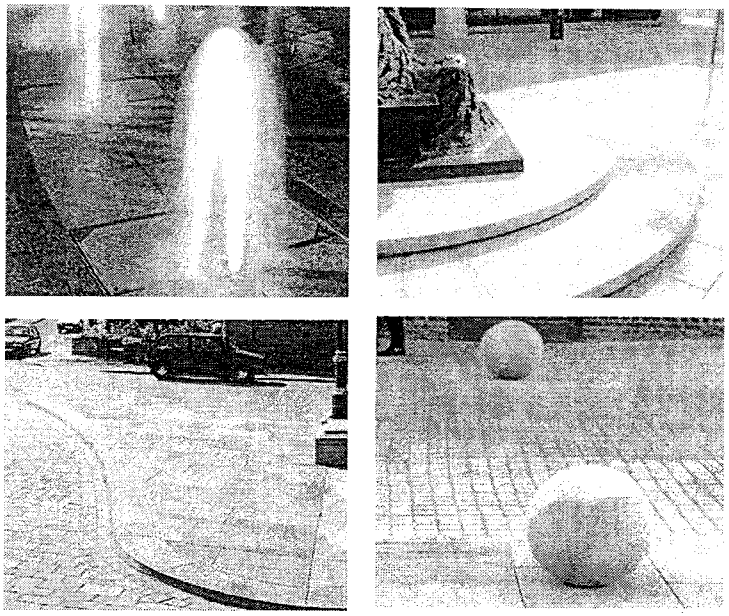
## Design Quality

The development must provide high quality, sustainable buildings, landscape and public spaces thereby establishing a high quality urban environment for a full range of residential, commercial and leisure activities. The use of high quality materials will be essential.

The development should respond to the context of the existing development and opportunities at Barry Island and Barry Town as well as existing spaces, landscape and the water.

The Council will actively encourage the involvement of the existing communities and the Design Commission for Wales in the progression of the masterplan and the analysis of any subsequent planning application.

The planning applications must be accompanied by detailed Design Statements outlining the design concept for the development as a whole and the individual development parcels within it.

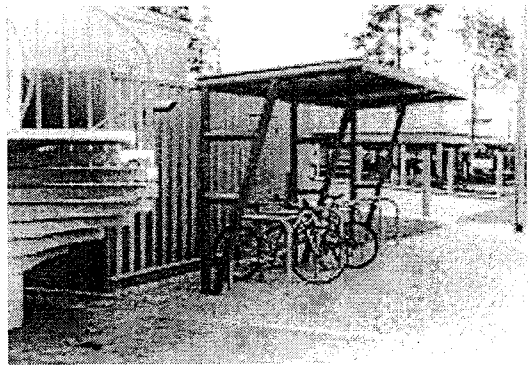


## Movement and Accessibility

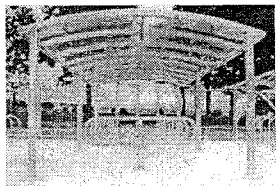
The pedestrian, cycle and public transport network which provide for sustainable transport links within and adjoining the development must provide safe access to the existing train stations and existing and proposed community facilities as well as other key destinations. All sustainable transport links must be safe, secure and usable in accordance with Manual

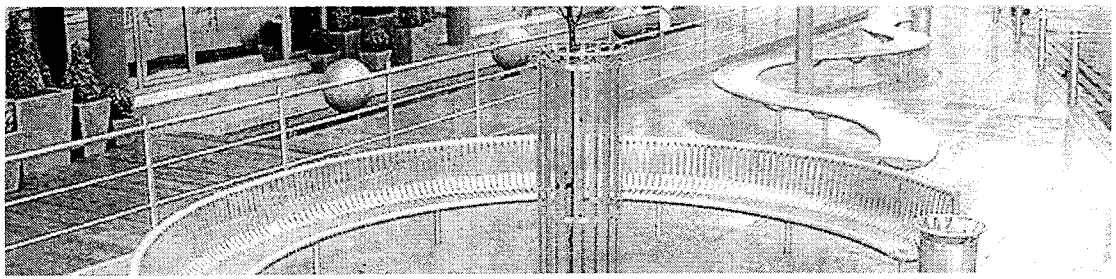
for Streets and Secure by Design principles. Secure and covered cycle parking must be provided on site to serve the development.

Currently, the existing Ffordd y Mileniwm road that serves the north side of Dock No. 1 terminates at the north-east entrance to the West Pond site. A new direct link from Barry to Barry Island must be provided as part of the development which will continue from this end of the Ffordd y Mileniwm through the West Pond site and to the Paget Road/Cosy Corner junction. The design and location of this road must be agreed with the Council and conform to the Department for Transport's Design Manual for Roads and Bridges. Its approximate location is marked on illustration 4. This road must be provided prior to the beneficial occupation of any development within the West Pond and South Quay areas.



Arrangements for car parking can have a profound effect on the overall character of the development. Cars and as a consequence road/parking space should not be allowed to dominate the street scene, although it is recognised that careful consideration needs to be given to the security of any parking areas.



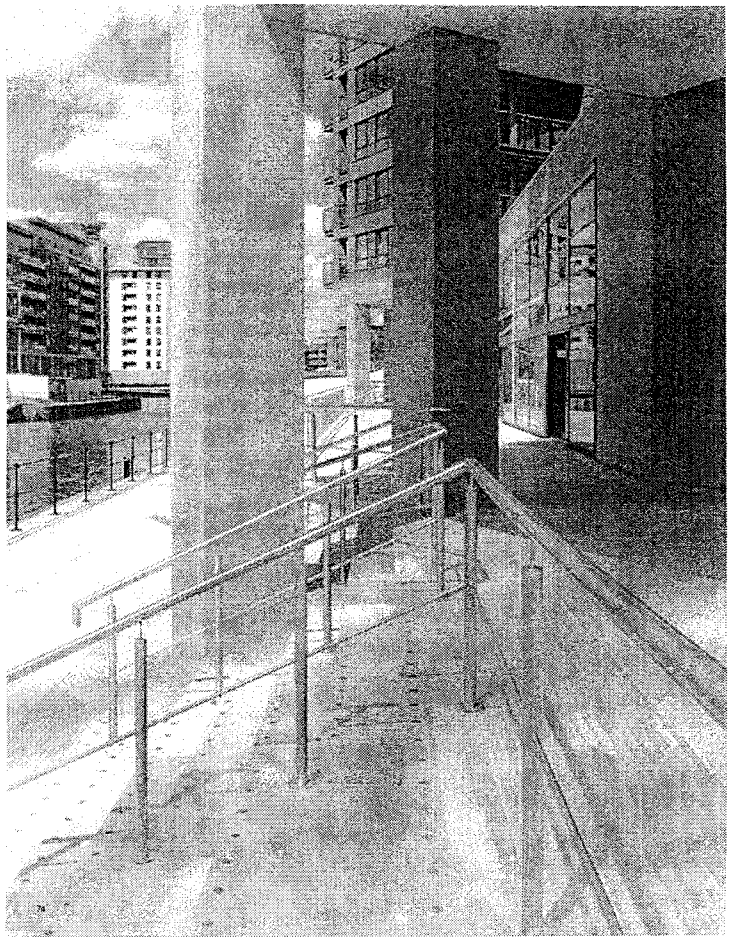


## 4. Planning Obligation Requirements

A development of this scale has vast implications for infrastructure, facilities and services in the Barry area and beyond. As such, the Council will seek planning obligations to seek the improvements necessary to make the development and its wider impacts acceptable in line with planning policies. Planning obligations are likely to be required in respect of the following:

- Affordable Housing
- Education Facilities
- School Transport
- Strategic Highway Improvements
- Local Highway Improvements
- Sustainable Transport Facilities
- Public Open Space
- Leisure Facilities
- Public Art
- Community Facilities
- Pollution Control
- Urban Regeneration
- Waste and Recycling Facilities
- Phasing

More detail about the likely requirements is contained at Appendix 2.



## 5. Planning Submission Requirements

Any planning application for development must be accompanied by the following:

Transport Assessment

Design Statement

Access Statement

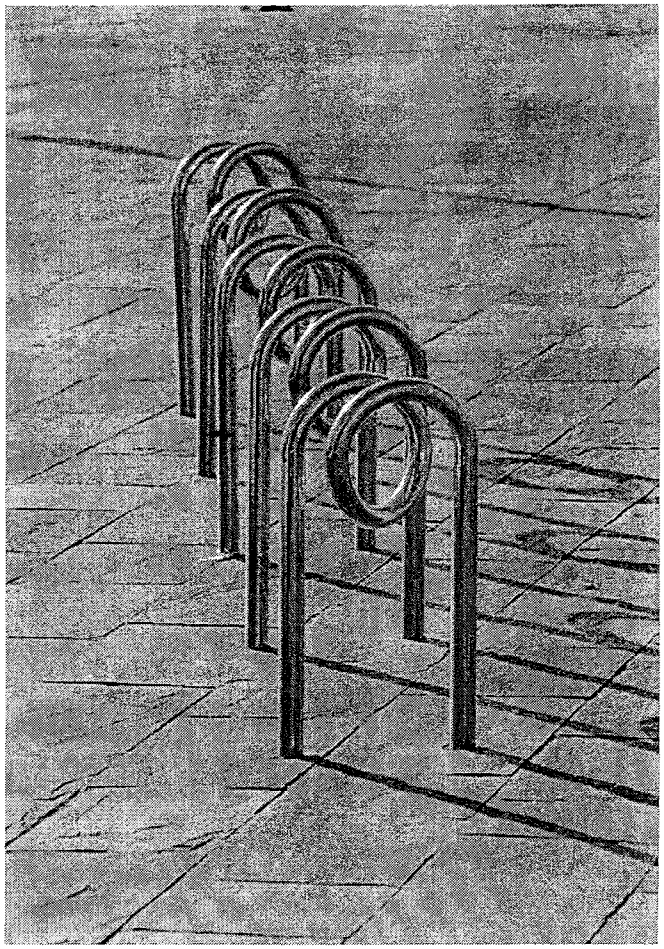
Sustainability Statement

Retail Impact Assessment

Public Realm Strategy (to include details of public art, street furniture, permeability analysis etc.)

Environmental Impact Assessment

Contaminated Land Remediation Methodology



## 6. Useful Contacts

Website: www.valeofglamorgan.gov.uk

Email: planning&transport@valeofglamorgan.gov.uk

Development Control – Steve Ball 01446 704602

Planning Obligations – Victoria Abraham 01446 704662

Highway Development – Tom Bevan 02920 673055

Planning Policy – Lucy Turner 01446 704665

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## Appendix 1 – Planning History

The planning history for the development of Barry Waterfront to date primarily relates to the following applications:

94/00144/OUT - Comprehensive redevelopment of No. 1 Dock. Approved 29th May 1997 subject to a Section 106 Legal Agreement.

94/00207/FUL - Infrastructure to comprehensive redevelopment. Approved 21st June 1994.

94/00208/FUL - To infill 2 graving docks of No.1 Dock Barry to provide disposal area for unsuitable waste materials produced by dock regeneration. Approved 26th July 1994.

97/01321/RES - Area W1 (David's Locke) (Barratt South Wales). Construction of 125 residential dwellings and associated works. Approved 26th March 1998.

99/00363/FUL - Area W1B (David's Locke) (Westbury). Development of 106 No. dwellings consisting of 2, 3 and 4 bedroom homes, flats and town houses. Approved 2nd September 1999.

00/00265/FUL - Variation of Condition No. 3 of planning permission 94/00144/OUT to extend time period for approval of reserved matters from three to seven years. Approved 28 April 2000.

00/00537/RES - Site N1 (Morrisons). Erection of new food superstore with associated car parking. Approved 5th October 2000.

00/00538/FUL - Site N1 (Morrisons). Erection of petrol filling station with associated staff parking, drive through car wash and car vac. bays, petrol, diesel and LPG tanks. Approved 5th October 2000.

00/00677/FUL - Site E8 (Waterside) (Barratt South Wales). Apartment development comprising 92 No. units. Approved 8th September 2000.
01/00352/RES - Area N2b (Brunel Gardens) (Persimmon). Residential development. Approved 25th July 2001.

01/01055/RES - Site N1b. New fast food restaurant and drive thru' takeaway with parking facilities. Approved 18th April 2002.

01/01056/RES - Site N1b. New non-food retail units with associated car parking. Approved 18th April 2002.

02/00140/FUL - Sites E10 & E11 (Castleland Quay) (Westbury). Residential development comprising 136 no. apartments 2/3/4 and 5 storeys with associated car parking and landscaping. Approved 10th October 2002.

04/00508/FUL - Site N2a (Holton Reach) (Redrow). Development comprising - Residential housing and apartments, affordable housing and apartments, community centre/place of worship, doctors surgery and all associated works. Approved 17th December 2004.

05/00073/REG3 - Entrepreneurship Centre Site. New build consisting of workshops and offices for young and new businesses. Approved 12th April 2005.

05/01197/FUL - Site N2 (Holton Reach). Proposed surgery and associated car parking, pharmacy and infrastructure. Approved 21st October 2005.

05/00570/FUL - Site E7 (Jackson's Quay) (Charles Church). 96 residential units. Approved subject to Section 106 agreement...

05/01372/REG3. Footbridge. Approved 14th November 2005.

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## Appendix 2 – Planning Obligation Requirements

Where figures are given to highlight likely financial contributions, these will be index linked to take account of the time lapse between the preparation of this paper and the determination of the future planning applications.

### Affordable Housing

The original Section 106 Legal Agreement for the outline planning application for Barry Waterfront (reference 94/00144/OUT) contained a clause requiring "that a minimum of 20% of the total number of housing units on the development shall take the form of affordable housing."

Throughout the implementation of the Waterfront to date, 782 dwelling units have been approved, of which 81 are affordable units equating to 10.35%. Therefore, the remaining areas to be developed will need to satisfy this shortfall in provision.

Since the original outline planning application was approved, the Council has adopted the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 (UDP). In accordance with UDP Policy HOUS 12, all housing developments accommodating over 50 dwellings, regardless of them being subdivided, will be expected to make provisions for affordable housing. On these sites, at least 20% of the total dwellings will be affordable. Further advice is contained within the Council's Adopted Supplementary Planning Guidance (SPG) on Affordable Housing.

The Council is presently undertaking a review of its affordable housing needs through a jointly commissioned Local Housing Market Assessment (LHMA) with Cardiff County Council.

Initial findings indicate that there is a current need to provide 652 new affordable dwellings per year in the Vale, with the highest demand for affordable housing being within Barry, with an identified annual shortfall of 265 units. In terms of site thresholds and in light of the overall need for affordable housing the study recommends that the Council increase it's on site affordable housing requirement from 20% to 30-35%.

In light of these findings, and the under provision of affordable housing to date at the Waterfront, the Council will seek at least 30% affordable housing provision on the remaining sites at Barry Waterfront.

Details of the tenure mix to be provided on site will be agreed at such time as a planning application is submitted in light of the latest information on housing needs in the area.

### Education

UDP Policy HOUS 8(vi) permits new housing developments within settlement boundaries provided that (inter alia) adequate community and utility services exist, are reasonably accessible or can be readily and economically provided. Planning Policy Wales (2002) states that planning policies and proposals should, inter alia, promote access to education. It notes that development control decisions should take account of social considerations relevant to land use issues, which includes education provision (paragraphs 3.3.2 and 9.2.8 refer). Paragraph 12.1.1 states "Adequate and efficient infrastructure, including services such as education [...] is crucial for the economic, social and environmental sustainability of all parts of Wales."

The proposed residential development will generate significant numbers of school-aged children. The Council's current formulae for calculating education contributions is outlined below. If this is superseded, the latest Council policy will be applied.



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Pupil numbers derived from new housing developments are based on the following calculation:

- Pre school – No of dwellings x 0.1
- Primary – No of dwellings x 0.278
- Secondary (11 to 16 yrs) – No of dwellings x 0.208
- Secondary (Post 16 yrs) – No of dwellings x 0.04

Studio apartments, 1 bed units, or accommodation specifically provided for elderly or student communities are excluded from any calculations as it is usually agreed that these do not house school-aged children.

Where the calculated requirement cannot be met by available spare capacity within existing local schools, a contribution will be required to enable additional places to be brought into use.

Nursery and primary school pupils require 3.1m @ £1600/m = £4960/child
Secondary pupils require 5.7m @ £1830/m = £10,431/child

Note: Area recommendations per pupil place as outlined in the Department for Education and Skills, Building Bulletin 99 for primary schools and Building Bulletin 98 for secondary schools. Price per square metre based on current costings and reference to Spons Architects and builders price guide recommendations. In terms of the guide for 2008, prices per square metre range between £1370 - £1830 for primary provision and £1600 - £2060 for Secondary.

In addition other costs need to be factored in such as professional and legal fees, planning applications, building regulations, etc.

Given the scale of development anticipated at the Waterfront, it is likely that a new school will be required on site to accommodate the number of pupils generated. Land will need to be allocated in an appropriate part of the site and transferred at no cost to the Local Education Authority (LEA). One hectare of land was allocated for education use under the terms of the original s106 agreement, although no facilities have been built to date. Therefore, a new assessment of the actual requirements of the entire development will need to be undertaken taking account of this. It is likely that at least 1.5ha of land will be required to provide a suitable primary school on site.

The development will be expected to meet the entire cost of housing the new pupils. This may be through the construction of the school to a specification to be agreed by the Council, or through a financial contribution sufficient to cover the Council's costs of construction.

The LEA are currently undertaking further feasibility work to assess the requirement for schooling provision in Barry as a result of the proposed development.

## School Transport

The development will generate approximately 316 secondary pupils (aged 11-16) who will require some form of school transport. Whilst there is no statutory obligation to provide free transport if the walking distance to the nearest school is within three miles there is likely to be a demand for fare paying buses to go to school. These will need to be subsidised as they are unlikely to be provided on a commercial basis and the likely cost of such a link in the Barry area would be in the region of £25K per annum. Further, should there be a demand to attend a denominational school then there is likely to be a requirement to provide additional transport - for example to the Bishop of Llandaff School in Cardiff.

The developer will be expected to meet the initial cost of this additional pressure on school transport services.

## Transport

The outline planning application for the Waterfront will need to be accompanied by a detailed Transport Assessment (TA) which should cover the necessary improvements to transport infrastructure required as a result of the development. This must take account of the needs of all modes of transport and the needs of all future users.

The development consortium have appointed specialist consultants Ove Arup & Partners Ltd, to undertake the TA work. The Local Planning and Highway Authorities will liaise closely with them to ensure that the transport implications are fully considered and that any necessary off-site works are taken forward through the planning process.

In advance of the findings of the Transport Assessment, there are a number of transport schemes which the Council is aware of that are likely to be required in connection with the development at the Waterfront.

## Strategic Highway Improvements

Two strategic highway improvements are required.

(1) The Barry Waterfront to Cardiff Link is a planned strategic highway identified under UDP Policy TRAN 1(ii). The Waterfront is likely to place considerable traffic pressure on the main routes between Barry and Cardiff and it is therefore reasonable that a financial contribution is made by the developers of the Waterfront towards the cost of this strategic road link.

(2) The development of South Pond and West Quay must include a strategic road route through to Barry Island, including a Barry Island Gateway Feature.

## Local Highway Improvements

The following local highway improvements are likely to be necessary to provide for additional traffic along the key routes in Barry heading towards Cardiff:

- Biglis Roundabout Improvements
- Ffordd y Mileniwm / Wimborne Road Junction
- Palmerston Road /Cardiff Road Junction
- Cardiff Road/Ffordd y Mileniwm Junction and
- Any others as a result of the Transport Assessment

## Sustainable Transport

National planning policies contained within Planning Policy Wales (2002) and TAN 18: Transport (2007) outline the importance of encouraging sustainable transport and recognise planning obligations as a legitimate tool for the enhancement of off site sustainable transport facilities. UDP Policies 2, 7, 8, 10, and ENV 27, and the Council's adopted Sustainable Development SPG all emphasise that new developments should be served by a range of sustainable transport alternatives to the private car.

In light of this, the Council will seek a financial contribution of £1000 per residential unit and £1000 per 100sqm of commercial floor space to provide or enhance off-site sustainable transport facilities serving the new development.

Sustainable transport facilities means infrastructure or services, including information provision, which caters for pedestrians, cyclists, public transport users, motor cycles, taxis or car sharers.

This planning obligation could be implemented through the following:

- Provision or enhancement of waiting facilities for public transport users;
- Transport interchange facilities;
- 'Pump priming' local public transport services to increase frequency, improve routes or extend hours with a view to making improved services operate on a commercial basis;
- Public transport information services;
- Designated highway improvements e.g. bus lay-bys, dedicated bus lanes, cycle ways, footways etc.;
- Designated secure cycle parking at key destinations;
- Improvements on pedestrian and cycle routes to key trip generators with crossing facilities, improved lighting and signage etc; and
- Maintenance / cleaning costs for associated infrastructure.

The TA accompanying the planning application should outline a package of measures to provide improvements to sustainable transport facilities serving the site.

## Public Open Space

In accordance with UDP Policy REC 3, within residential developments open space will be sought at a minimum standard of 2.43 hectares per 1000 population (0.6-0.8 hectares for children's playing space and 1.6-1.8 hectares for outdoor sport). The assessment will be carried out in light of existing provision in the locality. Where it is impractical to provide open space on site or where existing open space provision is deficient in quality in the immediate locality, the Council may be willing to accept alternative provision i.e. off site contribution payments. However, a scheme of this scale will be expected to provide an adequate amount of POS provision on site.

In accordance with UDP Policy REC 6, within new developments, children's play facilities will be provided at a standard of 0.2-0.3 hectares per 1000 population (falling within the provisions set down in Policy REC 3). The term "children's play facilities" refers to children's outdoor play equipment e.g. adventure playgrounds.

The standard can be broken down to a minimum square metre requirement per person as follows:

| | |
|---|---|
| **Children's play facilities** | **0.2 ha per 1000 population = 2 sq.m per person** |
| **Other children's play space** | **0.6 ha per 1000 population = 6 sq.m per person** |
| **Outdoor sport** | **1.6 ha per 1000 population = 16 sq.m per person** |

Based on the Council's Population & Housing Projections Topic Paper (December 2007), the average household size in 2011 will be 2.28 persons per dwelling. Therefore, the 2000 dwellings are likely to generate a population of 4560 persons. This will require the provision of at least 7.29 hectares of outdoor sport space and 2.73 hectares of children's playing space (of which 0.91 hectares is formal play facilities).

Areas of public realm such as footpaths, cycleways and highways and other forms of circulation space do not contribute towards the on site public open

space area. Likewise incidental areas of landscaping or drainage basins are not considered to be useable areas of open space, which contribute to satisfying the policy requirement.

In terms of play equipment, the site should provide for at least 3 children's play areas. In addition, facilities for young persons should be made through the provision of a skateboard facility and a Multi Use Games Area (MUGA). These facilities will need to be provided at no cost to the Council and to a specification to be agreed by the Council.

These areas will need to be laid out in accordance with a scheme to be agreed by a Council. If they are to be transferred to the Council for future maintenance, they must be transferred at no cost and an appropriate commuted sum will be payable by the developer to ensure adequate maintenance for a 20 year period. If they are not to be transferred to the Council for adoption, the developer will need to satisfy the Local Planning Authority that adequate provision is made for their future maintenance.

Where it is not feasible to provide sufficient public open space on site and the Council is in agreement, a financial contribution will be sought to provide or enhance off site public open space likely to be used by future occupiers of the development. This will be calculated on the basis of £900 per person of those not catered for through on site provision.

The original section 106 agreement required the developers to 'dedicate, layout, landscape and maintain in perpetuity [...] an area of public open space to be approximately 15000sqm' on East Quay (the former filled graving dock site). This has not been delivered to date and must be incorporated into the masterplan for the development of the remaining sites. However, it is required to serve the existing 782 dwellings already built on Phase I and does not count towards the additional requirement created by the 2000 units as part of the Waterfront Phase II.

## Leisure

The existing facilities at Barry Leisure Centre are in need of modernisation. The Council would favour on site provision of a new leisure centre facility. The estimated land requirement for a new facility would be 1.5 hectares and the build cost would be circa £12,000,000. The developer will be encouraged to investigate opportunities for on site provision of leisure facilities and dual use of facilities. Where this is not possible, the Council will seek financial contributions to upgrade existing facilities.

## Public Art

The Council introduced a percent for art policy in July 2003 which is supported by the Council's adopted supplementary planning guidance (SPG) on Public Art. On major developments, developers should set aside a minimum of 1% of their project budget specifically for the commissioning of art and, as a rule, public art should be provided on site integral to the development proposal. Alternatively, where the Council is in agreement a financial contribution may be made to the same value to add to the Council's Public Art Fund to be used on wider arts initiatives. Further guidance is available in the Public Art SPG.

To calculate the % for art, the developer will need to provide a detailed written estimate of the building costs of their proposal. Where developers fail to do this the Council will calculate the contribution based on a cost of £675 per square metre (or £57 per square feet).

Preferably some or all of the Public Art should be provided on site and integrated into the development proposals. Details of this should be outlined

within the Public Realm Strategy which should be prepared to accompany the planning application.

## Community Facilities

UDP Policy HOUS 8(vi) permits new housing developments within settlement boundaries provided that (inter alia) adequate community and utility services exist, are reasonably accessible or can be readily and economically provided.

The development is likely to generate a population of 4720 people, who will place additional pressures on existing Community Facilities in Barry. The developers will be encouraged to investigate opportunities for dual use facilities for on site provision of community facilities. In addition, financial contributions will be sought to improve existing community facilities and services such as libraries, community halls, health care, children, young people and vulnerable adult's services, life-long learning services etc.

To calculate the community facilities contribution, the Council will apply the following formula:

Community Facility Contribution = 0.75sqm of community floor space per dwelling or £988.50* per dwelling in lieu of on site provision.

Note: Build costs for Community Facility floor space = £1,318.00/sqm (according to Building Cost Information Service classification CI/SfB 532).

## Pollution Control

UDP Policy 2 favours proposals which encourage sustainable practices including pollution control. UDP Policy 8 states that developments will be favoured in locations which minimise traffic levels and associated unacceptable effects. UDP Policy ENV 29 (Protection of Environmental Quality) states that development will not be permitted if it would be liable to have an unacceptable effect on either people's health and safety or the environment.

In light of the above policies, it is considered reasonable to expect the developers to pay for the monitoring of the pollution effects of the development in order to mitigate against harm and protect the environment.

## Urban Regeneration

UDP Policy 1 seeks to protect and enhance the Vale of Glamorgan's distinctive rural, urban and coastal character. UDP Policy 9 seeks to ensure that the vitality, attractiveness and viability of existing town centres is protected and enhanced. Policy ENV 25 promotes the regeneration of urban areas. The redevelopment of the remaining sites at Barry Waterfront offers the opportunity to regenerate and boost the local economy of Barry.

## Barry Town Centre

The Waterfront is an 'edge of centre' site within walking and cycling distance of Barry Town Centre. In the interests of sustainability, future occupiers should be encouraged to use the Town Centre's shops, facilities and services. Therefore, the Council will seek a financial contribution to enhance the public realm within the town centre and improve access to it from the Waterfront. Opportunities to raise the profile of Barry Town Centre will be maximised.

## Barry Island

The Waterfront lies alongside Barry Island and the masterplanning of the development will need to take account of this relationship. Opportunities to raise the profile of Barry Island and to integrate it with the Waterfront will be welcomed. Therefore, the Council will seek a financial contribution to enhance the public realm at Barry Island and improve access to it from the Waterfront.

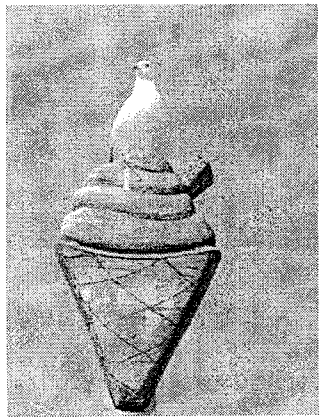
Further feasibility work for regeneration in Barry Town Centre and Barry Island will need to be undertaken by the Council to establish the likely financial contribution to be sought in respect of the above.

