

05/00408/FUL 'A'



ASiantaeth Yr
Amgylchedd Cymru
ENVIRONMENT
AGENCY WALES

Ein cyf/Our Ref : CY/2005/008982-1/1
Eich cyf/Your Ref : P/DC/YP/05/00408/FUL

Dyddiad/Date : 13/05/2005

Mr Rob Thomas
Head of Planning and Transportation
The Vale Of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Annwyl Syr/Madam / Dear Sir/Madam

ERECTION OF 4 DETACHED DWELLINGS. RIVER WALK, COWBRIDGE.

Thank you for referring the above application which was received on 25th March 2005, please accept my apologies for the delay in responding.

As your Authority is aware part of the site lies within zone C2, as defined by the development advice maps (dam) referred to under TAN 15 Development and Flood Risk (July 2004).

In accordance with guidance contained within TAN15, the development category is regarded as "highly vulnerable development". The TAN guidance is that such developments should not be permitted within zone C2. The Environment Agency therefore expects your Authority to refuse the application. Such stance would be fully supported by the Environment Agency Wales.

In consideration of the above, this stance could change if the application site boundary was amended to exclude that area identified as zone C2. Alternatively should the applicant pursue the site as submitted then it will need to be demonstrated, by the submission of an appropriate assessment of flooding consequences (FCA), that the total site of the application is outside of the extreme flood outline. The FCA should accord with Section 7 and Appendix 1 of TAN 15, the results should be made available to the Environment Agency. Details on the scope and extent of the FCA can be obtained from Gary Purnell the Agency's Flood Defence Engineer for this area. Should the assessment prove however, that the site is within the extreme flood outline then the application should be refused.

If, contrary to the requirements of TAN15, your Authority is minded to go against this advice Environment Agency Wales should be informed of all matters that influence this decision, prior to granting consent, allowing sufficient time for further representations to be made.

In addition, it should be noted that the Agency is required to report to the Welsh Assembly Government those instances in which recommendations for refusal on grounds of flood risk.

05/00408 /MUA₂

have not been accepted by Local Planning Authorities. Therefore, if planning permission is granted the Authority will be required to provide the Agency with a copy of the Committee report, relevant Committee minutes and the decision notice.

Applicants should note that TAN 15 Development and Flood Risk (July 2004) may be viewed on the National Assembly for Wales website: <http://www.wales.gov.uk>

Yn gywir/Yours faithfully



JASON BAILEY
PLANNING LIAISON OFFICER

05/00408/1m'A³



ASiantaeth Yr
AMGYLCHEDD CYMRU
ENVIRONMENT
AGENCY WALES

Ein cyf/Our Ref : CY/2005/008982-2/1
Eich cyf/Your Ref : P/DC/YP/05/00408/FUL

Dyddiad/Date : 13/06/2005

Mr Rob Thomas
Head of Planning and Transportation
The Vale Of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Annwyl Syr/Madam / Dear Sir/Madam

ERECTION OF 4 DETACHED DWELLINGS. RIVER WALK, COWBRIDGE.

Thank you for forwarding the additional information, which was received on the 19th May 2005. Please accept our sincerest apologies for the delayed response.

As your authority is aware part of the site lies within Zone C2, as defined by the development advice maps (dam) referred to under TAN 15 Development and Flood Risk (July 2004).

In accordance with guidance contained within TAN 15, the development category is regarded as "highly vulnerable development". The TAN guidance is that such developments should not be permitted within zone C2. The Environment Agency therefore expects your authority to refuse the application. Such stance would be fully supported by the Environment Agency Wales.

In consideration of the above, this stance could change if the application site boundary was amended to exclude that area identified as zone C2. Alternatively should the applicant pursue the site as submitted then it will need to be demonstrated, by the submission of an appropriate assessment of flooding consequences (FCA) that the total site of the application is outside the extreme flood outline.

The details submitted identify that approximately 50% of the site is within the 0.1% extreme flood outline and the 1% flood boundary of the River Thaw. Furthermore, the raising of existing ground levels within the site are not acceptable in terms of the loss of flood storage which is stipulated as being in the order of 30 cubic metres.

In consideration of the above, the Environment Agency would recommend in accordance with TAN 15 that refusal of this application is maintained.

If contrary to the requirements of TAN 15, your authority is minded to go against this advice Environment Agency Wales should be informed of all matters that influence this decision,

05/00408/PLA^(A)₄

prior to the granting of consent, allowing sufficient time for further representations to be made.

In addition, it should be noted that the Agency is required to report to the Welsh Assembly Government those instances in which recommendations for refusal on grounds of flood risk, have not been accepted by Local Planning Authorities. Therefore, if planning permission is granted the Authority will be required to provide the Agency with a copy of the committee report, relevant committee minutes and the decision notice.

Applicants should note that TAN 15 Development and Flood Risk (July 2004) may be viewed on the National Assembly for Wales website :<http://www.wales.gov.uk>.

Yn gywir/Yours faithfully

J. S. Muntire
JASON BAILBY
PLANNING LIAISON OFFICER

05/00408/KU 'A's



ASiantaeth Yr
AMGYLCHEDD CYMRU
ENVIRONMENT
AGENCY WALES

Ein cyf/Our Ref : CY/2005/008982-2/2
Eich cyf/Your Ref : P/DC/YP/05/00408/FUL

Dyddiad/Date : 22/06/2005

Mr Rob Thomas
Head of Planning and Transportation
The Vale Of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Annwyl Syr/Madam / Dear Sir/Madam

ERECTION OF 4 DETACHED DWELLINGS. RIVER WALK, COWBRIDGE.

I refer to previous correspondence in respect of the above and in particular your letter dated 20th June 2005 with attachments (drawing no.s 05:08/05A and 05:08/01A, dated February 2005). The Environment Agency wishes to advise as follows:

As your authority is aware part of the site lies within Zone C2, as defined by the development advice maps (dam) referred to under TAN 15 Development and Flood Risk (July 2004).

In accordance with guidance contained within TAN 15, the development category is regarded as "highly vulnerable development". The TAN guidance is that such developments should not be permitted within zone C2. The Environment Agency therefore expects your authority to refuse the application. Such stance would be fully supported by the Environment Agency Wales.

In consideration of the above, this stance could change if the application site boundary was amended to exclude that area identified as zone C2. Alternatively should the applicant pursue the site as submitted then it will need to be demonstrated, by the submission of an appropriate assessment of flooding consequences (FCA) that the total site of the application is outside the extreme flood outline.

Furthermore, the details submitted identify that approximately 50% of the site is within the 0.1% extreme flood outline and the 1% flood boundary of the River Thaw. In addition, the raising of existing ground levels within the site are not acceptable in terms of the loss of flood storage (which is stipulated as being in the order of 30 cubic metres).

In consideration of the above, and in accordance with TAN 15, the Environment Agency would recommend that refusal of this application is maintained.

If contrary to the requirements of TAN 15, your authority is minded to go against this advice

05/00408/PLA₆

Environment Agency Wales should be informed of all matters that influence this decision, prior to the granting of consent, allowing sufficient time for further representations to be made.

In addition, it should be noted that the Agency is required to report to the Welsh Assembly Government those instances in which recommendations for refusal on grounds of flood risk, have not been accepted by Local Planning Authorities. Therefore, if planning permission is granted the Authority will be required to provide the Agency with a copy of the committee report, relevant committee minutes and the decision notice.

Applicants should note that TAN 15 Development and Flood Risk (July 2004) may be viewed on the National Assembly for Wales website :<http://www.wales.gov.uk>.

Yn gywir/Yours faithfully



JASON BAILEY
PLANNING LIAISON OFFICER

05/00408/PLA



ASiantaeth yr
AMGYLCHEDD CYMRU
ENVIRONMENT
AGENCY WALES

Ein cyf/Our Ref : CY/2005/008982-3/1
Eich cyf/Your Ref : P/DC/YP/05/00408/FUL

Dyddiad/Date : 11/11/2005

Mr Rob Thomas
Head of Planning and Transportation
The Vale Of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Annwyl Syr/Madam / Dear Sir/Madam

ERECTION OF 4 DETACHED DWELLINGS. RIVER WALK, COWBRIDGE.