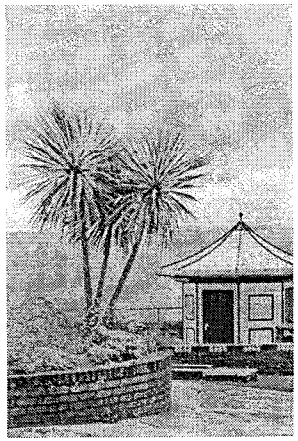
## Waste and Recycling Facilities

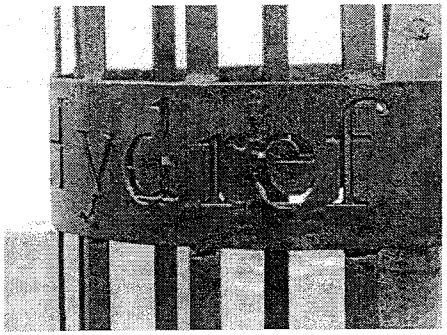
The developers will be expected to make on site provision for waste and recycling storage and collection. The development should include a community recycling facility and the public areas should include adequate provision for waste and recycling disposal and collection. Details of these should be outlined within the Public Realm Strategy, which should be prepared to accompany the planning application.

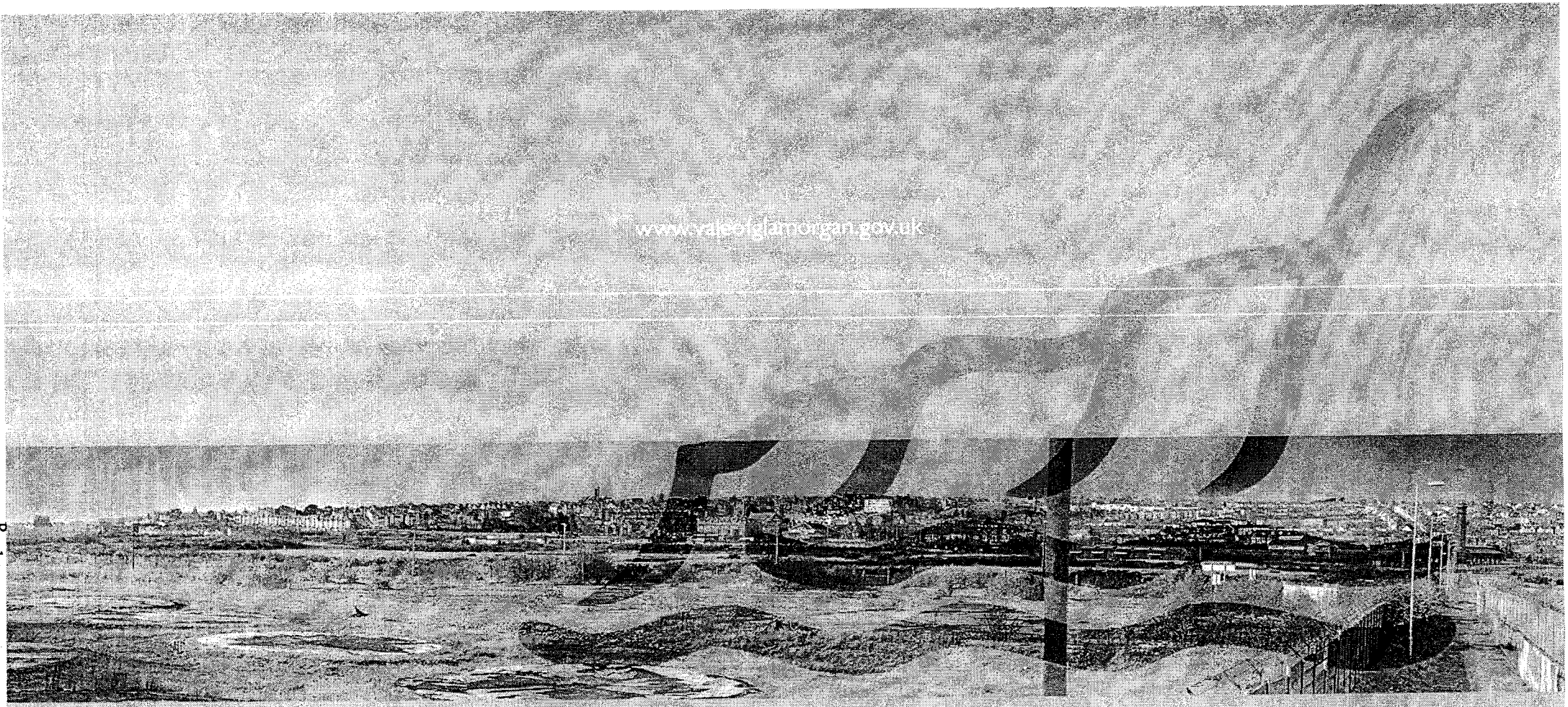
## Phasing

The Council will seek the appropriate phasing of the development to ensure that the development is delivered in a proper and planned manner and to provide certaity










The Vale of Glamorgan Council, Directorate of Environmental & Economic Regeneration, Dock Office, Barry Docks, Barry. CF63 4RT

Agenda Item No. 13(ii)

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

8. GENERAL PLANNING MATTERS

CLIVE LANE, PENARTH : PROHIBITION OF ACCESS (ALLEY GATING) ORDER 2008

Purpose of Report

1. To seek Members approval to create a Traffic Regulation Order to facilitate the extension of the Alley Gates project into the Penarth area.

Background

2. The Alley Gates Project is a crime prevention scheme, which has already led to the "sealing off" of numerous back lanes across many areas of Barry. The Alley Gates Project has earned a prestigious national award and was named as "*Best Community Initiative*" at the annual Association of Public Service Excellence (APSE) awards in 2005. The Project was *Commended* at the Welsh Local Government Association Awards for Excellence in 2007. Alley gating entails the installation of security gates in rear lanes in order to prevent burglaries, vandalism, and other anti-social activities. The Local Authority and the Police act together in partnership on this project.

3. Initial Phases of the scheme are being completed in Barry and these are already operating successfully and protecting more than 3,500 properties.

Relevant Issues and Options

4. It is now proposed to extend the Alley Gates Project and to introduce gates in the Cornerswell Ward in Penarth.

5. The need for the extension of the Alley gating scheme to this area has been established following liaison with South Wales Police, South Wales Fire Service and internal Divisions of the Council. Appended to this report is Plan No. TO10MRHC1 showing the location of the proposed gates.

6. It is therefore proposed to create a Traffic Regulation Order, the effect of which will be to restrict the use of the lanes shown on the plan in paragraph 5 above to all but "authorised persons" as determined by the order. Authorised persons will be in possession of pass keys, issued and controlled by an appointed officer, and will include members of the emergency services and public utilities.

Resource Implications (Financial and Employment)

7. The scheme will be funded by the Safer Vale Partnership at an estimated cost of £5,000.

Legal Implications (to include Human Rights Implications)

8. The project will be implemented via a Traffic Regulation Order. As a Traffic Authority the Council is empowered by Section 1 of the Road Traffic Regulation Act 1984 to make Traffic Regulation Orders.

9. The proposed order cannot, and will not, prevent access for pedestrians to premises adjacent to that road, otherwise known as "authorised persons".

10. The Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations 1996 (SI No. 2489) sets out the manner, in which Local Authorities should consult, publish and make Traffic Regulation Orders.

Crime and Disorder Implications

11. There are considerable prevention of crime and disorder benefits from the introduction of Alley gates. South Wales Police statistics show that in areas where "Alleygates" have been installed, crime rates have reduced -

**Burglaries of dwellings** – reduced by 73%

**Theft of motor vehicles** – reduced by 73.8%

**Thefts from vehicles** – reduced by 43.8%

**Burglaries of commercial properties**– reduced by 60%

Committee is particularly requested to consider published crime statistics. They show remarkable reductions in crime and disorder and it is suggested that no other form of project of this kind can achieve such dramatic reductions.

**Reducing Fear of Crime** – The Policing unit of University of Glamorgan have undertaken an independent survey of the impact of the scheme. The results show that residents in areas where Alley gates have been installed have stated that they feel far more comfortable and there is a reduced fear of crime.

The following additional prevention of crime and disorder benefits are provided by the scheme.

**"Ownership"** of the lanes is "given" to the adjacent owners so that they can take a pride in the lane, keeping it clean and tidy, not adopting the lanes themselves.

**Restoring a Sense of Community** – Providing a safe environment for children to play.

**Reducing Arson Attempts** – A decreased opportunity to setting fire to rubbish in rear lanes.

**Reduced Anti-Social/Illegal Activities** – A decreased opportunity/location for such activity.

**Removal of "Escape Routes"** – The removal of potential "escape routes" for persons committing crime.

**Restoring Community Spirit** – Clearly benefits the society and neighbourhood.

Equal Opportunities Implications (to include Welsh Language Issues)

12. The introduction of Alley gates will benefit many under privileged sectors of the community. Any signage will be in accordance with the Council's Welsh Language Scheme.

Corporate/Service Objectives

13. The issues contained within this report are part of the service objective – *To improve the environment and the quality of life in the Vale of Glamorgan by effectively managing the Council's highway network.* This links to the corporate objective of **Environmental Improvement.**

14. This project also links to the Objective of working in partnership with the Police and other agencies to meet the targets set out in the Crime and Disorder Reduction Strategy and Action Plans 2003-6 to reduce crime.

15. Stakeholders would be consulted as required in accordance with legislation.

RECOMMENDATIONS

(1) That subject to the views of the Chief Constable and other representative organisations of road users, Members resolve to give public notice of the Council's intention to make a Traffic Order under Section 1 of the Road Traffic Regulation Act 1984, the effect of which will be to prohibit or restrict access to those lanes detailed in Plan No. TO10MRHC1 as set out above.

(2) That in the event of no objections being received, the Order is made.

Reasons for Recommendations

(1) To ensure that consultations and public notice are given as required by the Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations 1996 when making a Traffic Regulation Order.

(2) To enable the project to commence without further referral to Committee unless objections are received.

Background Papers

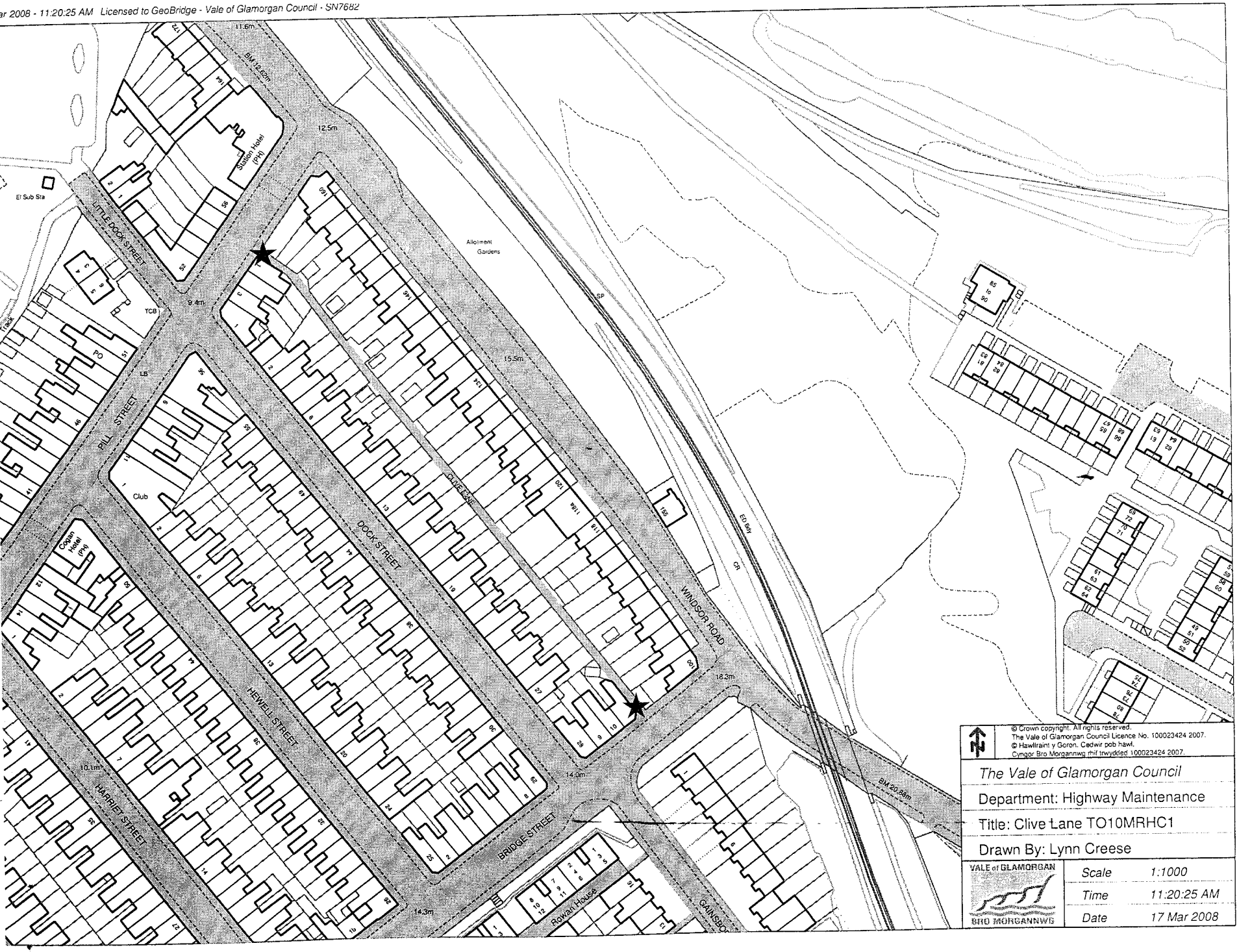
Contained in Operational Files

Contact Officer - Keith Jones, Operational Manager Highway Maintenance
Tel: 029 2067 3200

Officers Consulted:

Operational Manager, Legal Services
Operational Manager, Engineering Design
Senior Accountant, Financial Services
Accountant. Building and Visible Services
Head of Private Sector Housing
Penarth Area Renewal Officer

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION


LITTLE DOCK STREET
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NEWELL STREET
HARRIET STREET
BRIDGE STREET
CLIVE LANE
WINDSOR ROAD
Station Hotel (PH)
Cogan Hotel (PH)
Club
PO
TCB
LB
El Sub Sta
Allotment Gardens
Rowan House
BM 12.65m
BM 20.26m
11.6m
12.5m
9.4m
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18.3m
14.0m
14.3m
10.1m
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Cyngor Bro Morgannwg rhif trwydded 100023424 2007.
The Vale of Glamorgan Council
Department: Highway Maintenance
Title: Clive Lane TO10MRHC1
Drawn By: Lynn Creese
VALE of GLAMORGAN
BRO MORGANNWG
Scale 1:1000
Time 11:20:25 AM
Date 17 Mar 2008

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

8. GENERAL PLANNING MATTERS

EXTINGUISHMENT OF TWO AREAS OF ADOPTED HIGHWAY VERGE ADJACENT TO TAMARA COTTAGE, LLYSWORNEY

Purpose of Report

1. To seek Committee approval for the extinguishment of two areas of adopted highway verge adjacent to Tamara Cottage, Llysworney.

Background

2. An application by the house owner to register the two parcels of land indicated on the plan attached at Appendix A to this report was refused by the Land Registry by reason of this Council's written submission of 7 January 2008 that the areas form part of the adopted highway in accordance with the Council's adopted highway records.

Relevant Issues and Options

3. In accordance with Section 117 of the Highways Act 1980 the house owner has requested the Council as Highway Authority to progress extinguishment under Section 116 of the Highways Act 1980.

4. The areas of adopted highway verge in question are considered to be surplus to highway requirements and extinguishment will release the Council from maintenance liabilities and associated costs.

Resource Implications (Financial and Employment)

5. Staff from the Council's Legal Services Division and Engineering Design and Procurement Division will implement the proposal if approved. All costs associated with the extinguishment will be met by the applicant.

Legal Implications (to include Human Rights Implications)

6. Extinguishment will be progressed, if approval is granted, in accordance with Section 116 of the Highways Act 1980.

7. There are no human rights implications with regard to this report.

Crime and Disorder Implications

8. There are no crime and disorder implications with regard to this report.

Equal Opportunities Implications (to include Welsh Language Issues)

9. There are no equal opportunities implications or Welsh Language issues with regard to this report.

Corporate/Service Objectives

10. To provide a safe highway infrastructure.

RECOMMENDATION

(1) That the Director of Legal, Public Protection and Housing Services be requested to progress the extinguishment of the two areas of adopted highway verge as indicated on the attached plan in accordance with Section 116 of the Highways Act 1980.

Reason for Recommendation

(1) The areas of adopted highway verge in question are considered surplus to highway requirements and extinguishment will relieve the Council of all future maintenance obligations.

Background Papers

None.

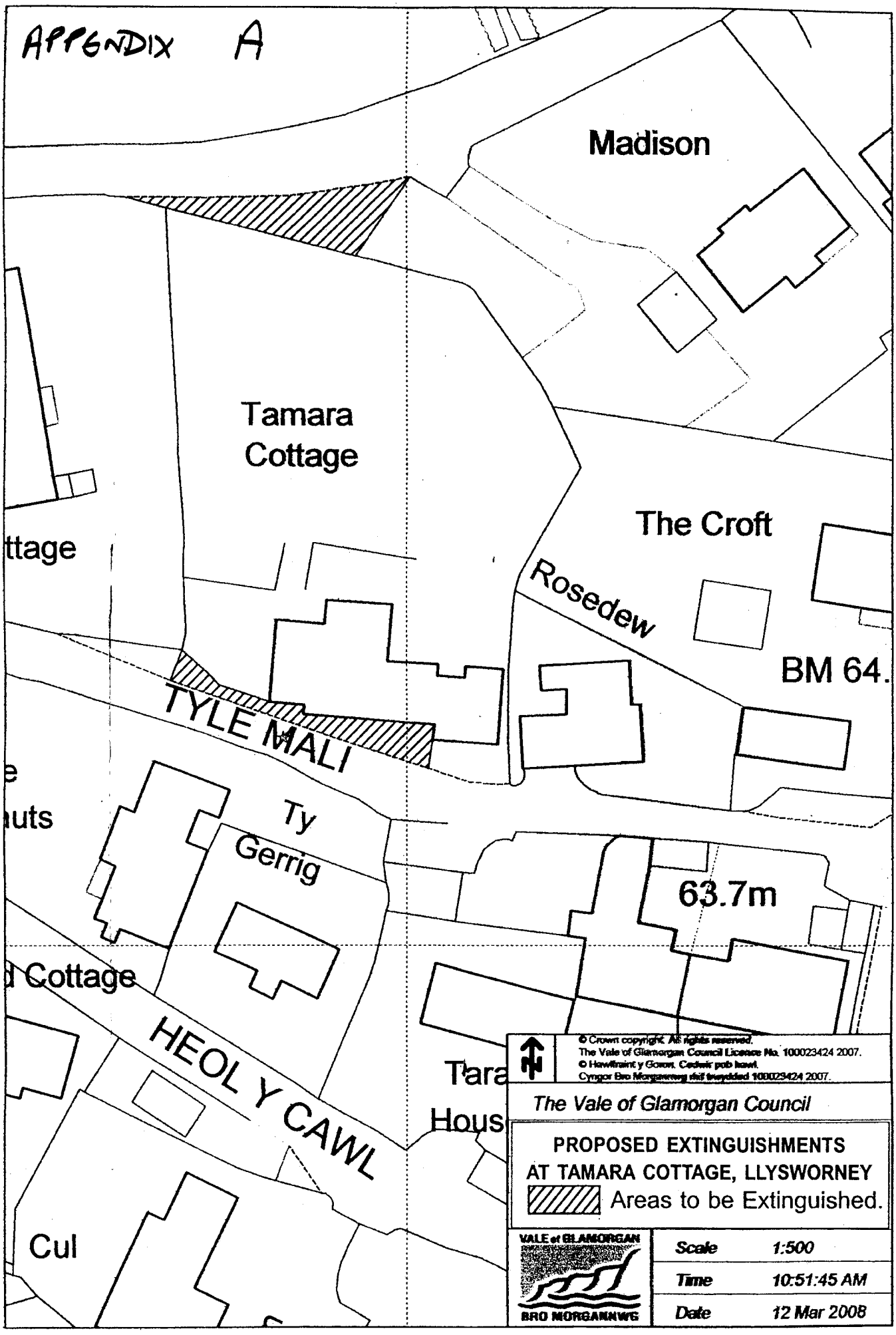
Contact Officer - Tom Bevan, Tel: 029 2067 3055

Officers Consulted:

Operational Manager Legal, Public Protection & Housing
Accountant Building and Visible Services
Operational Manager Highway Maintenance

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

APPENDIX A


Madison
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Cyngor Bro Morgannwg rhif trwydded 100023424 2007.
The Vale of Glamorgan Council
PROPOSED EXTINGUISHMENTS
AT TAMARA COTTAGE, LLYSWORNEY
Areas to be Extinguished.
VALE of GLAMORGAN
BRO MORGANNWG
Scale 1:500
Time 10:51:45 AM
Date 12 Mar 2008

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

8. GENERAL PLANNING MATTERS

DYFAN ROAD (PART), BARRY : PROPOSED PROHIBITION OF WAITING ORDER

Purpose of Report

1. To seek Members' approval to introduce an Order to extend the prohibition of waiting on a short section of Dyfan Road near to its junction with Barry Road, Barry.

Background

2. Dyfan Road links the Gibbonsdown area and Barry Road and carries a fairly heavy traffic flow. It is a bus route.

3. Currently the southern section of Dyfan Road, from its junction with Barry Road to the junction with the lane at the rear of the Barry Road properties is protected by double yellow lines. At this point the road forms an elbow which restricts the visibility of drivers through the bend.

4. Cardiff Bus have complained to a local Member that their buses have difficulty negotiating through the bend because of vehicles parked on the western side of the road outside the bungalows located at that point.

5. Surveys carried out at that location confirmed the difficulties caused by vehicles parking, which prevented the free flow of buses and larger vehicles along this section of carriageway.

Relevant Issues and Options

6. Vehicle parking causing obstruction to public highway is contrary to advice given in the Highway Code and whilst it is appreciated that residents would wish to park in the vicinity, parked vehicles should not obstruct the through passage of vehicles. Consequently it would be appropriate to prohibit parking at this location for a short distance as shown on Plan No. T/08/43/CEP attached. Ample alternative parking space is available further along the carriageway.

Resource Implications (Financial and Employment)

7. The cost of the Order and implementing the scheme is estimated at £600 which will be met under the Traffic Management operational budget for 2008/2009 and will utilise the Council's own administrative resources.

Legal Implications (to include Human Rights Implications)

8. The Road Traffic Regulation Act 1984 allows highway authorities to make and vary Orders to regulate the movement of vehicular traffic and to improve the amenities of an area.

9. The Council as highway authority has a responsibility to improve the safety of the highway user and may be found to be negligent if it does not meet its statutory obligations under the Highways Act 1980 and the Road Traffic Regulation Act 1984.

10 There are no human rights implications.

Crime and Disorder Implications

11. The provision of the waiting restriction is likely to engender a greater sense of safety within a community.

Equal Opportunities Implications (to include Welsh Language Issues)

12. There are no equal opportunities or Welsh language implications.

Corporate/Service Objectives

13. To provide a safe highway infrastructure.

14. Stakeholder consultations will take place in accordance with the Road Traffic Regulation Act 1984 when appropriate.

RECOMMENDATIONS

(1) That subject to the views of the Chief Constable and other statutory consultees, Members resolve to give public notice of the Vale of Glamorgan Council's intention to make a Traffic Regulation Order, the effect of which will be as shown at Appendix A.

(2) That, in the event of no objections being received, the Order be made.

Reasons for Recommendations

(1) To comply with the requirements of the Road Traffic Regulation Act 1984.

(2) To allow the necessary works to be undertaken.

Background Papers

Traffic File IF 545

Plan No. T/08/43/CEP

Contact Officer - Clive Phillips, Tel: 029 2067 3073

Officers Consulted:

Operational Manager, Legal, Public Protection and Housing
Accountant, Building and Visible Services.
Operational Manager, Highway Maintenance.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

The restriction is shown on the accompanying Plan No. T/08/43/CEP

## APPENDIX A

## SCHEDULE

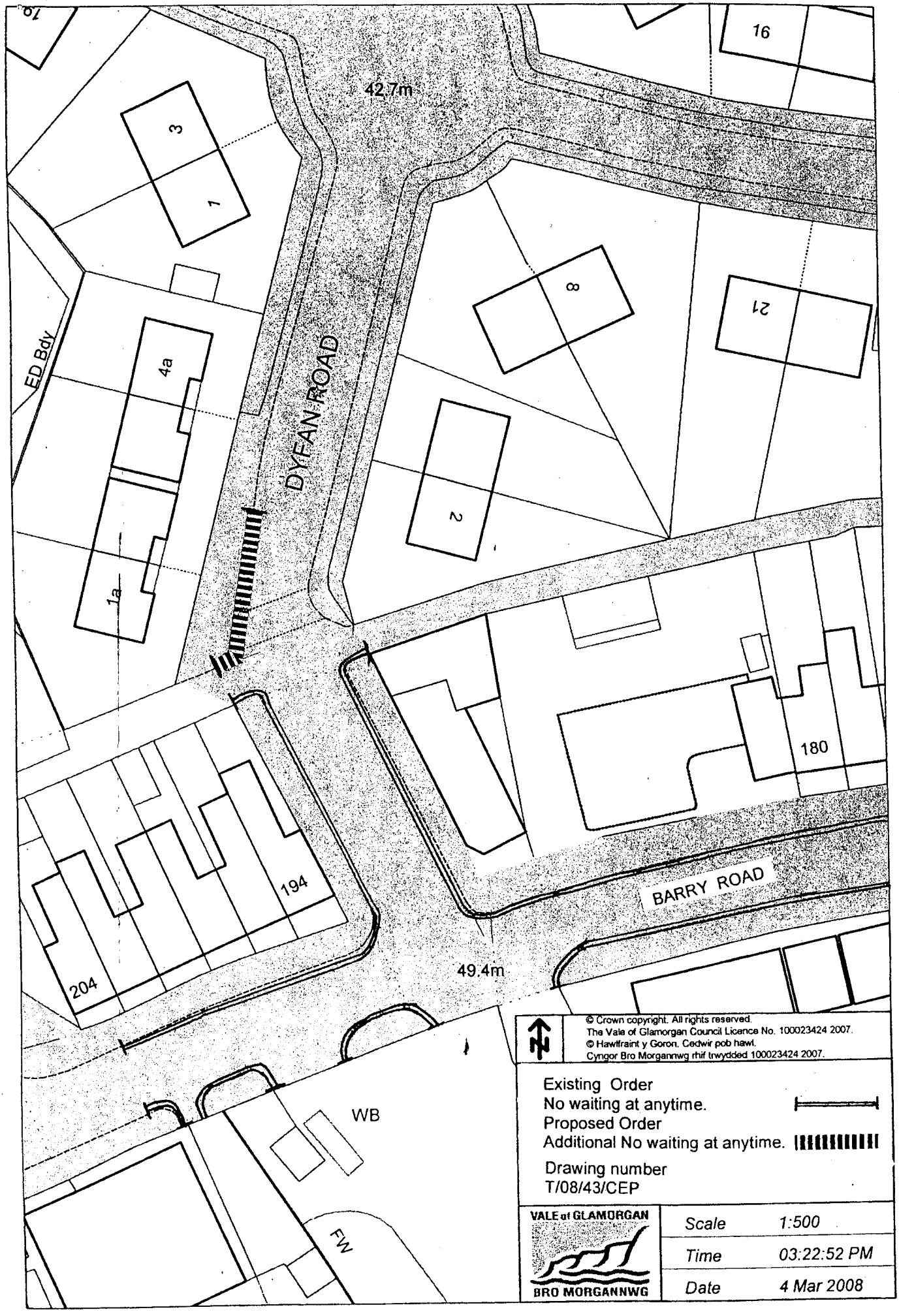
**Proposed prohibition of waiting Order**

**Make new Order**

**No waiting at anytime.**

**Dyfan Road**

On its west side from a point 33 metres north of its junction with Barry Road for a distance of 15 metres north.