Thank you for a copy of your consultation letter of 28 July 2005 with amended plans with regard to the above planning application, which was received 17 October 2005.

We recognise that the planning application relates to sites allocated within the Vale of Glamorgan Unitary Development Plan 2005. The Environment Agency would draw your attention to paragraph 10.9 of TAN15, which in turn refers to paragraph 4.26 of Unitary Development Plan Wales. Our interpretation is that the Local Planning Authority in line with TAN15 should review allocated sites and therefore highly vulnerable development should not be permitted in Zone C2 and subsequently these sites should be removed.

As you are aware, part of the site (plots 3 and 4) lies within zone C2, as defined by the development advice maps (dam) referred to under TAN 15 Development and Flood Risk (July 2004). In accordance with guidance contained within TAN15, the development category is regarded as "highly vulnerable development". The TAN guidance is that such developments should not be permitted within zone C2.

The Environment Agency's Section 105 Survey indicates that part of the site would flood in the 1% (1 in 100 year) flood event. The 1% flood level at this location would be 24.250 metres AOD and not 24.200 as stated in this letter. This would mean that the corresponding 0.1% (1 in 1000 year) extreme flood level would be higher than 24.250 as stated.

With respect to the raising of existing ground levels within the site to accommodate the development you should be aware that as a result of this proposal a loss of flood storage within the functional floodplain of the River Thaw would occur. The Environment Agency aims to preserve and restore where possible, natural flood plain storage and flow capacity. In some locations it is possible at the edges of flood plains to re-contour the land to allow for new development without increasing flood risk, by carrying out flood plain compensation works as part of a development.

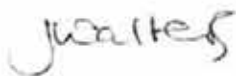
05/00408/ru A¹₈

We would therefore require that an equivalent volume, on a level for level basis, of flood storage must be created to that taken up by the proposed development. It is not acceptable to compensate for loss of storage by providing low level volumes to replace a loss of high level storage and vice versa.

It is confirmed in the above letter (dated 21st July 2005 from Jenkins Gould) that the areas of raising and lowering within the site do not result in a loss of flood storage capacity. We would seek to receive a copy of the calculations for validation.

Although information has been submitted, an acceptable flood consequence assessment has not yet been provided by the applicant to demonstrate that the site is outside the extreme flood outline. The Environment Agency therefore expects your Authority to refuse the application. If, contrary to the requirements of TAN15, your Authority is minded to go against this advice Environment Agency Wales should be informed of all matters that influence this decision, prior to granting consent, allowing sufficient time for further representations to be made.

Yn gywir/Yours faithfully



JACKIE WALTERS
Technical Specialist Planning Liaison

Please ask for: Ben Pizzi.

CC: Jenkins Group Partnership

05/00408 /mu'A₉



ASiantaeth yr
AMGYLCHEDD CYMRU
ENVIRONMENT
AGENCY WALES

Ein cyf/Our Ref : CY/2005/008982-4/1
Eich cyf/Your Ref : P/DC/YP/05/00408/FUL

Dyddiad/Date : 09/01/2006

Mr Rob Thomas
Head of Planning and Transportation
The Vale Of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Annwyl Syr/Madam / Dear Sir/Madam

ERECTION OF 4 DETACHED DWELLINGS. RIVER WALK, COWBRIDGE.

Thank you for referring the above application to the Agency for comment. The delay in reply is regretted, however I am now in a position to respond.

The contents of the letter with details dated 22nd November 2005 from Jenkins Gould Partnership have been considered and the Agency wishes to respond as follows:

As you are aware, our Section 105 Survey indicates that 40 to 50% of the site would flood in the 1% (1 in 100 year) flood event. The 1% flood level at this location would correspond to the existing 24.250 metres AOD contour within the site. This would mean that the corresponding 0.1% (1 in 1000 year) extreme flood level would be higher than this level.

Therefore, taking the above into consideration, the details submitted confirm that the majority of the site would be within zone C2. We would still advise the LPA that the application as submitted should be refused and proposals for mitigation should not be considered.

The Environment Agency therefore expects your Authority to refuse the application. If, contrary to the requirements of TAN15, your Authority is minded to go against this advice Environment Agency Wales should be informed of all matters that influence this decision, prior to granting consent, allowing sufficient time for further representations to be made.

Yn gywir/Yours faithfully

CATHERINE ANDERSON
Swyddog Cydlynio Cynllunio/Planning Liaison Officer

05/00408/FUL A₁₀



**ENVIRONMENT
AGENCY**

Our Ref : SE/2006/013362-1/1
Your Ref : P/DC/YP/05/00408/FUL

Date : 09 June 2006

Mr Rob Thomas
Head of Planning and Transportation
The Vale Of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Dear Sir/Madam

ERECTION OF 4 DETACHED DWELLINGS. RIVER WALK, COWBRIDGE.

The Agency has recently been consulted by ^{Mr RS Drayton} the ~~Local Planning Authority~~ in connection with the above proposal. The following comments were made and are repeated here for your reference.

Thank you for letter of enquiry regarding the above application which was received on 25th May 2006.

Since your letter is primarily a request for further information, it has been forwarded via external relations to our flood risk management team who will address most of the requests made and respond in due course.

Should you wish to discuss this matter further, please do not hesitate to contact the Agency.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Jon Goldsworthy'.

JON GOLDSWORTHY
Planning Liaison Officer

05/00408/FUL A⁽¹⁾



ENVIRONMENT
AGENCY

Our Ref : SE/2006/013362-2/2
Your Ref : P/DC/YP/05/00408/FUL

Date : 03 October 2006

Mr Rob Thomas
Head of Planning and Transportation
The Vale Of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Dear Mr Drayton

ERECTION OF 4 DETACHED DWELLINGS. RIVER WALK, COWBRIDGE.

The Agency has recently been consulted by ^{RS Drayton} the Local Planning Authority in connection with the above proposal. The following comments were made and are repeated here for your reference.

Thank you for your enquiry regarding the above development proposal. The delay in reply is regretted, however I am now in a position to respond.

The Environment Agency is in the process of constructing a flood alleviation scheme upstream of Cowbridge. The scheme takes the form of a flood storage reservoir which comprises a flow control structure constructed within an earthen embankment. This scheme will reduce the flood flows through the villages of Cowbridge and Llanblethian and is expected to be completed by mid to end October 2006. The flow passing through Cowbridge during a flood event will be significantly less than the 1% and 0.1% flows used to determine the current flood outlines.

For the site in question at River Walk we would suggest that you ascertain the flood threshold level for the development site, in order that we can compare it with the flows expected during the operation of the flood storage reservoir.

Should you wish to discuss any of the above matters further, please do not hesitate to contact us.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Garry'.

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Amgylchedd Cymru
Environment
Agency Wales

Mr Rob Thomas
The Vale Of Glamorgan Council
Dock Office, Barry Docks
Barry
CF63 4RT

Our ref: SE/2006/013362/03-L01
Your ref: P/DC/YP/05/00408/FUL
Date: 06 November 2006

Dear Mr Thomas

Erection of 4 detached dwellings at River Walk, Cowbridge.

We have received further information from Mr RS Drayton by email on 16 October 2006 regarding the above development proposal and wish to provide you with an update. This is with respect to the proposed development and flood risk matters.

The Cowbridge Flood Alleviation Scheme (FAS) as you maybe aware is nearing substantial completion. This scheme has been implemented to alleviate flood risk to the existing communities within Cowbridge and Llanblethian. We consider that this scheme should not be used to set a precedent for new development downstream of the scheme, within areas that have been previously identified to be at flood risk.

The information submitted by RS Drayton will need to be incorporated into a Flood Consequences Assessment (FCA) and submitted to your authority and us, allowing sufficient time for review. The FCA will need to demonstrate that the consequences of flooding are manageable in accordance with the requirements of TAN 15.