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Cyngor Bro Morgannwg rhif trwydded 100023424 2007.

Existing Order
No waiting at anytime.
Proposed Order
Additional No waiting at anytime.

Drawing number
T/08/43/CEP

VALE of GLAMORGAN
BRO MORGANNWG

| | |
|---|---|
| Scale | 1:500 |
| Time | 03:22:52 PM |
| Date | 4 Mar 2008 |

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

8. GENERAL PLANNING MATTERS

COLD KNAP, BARRY : PROPOSED REVOCATION OF WAITING RESTRICTIONS ORDER

Purpose of Report

1. To request Members to revoke the Vale of Glamorgan Council (Cold Knap, Barry)(Prohibition of Waiting at Anytime)(Amendment) Order 2007.

Background

2. The report as shown at Appendix A was considered at the Planning Committee held on 10 October 2007 and Members agreed:

   *(1) That subject to the views of the Chief Constable and other statutory consultees, Members resolve to give public notice of the Vale of Glamorgan Council's intention to make a Traffic Regulation Order as shown at Appendix A.*

   *(2) That, in the event of no objections being received, the Order be made.*

3. In accordance with Council practice the views of local Members and the Police were sought prior to Planning Committee and no adverse comments were received.

4. Following the Committee's agreement to the giving of public notice, it was advertised in accordance with Statutory Procedure.

5. The scheme was published in the local press and by Notices placed on lamp columns in the area affected.

6. A consultation pack of information, plan etc. was held at the Civic Offices and at The Alps, as stated in the public notices, which was available for public examination.

7. As the Head of Visible Services had not received notification of any objections to the proposed Order by the due date of the 20 November 2007, his officers progressed the formal processes of the Traffic Regulation Order which was made on 30 November 2007.

8. However, an undated and unreferenced letter of objection addressed to me as Director was received at the Docks Office. This letter bore an internal "booking in" stamp of 20 November 2007 and after being passed on by my office in the internal mail system it reached the Head of Visible Services after the due date for receipt of objections i.e. 20 November 2007.

9. In the meantime officers had completed the administrative processes on the assumption that no objections had been received and as outlined above the Order was legally sealed on 30 November 2007.

10. However, because of receipt of this letter of objection, the works to make the changes to the existing lines and signs have not yet been undertaken pending the outcome of the Planning Committee.

11. A further report as shown at Appendix B was presented to the Planning Committee held on 17 January 2008. Members resolved to hold a Site Meeting to discuss the objection, this was duly held on 21 February 2008 prior to the Planning Committee held later that day.

12. The report for the 17 January 2008 Planning Committee was represented at the 21 February 2008 Planning Committee – see Appendix C. Members resolved that objection was to be accepted.

13. The effect of this decision will be to revert to the conditions of the Traffic Regulation Orders made in the 1970s for which the present road markings and signage applies.

14. The extent of the 1970s and 2007 Traffic Regulation Orders are shown on Plan Nos. T/08/46/CEP and T/08/47/CEP which will be displayed at Committee.

Relevant Issues and Options

15. A Traffic Regulation Order will be required to be made to revoke the 2007 Order referred to in paragraph 1, subject to statutory consultation and public notice.

Resource Implications (Financial and Employment)

16. Some £1,500 will need be expended to rescind the Traffic Regulation Order drawn from the Traffic Management operational budget for 2008/2009.

Legal Implications (to include Human Rights Implications)

17. The Road Traffic Regulation Act 1984 allows highway authorities to make, vary and revoke Orders to regulate the movement of vehicular traffic and to improve the amenities of an area.

18. The Council as highway authority has a responsibility to improve the safety of the highway user and may be found to be negligent if it does not meet its statutory obligations under the Highways Act 1980 and the Road Traffic Regulation Act 1984. There are no human rights implications.

Crime and Disorder Implications

19. There are no relevant implications connected to this proposal.

Equal Opportunities Implications (to include Welsh Language Issues)

20. There are no equal opportunities or Welsh language implications.

Corporate/Service Objectives

21. To provide a safe highway infrastructure.

RECOMMENDATIONS

(1) That subject to the views of The Chief Constable and other statutory consultees, Members resolve to give public notice of the Vale of Glamorgan Council's intention to make a Traffic Regulation Order to revoke 'The Vale of Glamorgan Council (Cold Knap, Barry) (Prohibition of Waiting at anytime) (Amendment) Order 2007. '

(2) That in the event of no objections being received the Order be made.

Reasons for Recommendations

(1) To comply with the requirements of the Road Traffic Regulation Act 1984.

(2) To rescind the 2007 Order.

Background Papers

Plan Nos. T/07/94/CEP and T/07/96/CEP
Traffic File IF 261

Contact Officer - Clive Phillips, Tel: 029 2067 3073

Officers Consulted:

Operational Manager, Legal, Public Protection and Housing
Accountant, Building and Visible Services.
Operational Manager, Highway Maintenance.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

Agenda Item No. 11 (xi)

APPENDIX A

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 10 OCTOBER 2007

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

8. GENERAL PLANNING MATTERS

COLD KNAP ETC., BARRY : PROPOSED AMENDMENT TO WAITING RESTRICTIONS ORDER

Purpose of Report

1. To seek Members' approval to introduce an amendment to reduce in length the Waiting Restrictions in Cold Knap, Barry.

Background

2. In 1972, a waiting restriction was implemented in Lakeside, along much of its length from Well Walk to Watchtower Bay, designed to prevent parking in the vicinity of The Knap Lido, which at that time drew large numbers of visitors to the area. The times of restriction being 9.00 a.m. to 9.00 p.m. daily, from 1 April to 30 September.

3. In subsequent years similar, additional waiting restrictions were Implemented in Cold Knap Way, Crosshill, The Parade, Bron y Mor, Beachway and Romilly Park Road.

4. The Knap Lido has since closed and over the intermediate period, there have been general changes in leisure activities in the area. However these waiting restrictions currently remain, although certain of the original reasons for their implementation are now no longer relevant.

5. Correspondence has been received from residents requesting that some of the restrictions be removed, to allow the frontages of their properties available for use by themselves and by visitors.

Relevant Issues and Options

6. Although the original reasons for the implementation of the waiting restrictions are generally now no longer relevant there remains a need for free vehicular access at all times to Watchtower Bay by the Ambulance and Coast Guard services.

7. However, to reflect current conditions, it would be possible to revoke or amend the existing Traffic Regulation Orders and remove long sections of double yellow lines, whilst leaving protection at junctions and other relevant sections of highway as shown in the plans, without reducing the overall effect.

8. At the same time it would be appropriate to protect the remaining areas throughout the day by changing the existing seasonal 9.00 a.m. to 9.00 p.m. waiting restriction, to 24 hours daily.

9. The scheme will reduce the level of double yellow lines by 1155 metres with the consequent effect of reducing future maintenance costs in both lining and signing.

Plan Nos. T/07/94/CEP and T/07/96/CEP will be displayed at Committee to show the existing and proposed situations respectively.

Resource Implications (Financial and Employment)

10. The cost of the Order and implementing the scheme is estimated at £5,000 which will be met from an existing Visible Services budget for 2006/2007 and will utilise the Council's own administrative resources.

Legal Implications (to include Human Rights Implications)

11. The Road Traffic Regulation Act 1984 allows highway authorities to make and vary Orders to regulate the movement of vehicular traffic and to improve the amenities of an area.

12. The Council as highway authority has a responsibility to improve the safety of the highway user and may be found to be negligent if it does not meet its statutory obligations under the Highways Act 1980 and the Road Traffic Regulation Act 1984.

13. There are no human rights implications.

Crime and Disorder Implications

14. The provision of the amendment is likely to engender a greater sense of safety within a community.

Equal Opportunities Implications (to include Welsh Language Issues)

15. There are no Welsh language implications.

Corporate/Service Objectives

16. To provide a safe highway infrastructure.

17. Stakeholder consultations will take place in accordance with the Road Traffic Regulation Act 1984 when appropriate.

RECOMMENDATIONS

(1) That subject to the views of the Chief Constable and other statutory consultees, Members resolve to give public notice of the Vale of Glamorgan Council's intention to make a Traffic Regulation Order the effect of which will be as shown at Appendix A. The amended Traffic Regulation Orders are shown in Appendix B.

(2) That, in the event of no objections being received, the Order be made.

Reasons for Recommendations

(1) To comply with the requirements of the Road Traffic Regulation Act 1984.

(2) To allow the necessary works to be undertaken.

Background Papers

Traffic File IF 261

Contact Officer – Clive Phillips, Tel: 029 2067 3073

Officers Consulted:

Operational Manager, Legal Services.
Community Safety Officer, Community Services.
Accountant, Building and Visible Services.
Operational Manager, Highway Maintenance.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

## APPENDIX A

## SCHEDULE

**Proposed No Waiting at anytime Order.**

**Make New Order.**

**The Parade**

On its north west side from its junction with St. Nicholas Road for a distance of 20 metres south west and from its junction with Lakeside for a distance of 25 metres north east and on its south east side from its junction with Harbour Road for a distance of 42 metres south west and from a point 15 metres south west of its junction with Cold Knap Way to a point 20 metres north east of that junction and from its junction with Lakeside for a distance of 25 metres north east.

**Cold Knap Way.**

On its west side from its junction with The Parade for a distance of 25 metres south and from its junction with Crosshill for a distance of 10 metres north and

on its east side from its junction with The Parade to its junction with Crosshill and across the closed end.

**Crosshill**

On its north side from its junction with Lakeside to its junction with Cold Knap Way and

on its south side from its junction with Lakeside for a distance of 10 metres east and from its junction with Cold Knap Way for a distance of 10 metres west.

**Lakeside**

On its west side and south side from its junction with Bron y Mor southwards and eastwards to and around the turning area and

on its east side from its junction with Well Walk for a distance of 15 metres south and from a point 35 north of its junction with The Parade to a point 25 metres south of that junction and from a point 10 metres north of its junction with Crosshill to a point 20 metres south of that junction and

on its north side from its closed end for a distance of 25 metres west.

**Bron y Mor**

On its south east side from its junction with Lakeside to its closed end at its junction with Beachway.

**Beachway**

On its south side from its junction with Bro y Mor to and around the turning circle at its junction with The Promenade to the entrance with The Knap car terrace.

## APPENDIX B

**Amend:-** In 'The County Council Of South Glamorgan (The Knap Area, Barry)(Traffic Regulation) Order 1977'. T.O.103

Delete paragraph 1(a) and 1(b) (i) (ii) (iii) (iv)

**Revoke** 'The County Council of South Glamorgan (Cold Knap Way, Crosshill, Barry)(Prohibition of Waiting) Order 1985.' T.O.167

**Revoke** 'The Borough of Barry (Lakeside) (Restriction of Waiting) Order 1972.' T.O. 567

In 'The County Council of South Glamorgan (Traffic Regulation) (Barry No.1) Order 1975 ' T.O.127.

**Delete** Schedule 5.

The restrictions are shown on Plan No. T/07/94/CEP

Agenda Item No. 11 (vi)

APPENDIX B

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 JANUARY 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

8. GENERAL PLANNING MATTERS

COLD KNAP BARRY : PROPOSED AMENDMENT TO WAITING RESTRICTIONS ORDER : BELATED LETTER OF OBJECTION RECEIVED

Purpose of Report

1. To inform Members of an objection received to the scheme to reduce in length the current Waiting Restrictions in Cold Knap, Barry.

Background

2. At the Planning Committee held on 10 October 2007 Members considered the report as shown in Appendix A and agreed:

   (1) That subject to the views of the Chief Constable and other statutory consultees, Members resolve to give public notice of the Vale of Glamorgan Council's intention to make a Traffic Regulation Order the effect of which will be as shown at Appendix A (to that report).

   (2) That, in the event of no objections being received, the Order be made.

3. In accordance with Council practice the views of local Members and the Police were sought prior to Planning Committee and no adverse comments were received.

4. Following the Committee's agreement to the giving of public notice, it was advertised in accordance with Statutory Procedure by way of letters to Statutory Consultees including Chief Officers of the Police, Fire and Ambulance Services, Cardiff Bus, Freight Transport Association, Road Haulage Association and the RAC.

5. The scheme was published in the local press namely The Western Mail on 30 October 2007 and by Notices placed on lamp columns in the area affected in the period 30 October to 20 November 2007. A copy of such a notice is shown in Appendix B (except the site notice was A3 size). Additionally the Notice of Intention was displayed on the Council's website for 21 days.

6. A consultation pack of information, plan etc. was held at the Civic Offices and at The Alps, as stated in the public notices, which was available for public examination.

7. During the statutory consultation period an email – shown in Appendix C – was received on 8 November to enquire as to how objections to the proposed order were to be made. This was responded to on 14 November – as shown in Appendix D. As is standard practice this letter was sent by 2nd Class post and the date of receipt is unknown.

8. As the Head of Visible Services had not received notification of any objections to the proposed order by the due date of the 20 November, his officers progressed the formal processes of the Traffic Regulation Order which was made on 30 November 2007.

9. However, an undated and unreferenced letter of objection – Appendix E - addressed to me as Director was received at the Docks Office. This letter bears an internal "booking in" stamp of 20 November and after being passed on by my office in the internal mail system it reached the Head of Visible Services after the due date for receipt of objections i.e. 20 November. However in the meantime officers had completed the administrate processes on the assumption that no objections had been received and the Order was legally sealed on 30 November.

10. However, because of receipt of this letter of objection, the works to make the changes to the existing lines and signs have not yet been undertaken pending the outcome of the matters referred to in this report.

Relevant Issues and Options

**The Objection**

11. The letter opposing the proposed Traffic Regulation Order is reproduced in Appendix C. The objector, in summary, states "My objections to these proposals are that they will cause traffic chaos given the very narrow width of some of the Cold Knap roads and streets. Your officers do not have to suffer the heavy traffic that still visits the Knap each summer. Contrary to their belief the closure of the Knap Lido has not reduced the number of cars visiting the area. Both local car parks at the sea front and Bron y Mor are often full at summer weekends."

12. "The proposal is based on the views of a few residents who wish to have their friends park their cars in the road when visiting Cold Knap in the summer. Your staff have not made any efforts to discover whether this proposal has the support of the population at large in Cold Knap. I can assure you that it does not. I have consulted my neighbours who are against this proposal."

13. "I must draw your attention to the fact that we still have a bus service through the Knap that often has trouble with bad parking."

## Discussion

14. Members will recall that the scheme will remove long sections of double yellow lines from one side of the carriageway whilst retaining protection at junctions and other relevant sections of highway. Traffic flow is generally not heavy and it is not thought that the flow of traffic travelling along the roads will be affected by the reduced waiting restrictions.

15. Local Members who were consulted early on this scheme have made no comments regarding the reported lack of support from the residents of the area and no other letters of objection have been received on this matter.

16. The few affected bus stops within the area will be monitored and will be protected where necessary, by Bus Stop Protection Orders.

17. Committee is requested to consider the letter and decide whether it may be treated as an 'objection' to the scheme. Should Members decide to agree with the objection, then officers will commence measures to have the Order rescinded such that the status quo of waiting restrictions in the vicinity will remain.

Resource Implications (Financial and Employment)

18. Should Members not accede to the objection, the cost of the Order and implementing the scheme is estimated at £5,000 which will be met under the Traffic Management operational budget for 2006/2007 and will utilise the Council's own administrative and works resources.

19. Should Members decide to uphold the objection, then some £1,500 will need be expended to rescind the Traffic Regulation Order, again drawn from the Traffic Management operational budget for 2006/2007.

Legal Implications (to include Human Rights Implications)

20. The Road Traffic Regulation Act 1984 allows highway authorities to make and vary Orders to regulate the movement of vehicular traffic and to improve the amenities of an area.

21. The Council as highway authority has a responsibility to improve the safety of the highway user and may be found to be negligent if it does not meet its statutory obligations under the Highways Act 1980 and the Road Traffic Regulation Act 1984. There are no human rights implications.

Crime and Disorder Implications

22. The provision of the amendment is likely to engender a greater sense of safety within a community.

Equal Opportunities Implications (to include Welsh Language Issues)

23. There are no Welsh language implications.

Corporate/Service Objectives

24. To provide a safe highway infrastructure.

25. Stakeholder consultations will take place in accordance with the Road Traffic Regulation Act 1984 when appropriate.

RECOMMENDATION

(1) That Members resolve not to agree to the objection and to confirm the Order.

Reason for Recommendation

(1) To allow the execution of the work to enable the Traffic Regulation Order as made to be implemented.

Background Papers

Traffic File IF 261
Plans T/07/94/CEP and T/07/96/CEP

Contact Officer - Clive Phillips, Tel: 029 2067 3073

Officers Consulted:

None of the purposes of this report.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

Agenda Item No. 11(xi)

APPENDIX A

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 10 OCTOBER 2007

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

8. GENERAL PLANNING MATTERS

COLD KNAP ETC., BARRY : PROPOSED AMENDMENT TO WAITING RESTRICTIONS ORDER

Purpose of Report

1. To seek Members' approval to introduce an amendment to reduce in length the Waiting Restrictions in Cold Knap, Barry.

Background

2. In 1972, a waiting restriction was implemented in Lakeside, along much of its length from Well Walk to Watchtower Bay, designed to prevent parking in the vicinity of The Knap Lido, which at that time drew large numbers of visitors to the area. The times of restriction being 9.00 a.m. to 9.00 p.m. daily, from 1 April to 30 September.

3. In subsequent years similar, additional waiting restrictions were Implemented in Cold Knap Way, Crosshill, The Parade, Bron y Mor, Beachway and Romilly Park Road.

4. The Knap Lido has since closed and over the intermediate period, there have been general changes in leisure activities in the area. However these waiting restrictions currently remain, although certain of the original reasons for their implementation are now no longer relevant.

5. Correspondence has been received from residents requesting that some of the restrictions be removed, to allow the frontages of their properties available for use by themselves and by visitors.

Relevant Issues and Options

6. Although the original reasons for the implementation of the waiting restrictions are generally now no longer relevant there remains a need for free vehicular access at all times to Watchtower Bay by the Ambulance and Coast Guard services.

7. However, to reflect current conditions, it would be possible to revoke or amend the existing Traffic Regulation Orders and remove long sections of double yellow lines, whilst leaving protection at junctions and other relevant sections of highway as shown in the plans, without reducing the overall effect.

8. At the same time it would be appropriate to protect the remaining areas throughout the day by changing the existing seasonal 9.00 a.m. to 9.00 p.m. waiting restriction, to 24 hours daily.

9. The scheme will reduce the level of double yellow lines by 1155 metres with the consequent effect of reducing future maintenance costs in both lining and signing.

Plan Nos. T/07/94/CEP and T/07/96/CEP will be displayed at Committee to show the existing and proposed situations respectively.

Resource Implications (Financial and Employment)

10. The cost of the Order and implementing the scheme is estimated at £5,000 which will be met from an existing Visible Services budget for 2006/2007 and will utilise the Council's own administrative resources.

Legal Implications (to include Human Rights Implications)

11. The Road Traffic Regulation Act 1984 allows highway authorities to make and vary Orders to regulate the movement of vehicular traffic and to improve the amenities of an area.

12. The Council as highway authority has a responsibility to improve the safety of the highway user and may be found to be negligent if it does not meet its statutory obligations under the Highways Act 1980 and the Road Traffic Regulation Act 1984.

13. There are no human rights implications.

Crime and Disorder Implications

14. The provision of the amendment is likely to engender a greater sense of safety within a community.

Equal Opportunities Implications (to include Welsh Language Issues)

15. There are no Welsh language implications.

Corporate/Service Objectives

16. To provide a safe highway infrastructure.

17. Stakeholder consultations will take place in accordance with the Road Traffic Regulation Act 1984 when appropriate.

RECOMMENDATIONS

(1) That subject to the views of the Chief Constable and other statutory consultees, Members resolve to give public notice of the Vale of Glamorgan Council's intention to make a Traffic Regulation Order the effect of which will be as shown at Appendix A. The amended Traffic Regulation Orders are shown in Appendix B.

(2) That, in the event of no objections being received, the Order be made.

Reasons for Recommendations

(1) To comply with the requirements of the Road Traffic Regulation Act 1984.

(2) To allow the necessary works to be undertaken.

Background Papers

Traffic File IF 261

Contact Officer – Clive Phillips, Tel: 029 2067 3073

Officers Consulted:

Operational Manager, Legal Services.
Community Safety Officer, Community Services.
Accountant, Building and Visible Services.
Operational Manager, Highway Maintenance.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

APPENDIX A

## SCHEDULE

**Proposed No Waiting at anytime Order.**

**Make New Order.**

**The Parade**

On its north west side from its junction with St. Nicholas Road for a distance of 20 metres south west and from its junction with Lakeside for a distance of 25 metres north east and on its south east side from its junction with Harbour Road for a distance of 42 metres south west and from a point 15 metres south west of its junction with Cold Knap Way to a point 20 metres north east of that junction and from its junction with Lakeside for a distance of 25 metres north east.

**Cold Knap Way.**

On its west side from its junction with The Parade for a distance of 25 metres south and from its junction with Crosshill for a distance of 10 metres north and

on its east side from its junction with The Parade to its junction with Crosshill and across the closed end.

**Crosshill**

On its north side from its junction with Lakeside to its junction with Cold Knap Way and

on its south side from its junction with Lakeside for a distance of 10 metres east and from its junction with Cold Knap Way for a distance of 10 metres west.

**Lakeside**

On its west side and south side from its junction with Bron y Mor southwards and eastwards to and around the turning area and

on its east side from its junction with Well Walk for a distance of 15 metres south and from a point 35 north of its junction with The Parade to a point 25 metres south of that junction and from a point 10 metres north of its junction with Crosshill to a point 20 metres south of that junction and

on its north side from its closed end for a distance of 25 metres west.

**Bron y Mor**

On its south east side from its junction with Lakeside to its closed end at its junction with Beachway.

**Beachway**

On its south side from its junction with Bro y Mor to and around the turning circle at its junction with The Promenade to the entrance with The Knap car terrace.

## APPENDIX B

**Amend:-** In 'The County Council Of South Glamorgan (The Knap Area, Barry)(Traffic Regulation) Order 1977'. T.O.103

Delete paragraph 1(a) and 1(b) (i) (ii) (iii) (iv)

**Revoke** 'The County Council of South Glamorgan (Cold Knap Way, Crosshill, Barry)(Prohibition of Waiting) Order 1985.' T.O.167

**Revoke** 'The Borough of Barry (Lakeside) (Restriction of Waiting) Order 1972.' T.O. 567

In 'The County Council of South Glamorgan (Traffic Regulation) (Barry No.1) Order 1975 ' T.O.127.

**Delete** Schedule 5.

The restrictions are shown on Plan No. T/07/94/CEP

APPENDIX B

THE VALE OF GLAMORGAN COUNCIL
(COLD KNAP, BARRY)
(PROHIBITION OF WAITING AT ANYTIME)
(AMENDMENT) ORDER 2007

VALE of GLAMORGAN
BRO MORGANNWG

1. Notice is given that the Vale of Glamorgan Council in exercise of its powers under Sections 1 and 2 of the Road Traffic Regulation Act 1984 (as amended) and of all other enabling powers proposes to make an Order the general effect of which is described in the Schedule below.

2. Full details of the proposal, to include a copy of the proposed Order and plan no. T/07/06/CEP, may be inspected at the Vale of Glamorgan Council, Civic Offices, Holton Road, Barry CF63 4RU and at the address shown below during normal office hours and any objection you may have to this proposal must be submitted to the Head of Visible Services (Ref: ED/MRH/IF261) in writing by 20th November 2007 and must contain the grounds upon which you object.

3. Persons objecting to the proposed Order are advised that in view of the Local Government (Access to Information) Act 1985 this Council is legally obliged to make any comments received in response to the proposed Order open to public inspection.

4. No person, except upon the direction or with the permission of a police constable in uniform or a traffic warden, shall cause or permit a vehicle to wait at anytime (with some exemptions) in the lengths of road as described in the Schedule below.

5. The practical effect of these proposals will be to reduce the lengths of existing seasonal, double yellow lines to allow some parking outside residences, to extend the times on the remaining double yellow lines to anytime and to retain these waiting restrictions at junctions.

## SCHEDULE

**The Parade**

On its north west side from its junction with St. Nicholas Road for a distance of 20 metres south west and from its junction with Lakeside for a distance of 25 metres north east and on its south east side from its junction with Harbour Road for a distance of 42 metres south west and from a point 15 metres south west of its junction with Cold Knap Way to a point 20 metres north east of that junction and from its junction with Lakeside for a distance of 25 metres north east.

**Cold Knap Way.**

On its west side from its junction with The Parade for a distance of 25 metres south and from its junction with Crosshill for a distance of 10 metres north and

on its east side from its junction with The Parade to its junction with Crosshill and across the closed end.

**Crosshill**

On its north side from its junction with Lakeside to its junction with Cold Knap Way and

on its south side from its junction with Lakeside for a distance of 10 metres east and from its junction with Cold Knap Way for a distance of 10 metres west.

**Lakeside**

On its west side and south side from its junction with Bron y Mor southwards and eastwards to and around the turning area and

on its east side from its junction with Well Walk for a distance of 15 metres south and from a point 35 north of its junction with The Parade to a point 25 metres south of that junction and from a point 10 metres north of its junction with Crosshill to a point 20 metres south of that junction and

on its north side from its closed end for a distance of 25 metres west.

Dated this 30th day of October 2007.

M. Punter
Head of Visible Services,
Vale of Glamorgan Council, The Alps, Wenvoe. CF5 6AA.

Agenda Item No.

APPENDIX C

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 21 FEBRUARY 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

8. GENERAL PLANNING MATTERS

COLD KNAP BARRY : PROPOSED AMENDMENT TO WAITING RESTRICTIONS ORDER : BELATED LETTER OF OBJECTION RECEIVED

Purpose of Report

1. To inform Members of an objection received to the scheme to reduce in length the current Waiting Restrictions in Cold Knap, Barry.

Background

2. At the Planning Committee held on 10 October 2007 Members considered the report as shown in Appendix A and agreed:

   (1) That subject to the views of the Chief Constable and other statutory consultees, Members resolve to give public notice of the Vale of Glamorgan Council's intention to make a Traffic Regulation Order the effect of which will be as shown at Appendix A (to that report).

   (2) That, in the event of no objections being received, the Order be made.

3. In accordance with Council practice the views of local Members and the Police were sought prior to Planning Committee and no adverse comments were received.

4. Following the Committee's agreement to the giving of public notice, it was advertised in accordance with Statutory Procedure by way of letters to Statutory Consultees including Chief Officers of the Police, Fire and Ambulance Services, Cardiff Bus, Freight Transport Association, Road Haulage Association and the RAC.

5. The scheme was published in the local press namely The Western Mail on 30 October 2007 and by Notices placed on lamp columns in the area affected in the period 30 October to 20 November 2007. A copy of such a notice is shown in Appendix B (except the site notice was A3 size). Additionally the Notice of Intention was displayed on the Council's website for 21 days.

6. A consultation pack of information, plan etc. was held at the Civic Offices and at The Alps, as stated in the public notices, which was available for public examination.

7. During the statutory consultation period an email – shown in Appendix C – was received on 8 November to enquire as to how objections to the proposed order were to be made. This was responded to on 14 November – as shown in Appendix D. As is standard practice this letter was sent by 2nd Class post and the date of receipt is unknown.

8. As the Head of Visible Services had not received notification of any objections to the proposed order by the due date of the 20 November, his officers progressed the formal processes of the Traffic Regulation Order which was made on 30 November 2007.