The matters relating to surface water run-off into the River Thaw between Cowbridge and Llanblethian must also be incorporated into the FCA. This is due to the impacts associated with any increase in run-off and the effects this will have on the area downstream of the flood alleviation scheme. A restriction on surface water run-off to greenfield quantities within this catchment is required by the Environment Agency to ensure the flows from the contributing catchment between Cowbridge and Llanblethian are not increased. The present greenfield run-off value for Cowbridge is 6.1 litres/sec/hectare.

Further clarification/ advice may be obtained from Gary Purnell, Technical Specialist Development Control (029 2024 5022).

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Amgylchedd Cymru
Environment
Agency Wales

Mr Rob Thomas
Head of Planning and Transportation
The Vale Of Glamorgan Council
Docks Office Subway Road
Barry
CF63 4RT

Ein cyf/Our ref: SE/2006/013362/04-L01
Eich cyf/Your ref:
P/DC/YP/05/00408/FUL

Dyddiad/Date: 27 February 2007

Annwyl Mr Thomas / Dear Mr Thomas

ERECTION OF 4 DETACHED DWELLINGS. RIVER WALK, COWBRIDGE.

Thank you for your letter dated 8 January 2007 and copy of flood consequence assessment in support of the planning application;

- R.S. Drayton. Flood Consequence Assessment. Dated 14 December 2006.

Based upon the information submitted, the assessment shows that the risks and consequences of flooding could be acceptably managed in accordance with criteria set out in Technical Advice Note 15 Development and Flood Risk (July 2004) (TAN15). We therefore have no grounds for objection to the development from a flood risk perspective.

The Cowbridge Flood Alleviation Scheme (FAS) has now been completed. This scheme has been implemented to alleviate flood risk to the existing communities within Cowbridge and Llanblethian. We consider that this scheme should not be used to set a precedent for new development downstream of the scheme, within areas that have been previously identified to be at flood risk. Future planning applications will be subject to a flood consequence assessment to demonstrate whether the risks of flooding can be acceptably managed, in accordance with TAN15.

In addition, we advise the integrity and functionality of the River Thaw as wildlife corridor is protected in the event that planning permission is granted for the proposed development. This is especially important as there are records of water voles, a species listed on s. 74 of CRow Act and also protected under the Wildlife and Countryside Act 1981 (as amended) on the River Thaw catchment. Habitat degradation and fragmentation are two of the main causes of the rapid population decline. We seek a 7 metre, undisturbed buffer along the bank of the River Thaw,

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which is to be maintained and free from development, including all forms of built structures, hardstanding and unconsented planting or landscaping. We would welcome proposals to mitigate and improve the biodiversity value of the River Thaw corridor and to mitigate for the loss of semi-natural wildlife habitat. The developer should undertake enhancement of the River Thaw corridor within the curtilage of the application area, in conjunction with advice from the Environment Agency (Biodiversity team). Wider enhancement further upstream and downstream of the site, and also on the opposite bank, is encouraged and should also be considered.

Whilst we request the following conditions to be imposed should planning permission be granted. We recognise that the re-wording of the conditions may be necessary. We welcome the Local Planning Authority' advice in this regard;

CONDITION: Prior to the commencement of development a scheme for the provision and management of a buffer zone alongside the River Thaw shall be submitted to and agreed in writing by the local planning authority. **REASON:** In the interests of biodiversity.

CONDITION: A buffer zone of 7 metres width measured from bank top must be provided for the whole extent of the site. In this zone there shall be no hardstanding, footpaths, fences or structures, including overhanging development such as balconies, domestic gardens or formal landscaping. **REASON:** In the interests of biodiversity.

The close proximity of the River Thaw, means that extra care must be taken to ensure no poisonous, polluting, noxious or solid waste matter enters the watercourse (a controlled water under s104 of the Water Resources Act 1991). The applicant should be aware that it is an offence cause or knowingly permit the above to enter a controlled water. The watercourse could be at risk from building materials (especially dried cement, paint, solvents and oil / fuel), disturbed ground during construction and mud and debris from plant and vehicles associated with the site. In the interests of pollution prevention, the following are conditions are requested;

CONDITION: Cut off ditches must be provided above the working area to intercept and direct clean surface water away from the site. **REASON:** Prevention of pollution.