9. However, an undated and unreferenced letter of objection – Appendix E - addressed to me as Director was received at the Docks Office. This letter bears an internal "booking in" stamp of 20 November and after being passed on by my office in the internal mail system it reached the Head of Visible Services after the due date for receipt of objections i.e. 20 November. However in the meantime officers had completed the administrate processes on the assumption that no objections had been received and the Order was legally sealed on 30 November.

10. However, because of receipt of this letter of objection, the works to make the changes to the existing lines and signs have not yet been undertaken pending the outcome of the matters referred to in this report.

Relevant Issues and Options

**The Objection**

11. The letter opposing the proposed Traffic Regulation Order is reproduced in Appendix C. The objector, in summary, states "My objections to these proposals are that they will cause traffic chaos given the very narrow width of some of the Cold Knap roads and streets. Your officers do not have to suffer the heavy traffic that still visits the Knap each summer. Contrary to their belief the closure of the Knap Lido has not reduced the number of cars visiting the area. Both local car parks at the sea front and Bron y Mor are often full at summer weekends."

12. "The proposal is based on the views of a few residents who wish to have their friends park their cars in the road when visiting Cold Knap in the summer. Your staff have not made any efforts to discover whether this proposal has the support of the population at large in Cold Knap. I can assure you that it does not. I have consulted my neighbours who are against this proposal."

13. "I must draw your attention to the fact that we still have a bus service through the Knap that often has trouble with bad parking."

APPENDIX A

## Discussion

14. Members will recall that the scheme will remove long sections of double yellow lines from one side of the carriageway whilst retaining protection at junctions and other relevant sections of highway. Traffic flow is generally not heavy and it is not thought that the flow of traffic travelling along the roads will be affected by the reduced waiting restrictions.

15. Local Members who were consulted early on this scheme have made no comments regarding the reported lack of support from the residents of the area and no other letters of objection have been received on this matter.

16. The few affected bus stops within the area will be monitored and will be protected where necessary, by Bus Stop Protection Orders.

17. Committee is requested to consider the letter and decide whether it may be treated as an 'objection' to the scheme. Should Members decide to agree with the objection, then officers will commence measures to have the Order rescinded such that the status quo of waiting restrictions in the vicinity will remain.

Resource Implications (Financial and Employment)

18. Should Members not accede to the objection, the cost of the Order and implementing the scheme is estimated at £5,000 which will be met under the Traffic Management operational budget for 2006/2007 and will utilise the Council's own administrative and works resources.

19. Should Members decide to uphold the objection, then some £1,500 will need be expended to rescind the Traffic Regulation Order, again drawn from the Traffic Management operational budget for 2006/2007.

Legal Implications (to include Human Rights Implications)

20. The Road Traffic Regulation Act 1984 allows highway authorities to make and vary Orders to regulate the movement of vehicular traffic and to improve the amenities of an area.

21. The Council as highway authority has a responsibility to improve the safety of the highway user and may be found to be negligent if it does not meet its statutory obligations under the Highways Act 1980 and the Road Traffic Regulation Act 1984. There are no human rights implications.

Crime and Disorder Implications

22. The provision of the amendment is likely to engender a greater sense of safety within a community.

Equal Opportunities Implications (to include Welsh Language Issues)

Agenda Item No. 14

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

9. PLANNING APPLICATIONS

Background Papers

The following reports are based upon the contents of the Planning Application files up to the date of dispatch of the agenda and reports.

**2007/00655/OUT** Received on 9 May 2007

Mr. & Mrs. Richards, Cornerways, Wick Road, Ewenny, Vale of Glamorgan
R. Hathaway, 25, Preswylfa Court, Bridgend, CF31 3NX

**Cornerways and Swn-y-Coed, Wick Road, Ewenny**

Redevelopment to 4 detached properties

SITE DESCRIPTION

The application site relates to the curtilage of two dormer bungalows located at the junction of Corntown and Wick Road, in the village of Corntown. Cornerways is located in an elevated position above and at the junction of Corntown Road and Wick Road with two separate access points from Wick Road. The second dwelling Swn–y-Coed is located above the level of Cornerways on Wick Road.

The site as a whole covers an area of some 0.59 acres (0.24 hectares) and is enclosed by a hedge on bank along the Wick Road and Corntown Road frontages.

DESCRIPTION OF DEVELOPMENT

This is an outline application for the demolition of the two dwellings on the site and its redevelopment for the construction of four detached dwellings. All matters are reserved except for access and siting, however indicative elevation drawings have been submitted including sections through the site to provide illustrative supporting material as to the form of development which could be provided on the site.

The scheme as amended proposes four dormer style dwellings where Plot 1 is shown to be sited on Corntown Road broadly in line with the adjacent dwelling (The Nook) and is shown to utilise one of the existing access points which served Cornerways. The three further dwellings are shown to be accessed via a single access halfway along the Wick Road frontage into a private drives and parking areas, with each dwelling being served by a garage. Each of the plots are of varying size between 487 square metres to 600 square metres, with the dwellings shown to have a footprint of 105 square metres. Whilst the elevation drawings are indicative the dwellings are shown to have eaves heights of 3.1 metres and ridge heights of 7 metres.

The application has been supported by a sustainability statement.

PLANNING HISTORY

None relevant.

CONSULTATIONS

Ewenny Community Council were consulted and have raised an objection to the application on the following grounds (summarised):

1. Proposed development would change the character of the site and the village in this prominent position.

2. It would increase the density of the site.

3. The gradient of the site would mean that the development would adversely affect the properties on Corntown Road in front of the development.

4. Mature trees on and near the proposed development could be affected.

5. Development would increase the existing drainage problems on Wick Road.

6. Increase in traffic onto the upper section of Wick Road.

7. Demolition of two sound properties would be wasteful.

Environment Agency Wales were consulted and have responded with a standard advice note for developers.

The Head of Visible Services (Highway Development) was consulted and made the following comments:

“The development proposals require the provision of three parking spaces to be provided with in the boundary of each dwelling for the use of residents and two parking spaces within the boundary of the site for the use of visitors. Furthermore, an area is required to be provided within the development site to enable service vehicles to manoeuvre.

Visibility splays of 2.4m x 60.0m to the north and 2.4m x 70.0m to the south are required to be provided along the adjoining highway, from the access of the development site. Within the visibility envelopes, no obstructions e.g. boundary walls, fencing etc. shall be greater than 900 mm in height above the carriageway channel edge and any planting will be located at the rear of the visibility envelop and shall not be greater than 600 mm in height.

The existing points of vehicle access to both dwellings are required to be stopped up and the adjacent verges/footway reinstated in accordance with the Highway Authority’s standards for adoption.

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

Further to receiving an amended site layout plan the following comments have been made:

“The achievable visibility splays from the proposed site access along Corntown Road, from plot one, are below the requirement of 2.0m x 70.0m. Furthermore, as there are no manoeuvring facilities proposed within the plot, vehicles would have to reverse on and off Corntown Road, which is a classified highway.

Additionally, the vehicle access from Wick Road serving plots three and four is below the minimum width of 4.5m, preventing two vehicles from pass side by side, leading to queuing along the highway.

Therefore, the Highway Authority object to the above proposals as the development would be detrimental to highway safety.

Further to receiving a further amended site layout plan in relation to the above, the Highway Authority would inform that provided that the following details are made conditional to the planning consent and are submitted for approval by the Local Planning Authority prior to commencement of any works at the development site, an objection to the development proposals cannot be sustained.

1. The existing access to plot 1 is required to be relocated approximately 10.0m to the south of its existing location along Wick Road, adjacent to the boundary of plots 1 and 2 and shall be constructed as a vehicle crossover. Reason: In the interests of highway safety.

2. The proposed means of access to plots two, three and four shall be constructed as a vehicle crossover to a minimum width of 4.5m with the provision of a 1.0m margin strip, in accordance with the Vale of Glamorgan Council’s standard details for adoption.

   The existing vehicle crossovers located along Wick Road shall be reinstated as highway verge in accordance with the Highway Authorities specifications for highway works.

   The applicant is required to contact the Highways Traffic Section of the Vale of Glamorgan Council prior to carrying out any works on the development site adjacent to the adopted highway to agree location, specifications and for permission to work within the highway. All associated costs of undertaking the works will be at the applicant’s own expense. Reason: To ensure that the proposed access and associated works within the adopted highway are undertaken in accordance with the Vale of Glamorgan Council’s standard details for adoption.

   Reason: To ensure that works within the adopted highway are undertaken in accordance with the Vale of Glamorgan Council’s standard details for adoption.

3. Parking and manoeuvring facilities in accordance with the Council’s Parking Guidelines shall be provided within the boundary of each plot to serve residents and visitors of the development site. The applicant is required to submit full details of the proposed parking and manoeuvring facilities to the Local Planning Authority for written approval prior to commencement of any works at the development site.

Reason: To maintain adequate parking provision within the boundary of the site in the interests of highway safety."

The Director of Legal, Public Protection and Housing Services (Environmental Health (Pollution Section)) were consulted and responded with no comment to make.

Dwr Cymru/ Welsh Water were consulted and raised no objection subject to conditions.

Glamorgan Gwent Archaeological Trust were consulted and have stated that the area is located in an area rich in archaeological resource and it is likely that archaeological features related to prehistoric and Roman activity, which could be of national importance are located inside the application area. They have therefore advised that an archaeological evaluation should be undertaken and the determination of the application deferred until the report is submitted.

An Archaeological Evaluation report was subsequently prepared by Cambria Archaeology. The report concludes that no significant archaeological features or deposit were encountered. Additionally the report states that the presence of the two existing properties suggest the site has already been disturbed through construction processes and the gardens which have been subject to landscaping. Both of these factors could have had a substantial impact on any archaeological features or deposits which may once have been located within the proposed development area.

Glamorgan Gwent Archaeological Trust have considered the submitted evaluation report and now have no objections.

REPRESENTATIONS

Adjacent and nearby occupiers were notified on the original and amended plans and a site notice was also posted. To date two letters of representation have been received from the occupiers of The Nook in respect of the original and amended plans. The original letter of objection is attached as Appendix A.

REPORT

Planning Policies

The site falls within the settlement boundary of the rural settlement of Corntown and therefore the following policies contained within the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 are relevant:

Policy HOUS2 supports the principle of housing infill, small-scale development and redevelopment within the rural settlement of Corntown, subject to the criteria listed in Policy HOUS8 being met.

Policy HOUS8, states that subject to the provisions of Policy HOUS2, development will be permitted which is within or closely related to the defined settlement boundaries provided that it meets all the following criteria:

(i) the scale, form and character of the proposed development is sympathetic to the environs of the site;

(ii) the proposal has no unacceptable effect on the amenity and character of existing or neighbouring environments of noise, traffic congestion, exacerbation of parking problems or visual intrusion;

(iii) the proposal does not have an unacceptable impact on good quality agricultural land (Grades 1, 2 and 3a), on areas of attractive landscape or high quality townscape or on areas of historical, archaeological or ecological importance;

(iv) when appropriate and feasible the provisions of Policy REC 3 are met;

(v) the provision of car parking and amenity space is in accordance with the council's approved guidelines; and

(vi) adequate community and utility services exist, are reasonably accessible or can be readily and economically provided.

Policy ENV27 (Design of New Developments) states that proposals for new development must have full regard to the context of the local natural and built environment and its special features.

Policy HOUS11 (Residential Privacy and Space) states that existing residential area characterised by high standards of privacy and spaciousness will be protected against over development and insensitive or inappropriate infilling.

TRAN 10 (Parking)

Furthermore consideration should also be given to the policies and guidance set out in the adopted Amenity Standards and Sustainable Development Supplementary Planning Guidance.

Also considered relevant is national planning policy guidance contained in Planning Policy Wales (March 2002). In particular, paragraph 9.3.3 states that "Insensitive infilling or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character and amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing."

Furthermore, paragraph 9.3.4 "In determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity…."

<u>Issues</u>

Whilst the site falls within the settlement boundary, where residential development would be considered acceptable in principle, it is located adjacent to the countryside and located on rising ground, where Wick Road is secondary road and distinctly rural in character.

When the application site is viewed from the junction of Wick Road and Ewenny Road, the two existing bungalows on the site are well screened and have little impact on the character of the area, being set back from the road frontage which is enclosed by a hedge. Therefore it is considered that any redevelopment of the site should seek to retain its semi-rural character and should be of low impact.

The application was submitted following pre-application meetings for a scheme which proposed six dwellings in a cul-de-sac form of development. It was considered that the scale and form of the development proposed would fail to respect the semi rural character of the area.

The application as submitted now proposes four detached dwellings, comprising of one and a half storey dormer bungalows. Accordingly, subject to access, siting, visual impact considerations, the scale and form of development now proposed is considered acceptable and would not significantly intensify the use of the site as a whole or be at variance with the character of the area.

The original layout proposed to locate two of the dwellings (Plots 2 and 4) in close proximity to the road frontage. It was considered that this, in addition to the width of the access, would introduce an unlikely urban character to the site. Further discussions took place particularly with regard to highway layout in order to attempt to reduce the visual impact of the access and retain the informality of the existing access points serving the existing dwellings. Amended plans now propose to utilise the existing access to serve plot 1, although the Head of Visible Services (Highway Development), has required this access to be relocated approximately 10.0m to the south of its existing location along Wick Road. Furthermore the proposed means of access to plots two, three and four is also required to have a vehicle crossover to a minimum width of 4.5m, with the provision of a 1.0m margin strip. Moreover each dwelling should be served by Parking and manoeuvring facilities in accordance with the Council's Parking Guidelines. It is considered that the requirements of the Head of Visible Services (Highway Development) would not unacceptably impact on the character of Wick Road and can be required by condition and form part of a future reserved matters application.

In terms of impact on the street scene the final amended scheme is now considered to respect the semi-rural landscape setting and maintains the open aspect along Wick Road with the houses set back from the road frontage. Furthermore the simplified access on Wick Road and the blocking off of the two former access points and reinstatement of the hedgerow will further reduce and screen the impact of the development.

In terms of the provision of amenity space, the Amenity Standards Supplementary Planning Guidance requires a minimum of one square metre of amenity space per one square metre of gross floor area. Furthermore it also requires that 70% of the amenity space should be accommodated in the private rear gardens, which should also be private and of a usable shape. On the basis that the dwellings would be dormer bungalows based on the site layout shown and the footprint of the dwellings, all of the proposed plots could satisfy these standards where the gardens would be both private and usable. Whilst Plots 1 and 2 would have the gardens to the front and side of the dwellings these areas would nevertheless be private and usable given the mature hedge around the front of the site.

In terms of the impact on the privacy and amenities of nearby adjacent occupiers the nearest dwellings which could be affected by the proposal are The Nook and Glendale. The submitted cross section drawings, whilst indicative in terms of the house types and the levels of the dwelling, do indicate that the proposed dwellings will be sited in an elevated position, in relative close proximity to The Nook. However, whilst siting is for consideration, the actual levels of the dwelling and the scale and form of the dwelling proposed adjacent to this existing dwelling will form part of a subsequent application and will be considered at the detailed application stage and if necessary amended to ensure the proposed dwelling will not have any overbearing impact or result in a loss of privacy to the adjacent occupier.

In this regard based solely on siting, orientation and distance between dwellings, it is considered that the proposed dwellings are not likely to result in a loss of privacy to adjacent occupiers (both existing and proposed).

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies HOUS2 – Additional Residential Development; HOUS8 - Residential Development Criteria; HOUS11; Residential Privacy and Space; ENV27 - Design of New Developments; and TRAN10 - Parking, the proposed from of residential development is considered acceptable in relation to its siting and access and is not considered at variance with the semi rural character of the area.

RECOMMENDATION

APPROVE subject to the following conditions(s):

1. Approval of the details of the design and external appearance of the dwellings and the landscaping of the site (hereinafter called 'the reserved matters') shall be submitted to and approved by the Local Planning Authority before any development is commenced.

   Reason:

   To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters hereinbefore referred to must be made not later than the expiration of three years beginning with the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. The development to which this permission relates must be begun not later than whichever is the later of the following dates:

   (a) The expiration of five years from the date of this permission.

   (b) The expiration of two years from the date of the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matters to be approved.

   Reason:

   To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

4. This consent shall relate to the plans registered on 17 July 2006 other than where amended by plans reference 002 received on 2 November 2007.

   Reason:

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

5. Notwithstanding the submitted details a revised access plan to include :

   1. Relocation of access to Plot 1 approximately 10 metres to the south of its existing location along Wick Road.

   2. The provision of the access serving Plots 2, 3 and 4 with vehicle crossover to a minimum width of 4.5m with the provision of a 1.0m margin strip.

   shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme of access shall be laid out in accordance with the approved details prior to the first beneficial use of any of the dwellings and shall thereafter be so retained at all times to serve the development hereby approved.

   Reason:

   To ensure the provision on adequate and safe access into the site to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

6. Prior to the commencement of any development at the site, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of all existing trees and hedgerows on the land (including full details of the reinstatement of the closed access points), together with measures for their protection in the course of development.

Reason:

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

7. 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 each of the dwellings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

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

8. The hedgerow (as reinstated) fronting Wick Road and Corntown Road, shall be maintained and retained at all times.

Reason :

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

9. All means of enclosure associated with the development, to include all existing perimeter boundaries to be repaired or reinstated and means of enclosures to serve the new dwellings 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 of each of the plots and the means of enclosure shall be implemented in accordance with the approved details prior to any of the respective dwellings being put into beneficial use.

Reason:

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

**NOTE:**

1. **Where the work involves the creation of, or alteration to, an access to a highway the applicant must ensure that all works comply with the appropriate standards of the Council as Highway Authority. For details of the relevant standards contact the Visible Services Division, The Vale of Glamorgan Council, The Alps, Wenvoe, Nr. Cardiff. CF5 6AA. Telephone 02920 673051.**

**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.**

**2007/01641/FUL** Received on 26 November 2007

Mr. and Mrs. J. R. J. Thomas, Gileston Farm, Gileston, Vale of Glamorgan., CF62 4HX
Roger Fuller, Seafield, Village Farm, Bonvilston, Vale of Glamorgan., CF5 6TY

**The Cot, Gileston Farm, Gileston**

New two storey dwelling

SITE DESCRIPTION

The site relates to a residential cottage built, according to the agent, some 150 years ago, and extended to the rear in the 1960s.

The dwelling is accessed by a farm track which also serves the agricultural yard and buildings situated to the rear of the dwelling, with the dwelling essentially forming part of the farmyard site. The site measures approximately 38m x 32m.

The site is located within the Glamorgan Heritage Coast, with public footpaths running to the immediate south of the site, nearby to the east and west, and along the coastal footpath some 500 metres to the south.

DESCRIPTION OF DEVELOPMENT

The applicant seeks consent to replace the existing dwelling by demolishing it completely (together with an existing outbuilding) and building a new dwelling with accommodation comprising: - hall, kitchen, utility/WC, dining room, sitting room and study at ground floor, and 5 bedrooms, 2 bathrooms at first floor.

The dwelling will have a floorspace, over two floors, of approximately 200 square metres and a height of approximately 8 metres, with accommodation comprising kitchen/ dining room, study, hall, utility and cloaks at ground floor, and five bedrooms at first floor. External walls are proposed to be rendered to an approved colour, with a slate roof.

The application has been supported by a structural survey and supporting statement.

PLANNING HISTORY

Consent was granted in the 1960's for an extension to the cottage, without an agricultural tie.

Recently, planning application ref: 2006/00882/FUL, for "replacement of run down farm workers cottage" was refused on 19 October 2006 for the following reason:

1. The proposed dwelling is not required for any functional need of the agricultural holding and therefore there is no agricultural justification for the dwelling. The development therefore falls to be considered as a replacement dwelling in the countryside. Having regard to the scale, design and external appearance of the dwelling, which is disproportionate to the size of the original dwelling and which is also considered to detract from the rural character and setting of this part of the Heritage Coast the development is unacceptable. The development is therefore considered to be contrary to Policies ENV1 'Development in the Countryside', ENV5 ' The Heritage Coast' ENV10 'Conservation of the Countryside' ENV27 'Design of New Developments' HOUS3 'Dwellings in the Countryside and HOUS7 'Replacement and Extension of Dwellings in the Countryside' as contained in the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and contrary to national policy guidance as contained in Planning Policy Wales (2002) and Technical Advice Notes 6 'Agricultural and Rural Development' and 12 'Design'.

CONSULTATIONS

St. Athan Community Council has no objections to this application.

Environment Agency Wales has no objection. Generic information note for developers applies.

The Director of Legal, Public Protection and Housing Services (Environmental Health (Pollution)) has no comment to make on this application.

Dwr Cymru / Welsh Water. As the applicant intends to utilise private drainage facilities, they have no comments.

Building Control Section has considered the submitted structural survey and, in summary, advise that, while there appear to be no major structural problems with the existing structure, to address the substandard site construction issues part demolition would be required, which would be a large financial burden on the owners to achieve a satisfactory level of accommodation, and therefore it may be more economical to demolish the existing unit completely and rebuild a new thermally-efficient unit in its place.

Glamorgan Gwent Archaeological Trust has advised that The Cot is shown on the first edition Ordnance (1877) Survey Plan and is likely to be of post-medieval date. The Historic Environment record contains no information suggesting that it was not built on the site of any previous settlement, nor dies it suggest that any archaeological features are present in the vicinity of the house. They have no objection to the determination of the application.

REPRESENTATIONS

No direct neighbour consultation has been undertaken given the absence of direct neighbours, but a site notice was displayed on 10 December 2007. To date no representations have been received.

REPORT

Planning Policies

The Development Plan for the area comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, which was formally adopted by the Council on 18 April 2005, and within which the following policies are of relevance:

ENV1 - DEVELOPMENT IN THE COUNTRYSIDE

ENV5 - THE GLAMORGAN HERITAGE COAST

HOUS7 – REPLACEMENT AND EXTENSION OF DWELLINGS IN THE COUNTRYSIDE

HOUS3 - DWELLINGS IN THE COUNTRYSIDE

HOUS5 - AGRICULTURAL OR FORESTRY DWELLINGS

HOUS6 - AGRICULTURAL OCCUPANCY CONDITIONS

ENV27 - DESIGN OF NEW DEVELOPMENTS

Relevant national policy advice is contained within Planning Policy Wales (March 2002), within which paragraph 2.5.7, relating to development in the countryside, is relevant, in particular the last sentence which states that "all new development should respect the character of the surrounding area and should be of appropriate scale and design." In addition para. 2.9.9 states that "the visual appearance of proposed development, its scale and relationship to its surroundings are material planning considerations and Local Planning Authorities should reject poor designs".

TAN6 'Agricultural and Rural Development' is also of relevance.

Issues

The principal issues concern whether sufficient evidence has been submitted to demonstrate the need for the replacement of the existing dwelling, and the impact of the proposed replacement upon the surrounding locality.

Principle of Residential Development

As a starting point, given the site's location in the countryside, and within the Glamorgan Heritage Coast, it is clear that there is a policy presumption against new residential development, except where an agricultural justification can be demonstrated. In this respect it will be noted from the planning history that a previous application for a replacement dwelling in 2006 was refused, at which time the Council's agricultural consultant provided advice, concluding that as the farm is an arable farm there would be little justification for any primary agricultural need for a dwelling on the basis that a farm worker is required to be on the site. There are also already two dwellings - The Cot and Gileston Farmhouse - on the holding, while it was also noted that since the farm changed to wholly arable in 1997 The Cot itself, which is ideally placed for security reasons to the farmyard, has not been occupied by a farm worker. It was thus refused partly on the grounds that the proposed dwelling was not required for any functional need of the agricultural holding and therefore there is no agricultural justification for the dwelling.

This remains the case for this application, with the applicant confirming originally that this application is no longer intended as an application for an agricultural dwelling.

Concerns were expressed to the applicant, however, about a proposed replacement dwelling with no agricultural tie, even though the applicant has stated that the dwelling would be occupied by members of the Thomas family who "have no intention of ever selling this house as it is in the centre of their land holding". In particular, given the site's location at the heart of the existing farmyard operation, concerns were expressed that operations at the farm could lead to nuisance upon any non-farm related occupants, particularly in respect of noise, which could have serious ramifications for the farmer's ability to continue any noisy activities such as grain drying. Accordingly the applicant was requested to commission a noise survey from a qualified acoustician to assess the existing noise levels at the farm, and to assess the implications for any dwelling on the site in question.

Given such concerns, the applicant has since agreed that any approved replacement dwelling will be occupied solely by person(s) involved in the operation of the farm and, to this extent, would be happy to accept a restricted occupancy condition on any consent. Indeed, the applicant has said that, as the dwelling "will be occupied by members of the family who are well aware of any noise they produce and consider this insignificant and not from the adjacent building which is used for garaging machinery" there is no issue. He also states that "the aim is to have an up-to-date occupied dwelling adjacent to their centre of operations so that security can be improved and the opportunity for vandalism reduced"

In this respect, I am satisfied that there is no longer any need for a noise survey, since there would be no impact on persons unconnected with the farm. Moreover, such a condition would meet the statutory tests insofar as it is essential that any replacement dwelling should not materially affect the continued operations of the adjacent farm.

Replacement Dwelling

In this respect, the application falls predominantly to be considered against Policy HOUS7 concerning replacement dwellings in the countryside, albeit the sensitivity of the site's location within the Glamorgan Heritage Coast is such that Policy ENV5 has considerable weight.

The purpose of Policy HOUS7 is essentially to ensure that proposals for replacement or extensions to dwellings in the countryside are appropriate and reflect the character of their rural location in terms of appearance and scale.

It is first necessary to consider whether sufficient evidence has been submitted to demonstrate the need for the replacement of the existing dwelling, with the supporting text to Policy HOUS7 (para 4.4.55) requiring that "where the total demolition and replacement of an existing property is proposed, applicants will be required to produce a detailed structural survey of the existing building and evidence will need to be shown of the need to replace/ rebuild".

The supporting justification provided by the applicants has been considered by the Council's Building Control Officer, with respect to the structural integrity of the existing dwelling. This report advises that there are no major structural problems with the existing building, but that there are a number of constructional design faults which would be a major financial burden to achieve a satisfactory level of accommodation. On the basis of this advice, while there is an appropriate balance to be struck between economics and the ability to undertake such works without replacement, nevertheless in light of the fact that the dwelling will be restricted to occupancy by persons related to the farm, I am happy to agree to the principle of its demolition and replacement, subject to satisfactory resolution of matters relating to size and impact.

With such justification being met, Policy HOUS7 then seeks to ensure that replacement dwellings in the countryside are appropriate and reflect the character of their rural location in terms of appearance and scale. The fact that the surrounding landscape is designated for its special environmental qualities as part of the Heritage Coast accentuates the need for such development to be appropriate in form (criterion v), with para 4.4.56 of the UDP further stating that "the exterior design, materials and scale of the new dwelling shall have due regard to its own location as well as any neighbouring developments. Proposals for replacement dwellings will only be permitted where it can be demonstrated that the development will be of a scale and character compatible with its local environment".

In addressing the appropriateness of the replacement, the original scheme – for a dwelling of some 260 sq.m. (measured externally) and approximately 1.7m higher – was considered to be wholly unacceptable compared with the limited size of the original dwelling (80 sq.m.) or as extended (150 sq.m.), both in size terms and, more particular, in respect of its scale and massing and resultant impact on the Heritage Coast.

Even as extended, the existing dwelling unmistakeably sits unassumingly within the landscape, which has been designated part of the Heritage Coast for its special environmental qualities, an area identified as a remote zone where priority is given to agriculture, landscape and nature conservation (Policy ENV5 refers). Indeed, paragraph 3.4.16 of the supporting text advises that “strong pressure for new development, especially residential development, existing throughout the rural areas of the Vale of Glamorgan. However, the undeveloped, unspoilt nature of the coastline is fundamental to the character of the Glamorgan Heritage Coast. If the sense of isolation and natural scenery is to be retained it is considered important to strictly control new development…”

Accordingly, the scheme has been amended following negotiations to reduce its size and impact, and to ensure a replacement reflects the local vernacular. In this respect, while the replacement, at approximately 200 sq.m. is somewhat larger than the original/ existing, its span and general design is considered to be acceptable, while it is considered pragmatic to allow a dwelling of such size to allow the applicants family to reside adjacent to the farmyard, in a dwelling which would, on balance, meet the objectives of Policies HOUS7 and ENV5. In this respect, the replacement dwelling would not so significantly increase the physical impact of residential development in this sensitive location, such that it would be detrimental to the countryside or qualities of the heritage Coast in this location. In addition it is recognised that the dwelling would largely be viewed against the adjacent farm buildings. It is considered appropriate, however, in these sensitive surroundings and due to the significant increase in size allowed by this application, to restrict permitted development rights for extensions, alterations and outbuildings.

Accordingly, it is concluded that the replacement dwelling would be compatible with existing related structures and the surrounding landscape, and would accord with the objectives of to Policies HOUS7 and Policy ENV5 of the adopted Unitary Development Plan.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV1, ENV5, HOUS3, HOUS5, HOUS6, HOUS7 and ENV27 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, it is considered that the proposed new dwelling would amount to an appropriate replacement dwelling which, subject to appropriate restrictive conditions, would also be compatible with the adjacent farming activities.

RECOMMENDATION

APPROVE subject to the following condition(s):

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

   Reason:

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

2. This consent shall only relate to the amended plans reference GF5 Revision 2 received on 31st March 2008 and the development shall be carried out strictly in accordance with these details.

   Reason:

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

3. Prior to first beneficial occupation of the replacement dwelling hereby approved, the existing cottage and outbuildings, shown on the approved plans as being demolished, shall be demolished in their entirety and their constituent materials removed from the land.

   Reason:

   Since the approved dwelling is acceptable only as a replacement for the existing dwelling, under Policies ENV1 and HOUS7 of the adopted Unitary Development Plan.

4. The occupation of the dwelling hereby approved shall be limited to person(s) employed in connection with the working of Gileston Farm, and to any resident dependants.

Reason:

Since occupation of the dwelling by person(s) unconnected with the existing farm could unacceptably prejudice the continued operations of activities, including noisy grain drying, at the farm, and to ensure the development accords with Policy ENV1, HOUS3 and HOUS5 of the Unitary Development Plan.

5. Prior to their use in the construction of the dwelling hereby approved, details of the materials to be used, including samples, shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure a satisfactory standard of development and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

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

Reason:

To enable the Local Planning Authority to control the scale of development within the Heritage Coast, given the increase in size of replacement dwellign approved, and to ensure compliance with the terms of Policies ENV1, ENV5 and ENV27 of the Unitary Development Plan.

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

Reason:

To enable the Local Planning Authority to control the scale of development within the Heritage Coast, given the increase in size of replacement dwellign approved, and to ensure compliance with the terms of Policies ENV1, ENV5 and ENV27 of the Unitary Development Plan.

**NOTE:**

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

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

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

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

**2007/01783/FUL** Received on 21 December 2007

Newydd Housing Ass.(1974) Ltd., Ty Cadarn, 5, Village Way, Tongwynlais, Cardiff., CF15 7WE
Asbri Planning, (Rhodri Davies), 32 Lambourne Crescent, Cardiff Business Park, Llanishen, Cardiff., CF14 5GG,

**61-73, Main Street, Barry**

Demolition of units 61-73, Main Street, Barry and the erection of 20 no. affordable units (5 no. town houses, 13 no, 2 bed. apartments, 2 no. enhanced disabled units) a new access and associated works

SITE DESCRIPTION

The application site relates to seven terraced properties located on Main Street (Nos. 61 – 73 odds) and an area of undeveloped land located at the junction of Main Street and Pontypridd Street. The properties on Main Street comprise of a Victorian terrace (3 storey) backing onto a rear service lane. The properties originally accommodated retail units at ground floor with residential flats above.

The existing terrace comprises of a mix of coursed stone elevations and rendered/part rendered elevations. Due to the number of alterations at ground floor level in respect of alteration to windows and removal of shop fronts, this part of Main Street now lacks the continuity of the original terrace. The only remaining retail unit within the application site are Nos. 71 and 73 which is a double unit, formerly used for the sale of electrical appliances and is now vacant. The application site as a whole covers an area of 1,800 square metres with a frontage width of 36.5 metres onto Main Street.

It should be noted that the adjacent unit of No. 61 has already been demolished, being identified as a dangerous/unsafe structure.

DESCRIPTION OF DEVELOPMENT

Application ref: 07/01185/OUT was approved (subject to a Section 106 Legal Agreement) for the demolition of Nos. 63-73 (odds) Main Street for the erection of 12 affordable dwellings. Since this approval No. 61 Main Street has been acquired by the applicant (Newydd Housing Association (1974)), including the adjacent vacant site and the scheme now proposes a more comprehensive development for the demolition of the existing units and construction of 20 affordable dwellings to accommodate:

- 13 No. 3 bedroom apartments.
- 1 No. 2 bedroom 'enhanced disabled' unit.
- 1 No. 1 bedroom 'enhanced disabled' unit.
- 5 No. 3 bedroom 2.5 storey town houses

The scheme consists of two distinct blocks recreating a two and half/three storey terrace onto Main Street and Pontypridd Street. The scheme proposes five townhouses at the eastern end of the Main Street block with a corner apartment block wrapping around the junction of Main Street and Pontypridd Street.

The Main Street frontage includes a central pedestrian gate, where the main vehicular access is to the side/rear, being located off Pontypridd Street. The amended plan indicates that the gated courtyard will accommodate 23 car parking spaces, two landscaped seating areas, cycle parking, bin stores and relocated electricity substation. The scheme includes the relocation of the existing alley gates located in the adjacent rear lane.

The size and overall height of the building will form a continuation of the adjacent Main Street terrace and the existing stepped ridge line of the properties will be maintained. The proposed new units will be constructed along the same building line as the former properties on Main Street.

Each townhouse will have a 4.8 metre wide frontage with a depth of 11 metres, and accommodation over three floors, with access from Main Street. The flatted accommodation will be served by six entrance doors located on Main Street and Pontypridd Street.

The submitted plans detail buff coloured brickwork to upper floors with split faced reconstituted stone blocks with reconstituted string course, windows heads and cills. The roof will be finished in dark grey/black tiles, with terracotta ridge tiles. Windows and French doors are in white with black rainwater goods.

The application has been supported by the following documents:

- Bat Roost Suitability Survey.
- Sustainability Statement.
- Design and Access Statement.
- Planning Statement.

PLANNING HISTORY

07/01185/OUT - Outline planning application for the demolition of Nos. 63-73 Main Street, Barry and the erection of 12 affordable dwellings (4 Townhouses, 6 No. 2 bed apartments and 2 No. 1 bed apartments) new access and parking. Application recommended for approval at Planning Committee on 13 December 2007, subject to a Section 106 Legal Agreement.

CONSULTATIONS

Barry Town Council were consulted and raised a strong objection on the following grounds:

1) The high density of the development – the number and size of the residential units proposed and the lower than average levels of amenity space and on-site car parking facilities, despite the sites close proximity to public transport, Victoria Park and other local facilities.

2) The reliance of on-street car parking for visitors.

3) The need to protect the privacy of the occupiers of the existing residential properties on the opposite side of Pontypridd Street from overlooking particularly in view of the local topography.

4) The visual integration of the new buildings with the existing neighbouring terrace and the impact of the development as a whole on the general street scene.

5) The adequacy of the proposals for:

   a) The manoeuvring of vehicles within the site.

   b) Landscaping, planting and site enclosure.

Environment Agency Wales were consulted and have stated that their generic "Standard Advice" guidance note for developers applies

The Head of Visible Services (Highways Development) was consulted and has stated that:

“Visibility from the proposed site access along the adjacent highway is partially obstructed be the relocated substation. Therefore, the substation is required to be moved further into the development site in order to provide visibility splays of 2.4m x 43.0m along the adjacent highway.

The manoeuvring area behind parking spaces 1 and 2 is required to be increased to 6.0m to allow vehicles to enter and exit the parking bays.

The existing Ally Gates located across the rear lane to Main Street are required to be relocated approximately in line with the back of the existing footway along Pontypridd Street.

Due to the level difference between the development site and the adjacent rear lane, structural details, including calculations of the proposed 2.0m high retaining boundary wall are required to be submitted for consideration.

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

Further to receiving amended plans in relation to the above, the following comments are made in relation to the proposed 2.0m high retaining boundary wall, adjacent to the rear lane, which are required to be addressed and resubmitted for consideration.

The proposal supports an adopted highway (rear access lane) and as such requires a Design Certificate and in due course, a Construction Supervision Certificate, in accordance with HA Directive BD 2/02. Also, a full set of checked calculations will be required.

The so called 'coping' on top of the retaining wall is effectively a parapet and needs to be designed for vehicle impact in accordance with HA Directive BD 52/93, Chapter 4 and Table lll in particular.

The stability calculations already submitted make a reliance, incorrectly, upon passive resistance provided by disturbed soil in front of the base and do not allow for at least 500mm of unplanned excavation in front of the base. The Factors of Safety referred to are not those stated in CP2 'Earth Retaining Structures' and the calculations to BS 8002 do not appear to be complete.

The design of the structural elements have not been carried out using 'At Rest Earth Pressures' as required by HA Directive BD 30/87.”

The Director of Legal, Public Protection and Housing Services (Environmental Health) was consulted and has made the following comments:

“It is advised that noisy rooms are not directly placed above quiet rooms when floor planning for apartments. Both ‘enhanced disabled units’ have living/kitchen areas above the bedrooms of these units. The floor plans for these units should be re-arranged so that the bedrooms do not fall directly beneath any noisy rooms.

We would like to have the following information:

- A detailed plan and operational schedule of works for the demolition and construction of the above site. Including hours of operation.

- Full details of the demolition/construction company.

Part of the development site is currently occupied by an electricity substation. Ground contamination may exist due to this current land use. Therefore we recommend that the following condition is added to any planning permission.

Condition

'No development approved by this permission shall be commenced until a contaminated land assessment and associated remedial strategy have been submitted to and approved by the Local Planning Authority. The assessment shall contain the following elements and follow the guidance contained in 'Contaminated Land: A Guide for Developers' available from the Local Planning Authority:

1. A Phase I Preliminary Risk Assessment (Desk Study) to be submitted to the Local Planning Authority for approval. The desk study shall detail the history of the site uses and identify and evaluate all potential sources and impacts of land and/or groundwater contamination.

2. Where the preliminary risk assessment identifies potentially unacceptable risks at the site, a suitably qualified and accredited person shall carry out a site investigation, including relevant soil, soil-gas, surface and groundwater sampling in accordance with a quality assured sampling and analysis methodology. The requirements of the Local Planning Authority shall be fully established before any site surveys are commenced.

3. A site investigation report detailing all investigative works and sampling on site, together with the results of any analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority. The Local Planning Authority shall approve any such remedial works as required, prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

4. The approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority.

5. Upon completion of the works, this condition shall not be discharged until a verification report has been submitted to and approved by the Local Planning Authority. The verification report shall include details of the completed remediation works and include quality assurance certificates to show that the works have been carried out in full and in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site."

Dwr Cymru / Welsh Water were consulted and have raised no objection subjection to conditions. They have also stated that the proposed site is crossed by a public sewer and that no part of the building will be permitted within 3 metres either side of the centreline of the public sewer (as identified on the submitted plan)

REPRESENTATIONS

Adjacent and nearby occupiers were notified and a site notice was also posted. To date two letters of representation have been received, one of which is attached as Appendix A. The principal concerns raised relate to the removal of the historical frontages on Main Street and the scale massing and design of the replacement buildings on the site.

REPORT

Planning Policies

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

The relevant Part 1 policies are Policy 2 (Sustainability) and Policy 8 (Transportation).

Policy HOUS2 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 supports the principle of housing infill, small-scale development and redevelopment within the settlement boundary of Barry, subject to the criteria listed in Policy HOUS8 being met.

Policy HOUS8, states that subject to the provisions of Policy HOUS2, development will be permitted which is within or closely related to the defined settlement boundaries provided that it meets all the following criteria:

(i) The scale, form and character of the proposed development is sympathetic to the environs of the site.

(ii) The proposal has no unacceptable effect on the amenity and character of existing or neighbouring environments of noise, traffic congestion, exacerbation of parking problems or visual intrusion.

(iii) The proposal does not have an unacceptable impact on good quality agricultural land (Grades 1, 2 and 3a), on areas of attractive landscape or high quality townscape or on areas of historical, archaeological or ecological importance.

(iv) When appropriate and feasible the provisions of Policy REC3 are met.

(v) The provision of car parking and amenity space is in accordance with the Council's approved guidelines; and

(vi) Adequate community and utility services exist, are reasonably accessible or can be readily and economically provided.

Policy HOUS11 (Residential Privacy and Space) states that existing residential areas characterised by high standards of privacy and spaciousness will be protected against over development and insensitive or inappropriate infilling.

Policy REC3 (Provision Of Open Space Within New Residential Development).

Policy SHOP9 (Protection of Retail Uses) states that the retention of Class A1 uses, as defined by the Town and Country Planning Use Classes Order 1987 (as amended), in local and neighbourhood centre will be favoured.

Policy ENV27 (Design of New Developments) states that proposals for new development must have full regard to the context of the local natural and built environment and its special features.

TRAN 10 (Parking)

The following Supplementary Planning Guidance is also of relevance:

- Sustainable Development.
- Amenity Standards.
- Public Art.
- Barry Development Guidelines.

Also considered relevant is national planning policy guidance contained in Planning Policy Wales (March 2002). Paragraph 9.3.3 states that "Insensitive infilling or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character and amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing."

Paragraph 9.3.4 "In determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity…."

Issues

The principle of development of for the demolition of units 63-73 (odds) Main Street and the erection of 12 affordable dwellings was agreed at Planning Committee. Therefore the principal consideration in this application is the acceptability of the development of the larger site and development along Pontypridd Street.

Loss of Retail Use and Demolition

The application site forms part of the Main Street Local Shopping Centre which includes its junction with Barry Road. Whilst the upper part of Main Street still retains its retail character at street level, the lower part of the road has with the passage of time lost its retail use and the remaining retail units are isolated, mainly vacant and within what is now predominantly a residential part of the street. As such given that the application site only comprises of two shop fronts (formerly used as a single retail unit) which has now been vacant for some time, as in the previous application, there is no policy objection to the loss of this retail unit, which is not considered to impact on the viability or vitality of Main Street as a Local Centre.

The proposed scheme continues to seek demolition of the existing properties and to rebuild the terrace to provide a near identical form of development, in terms of its siting, scale and overall massing. Whilst such a proposal for demolition and rebuild may not be considered sustainable, the supporting statement as in the previous application, advises that the existing properties require substantial improvements and investment and following a detailed structural survey of the buildings and assessment of estimated costs of refurbishing/renovating, it has been concluded that the units are in such a state of disrepair that it would be more financially viable to demolish the units and rebuild. On this basis and given that neither the application site or Main Street as a whole falls within any area of special protection such as Conservation Area or any Listed Buildings, there is no objection to the principle for redevelopment of the site through demolition and rebuilding. This is particularly the case given the condition and appearance of the premises.

The comments received from Environmental Health Section are noted particularly in relation to the requirement for a detailed plan and operational schedule for the works for the demolition and construction (including hours of operation), which will be required to be submitted by way of condition. Moreover the comments are noted in respect of the potential for ground contamination on the part of the development site which is currently occupied by an electricity substation. Accordingly it is considered necessary to ensure that no development takes place until a contaminated land assessment and associated remedial strategy has been undertaken and findings submitted to and approved by the Local Planning Authority.

In light of the scale of demolition proposed a bat roost suitability survey was submitted. In summary the report concludes that whilst the buildings were all assessed to be of moderate/high bat roost suitability, no signs of bats were found during the internal inspection and no bats were observed emerging from any of the structures. It is stated in the report that bats are absent from the building.

Site Layout, Scale, Design and Materials

The proposed scheme seeks to replicate the building line, form and scale of the former part of the terrace, which is considered to be the most appropriate form of redevelopment of the site. This scheme now seeks to extend the frontage into Pontypridd Street, onto land which has remained undeveloped. This is considered acceptable in principle and will reinforce the junction of Main Street and Pontypridd Street.

The previous scheme was accessed via an archway from Main Street, however the current application provides the access via the secondary road (Pontypridd Street). Whilst the main street elevation is now shown to be in two distinct blocks, the narrow width between blocks will retain, in part the continuity of the original terrace and will not adversely impact upon the character of the terrace and wider street scene.

The scale and form of the replacement blocks on Main Street seeks to replicate the existing terrace with a stepped ridge line, vertical emphasis and gable detail. The replicated facade will have similar detailing to the existing façade and the overall proportions and window placement will reflect that of the adjacent terrace. In terms of materials and finishes, the buff brick and reconstituted stone blocks at ground floor level will assist in breaking up the massing of what could be a large scale building, particularly at its junction with Pontypridd Street. Whilst the building form on Pontypridd Road forms a continuation of the Main Street façade, and is relatively large in scale (in comparison with the mainly two storey dwellings on Pontypridd Road), it is nevertheless considered acceptable and provides a sense of enclosure, reinforcing the building line on this side of Pontypridd Street and reflecting the building form and layout found within the locality.

The materials proposed which comprise mainly of buff brick with reconstituted stone blocks to the ground floor are considered to be the most appropriate form of materials to match to the existing terrace on Main Street and will reflect the materials and finishes used in the wider locality. The use of dark grey roof tiles will provide a unity in the roofscape of Main Street.

Highways and Parking Considerations

The Highway Engineer considered the amended plans, which have addressed his concerns in respect of the re-siting of the substation (to provide the necessary visibility), the alteration to the parking area (to allow vehicle manoeuvring) and the relocation of the alley gates in line with the back of the existing footway on Pontypridd Street.

Furthermore due to the level difference between the development site and the adjacent rear lane, structural details were also requested to include calculations of the proposed 2.0m high retaining boundary. Whilst additional details have been submitted, concern is raised over the assumptions made in the calculations and therefore further details and calculations are required to be submitted. However these outstanding matters can be required by way of conditions.

The proposed scheme provides off street parking for some 23 cars and the highway engineer has not objected to this level of provision. Regard should also be given to Planning Policy Wales (2002), which states in paragraph 8.4.2 that minimum parking standards are no longer appropriate and that Local Planning Authorities should ensure that new developments should provide lower levels of parking than have been achieved in the past. Furthermore, the site is in a sustainable location with access to local shopping facilities, and is well served by public transport facilities including Cadoxton Railway Station.

Privacy and Amenity

In terms of the provision of amenity space, the Amenity Standards Supplementary Planning Guidance requires a minimum of 1 square metre of amenity space per 1 square metre of gross floor area for dwellings, where 70% of the amenity space should be accommodated in the rear gardens, which shall also be private and of a usable shape. For flatted development the size of any communal garden should relate to the number of people who have access to the space and are likely to use it. In flatted developments, developers should aim to provide a minimum of 20 metres square amenity space per person. The amount of space required will be calculated on the basis of the maximum number of people which can be accommodated.

The scheme includes enclosed areas of private amenity space serving the town houses in the rear courtyard with an average of some 40 square metres per dwelling. The floor space of the town houses is some 126 square metres. Whilst there is a significant shortfall in the level of amenity space, the rear courtyard includes a bin store and cycle parking. Furthermore there is also a communal landscaped seating area to serve the whole development.

With regard to the flatted development, the 15 No. 2 bedroom units could accommodate a maximum of 3 persons, where the total number of occupants would be 45. Such occupancy would require 900 square metres of amenity space to serve the flatted element of the scheme. The level of amenity space to serve the flats comprises of two landscape seating areas totalling some 100 square metres. Whilst the provision of amenity space is deficient to serve the number of flats proposed, as stated above, the courtyard also includes a bin store and cycle parking, which is associated with amenity space use. The development is also located within the town centre location, in close proximity to Victoria Park, and this should serve to overcome any perceived shortfall in amenity space, especially combined with proposed contributions required under Section 106 of the Town and Country Planning Act 1990 to improve access to the park.

In terms of issues of privacy and overlooking, the townhouse and flats will be no nearer to the dwellings on the opposite side of Main Street than the existing part of this terrace building. Furthermore the first and second floors windows within this part of the terrace are already in residential use. Therefore there will be no greater opportunities for overlooking. In respect of the Pontypridd Street frontage, it is accepted that the form of development proposed will be much nearer than the existing property at No. 61 Main Street. However the distance between dwellings whilst below the Council's standards of 21 metres (between habitable windows), is nevertheless considered to be acceptable being characteristic and reflecting the building pattern of terraced streets within the locality.

Public Open Space

Under Policy REC3, new residential developments are expected to make provision for public open space. Given the limited size of the site, this is not practical and therefore it is considered reasonable to seek a financial contribution to upgrade existing local areas of public open space likely to be used by future occupiers of the site. Moreover such a contribution would also offset the deficiency of private on site amenity space.

A scheme for enhancement of the steps between Main Street and Victoria Park Road, linking the development with nearby Victoria Park would cost in the region of £16,450. It is considered reasonable and necessary to seek a financial contribution to improve pedestrian access to the nearby park. Therefore, a total contribution of £34,000 is required to provide or enhance public open space or recreation facilities likely to be used by the future occupiers of the site and improve access to such facilities from the site.

Public Art

The Council has a percent for art policy which is supported by the Council's adopted supplementary planning guidance on Public Art. On major developments, developers are required to set aside a minimum of 1% of their project budget specifically for the commissioning of art and, as a rule, public art should be provided on site integral to the development proposal. This provision will be secured through a Section 106 Agreement.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV27 – Design of New Developments; HOUS2 – Additional Residential Development; HOUS8 – Residential Development Criteria – Policy HOUS2 Settlements; HOUS11 – Residential Privacy and Space, TRAN10 – Parking; and SHOP 9 – Protection of Retail Uses, the proposed scheme is considered acceptable in respect of density, layout, siting, design, material and finishes, and is considered acceptable having regard to highway considerations and impact on the amenity of existing and future occupiers.

RECOMMENDATION

Subject to the interested person(s) first entering into a Section 106 Legal Agreement to include the following necessary planning obligations:

- The Developer will provide public art on site to a value of at least 1% of the build costs of the development or provide a financial contribution to the same value in lieu of on site provision for the Council's public art fund. In this case the 1% for art has been calculated as ten thousand and sixty six pounds (£10,066).

- The Developer shall pay the sum of thirty four thousand pounds (£34,000) to the Council to provide or enhance public open space or recreation facilities likely to be used by the future occupiers of the site and / or improve access to such facilities from the site.

- The Developer shall pay the sum of one thousand pounds (£1,000) to relocate the alley gates present at the lane adjacent to the site.

- The Legal Agreement will include the standard clause requiring the payment of a fee set at 20% of the value of the planning application fee (£1,264.00 in this case).

APPROVE subject to the following condition(s):

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

   Reason:

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

2. This consent shall relate to the plans registered on 21st December 2007, other than where amended by plans reference 030 REV. A, 031 REV. A and 034 REV. A, received on 21st February 2008.

   Reason:

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

3. Prior to the commencement of development (including any demolition) , a Method Statement for the demolition, clearance of the site and construction, including details of mitigation measures to deal with noise and dust and the hours of work, shall be submitted to and approved in writing by the Local Planning Authority. All measures as may be agreed shall be fully carried out during the redevelopment of the site.

   Reason:

   To ensure a safe and satisfactory form of development.

4. No development shall take place on site until such time as a contaminated land assessment and associated remedial strategy to deal with potential contamination at the site have been submitted to and approved in writing by the Local Planning Authority. The approved remediation works shall then be carried out in full on site and on completion of the works, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

5. Prior to their use in the construction of the development hereby approved, samples of ridge tiles, roof tiles, brick and reconstituted stone shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure a satisfactory standard of development and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

6. Notwithstanding the submitted details, prior to the construction of the proposed 2 metre high retaining wall adjacent to the rear lane, further details including structural calculations of the retaining wall shall be been submitted to and approved in writing by the Local Planning Authority and the retaining wall shall thereafter be constructed in full accordance with the approved details.

Reason:

In the interest of highway safety and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

7. No part of the development hereby approved shall be brought into beneficial use until such time as the parking areas, including all associated access and turning areas, have been laid out in full accordance with the details shown on Drawing Ref: 031 Rev. A and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policies ENV27 and TRAN10 of the Unitary Development Plan.

8. No development shall take place until details of the proposed finished floor levels in relation to the existing ground levels and the finished levels of the site, have been submitted to and approved in writing with the Local Planning Authority. The development shall be implemented thereafter in accordance with the agreed details.

Reason:

In the interests of visual and neighbouring amenity in accord with Policy ENV27 - Design of New Developments of the Unitary Development Plan.

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

Reason:

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

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

Reason:

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

**NOTE:**

1. **Where the work involves the creation of, or alteration to, an access to a highway the applicant must ensure that all works comply with the appropriate standards of the Council as Highway Authority. For details of the relevant standards contact the Visible Services Division, The Vale of Glamorgan Council, The Alps, Wenvoe, Nr. Cardiff. CF5 6AA. Telephone 02920 673051.**

2. **The developer should be made aware that British bats and their breeding sites and resting places are protected by law through UK legislation under the Wildlife and Countryside Act (1981) (as amended) and through European legislation under the Habitats Directive (EC Directive 92/43/EC), enacted in the UK through the Conservation Regulations (1994). In relation to structures used by bats for shelter or protection (i.e. roosts), this legislation makes it an offence to either intentionally or recklessly damage, destroy or obstruct access to any site used by bats, whether bats are present at the time or not, or to intentionally or recklessly disturb bats within a roost. In the unlikely event of bats being found to be present on site, work should stop immediately and advice sought from the Countryside Council for Wales,**
   **7 Castleton Court, Fortran Road, Cardiff; telephone number 02920 772400.**

3. **The proposed development site is crossed by a public sewer. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line. For details of the safety zone please contact Dwr Cymru Welsh Water's Network Development Consultants on 01443 331155.**

**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.**

**2008/00207/FUL** Received on 14 February 2008

Mr. P. Martin, 7, Stacey Road, Dinas Powys, Vale of Glamorgan., CF64 4AE
GAP Architects, The Studio, White Holm, South Road, Sully, Vale of Glamorgan, CF64 5SP

**Land adjacent to 7, Stacey Road, Dinas Powys**

Erection of a new dwelling

SITE DESCRIPTION

The application site comprises the side garden of No. 7 Stacey Road, Dinas Powys, part of which is occupied by a flat roofed single storey former stable building, currently used for storage, and positioned approximately 3m from the road frontage. The site measures approximately 6.6m x 31m, and is bound to the east by No. 9 Stacey Road and to the rear by No. 18 Greenfield Avenue.

DESCRIPTION OF DEVELOPMENT

The proposal entails the demolition of an existing single storey storage building and its replacement with a new detached, two storey, hipped roof dwellinghouse. The dwelling will sited around 2.5m from the highway and measure approximately 5.5m in width with a maximum depth of 9.5m and an overall ridge height of approximately 6.8m. The dwelling will accommodate a living-dining room, kitchen and w.c. at ground floor and two bedrooms and a bathroom at first floor.

The design of the proposed dwelling is traditional in form with contemporary elements, including a “flying” first floor projection on the front elevation with two narrow, vertical full height windows. The external finishes will be white painted render finish, artificial slate roof and hardwood windows.

The proposal does not provide for any vehicular access or on-site car parking for the new dwelling.

The application is supported by a Design Statement, a Sustainability Appraisal and an Access Statement.

PLANNING HISTORY

04/00028/FUL – Alteration and extension of existing stable into a dwelling. Refused 27 February 2004, for the following reason:

1. The proposal by reason of its scale, design, form and inadequate parking and access arrangements would represent an overdevelopment of the site, causing unreasonable loss of amenity to the occupiers of adjoining properties, out of keeping with the character of built development in the area and therefore detracting from the appearance of the streetscene in general, contrary to Policies H3 of the East Vale Local Plan (1987), EV19 of the South Glamorgan Structure Plan (1989) and HOUS9 and ENV25 of the Vale of Glamorgan Unitary Development Plan Draft Deposit 1998 (as amended 2003) and the adopted 'Amenity Standards' Supplementary Planning Guidance Note.

06/00767/FUL – Erection of new dwelling. Refused 5 September 2006 for the following reason:

1. The proposal by reason of its scale, design, and form would result in an incongruous form of development out of keeping with the scale and character of the adjacent dwellings and detracting from the street scene in general, contrary to Policies HOUS8 (Residential Development Criteria) - Policy HOUS2 (Settlements), Policy ENV27 (Design of New Developments) of the Vale of Glamorgan Adopted Unitary Development Plan 1996 - 2011, the adopted Amenity Standards Supplementary Planning Guidance and Planning Policy Wales March 2002.

A subsequent appeal was dismissed on 23 July 2007. A copy of the Inspector's decision letter is reproduced at Appendix A.

CONSULTATIONS

Dinas Powys Community Council - Objection. "We reiterate our previous objections that this is a garden development and an overdevelopment of the site."

Environment Agency Wales has no objection and has submitted their "Standard Advice" Guidance Note for Developers.

Dwr Cymru/Welsh Water have stated that the proposed development would overload the existing public sewerage system. However improvements are planned for completion by 1 April 2009 and have suggested a condition that no buildings shall be brought into beneficial use earlier than 1 April 2009, unless the upgrading of the public sewerage system has been completed and written confirmation issued by the Local Planning Authority. In addition they note that the site is crossed by a public sewer where no part of the building will be permitted within 3m either side.

The Head of Visible Services (Highway Development) and comments:

"Further to a recent site inspection carried out in relation to the submitted planning application to construct a 2 bedroom detached dwelling within the confines of the garden of No. 7 Stacey Road, the Highway Authority would inform the Local Planning Authority that there is an objection to the submitted proposal for the following reasons:

1. In the absence of adequate off street parking facilities for both the existing and proposed dwelling would generate additional on-street parking to the detriment of highway safety.

2. The proposed revised vehicular access/driveway to serve the existing dwelling (No. 7 Stacey Road) fails to meet the minimum dimensions set out within Note 5 of the Parking Guidelines."

REPRESENTATIONS

The occupiers of neighbouring properties were notified 20 February 2008. In addition a site notice was posted on 27 February 2008.

A letter in support of the proposal has been submitted by the occupiers of No. 5 Stacey Road.

Letters of objection have been received from the occupiers of Nos. 6, 8, 9, 11 and 12 Stacey Road, with the main points of concern relating to impact on highway safety and parking; design not in keeping with the street; loss of light and privacy; and problems of maintenance.

In addition a petition has been submitted that disagrees with the Welsh Assembly Inspector's appeal decision statement relating to the issue of on-street car parking being an inconvenience rather than a sustainable objection. The petition has been signed by a total of 27 residents of Stacey Road.

Whilst all the representations are available on file for Committee Members inspection copies of those submitted by the occupiers of Nos. 5, 6 and 9 Stacey Road are reproduced at Appendix B as being generally indicative of the points raised.

REPORT

The proposal entails the demolition of an existing outbuilding and the construction of a new detached dwelling. The site is located within the residential settlement boundary for Dinas Powys as defined in the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 (UDP).

It will be noted from the planning history that this is the third application for the development of a new house on the site, with the two previous applications being refused. The first, ref: 04/00028/FUL, on the grounds of inadequate parking and access representing overdevelopment that would be out of keeping with the character of the area and causing unreasonable loss of amenity. The second, revised application, ref: 06/00846/FUL, was refused on the grounds of an incongruous form of development out of keeping with the existing character.

A subsequent appeal was dismissed by the Planning Inspectorate, however, the Inspector's decision letter indicates that his only concern was the discordant feature created by the proposed large opening provided to accommodate car parking on-site.

Thus the application should be assessed against the following policy background and other material considerations, which, in this instance, must include the Planning Inspector's appeal decision.

Planning Policy

Policy HOUS2 of the Unitary Development Plan identifies Dinas Powys as an area where housing infill, small-scale development and redevelopment may be acceptable. This is subject to the criteria outlined in Policy HOUS8 - Residential Development Criteria which states:

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

ii. THE PROPOSAL HAS NO UNACCEPTABLE EFFECT ON THE AMENITY AND CHARACTER OF EXISTING OR NEIGHBOURING ENVIRONMENTS OF NOISE, TRAFFIC CONGESTION, EXACERBATION OF PARKING PROBLEMS OR VISUAL INTRUSION;

iii. THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE IMPACT ON GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A), ON AREAS OF ATTRACTIVE LANDSCAPE OR HIGH QUALITY TOWNSCAPE OR ON AREAS OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE;

iv. WHEN APPROPRIATE AND FEASIBLE THE PROVISIONS OF POLICY REC 3 ARE MET;

v. THE PROVISION OF CAR PARKING AND AMENITY SPACE IS IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;

vi. ADEQUATE COMMUNITY AND UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY AND ECONOMICALLY PROVIDED.

Policy HOUS11 of the UDP relates to Residential Privacy and Space and states that existing residential areas is characterised by high standards of privacy and spaciousness will be protected against over development and insensitive or inappropriate infilling.

Policy ENV27 of the UDP refers to the Design of New Developments and is also a criteria based policy that requires that new development has full regard to the context of the local natural and built environment and its special features.

Policy TRAN10 relates to Parking and requires the provision of parking in accordance with Council's guidelines subject to type of land use, its density and location; accessibility to public transport; and the capacity of the highway network.

The Council also has Supplementary Planning Guidance (SPG) including an SPG on Amenity Standards which, in addition to requirements in relation to levels and quality of amenity space, contains policies relating to privacy, overshadowing and visual amenity.

National guidance is contained in Planning Policy Wales March 2002. Paragraph 9.3.4 states:

*"In determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity. Increases in density help to conserve land resources, and good design can overcome adverse effects, but where high densities are proposed the amenity of the scheme and surrounding property should be carefully considered. High quality design and landscaping standards are particularly important to enable high density developments to fit into existing residential areas."*

Issues

In assessing the proposal against the above policies and guidance, and bearing in mind the appeal Inspector's decision, which has significant weight in the determination of the application, the following points are noted.

The Council has previously resisted the construction of a new dwelling on this site on a number of grounds including inadequate parking and access, overdevelopment and design. It is noted however that the last application was refused on scale, design and form alone as the proposal envisaged an on-site parking space for the proposed dwelling with parking retained for the existing house.

On the issue of design it is noted that the Planning Inspector, in considering the appeal against the Council's refusal, agreed with the appellant's overall approach to the design which he noted "seeks to respect the existing visual cohesiveness of the street without creating a pastiche of either of the adjacent architectural styles." His main concern and reason for dismissing the appeal was the proposed ground floor opening provided to accommodate an on-site car parking space, which, he considered, would create a discordant feature "resulting in a dwelling that would fail to adequately reflect the features that provide a pleasing architectural cohesiveness to the street scene."

The current application in contrast to that refusal has omitted the large opening and instead provides for a domestically scaled, horizontally emphasised window in its place. In all other respects, including scale, form and external finishes the proposal is almost identical. Other changes include the positioning of the dwelling 0.1m closer to the boundary with No. 9 Stacey Road; a reduction in the remaining space to the side of the existing dwelling by 0.1m; the introduction of a ground floor bathroom window in the east side elevation; reduction in the size of one of the first floor rear windows; almost full width patio doors in the ground floor rear elevation; and internal re-arrangement of accommodation with a more traditional layout of ground floor living room, kitchen, etc., and first floor bedrooms.

The main change from the previously refused application is the omission of the large opening and thus this has removed provision for on-site car parking for the proposed dwelling. It is noted that the Council's Highway Engineer has objected to the application based on the lack of adequate off street parking for both the existing and proposed dwellings, which would be detrimental to highway safety. He has also noted that the revised driveway to No. 7 Stacey Road fails to meet the minimum dimensions set out in the Council's Parking Guidelines. The issue of parking and highway safety is one of the principal concerns of the neighbouring objectors. The submitted petition also highlights the fact that a majority of the residents on Stacey Road do not agree with the Inspectors conclusions in respect of on-street parking. Despite these objections the Planning Authority cannot ignore the Inspectors conclusions on this matter. It is clear that the Inspector fully considered the likely impact of constructing a new dwelling without on-site parking, and undertook daytime and evening visits. He concluded that there was ample on-street provision and that notwithstanding this "the envisaged on-site provision would be effectively off-set by the loss of an on-street parking space outside the site."

The Inspector also referred to the government's aim of reducing car dependency and the fact that the site is accessible to a range of local facilities and good public transport. Indeed the Council's own policies can support this sustainable approach, including Strategic Policy 8, which favours development in locations that are accessible by means of travel other than the private car, and Policy TRAN10 - Parking, which embraces a flexible approach to parking requirements and aims to provide scope for reduced parking facilities in locations well served by public transport.

As regards off-street parking for the existing dwelling, it is noted that the Council's Highway Engineer indicates that this would not meet the minimum standards in the Parking Guidelines, referring to Note 5 which states that garages must have a minimum driveway length of 5.5m and width of 3.2m. Whilst this is true of the current application it is equally applicable to the previous refusal. The current plans show differing driveway widths with Drawing No. M/DP/207.01, indicating that there will be a driveway width of approximately 2.8m for much of its length, and additional Drawing No. M/DP/207.03 showing 3.07m, according a condition is proposed to clarify this detail. Both will allow for some on-site parking to continue, albeit to a substandard provision. Once more it is noted that the Inspector did not raise this as a reason for withholding permission.

Other concerns raised by the objectors relate to loss of light, privacy and issues of maintenance, but again the Inspector considered these matters and concluded that none would justify the rejection of the proposal. As already noted the current application is very similar to that refusal in terms of siting, size and position of windows. There is an additional window in the side elevation facing No. 9 Stacey Road, but this is to a non-habitable bathroom. There are also full width patio doors proposed at ground floor on the rear elevation but these will not result in direct overlook of any neighbouring habitable room windows. Indeed the more traditional arrangement of the accommodation in this revised application, i.e. living room and kitchen at ground floor instead of first floor, should serve to improve privacy.

Finally it is noted that in line with their previous observations on the 2006 application, Dwr Cymru/Welsh Water have indicated that the proposed development would overload the existing public sewerage system. However, in contrast to those comments they have now revised their timescales for possible occupation of any dwelling from 1 April 2007 to 1 April 2009, and have requested that an appropriate condition be imposed on any consent.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies HOUS2 and HOUS8 - Residential Development Criteria, HOUS11 - Residential Privacy and Spaciousness, ENV27 - Design of New Developments and TRAN10 - Parking of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, along with the Supplementary Planning Guidance on Amenity Standards, it is considered that this revised scheme meets the concerns of the Planning Inspector in respect of application reference 06/00846/FUL, and as such the proposed dwelling would not be out of keeping with the existing street scene and should have little, if any, additional adverse impact on either residential amenities or highway safety.

RECOMMENDATION

APPROVE subject to the following condition(s):

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

   Reason:

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

2. No beneficial occupation of the dwelling hereby permitted shall take place before the 1 April 2009, unless the upgrading of the public sewerage system, into which the development shall drain, has been completed and written confirmation of this has been issued by the Local Planning Authority.

   Reason:

   In the interests of public health and the environment in accordance with Policies ENV27 - Design of New Developments and HOUS8 - Residential Development Criteria of the Unitary Development Plan.

3. 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.

Reason:

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

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

Reason:

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

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

Reason:

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

6. Notwithstanding the submitted plans, further details of the proposals for the provision of on-site car parking for the existing dwelling, which shall include any alterations to the vehicular access, shall be submitted to and approved in writing with the Local Planning Authority. The approved works shall be fully implemented before the first beneficial occupation of the new dwelling hereby permitted, and the approved parking shall be retained and maintained at all times within the curtilage of No. 7 Stacey Road for the exclusive use of that property.

Reason:

To ensure the provision and maintenance of car parking for the existing dwelling in accordance with Policies ENV27 - Design of New Development and TRAN10 - Parking of the Unitary Development Plan.

**NOTE:**

**1. The attention of the applicant is drawn to the fact that a public sewer runs through the site and may be affected by the development.**

**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.**

**2008/00217/RG3** Received on 18 February 2008

Vale of Glamorgan Council, The Alps, Wenvoe, Vale of Glamorgan., CF5 6AA
E & M Associates Ltd., 142, Whitchurch Road, Cardiff., CA4 3NA

**Front of 11 and 12, Church Place South, Penarth**

Installation of disabled access ramp

SITE DESCRIPTION

The application site relates to two residential properties in the area of Penarth. The properties lies just outside the Penarth Conservation Area and comprises an existing staircase and pathway leading to the properties along Church Place South.

DESCRIPTION OF DEVELOPMENT

The submitted application requests planning consent to create a disabled access ramp on the grass verge immediately adjacent to properties 11 and 12.

The installation will entail the erection of reinforced brick boundary walls in brick to match the existing red brick details with galvanised steel handrails.

PLANNING HISTORY

There is no other relevant planning history for this property.

CONSULTATIONS

Penarth Town Council was consulted on the 22 February 2008 and comments:

"…application should be approved subject to an asessment of the appropriateness of the reinforced concrete wall finish, where this is visible from the roadside…"

The Head of Visible Services (Highway Development) was consulted on 28 February 2008.and comments:

"The Highway Authority would inform that the development proposals have no effect on the adjacent highway. Therefore an objection to the above application cannot be sustained…"

REPRESENTATIONS

Nos. 13, 14, 15 & 16 Church Place South, were consulted on 28 February 2008. To date no letters of objection have been received.

REPORT

ENV20 – DEVELOPMENT IN CONSERVATION AREAS

ENV27 – DESIGN OF NEW DEVELOPMENTS

Supplementary Planning Guidance – Penarth Conservation Area

The proposed alterations to the front of properties 11 and 12 Church Place South have been assessed in light of the above relevant policies and supplementary planning guidance.

The proposed works to the property entail the demolition of the existing staircase leading to the properties, the construction of a new staircase at a more appropriately graded level, as well as the removal of the existing grass verge to the front of the dwellings (where this is immediately adjacent to the public highway), to incorporate a disabled access ramp. The latter although to be constructed to the front of Nos. 11 and 12 Church Place South, will also provide disabled access to all the other properties, which run along that same pathway.

Given that the properties are set on a higher ground floor level than the existing highway this will also entail the construction of retaining boundary walls.

Although the properties are located in close proximity to the Penarth Conservation Area, consideration is given to the quality of the materials and design, and given that the existing brick wall and steps are in poor state, the proposed works will not only allow for disabled access to these properties, but ensure that the appearance of the existing wall and staircase is improved and appear restored.

It is therefore considered that although located near a conservation area, it is considered that the proposal will have a minimal impact to the character of the adjoining conservation area and the wider street scene, and as a result, the need for an improved access to the dwelling for disabled use is, in this instance, considered acceptable.

More specifically, in terms of planning issues, the proposed works are not considered to generate demonstrable harm to the private amenities of the neighbouring dwellings, or adversely affect the surrounding visual amenities, given that the proposal will be set within the site's boundary, thus preventing any harm to highway or pedestrian safety.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV20 – Development in Conservation Areas; ENV27 – Design of New Developments and Supplementary Planning Guidance – Penarth Conservation Area, it is considered that the proposed works to the grass verge and existing staircase to the immediate front of the above properties are acceptable, and not deemed to generate significant harm to the character of the adjoining conservation area or the streetscene in general, the privacy or amenities of the nearby occupiers, or adversely affect highway or pedestrian safety. The proposal therefore complies with the relevant planning policies and supplementary planning guidance.

RECOMMENDATION

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

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

   Reason:

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

**NOTE:**

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

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

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

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

**2008/00228/RG3** Received on 21 February 2008

Social Services Section, Vale of Glamorgan Council, Docks Office, Barry, Vale of Glamorgan., CF63 4RT
Property Section, Vale of Glamorgan Council, Civic Offices, Holton Road, Barry, Vale of Glamorgan., CF63 4RU,

**Holm View Leisure Centre, Skomer Road, Barry**

Conversion of community facility into a Social Services unit, predominantly internal, one additional glazing unit, replacement external doors

SITE DESCRIPTION

The application relates to part of the Holm View Leisure Centre, located on Skomer Road, Barry.

DESCRIPTION OF DEVELOPMENT

This is an application under Regulation 3 of the Town & Country Planning General Regulations for the conversion of part of the Leisure Centre to a Social Services unit. The conversion involves internal changes to replace a café and ancillary facilities with an activity/dining area and the provision of offices, changing facilities and a new kitchen. These facilities are designed to provide an updated service to Social Services clients who previously used day-care facilities at Woodlands Adult Training Centre.

External works will be limited to a new disabled access ramp, replacement doors and one new window on the north-east (side) elevation, a new external door to the new kitchen on the north-west (rear) elevation and the replacement of vehicular gates on the rear storage compound with a pedestrian gate and a brickwork panel in materials to match the existing building.

The matter was considered by Cabinet on 4 July 2007, when the under-utilisation of the Leisure Centre was recognised and the transfer of the day care facility to this site was endorsed.

PLANNING HISTORY

02/00802/REG3 - Refurbishment of tennis courts to provide new synthetic surfacing, fencing and floodlights. Approved 24 July 2002.

CONSULTATIONS

Barry Town Council were consulted on 26 February 2008 and object to the proposal on the grounds that:

(a) The proposal is contrary to Policy REC 1 (Protection of Existing Recreational Facilities) of the Unitary Development Plan; and

(b) The proposal would result in the loss of a large part of the only major leisure centre in north Barry and would deprive the local community of future leisure and recreation opportunities.

The Town Council note that until the former café was closed the building was well-used by local people, and consider that the provision of appropriate good-quality leisure and recreation facilities is of great importance to the health and quality of life of Barry residents, particularly those who reside in some of the most deprived areas of the town.

The Town Council's comments are attached as Appendix A.

The Director of Legal, Public Protection and Housing Services (Environmental Health) was consulted on 26 February 2008. No comments have been received to date.

REPRESENTATIONS

There are no immediately adjacent residential properties. The application was advertised by a site notice on 28 February 2008. No comments have been received to date.

REPORT

In support of the application, the Architectural Officer advises that the leisure use of the centre has declined and that it is now a multi-purpose building which already incorporates elements of Education and Community Services. The part of the building subject of the current application is currently unused.

Planning Policies

None of the policies of the Vale of Glamorgan adopted Unitary Development Plan 1996-2011 relate specifically to this site, but Strategic Policy 14 states that:

"Developments associated with community and utility services will be permitted if there is no unacceptable impact on the interests of agriculture, conservation, listed buildings, archaeological features, areas of ecological, wildlife and landscape importance and residential amenity."

One of the Community and Utility Services Objectives in the Unitary Development Plan is:

"to ensure that community and utility services are provided at the highest possible standards to serve the needs of the present and future populations of the Vale of Glamorgan."

Policy REC 1 (Protection of Existing Recreational Facilities) of the Unitary Development Plan permits the loss of existing recreational facilities if (amongst other things) alternative provision of equivalent community benefit is made available.

Policy ENV27 (Design of New Developments) requires new developments to have full regard to the context of the local natural and built environment and seeks to ensure that (amongst other things) it complements or enhances the local character of buildings and open spaces, meets the Council's approved access and car parking standards, minimises any detrimental impact on adjoining areas and provides a high level of mobility for people with impaired mobility.

Issues

It is apparent from the documentation supporting the application that the change in emphasis of the use of the centre has already occurred, and that this proposal seeks to regularise the situation. The Operational Manager, Economic Development and Leisure, confirms that the majority of the area subject of this application was formerly a café operated by the Learning & Development Department, and was not recreational space. He is reasonably confident that any loss of recreational activity here can be accommodated elsewhere within the centre or, as a last resort, at other leisure sites in Barry.

The comments of the Town Council have been considered carefully. Whilst the leisure use of the centre has declined, it is considered that the increase in Social Services use, whilst perhaps not being accessed by the same sectors of the population as the leisure use, is nevertheless of equivalent community benefit and makes beneficial use of part of a building that may otherwise become redundant. It is therefore concluded that the proposal does not prejudice the community and Policy REC 1 objectives of the Unitary Development Plan.

The proposed building works are minor and will have no detrimental impact on the character of this modern building in the wider street scene and will not adversely affect the character of this area of mixed uses. The closest dwellings to the eastern side of the building (where the work will be concentrated) are over 115 metres away at Nelson Road, and will not be adversely affected by the proposal. The works will improve access to the building for disabled people, and it is considered that the proposal meets the objectives of Policy ENV27 as set out above.

Adequate off-street vehicle parking to serve the development is available in the adjoining public car park, which was well below capacity at the time of the officer's site inspection.

CONCLUSION

The decision to recommend that planning permission be granted has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies REC 1 (Protection of Existing Recreational Facilities) and ENV27 (Design of New Developments) of the Unitary Development Plan and all other material considerations, it is concluded that the proposal meets the objectives of those policies in respect of the provision of equivalent community facilities and impact on the character of the local area and residential amenity.

RECOMMENDATION

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

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

   Reason:

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

**NOTE:**

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

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

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

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

07/00655/OUT

APPENDIX A

The Nook
Corntown Road
Ewenny
Vale of Glamorgan
CF35 5BH
29th May 2007

Dear Sir

**Town and Country Planning Act 1990**
**Application No. 2007/00655/OUT**
**Location : Cornerways and Swn – y Coed, Wick Road, Ewenny**
**Proposal : Redevelopment to 4 detached properties**

Thank you for your letter dated 21st May 2007. I have had an opportunity to examine the plans at your offices and confirm that I strongly object to the planning application on the following grounds;

- **Policies of the Vale of Glamorgan Adopted Unitary Development Plan**
  - Policy Env 11 – Protection of Landscape Features (para 3.4.39)

    "DEVELOPMENT WILL BE PERMITTED IF IT DOES NOT UNACCEPTABLY AFFECT FEATURES OF IMPORTANCE TO LANDSCAPE OR NATURE CONSERVATION INCLUDING: TREES ,WOODLAND, HEDGEROWS....."

**N.B The proposed development will, it appears, involve the loss of traditional orchard trees and is likely to have a detrimental effect on a mature tree located in next doors garden (Glendale) as plot 3 will be built under the canopy spread (the canopy of the tree is not correctly shown on the plan submitted and will affect the root system).**

  - Policy Env 27 – Design of New Developments "proposals for new development must have full regard to the context of the local natural and built environment and its special features. new development will be permitted where it;

    i. complements or enhances the local character of buildings and open spaces
    ii. meets the council's approved standards of amenity and open space.....

D.E.E.R
RECEIVED
ACTION BY: MG/JDB
NO: PL59
ACK:

RECEIVED
31 MAY 2007
ENVIRONMENT AND ECONOMIC REGENERATION

07/00655/OUT 'A'

lv minimises any detrimental impact on adjacent areas

**N.B The proposed development pays no regard to the "local character" of the villages of Ewenny and Corntown, the special features of which are large properties set in spacious private gardens. Instead the proposal will create a relatively high density development at the edge of the open countryside. If approved, then this will set an unfortunate precedent in that all the properties on Corntown Road are set in large gardens and it may encourage uneccesary development pressure. In another location this could be considered as "backland development". The proposal fails to meet with the Council's approved standards of amenity and open space particularly in regard to the impact on the amenity of the adjacent property "The Nook". The development has a detrimental effect on the amenity that we enjoy at our property as three bedrooms (including one in the loft) at the rear of our property, the recent summer room extension and our balcony will be overlooked from a distance of approx 14 metres (10 metres from the boundary). In addition to this, the primary part of our garden where we have privacy will be overlooked. We are currently constructing a patio / seating area, child's play area for my daughter and hot tub/decked area in this space. The detrimental effect is exacerbated by the differences in levels between the Nook and the land behind and the new properties will have intrusive views from the proposed dormer windows and almost certainly from the ground floor level.**

**Please be aware when visiting the site that the plan as submitted as part of the application does not show the correct size of "The Nook", prior to purchasing the property approx five years, a bedroom extension to the rear and a kitchen extension and been undertaken (with planning consent) and a loft conversion with dormers to the rear. The impact on our property can therefore only be appreciated from a site visit to our garden/property as well as to the applicant's property. This will demonstrate how domineering the effect the proposed properties will be on our property.**

➢ Policy Hous 8 –Residential Development Criteria – Policy Hous 2 Settlements "subject to the provisions of Policy Hous, Development will be permitted which is within or closely related to the defined settlement boundaries provided that it meets **all** the following criteria……:

i. The scale form and character of the proposed development is sympathetic to the environs of the site
ii. The proposal has no unacceptable effect on the amenity and character of existing or neighbouring environments of noise,

07/00655/OUT 'A'

traffic congestion, exacerbation of parking problems or visual intrusion

**N.B Despite being in the settlement boundary, the proposed development is not sympathetic to the environs to the site particularly with regard to the effect on neighbouring properties and being adjacent to the open countryside. The proposed development will have an unacceptable effect on the amenity and character of our property The Nook as our property will be in effect surrounded on two sides by close development which will lead to visual intrusion. Although there is a small amount of greenery on the existing rear boundary of our property, during the winter, a certain amount of privacy is already lost. It is considered that any fencing or high level screening proposed by the developer will overshadow and darken the rear of or property and cause loss of daylight.**

➢ **Policy Hous 11** – Residential Privacy and Space – Existing residential areas characterised by high standards of privacy and spaciousness will be protected against over development and insensitive or inappropriate infilling.

The aim of this policy is to protect existing high quality housing areas from over development or insensitive or inappropriate infilling.

**N.B The Villages of Ewenny and Corntown are characterised by high standards of privacy and spaciousness. Our property "The Nook" is one of the smaller plots in Ewenny and due to the levels and the position of the house in relation to its rear boundary, the primary part of the garden for enjoyment (which happens to be the part which receives most sunlight) will be exposed to the occupiers of the proposed new dwellings. It is considered that this proposal is both insensitive and inappropriate at this location.**

**Taking into account the Council's approved Amenity Standards which was approved for development control; purposes on 6th January 1999 (Updated 2002), I have the following additional comments to make;**

- **National Planning guidance states that insensitive infilling should not be allowed to damage an area's character and amenity. "This includes any such impact on neighbouring dwellings such as serious loss of privacy or overshadowing"**
- **The UDP states that all new development within existing residential areas provides an acceptable level of amenity and privacy and does not adversely affect the amenity of existing properties**
- **It appears that through providing privacy standards for the proposed new dwellings, there has been a total disregard by**

07/00655/OUT 'A'

**the developer for our property, as the most useable part of our garden will become exposed as a direct result of this development.**

- **The proposed development involves the siting of plot three only 10 metres away from the boundary. The Nook is only located 4.3 metres away from its rear boundary, making a total of 14.3 metres between habitable rooms. Clear views of our private side garden will also be allowed by at least two (Plot 2 and 3) of the four dormer bungalows if the development goes ahead.**
- **Para 5.11 states that many new developments are dependent on the large garden curtilages of existing dwellings to accommodate the necessary distance between habitable rooms and it is unacceptable. The developer on this occasion has located one dwelling at the absolute minimum distance of 10 metres but our property does not have a rear garden of 10 metres, merely 4.3 metres set at a much lower level. The effect of moving the dwelling further away will increase the views into the garden due to the elevated nature and incline of the site.**
- **Policy 5 states that "the construction of residential development should not result in an unacceptable loss of daylight or sunlight to neighbouring properties". The side and rear garden is south facing and it is considered that the proposed dwellings will block sunlight and cause a shadow over the sunniest part of the garden (which currently receives sunlight for most of the day) and this will be particularly important during the winter when the sun is lower in the sky.**

**Conclusion**

The Council clearly states in its adopted UDP that "**its objective is to maintain the individual character of individual settlements and the Rural Vale of Glamorgan".** I hope that the Council does this and protects our interests in the context of the policies outlined above which I believe are all material considerations in the determination of this planning application. I consider that if this development goes ahead there will be a detrimental impact both on the character of the village and on the amenity of our property "The Nook" to the extent that the property will affect its attractiveness and blight its value.

Yours Faithfully

C Hamm

MRS CLAIRE HAMM

2007/01783/FUL

**From:** Bowes, Nicola [HMPS] [nicola.bowes@hmps.gsi.gov.uk]
**Sent:** 13 February 2008 10:02
**To:** planning&transport@valeofglamorgan.gov.uk
**Subject:** Main Street Barry - Planning application

APPENDIX A

Dear sirs,

I would like to lodge a complaint against the planning permission sought by Newydd Housing to demolish and rebuild various dwellings on Main Street (numbers 62-72). My main concern related to the removal of the historic frontage of the properties on Main Street that provide character to the area and may well be of local interest and I have therefore copied my email to the local newspapers. The frontage of the properties on Main Street are beautiful and are over 100 years old, with many early pictures of Barry town featuring these properties as Main Street was at one point, the main street of the town.

I believe that properties such as these need to be preserved as we move towards creating a 'better Barry' - rather than creating housing at the lowest possible cost - this would provide a real showcase for preserving beautiful properties in Barry as we move towards new developments.

I trust that those reviewing the application will consider these points.

Kind regards

Nicola Bowes
(resident of Main Street)

The original of this email was scanned for viruses by the Government Secure Intranet virus scanning service supplied by Cable&Wireless in partnership with MessageLabs. (CCTM Certificate Number 2007/11/0032.) On leaving the GSi this email was certified virus free.
Communications via the GSi may be automatically logged, monitored and/or recorded for legal purposes.

08/00207/FUL 'A'

Yr Arolygiaeth Gynllunio, Adeilad y Goron, Parc Cathays,
Caerdydd CF10 3NQ ☎ 029 2082 3889 Ffacs 029 2082 5150
e-bost wales@planning-inspectorate.gsi.gov.uk

The Planning Inspectorate, Crown Buildings, Cathays Park,
Cardiff CF10 3NQ [illegible]
e-mail wales@planning-inspectorate.gsi.gov.uk

RECEIVED
16 JAN 2008
ENVIRONMENTAL AND ECONOMIC REGENERATION

# Penderfyniad ar yr Apêl

Gwrandawiad a gynhaliwyd ar 19/06/07
Ymweliad â safle a wnaed ar 19/06/07

# Appeal Decision

Hearing held on 19/06/07
Site visit made on 19/06/07

gan/by Hywel Wyn Jones BA (Hons) BTP MRTPI

Arolygydd a benodwyd gan y Gweinidog dros Gynaliadwyedd a Datblygu Gwledig, un o Weinidogion Cymru

an Inspector appointed by the Minister for Sustainability and Rural Development, one of the Welsh Ministers

Dyddiad/Date 23/07/07

**Appeal Ref: APP/Z6950/A/07/1201054**

**Site address: Land adjacent to 7 Stacey Road, Dinas Powys, CF64 4AE**

**The Minister for Sustainability and Rural Development has transferred the authority to decide this appeal to me as the appointed Inspector.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr P Martin against the decision of The Vale of Glamorgan Council.
- The application (ref: 2006/00846/FUL), dated 26 May 2006, was refused by notice dated 5 September 2006.
- The development proposed is the erection of a new dwelling.

## Decision

1. For the reasons set out below I dismiss the appeal.

## Reasons

2. The appeal site is currently used as a side garden and lies within a quiet residential side street. The main issue in this case is the effect of the proposed dwelling on the character and appearance of the street scene.

3. With the exception of the properties at either end, Stacey Road it is mainly characterised by rows of two-storey, semi-detached properties which create a pleasing rhythm and a general sense of architectural unity. The appeal site lies between two pairs of Victorian-style houses on one side and a row of inter-war-style houses on the other, the closest of which is a detached dwelling but which closely follows the appearance of the adjoining row of properties.

4. Despite the presence of a hedge along its frontage, a substantial mono-pitch outbuilding within the site appears as a discordant element within the street. Its single-storey form creates a gap in the continuity of the taller row of dwellings. Fears that the proposed development would set a precedent for further schemes in the street, thereby reducing its spacious character, are unfounded given the lack of similar sites.

5. The set-back of the envisaged dwelling from the street follows the established line and its basic form and external materials would also be in keeping with its neighbours. Its style would be modern. I agree with the overall approach to the design which seeks to respect the

08/00207/FUL 'A' 2



existing visual cohesiveness of the street without creating a pastiche of either of the adjacent architectural styles. However, the proposed incorporation of a large opening to accommodate a car within the building would create a discordant feature that would dominate the main facade at odds with the adjacent rows of dwellings. In response to my questioning at the hearing the appellant's agent conceded that this large void would detract from the scheme's aesthetic quality. In my opinion it would result in a dwelling that would fail to adequately reflect the features that provide a pleasing architectural cohesiveness to the street scene. There are no conditions that could be reasonably imposed to overcome my concern in this respect.

6. I conclude that the proposed dwelling would harm the character and appearance of the street scene. The scheme would be contrary to Policies HOUS 8 and ENV 27 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, and the Council's approved Amenity Standards Supplementary Planning Guidance. It would also run counter to national guidance as set out in Planning Policy Wales, March 2002 and the associated Technical Advice Note 12: Design which emphasise the importance of good design in all new development.

7. It is clear that this integral car parking provision has been provided to meet the express requirements of the Council. Whilst I have noted the concerns expressed by some local residents regarding on-street car parking, this appears to be mainly an issue of inconvenience when nearby churches are in use. Both my evening and day-time visits revealed ample on-street provision. In any event the parties agreed at the hearing that the envisaged on-site provision would be effectively off-set by the loss of an on-street parking space outside the site. Moreover, given the accessibility of the location to a range of local facilities as well as good public transport, it seems to me that a modest house in this location without dedicated parking provision may discourage car ownership by prospective occupiers, in line with the government's aim of reducing car dependency.

8. I have considered all the other concerns raised by local residents, including the effect on their living conditions and matters of building maintenance and drainage, but none would have justified withholding permission had I found the scheme's effect on the street scene to be acceptable.

9. The scheme would make efficient use of previously developed land and would provide a relatively low cost home thereby meeting an identified increasing need from smaller households. These benefits, together with all the other matters raised by the appellant and a nearby resident in support of the scheme, do not outweigh the harm that I have identified in relation to the main issue.

*Hywel Wyn Jones*

INSPECTOR

08/00207/FUL

**Derek and Pauline Brushett 5 Stacey Rd. Dinas Powys, Vale of Glamorgan, CF64 4AE**

Tel: 02920 515670

e-mail: derekandpauline@tesco.net

Mr R Thomas
Head of Planning and Transportation
Vale of Glamorgan Council
Dock Office
BARRY
CF63 4RT

Fao Mrs Y J Prichard

10 March 2008

Dear Mr Thomas,

**Planning Application No 2008: 00207/FUL**

We write in response to your invitation to comment on this planning application made by Mr and Mrs Martin in respect of No 7 Stacey Rd, Dinas Powys. Our comments follow a careful inspection of the revised plan prepared by Gap Architects.

As you know, Mr Martin has previously submitted plans to develop this site. In 2006, we offered our comments to the Planning Committee. We were broadly supportive of the proposal then, and despite the fact that it was rejected, we remain supportive. For your information, a copy of our letter of 14 July 2006, is attached. All the points made there, are still relevant, and we ask the Committee to look at them carefully.

Broadly speaking, whilst the new plans propose revisions to the internal layout of the building, with the carport removed, the exterior remains much the same. We feel the revised plan remains visually attractive and in keeping with the rest of the street.

Whilst the site is a little restricted it is not unduly so, when compared to the rest of the housing in the street. Indeed, some residents have chosen to demolish property boundaries and utilise shared drives between adjacent houses.

Clearly, one of the households most affected by the proposal is that at No 6 opposite, who overlook the site. But they too have chosen to extend their accommodation since Mr Martin's last application – one consequence being a (limited) visual affect on rear properties.

A further concern might be the availability of parking space. The Committee should be aware that parking at our end of the street is satisfactory – neighbours co-operate – and we do not envisage any problem arising from the new dwelling.

Yours sincerely

08/00207/FUL B2

**6 Stacey Road,**
**Dinas Powys,**
**Vale of Glamorgan,**
**CF64 4 AE.**

**Head of Planning and Transportation,**
**The Vale of Glamorgan,**
**Dock Office,**
**Barry Dock,**
**Barry,**
**CF63 4RT.**

**10/3/08**

**Dear Sir,**

**Planning Application No. 2008/00207/FUL**

We are writing to reiterate our objection to the above planning application which has superseded the original application No. 2006/00846/FUL. The objections we made to the 2006 proposal are also totally relevant to the 2008 application no 00207.

We would refer initially to the matters raised in the Inspectors Report regarding the appeal ref APP/26950/A/07/1201054 which although supporting the obvious unacceptable nature of the appearance of the dwelling fails to recognise the serious parking and traffic concerns which the development would exacerbate. The inspector concerned was probably not aware of the frequent use of Stacey Road as a high speed link between Cardiff Road and Mill Road and the frequency of its use as a parking zone for two local churches at weekends and week days. This results in our driveway and the driveways of Nos. 4, 8 & 10 having cars parked across our them on a regular basis. *The Inspector's contention that the construction of a house without dedicated parking provision would encourage the use of public transport seems a ridiculous statement.* We all know that more houses mean more cars. We are very surprised that the Inspector seemed to observe ample on-street parking during evening and daytime visits. This certainly is not the experience of people living in Stacey Road.

The proposed property would remove one of the few off-road parking facilities on that side of Stacey Road and would in fact generate more on street parking problems. Previous plans contained a garage and were rejected. The proposed development directly overlooks our property and would result in a serious loss of privacy in line with Vale of Glamorgan Amenity Standards.

We would refer you to our two previous letters ( copies enclosed ) which detail our objections to the previous application which still apply to the latest proposals.

We would also make the following observations regarding the design and location of the proposed dwelling.

1. The building appears to be forward of the existing line by about 3 feet.
2. All other properties have bay windows.

08/00207/FUL 3

3. The upstairs overhang is totally out of character with the rest of the road.
4. The finish is smooth white which is out of keeping with adjacent properties.
5. Window designs are totally out of keeping with other properties in the road.
6. The proposed dwelling does not resemble any other building in the road and would intrude on the architectural continuity of the road. It is between two pairs of Victorian style houses on one side and a row of inter-war-style on the other
7. Although the plans show the upstairs rear room as being a Study this room could easily be used as a bedroom thus making a two bedroom property with possibility of three extra cars so increasing the parking problems.

In conclusion we would like to re-state the affect that the property would have on our quality of life mainly concerning safety and parking. There will be an increased risk of accidents for drivers and pedestrians including our own children. I would once again urge the planning committee to refuse the application.

**Yours faithfully,**

**Sian Smith & Andrew Smith.**

Enc : 2 Letters dated 6/2/04 and 15/7/06.

08/00207/FUL B

9 Stacey Road,
Dinas Powys,
Vale of Glamorgan,
CF64 4AE

Tel: 02920512635

Mr. R. Thomas,
Head of Planning and Transportation,
Vale of Glamorgan,
Dock Office,
Barry Dock,
Barry,
CF63 4RT

10th March 2008

Dear Sir,

**Planning Application No. 2008/00207/FUL**

**Location: Land adjacent to 7 Stacey Road, Dinas Powys**
**Proposal: Erection of a new dwelling**

I am writing yet once again to raise an objection to the above mentioned proposal.

This proposed dwelling will be totally out of character in the road as all the houses were built circa 1920.

Although I pointed out to the case official on 25th February that it would be difficult for me to maintain that side of my house e.g. soffits, roof, guttering etc. she informed me that "it was a building matter and not a planning matter". Nevertheless it is a very important factor relating to my house whoever's matter it is.

I am given to understand that the ground floor is in line with the street line but that the first elevation juts out about 3 foot in front thus blocking out the light both downstairs and upstairs to my property. At the back the house will jut out some 1250mm at ground level, again taking away my light and privacy.

I would wish to draw your attention to the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 Page Amenity Standards, Clause 3, National Guidance 3.1 "9.3.3".

08/00207/MCB

The Case Officer responsible for assessing this application indicated verbally to my neighbour and myself that one of the criteria that she uses is whether a legal challenge could be forthcoming if the decision were to reject the application. I do not believe that this should be a planning criteria. In the planning criteria that I have read I find no reference to this and, therefore, I would seek the opinion of the Public Service Ombudsman on this matter.

I also had an indication that the new plans are eco friendly and seems to remove a lot of existing criteria of the Vale of Glamorgan on the L.D.P.. I question that the Vale of Glamorgan Planning Department Officers with designated powers whether after an application has been refused they move the goalposts so that the objectors have to readjust their objections in light of the new application.

I am also surprised that in view of all the complaints of parking and gridlock in Dinas Powys (especially as Stacey Road is used as a high speed link between Cardiff Road and Mill Road) that the Highways Department have not objected to this application. I believe that the Highways Department need to look at Stacey Road regarding Church Services and funerals which is reluctantly accepted. The position will only be aggravated by an existing off road facility being annulled by this development which is against the L.D.P..

In conclusion I would like to state that such a new development will greatly affect my quality of life, not just parking but privacy as well.

I would yet once again urge the Planning Committee to strongly object to the application and also ask the Vale of Glamorgan to look at the history of the site and once again reject this application as it is not in keeping with the surrounding area.

If the Committee requires copies of my previous objections, I can make them available at short notice.

Yours faithfully

Mrs. Joyce Roberts

9 Stacey Road

c.c. Mr. P. Evans, Legal Department, Vale of Glamorgan Offices, Barry

08/00228/REG3 APPENDIX A

**BARRY TOWN COUNCIL**

Council Offices
7 Gladstone Road
Barry
CF62 8NA
Tel. No. (01446) 738663

19th March 2008

Dear Sir

Town and Country Planning Act 1990 (as amended)

Planning Application No. **2008/00228 (REG3) - Holm View Leisure Centre, Skomer Road**

Proposed Development: **Conversion of community facility into a social services unit, predominantly internal, one additional glazing unit, replacement of external doors.**

The Barry Town Council wish to submit the following observations in respect of the above-mentioned application:

**Strong Objection**

**The Town Council is totally opposed to this application which is contrary to Policy REC1 of the Adopted Vale of Glamorgan Unitary Development Plan.**

**These plans would result in the loss of a large part of the only major leisure facility which serves north Barry and would deprive the local community of future leisure and recreational opportunities. Until the closure of the former café this area of the building was well used by local people.**

**This Council is of the opinion that the provision of appropriate good quality leisure and recreational facilities is of great importance to the improvement of the health and quality of life of Barry residents particularly those who reside in some of the most deprived areas of the town**

Yours faithfully

Executive Officer

D R Thomas Esq
Head of Planning and Transportation
Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4US

08/00228/REG3 APPENDIX A

**BARRY TOWN COUNCIL**

Council Offices
7 Gladstone Road
Barry
CF62 8NA
Tel. No. (01446) 738663

19th March 2008

Dear Sir

Town and Country Planning Act 1990 (as amended)

Planning Application No. **2008/00228 (REG3) - Holm View Leisure Centre, Skomer Road**

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**This Council is of the opinion that the provision of appropriate good quality leisure and recreational facilities is of great importance to the improvement of the health and quality of life of Barry residents particularly those who reside in some of the most deprived areas of the town**

Yours faithfully

Executive Officer

D R Thomas Esq
Head of Planning and Transportation
Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4US

| LATE ITEMS FOR COMMITTEE | Application No. NA | |
|---|---|---|
| Committee Date: **17th April 2008** | **Page No.: 43** | |
| To be added to report: YES | | |
| **Amendment to title of report for Enforcement Action to include 71 Broadway, Llanblethian.** | | |
| | **APPROVED BY:** | |
| Officer: M. P. Howell | Officer: | |
| Appendix No.: | O.M. or H.P.T. | |

| LATE ITEMS FOR COMMITTEE | Application No. NA | |
|---|---|---|
| Committee Date: **17th April 2008** | **Page No.: 61** | |
| To be added to report: YES | | |
| **From:** Mr. G Williams of Nathaniel Lichfield and Ptns.<br>Summary of Comments: letter received making comments in respect of the councils development principles documents with particular emphasis on the section 106 requirements together with the Head of Planning and Transportations E mail response | | |
| | **APPROVED BY:** | |
| Officer: D. R. Thomas | Officer: | |
| Appendix No.: | O.M. or H.P.T. | |

AGENDA ITEM 7
BARRY WATERFRONT

**Thomas, Rob**

**From:** Thomas, Rob
**Sent:** 15 April 2008 16:59
**To:** 'Gareth Williams'; Hutchings, Keri
**Cc:** Thomas, Rob; Richard Keogh; Ken - GW South Wales Thomas; John Penaluna; Catherine Evans; DPeake@ukonline.co.uk
**Subject:** RE: WE30327 Barry Eaterfront - Development Principles

Mr Williams,

Thank you for your letter, the content of which is noted. I have this afternoon spoken to the Leader of the Council, Councillor Margaret Alexander and she has agreed that your letter, together with this acknowledgement is made available to Members of the Cabinet who will as you know consider the matter tomorrow (Wednesday). I will also undertake to 'table' the letter, together with this acknowledgement at Thursday's Planning Committee meeting, which is also due to consider the Draft Development Principles document.

Given the timescales involved it is not possible for me to comment in any great detail on your letter. I would however point out that you are well aware, as are all those involved in the consortium that this document is a 'draft' for consultation, and that consultation will follow the consideration of this matter by Cabinet, Planning Committee and the Economy and Environment Scrutiny Committee. The consortium and their agents will be invited to comment on the draft during this consultation exercise and I would fully expect you to make comments at that stage. You will no doubt appreciate that I cannot take comments made in advance of the formal consultation period as comments in response to that consultation.

You will also be aware that we have discussed the issue of Section 106 agreements previously, and that the rationale for producing a Development Principles document has been partly driven by the importance of making progress on issues relating to Section 106 issues as an integral part of the master planning exercise that you are undertaking. You will no doubt recall that we did meet to discuss Section 106 issues some time ago (21st January) but no agreement was reached. Furthermore your own Draft Development Brief devotes very little in the way of detail on Section 106 issues, hence the need for this Council to produce its own document for consultation, which document does include reference to Section 106 agreements and potential heads of terms. These matters will be subject to ongoing discussions with yourselves as a consortium, both in terms of consultation on the Draft Development principles document and through the master planning process that will ultimately lead to planning applications being submitted.

I do however feel that given that the consortium are not in a position to submit planning applications in the immediate future, references to planning appeals and the preparation of unilateral undertakings is both premature and is far from helpful and adds nothing to the discussions that we have been having and will continue to have on the taking forward of this important project.

Rob Thomas
Head of Planning and Transportation

---

**From:** Gareth Williams [mailto:gwilliams@nlpplanning.com]
**Sent:** 15 April 2008 14:59
**To:** KHutchings@valeofglamorgan.gov.uk
**Cc:** Thomas, Rob; Richard Keogh; Ken - GW South Wales Thomas; John Penaluna; Catherine Evans; DPeake@ukonline.co.uk
**Subject:** WE30327 Barry Eaterfront - Development Principles

Keri

Further to our telephone conversation please find attached a letter on behalf of the development consortium for Barry Waterfront. We would be grateful if this could be distributed to Cabinet Members in advance of tomorrows meeting.

If you require any additional information please contact me.

Best Regards

**Gareth Williams**
**Senior Associate Director**
Nathaniel Lichfield and Partners
1st Floor

Westville House
Fitzalan Court
Cardiff
CF24 0EL

Tel: 029 2043 5880
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Email: gwilliams@nlpplanning.com

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Councillor Alexander
Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
CF63 4RU

Date: 14th April 2008
Our ref: WE30327
Your ref:

Dear Councillor

**Development Principles Document – Barry Waterfront**

We write on behalf of the developer consortium for Barry Waterfront concerning the draft Development Principles Document that we understand is being considered by Council's Cabinet on 16th April 2008 before being issued for consultation.

The consortium support the broad development principles proposed in the document as the basis for the production a joint development brief and subsequent masterplan. It is evident that there is already high degree of overlap between the development principles and the emerging proposals which we consider is a product of the close joint working on initial master-planning related issues between the consortium and Council.

However, we have significant concerns regarding the proposed Planning Obligation Requirements set out in Appendix 2. It is our view that these proposed 'requirements' do not accord with the guidance set out in Circular 13/97 'Planning Obligations' and Planning Policy Wales which state that planning obligations should only be sought where they are:

- Necessary;
- Relevant to planning;
- Directly related to the proposed development;
- Fairly and reasonably related in scale and kind to the proposed development and;
- Reasonable in all other respects

The items set out in appendix 2 indicates that the Council has very significant aspirations for planning gain which extend beyond what could reasonably be justified in terms of planning guidance or policies within the Councils' adopted Unitary Development Plan and which do not accord with the policy requirements set out in Circular 13/97.

In particular appendix 2 contains very specific figures and formulae for calculating financial contributions which have no evidence based justification or adopted policy basis e.g. formula for calculating contributions towards community facilities and sustainable transport. The Council is also seeking significant contributions for improved facilities and public works that do not arise as a result of the development e.g. new leisure centre; public realm improvements in Barry Island &

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the Town Centre. In terms of the existing s106 agreement the Council is not taking a consistent approach to the consideration of outstanding levels of under or over provision of planning gain contributions.

When acquiring the site the consortium made an assessment of potential planning gain contributions based upon the policies set out within the adopted UDP and national planning guidance. The consortium also took account of the existing s106 agreement related to parts of the site. We are confident that the approach that we have taken to s106 negotiations to date is based upon that set out in Circular 13/97 and we have also sought legal advice that has confirmed this view.

We are concerned that if the Council continues to pursue all of these wide ranging and extensive planning gain aspirations then the viability of the scheme will be brought into question and the ability for delivering a quality major regeneration scheme in the heart of Barry will be compromised.

It is clear from the draft Development Principles document that there is a common vision between the Council and developer consortium to create a quality waterside development. It is our preference to work closely with the Council in the design and delivery of the scheme, however, we are seriously concerned that the approach that the Council is taking on s106 requirements is neither in accordance with government guidance nor based on a realistic assessment of commercial considerations.

Unless a more considered and flexible approach to s106 negotiations is forthcoming then the likely outcome is that any planning application will have to be considered by means of appeal. In these circumstances the planning application would be supported by a unilateral planning obligation based upon the consortiums view of reasonable planning gain. It would then be for a Planning Inspector to take a view on whether the consortiums s106 offer is reasonable in the light of the Council's adopted UDP policies and Circular 13/97. This is not our preferred approach as we would rather work jointly with the Council to arrive at a reasonable and proportionate level of planning gain contribution.

We consider that the broad s106 headings contained within section 4 of the draft Development Principles document are generally reasonable but that negotiations are not well enough progressed to justify the scale of planning obligations set out in appendix 2. As a result we request that this element of the document is deleted pending additional evidence based research and further discussions on this matter take place between the Council and the developer consortium. This would allow an agreed position to be reached which accords with the provisions of Circular 13/97, PPW and the Council's UDP and which also maximises the potential to deliver the high quality development solution that the site requires in partnership with the Council and through consultation with the people of Barry.

We would be grateful if you would please make copies of this correspondence available to members at tomorrow's Cabinet meeting.

Yours faithfully

Gareth Williams

**Gareth Williams**
**Senior Associate Director**

| LATE ITEMS FOR COMMITTEE | Application No. NA | |
|---|---|---|
| Committee Date: **17th April 2008** | **Page No.: 113** | |
| To be added to report: YES | | |
| **From:** Cllr R. Bertin<br>Summary of Comments: No objections | | |
| | **APPROVED BY:** | |
| Officer: D. R. Thomas | Officer: | |
| Appendix No.: | O.M. or H.P.T. | |

**Thomas, Rob**

**From:** Bertin, Richard J (Cllr)
**Sent:** 13 April 2008 17:39
**To:** Hope, Christopher; Thomas, Rob; Gay, Paul; Phillips, Clive E
**Cc:** Dobbinson, Andrew D (Cllr)
**Subject:** Dyfan Road ( Part), Barry: Proposed Prohibitation Waiting Order ( Agenda 13(iv))

Dear All,
Please accept my apologies for Planning on Thursday, 17th April.
Will you please table this item.
Many thanks,
Richard Bertin (Cllr.)

---

13 April 2008
Cllr. Richard Bertin
01446 736227
01446 736227
IF 545 – T/08/43/CEP
RB/JB
rjbertin@valeofglamorgan.gov.uk

Mr Rob Quick,
Director of Env. and Econ. Reg.,
The Dock Office,
Subway Road,
BARRY,
Vale of Glamorgan.
CF63 4RT

Dear Rob,

**DYFAN ROAD (PART), BARRY: PROPOSED PROHIBITATION OF WAITING ORDER (AGENDA 13 (IV))**

I do not have objections to the above proposal.

Having considered the matter, I fully support the Officers views that this would enable large vehicles to negotiate this turn safely and improve traffic flow.

I request that you consider this when debating this matter.

Yours sincerely,

Councillor Richard Bertin
**Member for Court Ward**
**www.richardbertin.com**

**33 Maes-y-Cwm St, Barry. CF63 4EJ**

14/04/2008

Agenda Item No. 15 (i)

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

**MATTER WHICH THE CHAIRMAN HAS DECIDED IS URGENT BY REASON OF THE NEED TO MAKE A DECISION PRIOR TO THE NEXT COMMITTEE**

9. PLANNING APPLICATIONS

**2006/01747/FUL** Received on 26 September 2007

Kingfishers Developments, Hayes Building, The Square, Llantiwt Major., Vale of Glamorgan
Alun Arthur Architects, 71 Merthyr Mawr Road, Bridgend., CF31 3NS

**Andrew House, High Street, Llantwit Major**

Residential development, converting main house into two apartments and 3 new build houses

PURPOSE OF THE REPORT

The following report should be read in conjunction with the report of planning application ref: 06/01747/FUL, which was presented to the Council's Planning Committee on the 15 November 2007. At that Planning Committee, the application to convert Andrew House to two flats and erect three new dwellings was approved, subject to a Section 106 Legal Agreement.

The planning obligations approved by Members at that Committee Meeting stated:

- The developer shall pay the sum of twenty thousand pounds (£20,000) to the Council to improve Sustainable Transport Facilities in the vicinity of the site.

- The Legal Agreement will include the standard clause requiring the payment of a fee set at 20% of the value of the planning application fee (£230.40 in this case).

The original report is attached as Appendix A.

Since the November Committee meeting, however, negotiations have been ongoing with the developer regarding these planning obligations.

PURPOSE OF THE PLANNING OBLIGATIONS

Given the constraints of the site and its relationship to the highway and adjacent roundabout, it has not been possible to design a scheme that incorporated off street parking. Accordingly and given the importance that is therefore placed upon the ability of residents to utilise alternative modes of transport than the private car, it is reasonable to require the applicant to enter into a Section 106 Legal Agreement to pay a financial contribution to the Council to provide or enhance sustainable transport facilities in Llantwit Major.

NEGOTIATIONS SINCE PLANNING COMMITTEE OF 15 NOVEMBER 2007

Whilst the developer's agent initially agreed to the proposed £20,000 contribution, the developer has since advised the Council that he had not been consulted and that this obligation would render the scheme unviable.

On the 15 February 2008, the developers provided a breakdown of costs associated with the development and offered a contribution of £5000. The breakdown was subsequently queried with the developer by the Council's Section 106 Officer, requesting a more detailed analysis of costs. This has now been provided and the Council's Building Control manager has verified that it represents an accurate assumption of the build costs associated with this development.

CONCLUSIONS

It is considered that the land in question is an important contextual site within the Conservation Area, and that its appropriate development is important to remedy the harm caused by its present deteriorating condition.

It is, therefore, considered that it would be unreasonable and disadvantageous to levy a cost on the developer that would render the development unviable. Within earlier correspondence, the developer had offered a sum of £5,000, however, this amount would not be sufficient to implement worthwhile improvements to sustainable transport facilities. Accordingly, a sum of £10,000 has been proposed by the Council's Section 106 Officer and agreed by the developer.

It is considered that this represents an acceptable compromise, which would enable the development to proceed while ensuring that sufficient improvements can be made to sustainable transport facilities.

Further note: Due to a typographical error within the report to the 15 November Committee meeting, Condition No. 9, which relates to samples of materials, was duplicated in place of a Condition requiring further details of windows, roof lights and doors. This condition has now been inserted below as Condition No. 10.

RECOMMENDATION

Subject to the applicant first entering into a Section 106 Legal Agreement to include the following necessary planning obligations:

- The developer shall pay the sum of ten thousand pounds (£10,000) to the Council to improve Sustainable Transport Facilities in the vicinity of the site.

- The Legal Agreement will include the standard clause requiring the payment of a fee set at 20% of the value of the planning application fee (£230.40 in this case).

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

   Reason:

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

2. This consent shall only relate to the amended plans reference 389/PP/7 and 389/PP/8, received on the 26 September 2007, and the development shall be carried out strictly in accordance with these details.

   Reason:

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

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

   Reason:

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

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

   Reason:

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting that Order, no windows shall be inserted in the dwelling houses or flats hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To safeguard the privacy of adjoining occupiers, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

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

Reason:

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

7. No development shall commence until full details of a scheme for the drainage of the site has been submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details.

Reason:

To ensure the satisfactory drainage of the site and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

8. 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.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies ENV17, ENV20 and ENV27 of the Unitary Development Plan.

9. Prior to their use in the development hereby approved, samples of the roof and ridge tiles, panels of painted render for the external elevations and samples of the materials to be used in the door canopies and dormer extension shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason:

In the interests of visual amenities and in order to ensure compliance with Policies ENV17, ENV20 and ENV27 of the Unitary Development Plan.

10. Notwithstanding the submitted plans, further details of windows, roof lights (which shall be of a flush fitting conservation type), doors, eaves and rainwater goods, including sections to a scale of 1:20, shall be submitted to and approved in writing by the Local Planning Authority, prior to their use in the development. The development shall be constructed in full accordance with the details as agreed and so maintained at all times thereafter.

Reason:

In the interests of local visual amenities and to ensure compliance with Policies ENV 17, ENV 20 and ENV 27 of the Unitary Development Plan.

11. Notwithstanding the submitted plans, the triangular area of land identified on plan 389/PP/7 as 'side court', shall be used as a communal bicycle storage facility, as opposed to private curtilage to serve any dwelling. There shall be no direct access to this area from the dwelling labelled as 'House 3' on that plan.

Reason:

In order to ensure space is available to store bicycles within the site, and to support the use of more sustainable transport methods, in compliance with Strategic Policies 2 and 8 of the Unitary Development Plan.

12. Prior to the first beneficial occupation of the units hereby approved, details of a covered bicycle storage rack to be located within the area of land shown as 'side court' on plan ref: 389/PP/7, shall be submitted to and approved in writing by the Local Planning Authority. The cycle rack shall be provided in accordance with the approved details prior to the first beneficial use of the units and shall be so retained at all times thereafter.

Reason:

In order to provide adequate facilities for the storage of bicycles and to encourage more sustainable forms of transport, in compliance with Strategic Policies 2 and 8 of the Unitary Development Plan.

13. Prior to the first beneficial occupation of the units, a line of bollards shall be provided along the edge of the new pedestrian footway fronting High Street, in accordance with details which shall have first been submitted to and agreed in writing by the Local Planning Authority. The bollards shall be retained at all times thereafter.

Reason:

In the interests of pedestrian safety and to discourage unauthorised parking along the frontage of the site, and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

14. The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground works in the development area so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards laid down by the Institute of Field Archaeologists. The Local Planning Authority shall be informed in writing at least two weeks prior to the commencement of development on site of the name and address of the said archaeologist.

Reason:

In order that archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied and to ensure compliance with Policies ENV18 and ENV19 of the Unitary Development Plan.

NOTE:

1. **The developer should note that deliveries and contractors vehicles should not park on or obstruct the highway adjacent to the application site in this restricted and very busy part of Llantwit Major town centre.**

2. **Please note that a legal agreement/planning obligation has been entered into in respect of the site referred to in this planning consent. Should you require clarification of any particular aspect of the legal agreement/planning obligation please do not hesitate to contact the Local Planning Authority.**

Background Papers

Application File Ref: 2006/01747/FUL

Contact Officer – I. Robinson, Tel: 704777

Officers Consulted:

All relevant officers have been consulted on the contents of this report.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION

APPENDIX A

2006/01747/FUL Received on 6 December 2006

Kingfishers Developments, Hayes Building, The Square, Llantiwt Major., Vale of Glamorgan
Alun Arthur Architects, 71 Merthyr Mawr Road, Bridgend., CF31 3NS

**Andrew House, High Street, Llantwit Major**

Residential development, converting main house into two apartments and 3 new build houses

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

The application was advertised on 22 December 2006.

SITE DESCRIPTION

The application site is Andrew House, High Street, Llantwit Major, which is located within the historic town centre and within the boundary of the Conservation Area. The site is located on the corner of Wesley Street and Commercial Street, and extends along High Street. The rear boundary of the site adjoins the local Police Station.

The principal section of the building is two-storeys in height and sits at the corner of Wesley Street and Commercial Street, with the main front elevation facing onto the former. The secondary element of the building projects from the rear elevation of the main section, and runs along the highway edge of High Street. It is predominantly low-level two-storey in height, with a single storey lean-to section at the rear.

The buildings have been vacant for approximately 4 years, however the last use of the property was as offices in the main building and shops in the secondary element, which are accessed off High Street directly opposite a mini-roundabout. There is a small courtyard to the rear of size 6m x 9m, which is accessed around the side of the building, however, there is no vehicular access or parking provision within the site.

DESCRIPTION OF DEVELOPMENT

Firstly, it should be noted that the described scheme is a second amendment to the proposal. The two superseded schemes are described below within the planning history.

The application proposes the conversion of the principal building to 2 No. flats, the demolition of the secondary element and the construction of 3 No. dwellings in its place.

The ground floor flat is comprised of a single bedroom, lounge, dining room, bathroom and kitchen and the second unit contains a bedroom, living area, dining room and bathroom at first floor, with a second bedroom in the roof space.

The three dwellings are in the form a staggered terrace and are comprised of a living room, dining room, kitchen and WC at ground floor and 2 bedrooms and bathrooms at first floor.

The dwellings measure 5m in height to the eaves and 7.5m to the ridge, 6m in width and 6.5m in depth. Together they comprise a small staggered terrace of 3 units, which rise by 0.15m in height along the row to take account of the gentle gradient of the land. Consequently, the main front elevation and roof plane is physically and visually broken up into the three individual units. This extension adjoins the main existing building 0.2m below its ridge.

Whereas the existing building has been constructed directly abutting the highway, the new dwellings are set back between 1 and 1.3m from the highway, making provision for a pedestrian footway access to each front door. To the rear of the terrace, small courtyard gardens are proposed to serve the three dwellings and one of the flats within the converted building. The areas of amenity space for the dwellings measure 4.5m x 3.6m, 5.2m x 3.3m and 5.4m x 3.0m respectively, and the garden for the flat measures 2.9m x 2.5m. The plans also indicate a side courtyard area to serve the end of terrace dwelling.

The remaining external alteration is a sloping roof dormer extension, which is proposed on the rear roof plane of the existing building, to provide additional head room for the second bedroom and en-suite in the upper flat. The dormer measures 3.5m wide x 1.8m high and it is set 0.2m below the main ridge.

Whilst the plans do not provide specific detail of the external finishes of the dwellings, the application forms indicate painted render walls and a slate roof.

PLANNING HISTORY

No previous planning applications.

The scheme initially proposed the conversion of the main building to 2 No. flats, and the erection of 2 larger dwellings with roof terraces and under croft parking. However, the provision of parking in this form resulted in the dwellings exceeding the height of the principal section of Andrew House and further concerns were cited regarding the design and form of the dwellings, and their impact on the Conservation Area. There was also an objection on highway grounds to the proposed vehicular access opposite the roundabout.

The scheme was subsequently revised to a terrace of two dwellings and two flats, along with the two flats in the converted building. This scheme made no provision for parking or amenity space with the footprint of the new building occupying the whole site, except for a bin store at the end of the terrace. The front elevation of the terrace contained 7 No. dormers within the eaves and an additional dormer was proposed on the rear plane of the existing building. Following concerns raised in respect of the design and layout, the proposal has been amended to that described above.

CONSULTATIONS

Llantwit Major Town Council objected to the original proposal due to its scale and impact on the character of the Conservation Area. Further concern was also raised in respect of the vehicular access to the site. No representations have been received to date in respect of the amended plans.

Environment Agency Wales have raised no objection and forwarded their standard advice note for developers.

The Head of Visible Services (Highways Development) raised an objection to the initial scheme for the following reasons:

- The proposed site access would create a crossroads type junction with High Street, Commercial Street and Station Road, which would increase vehicle conflict.
- The access provides insufficient visibility splays to the north along the adjacent highway.
- There are no facilities provided for service vehicles.
- Gates at the entrance to the site would result in vehicles waiting within the highway while they are being opened.

An objection has also been raised to the amended proposal due to the lack of parking which is proposed.

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

Glamorgan Gwent Archaeological Trust have raised no objection but have requested that if planning permission is granted, a condition be attached which requires a suitably appointed archaeologist to be present during the development.

Dwr Cymru/Welsh Water have raised no objection subject to standard conditions relating to the drainage of the site.

In respect of the original plans, the Vale of Glamorgan Conservation Advisory Group, at their meeting on 25 January 2007, recommended the refusal of the application on the grounds that the development was of a scale, design and character that was out of keeping with the Conservation Area.

REPRESENTATIONS

The neighbouring properties of Fonmon Cottage, Hodnant, Andrews House, Llantwit Major Police Station, No. 1 The Rectory, The Court House and Units 1 and 2 Commercial House were consulted in respect of the original and amended plans and a site notice was posted. One letter has been received, raising concerns regarding the level of parking, access to the site and parking for construction vehicles.

REPORT

Planning Policies

The site lies within the settlement boundary and conservation area of Llantwit Major and accordingly, the application has been assessed against the following Policies of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011:

ENV17 - PROTECTION OF THE BUILT AND HISTORIC ENVIRONMENT.

ENV20 - DEVELOPMENT IN CONSERVATION AREAS.

ENV27 - DESIGN OF NEW DEVELOPMENTS.

HOUS2 - ADDITIONAL RESIDENTIAL DEVELOPMENT.

HOUS8 - RESIDENTIAL DEVELOPMENT CRITERIA.

Policy HOUS2 supports the principle of housing infill, small-scale development and redevelopment (including conversions) within the settlement boundary of Llantwit Major, subject to the criteria listed in Policy HOUS8 being met.

Policy HOUS8, states that subject to the provisions of Policy HOUS2, development will be permitted which is within or closely related to the defined settlement boundaries provided that it meets all the following criteria:

(i) the scale, form and character of the proposed development is sympathetic to the environs of the site;

(ii) the proposal has no unacceptable effect on the amenity and character of existing or neighbouring environments of noise, traffic congestion, exacerbation of parking problems or visual intrusion;

(iii) the proposal does not have an unacceptable impact on good quality agricultural land (Grades 1, 2 and 3a), on areas of attractive landscape or high quality townscape or on areas of historical, archaeological or ecological importance;

(iv) when appropriate and feasible the provisions of Policy REC 3 are met;

(v) the provision of car parking and amenity space is in accordance with the Council's approved guidelines;

(vi) adequate community and utility services exist, are reasonably accessible or can be readily and economically provided.

Policy ENV17 relates to the historic environment as a whole and Policy ENV 20 relates specifically to conservation areas, requiring proposals to either preserve or enhance the character of that area and reflect the scale, design, layout and character of the existing environment.

Policy ENV27 relates to all new forms of development and requires that new forms of development are of a high standard of design and have regard to the context of the environment within which they are proposed.

Issues

It is considered that the principal issues in the assessment of the application are the use, the scale, form and design of the building and its subsequent impact on the character of the area, highways issues and the level of amenity space to serve the units. The development has also been assessed in respect of its impact on neighbouring properties.

The Principle of the Use

The site has been vacant for in excess of four years, and whilst it may be desirable to retain commercial uses within the historic core of the town where possible, it appears that in this case that there has been no demand.

It is therefore considered that the re-use of the site for an alternative purpose is clearly more beneficial to the vitality and visual amenity of the Conservation Area than allowing the buildings to fall into further disrepair. It appears that a residential use represents the most likely, appropriate and sympathetic use of the land, which would be least likely to adversely affect the amenities of surrounding properties.

Impact on the Appearance and Character of the Conservation Area

The application site is located at the junction of Wesley Street and Commercial Street, in a prominent location within the Conservation Area and at a gateway into the historic town centre.

The character of the Conservation Area in this locality is defined by buildings fronting closely onto the street, creating a strong sense of enclosure, and it is therefore considered that the site contributes significantly to local character. The principal building at the corner of Wesley Street and Commercial Street is the most important structure in terms of contribution to the character of the area and whilst the ancillary rear section is prominent from a number of views, its contribution to the Conservation Area is secondary.

The application proposes the retention of the principal two-storey building with no alterations to the external elevations, thereby ensuring that the important views of the site along Commercial Street would remain unchanged. It is therefore considered that the conversion of this building to two flats would have no material visual impact and would appropriately preserve the character of the Conservation Area.

It is considered that the demolition and replacement of the ancillary rear section is not unacceptable in principle, provided the design and scale of the extension relate appropriately to the main building and the surrounding street scene. The original scheme proposed units which exceeded the height of the main building and were of a form and design which bore an awkward and unsympathetic relationship to the surrounding built environment. Subsequently, the scheme has been simplified to provide a more traditional terrace of three dwellings, fronting onto High Street.

The dwellings are set below the main ridge height of Andrew House and between 1m and 1.3m back from the existing side elevation along the Commercial Street/High Street frontage. Accordingly, it is considered that the extension would maintain a secondary form and relationship with the main building and would not detract from the appearance or setting of the primary building. In terms of design, it is considered that the simplified terrace (with the deletion of the repetitious dormer windows on the front elevation), represents a sympathetic and suitably scaled extension to the principal building, which would sufficiently reflect the scale, layout and character of the existing built environment and would provide an appropriate terminating view along Station Road.

Whilst set back approximately 1m from the street, it is considered that the extension would serve to maintain the existing sense of enclosure that largely defines the existing character of this part of the Conservation Area.

The impact of a scheme in a prominent location such as this will depend largely on the elevation and fenestration detail as well as materials and whilst comprehensive details of the finishes have not been submitted, these matters can be appropriately controlled by condition should the scheme be considered appropriate.

The dormer extension is set below the roof planes of the existing building and extension, and given its location on the rear elevation, it would not be visible from surrounding public viewpoints. It is therefore considered that it would have no material impact on the appearance and character of the building or the wider character of the Conservation Area.

It is, therefore, considered that the scale, form and design of the extension would reflect the character and setting of the surrounding buildings, thereby preserving the character of the Conservation Area.

Highways Issues and Parking

While the initial scheme sought to provide off street parking to serve the units, this impacted negatively on the scale and form of the building, resulting in an over-scaled proposal which projected above the roof heights of the surrounding buildings. Notwithstanding the conservation concerns with the scheme, a highways objection was raised to the access given its relationship with the roundabout and lack of visibility. Given that the site is adjoined to the rear by the courtyard serving the police station, it appears that a safe and adequate vehicular access to the site cannot be made.

The application now makes no provision for off street parking, however, no parking exists to serve the current uses and it is considered that a number of further factors should have bearing on whether it is necessary to seek parking in this instance.

Whilst the Council's parking guidelines would require 2 spaces per dwelling and 1-1.5 per flat, these guidelines are post-dated by Planning Policy Wales (2002), which explicitly states at paragraph 8.4.2 that minimum parking standards are no longer appropriate and that Local Planning Authorities should ensure that new developments should provide lower levels of parking than have been achieved in the past.

In addition, whilst the parking guidelines for offices and shops have now been amended to maximum standards as opposed to minimum standards, it should be noted that parking requirements for the existing uses would have exceeded the number of parking spaces that the guidelines would require for these units. Given this and the above advice contained within Planning Policy Wales, it is considered that it would be inappropriate to rigidly enforce these standards where the locality justifies pursuing a more sustainable approach.

In this case, the site is located within a historic town centre, within walking distance of the train station and regular bus services, as well as the commercial centre and local services of the town. In such locations, which are well served by alternative and more sustainable transport facilities, it is considered entirely appropriate to adopt a flexible approach to parking standards. In addition, it is inevitable that sites such as this within historic towns may be centred around an unconventional layout which cannot facilitate the level of parking which may otherwise be sought. It is therefore considered that allowances for relaxed parking standards, to ensure the most appropriate re-use of a key site in the conservation area, are justified.

Accordingly the scheme would comply with the aims of national planning guidance to reduce the dependence on private motor vehicles and encourage more sustainable forms of transport use, and is acceptable without off street parking. In addition, the proposal would significantly improve pedestrian safety and access to the site, which at present is directly from the street with no footway.

However, given the lack of parking and the importance that is therefore placed upon the ability of residents to utilise alternative modes of transport than the private car, it is considered reasonable to require the applicant to enter into a Section 106 Legal Agreement to pay a financial contribution to the Council to provide or enhance sustainable transport facilities in Llantwit Major.

Layout and Amenity Space

The first amendment to the scheme, which sought to overcome the initial design and highways objections, made no provision for amenity space, with the extension occupying almost the whole plot. Whilst the viability of the scheme depends largely on the number of units that can be accommodated within the site, the applicant was advised that notwithstanding the town centre location, zero provision of amenity space would not be acceptable.

Accordingly, the scheme has been amended to provide courtyard areas to the rear of the three dwellings, and a small courtyard to serve one of the flats. An area at the end of the terrace has also been proposed as a side courtyard to the end dwelling.

The Council's Supplementary Planning Guidance on Amenity Standards requires $1m^2$ of amenity space to be provided per $1m^2$ of gross floor space for new dwellings and $20m^2$ per person in flatted developments.

This development falls short of these standards, however, it is considered that given the location within the historic core of the town, a flexible approach is necessary, particularly in light of the increasing need to ensure that the site is put to a beneficial use.

The layout would provide occupiers of the residential units with compact but useable courtyard gardens which would meet the requirements of residents for functional and relaxation space, which, given the nature of the site and its location, is considered to be sufficient in this case.

While the area to the side of the terrace has been detailed as a side garden to serve the end dwelling, it is considered that this triangular piece of land would be more appropriately used to accommodate a cycle rack to benefit all of the units. Bin storage can be accommodated within the rear courtyards to serve the units.

Impact on Neighbours

The development would be sited near to the boundary with The Rectory to the north, however it would be located some 16m from the nearest part of the dwelling, and does not contain any windows directly overlooking the site.

Whilst some principle windows would be facing towards Fonmon Cottage opposite the site, this neighbour does not contain any windows on the end elevation which fronts the road, and it is therefore considered that the new dwellings would not result in any loss of privacy to this neighbour. Similarly the rear windows of the new dwellings would not be in a position to directly overlook the police station to the rear. There are also no new windows proposed within the side elevation of the existing building that faces towards the police station.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV17 - Protection of the Built and Historic Environment, ENV20 - Development in Conservation Areas, ENV27 - Design of New Developments, HOUS2 - Additional Residential Development and HOUS8 - Residential Development Criteria of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, it is considered that the proposal is acceptable in that it would preserve the character of the Conservation Area and it is located in sufficiently close proximity to sustainable transport facilities to justify the omission of off street parking. In addition, it is considered that the development would be served by a sufficient level of amenity space and would not adversely affect the amenities of neighbouring properties.

RECOMMENDATION

Subject to the applicant first entering into a Section 106 Legal Agreement to include the following necessary planning obligations:

- The developer shall pay the sum of twenty thousand pounds (£20,000) to the Council to improve Sustainable Transport Facilities in the vicinity of the site.

- The Legal Agreement will include the standard clause requiring the payment of a fee set at 20% of the value of the planning application fee (£230.40 in this case).

APPROVE subject to the following condition(s):

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

   Reason:

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

2. This consent shall only relate to the amended plans reference 389/PP/7 and 389/PP/8, received on the 26 September 2007, and the development shall be carried out strictly in accordance with these details.

   Reason:

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

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

Reason:

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

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

Reason:

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting that Order, no windows shall be inserted in the dwelling houses or flats hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To safeguard the privacy of adjoining occupiers, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

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

Reason:

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

7. No development shall commence until full details of a scheme for the drainage of the site has been submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details.

Reason:

To ensure the satisfactory drainage of the site and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

8. 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.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies ENV17, ENV20 and ENV27 of the Unitary Development Plan.

9. Prior to their use in the development hereby approved, samples of the roof and ridge tiles, panels of painted render for the external elevations and samples of the materials to be used in the door canopies and dormer extension shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason:

In the interests of visual amenities and in order to ensure compliance with Policies ENV17, ENV20 and ENV27 of the Unitary Development Plan.

10. Prior to their use in the development hereby approved, samples of the roof and ridge tiles, panels of painted render for the external elevations and samples of the materials to be used in the door canopies and dormer extension shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason:

In the interests of visual amenities and in order to ensure compliance with Policies ENV17, ENV20 and ENV27 of the Unitary Development Plan.

11. Notwithstanding the submitted plans, the triangular area of land identified on plan 389/PP/7 as 'side court', shall be used as a communal bicycle storage facility, as opposed to private curtilage to serve any dwelling. There shall be no direct access to this area from the dwelling labelled as 'House 3' on that plan.

Reason:

In order to ensure space is available to store bicycles within the site, and to support the use of more sustainable transport methods, in compliance with Strategic Policies 2 and 8 of the Unitary Development Plan.

12. Prior to the first beneficial occupation of the units hereby approved, details of a covered bicycle storage rack to be located within the area of land shown as 'side court' on plan ref: 389/PP/7, shall be submitted to and approved in writing by the Local Planning Authority. The cycle rack shall be provided in accordance with the approved details prior to the first beneficial use of the units and shall be so retained at all times thereafter.

Reason:

In order to provide adequate facilities for the storage of bicycles and to encourage more sustainable forms of transport, in compliance with Strategic Policies 2 and 8 of the Unitary Development Plan.

13. Prior to the first beneficial occupation of the units, a line of bollards shall be provided along the edge of the new pedestrian footway fronting High Street, in accordance with details which shall have first been submitted to and agreed in writing by the Local Planning Authority. The bollards shall be retained at all times thereafter.

Reason:

In the interests of pedestrian safety and to discourage unauthorised parking along the frontage of the site, and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

14. The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground works in the development area so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards laid down by the Institute of Field Archaeologists. The Local Planning Authority shall be informed in writing at least two weeks prior to the commencement of development on site of the name and address of the said archaeologist.

Reason:

In order that archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied and to ensure compliance with Policies ENV18 and ENV19 of the Unitary Development Plan.

Agenda Item No. 15

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: 17 APRIL 2008

REPORT OF THE DIRECTOR OF ENVIRONMENTAL AND ECONOMIC REGENERATION

**MATTER WHICH THE CHAIRMAN HAS DECIDED IS URGENT BY REASON OF THE NEED TO MAKE A DECISION PRIOR TO THE NEXT COMMITTEE**

9. PLANNING APPLICATIONS

**2008/00243/RG3** Received on 22 February 2008

Mark Haynes, L & D Directorate, Vale of Glamorgan Council, Provincial House, Kendrick Road, Barry, Vale of Glamorgan., CF62 8UF
Mr. R..Williams, St. Nicholas Primary School, St. Nicholas, Vale of Glamorgan., CF5 6SG

**Playing field to rear of St. Nicholas Primary School**

Retention of metal storage container (6.0 x 2.4m) to store outdoor P.E. equipment

SITE DESCRIPTION

The application site relates to the Southwest corner of the existing playing field to the rear of St. Nicholas Primary School. The containers location lies within the St. Nicholas Conservation Area and the boundaries to its rear elevation are made up of hedges, mature vegetation and trees, and beyond that by residential properties.

The playing field to the rear of the school lies within the open countryside and is a designated Special Landscape Area.

DESCRIPTION OF DEVELOPMENT

The submitted application seeks planning consent to retain the existing prefabricated dark green steel container measuring 6m x 2.4m, that was firstly approved in 2001, renewed in 2005, and after approximately 7 years on-site, seeks consent to extend the period of its temporary approval on-site.

PLANNING HISTORY

05/01996/REG – Metal storage container to store outdoor PE equipment. Approved 10 March 2006.

04/01807/REG – Infill extensions in two separate locations to increase classroom areas. Existing external screens to be re-used thus overall appearance to elevations unchanged. Approved 10 December 2004.

04/01248/REG – Provision of an external boiler room to house the new heating system equipment. Approved 20 October 2004.

01/01435/REG – Site a steel container in playing field. Approved 10 January 2002.

01/01434/REG – Site a storage unit in the school yard of the Old School, currently the nursery of St. Nicholas Primary School. Approved 10 January 2002.

95/00921/TCA – Fell three silver birch trees as indicated on the plan included with letter of application dated 4 October. Approved 26 October 1995.

95/00591/TCA – Crown lift and crown thin two Acres at the front of the school. Approved 20 July 1995.

CONSULTATIONS

St. Nicholas and Bonvilston Community Council were consulted on the 28 February 2008.

REPRESENTATIONS

Twyn Bach; Tregwynt, were consulted on the 28 February 2008.

A site notice was erected on 7 March 2008.

To date no responses have been received.

REPORT

Policy

ENV1 – DEVELOPMENT IN THE COUNTRYSIDE

ENV4 – SPECIAL LANDSCAPE AREAS

ENV20 – DEVELOPMENT IN CONSERVATION AREAS

ENV27 – DESIGN OF NEW DEVELOPMENTS

The application has been submitted to seek planning consent to extend the temporary time period to retain the existing prefabricated steel painted green container within its existing location, as originally approved on the 10 January 2002.

The field lies outside the St. Nicholas residential settlement boundary and is used by the school for educational purposes such as football practice and other outdoor activities. The existing container is used to store the equipment use for such activities.

The container is well screened within the general streetscene, given that it is located on the existing playing field to the rear of the school, and therefore well set back from the adjoining highway by over 50 metres, and is not visible from the A48, which is over 150 metres away. The site is enclosed by other existing properties surrounding the school site.

There should be no impact on nearby neighbouring properties, especially as the boundaries to the rear/side of these properties comprise existing hedges, tall trees and other mature vegetation, which aid to enclose the container. Furthermore the green colouring of the steel container ensures that the structure is made less visible within the surrounding vicinity.

The existing container can therefore only be identified from within the school site, and as a result it is not considered to harm the visual and neighbouring amenities of the area or impact on the wider character of the conservation area as a whole.

However, given that the site lies outside the settlement boundary and within the Conservation Area and the container has been on the site for approximately 6 to 7 years, it is considered that this is not an ideal long-term solution for the school's storage facilities.

Accordingly the development to retain the existing green steel container on-site is recommended to be approved on a temporary basis only.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV1 – Development in the Countryside; ENV4 – Special Landscape Areas; ENV20 – Development in Conservation Areas; and ENV27 – Design of New Developments it is considered that the proposal to retain the existing container on–site would not detrimentally affect the visual amenities or the neighbouring privacy and amenities surrounding the site, and therefore complies with the relevant policies set out under the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

RECOMMENDATION

APPROVE subject to the following condition(s):

1. This permission shall be granted for a temporary period only, and the container shall be removed from the site, on or before the 16th April 2009.

   Reason: In the interest of the visual amenities in the area.

Background Papers

Application File Ref: 2008/00243/REG3

Contact Officer – M.C. Ferreira, Tel: 01446 704651

Officers Consulted:

All relevant officers have been consulted on the contents of this report.

ROB QUICK
DIRECTOR OF ENVIRONMENTAL
AND ECONOMIC REGENERATION