CONDITION: Cut off ditches must be provided below the working area to intercept contaminated surface water and direct it to suitable lagoons for treatment prior to discharge to a watercourse. **REASON:** Prevention of pollution.

CONDITION: Provision must be made to ensure that no polluting discharge from haul roads and disturbed areas enter any watercourse. **REASON:** Protection of the environment.

CONDITION: Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

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REASON: To prevent pollution of the water environment.

The following comments should also be considered;

The Local Authority should be satisfied, that on completion of the development, watercourse(s) including the riverbank, structures such as outfalls, footpaths etc., and other open spaces adjacent to the watercourse, have the necessary agreement(s) in place to ensure that they are maintained in perpetuity.

The following comments are for the attention of the applicant;

The watercourse known as the River Thaw is scheduled as a statutory main river, pursuant to the Water Resources Act 1991 and the Agency's Land Drainage Byelaws. The prior formal Flood Defence Consent (formerly a land drainage consent) of the Environment Agency must be obtained for any works in, under or over the watercourse, or within 7 metres of the base of any floodbank or wall, or where there is no bank or wall, within 7 metres of the top of the riverbank.

The responsibility for the maintenance and good order of all watercourses and structures thereon rests, in the first instance, with the riparian owner. Land Drainage legislation does not seek to remove this responsibility. The Environment Agency advises that the developer should notify potential purchasers that the responsibility for the maintenance of any watercourse, and structures thereon lies solely with the riparian owner, and that damages caused by the failure to maintain or inappropriate maintenance may leave the riparian owner liable to summary action to recover those damages.

The storage, transport, deposit, disposal and transfer of controlled waste are subject to a legal Duty of Care (s33 and s34 of the Environmental Protection Act 1990). Waste must only be transferred to persons authorised to receive it. Waste must be stored and transported so that it doesn't escape control or be interfered with in any way. The importation of waste onto site for say construction purposes, must be done in accordance with the Waste Management Licensing Regulations 1994 (as amended); this may mean the requirement for a waste management license or an appropriate exemption.

Yn ddifffuant / Yours sincerely

Jackie Walters

Mrs Jackie Walters

Technical Specialist Planning Liaison

Deialu uniongyrchol/Direct dial 029 2024 5183

E-bost uniongyrchol/Direct e-mail jackie.walters@environment-agency.gov.uk

cc Mr R S Drayton

05/00408/FUL 'B'



DŴR CYMRU
WELSH WATER

PO Box 10
Treharris
CF46 6XZ

Tel: +44 (0) 1443 331155
Fax: +44 (0) 1443 331161
Web site: www.dwrcymru.com

Blwch Post 10
Treharris
CF46 6XZ

Ffôn: +44 (0) 1443 331155
Ffôn Ffacs: +44 (0) 1443 331161
Safon gwe: www.dwrcymru.com

Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Your ref P/DC/YP/05/00408&409/FUL
Our ref NEO1990/JD/VOG/20/21244
Enquiries James Dyke
Direct Line (01443) 331026

FAO Mrs Y Prichard

31st August 2005

Dear Madam

Re: Proposed Residential Development at River Walk, Cowbridge

Further to your correspondence dated 22nd August 2005 regarding the above, we offer the following comments.

The public sewerage system to which the domestic flows from the above development would drain to is operating satisfactorily within its design parameters. We are not aware of any operational issues associated with our public sewerage system in this area, and this has been confirmed by our Sewerage Operating Contractor.

As such, our comments offered when consulted on the application, and subsequent advice given to residents of River Walk, referred to the ability of the public foul sewerage system to accept domestic foul discharges from the above development.

We therefore note that in the event of a connection application being submitted to this office, we would have no objection to make in relation to permission to communicate directly or indirectly with the public sewerage system.

Nevertheless, we are aware that residents have expressed concerns over the capacity within the private drainage system serving the existing properties in River Walk, which in turn connects to the public foul sewerage system. We would therefore advise that should the developer wish to utilise this private system to communicate with the public sewer, it would be necessary for the arrangements for a connection or any required upgrading works to this private system to be agreed between the relevant parties as a private drainage matter.

05/00408 /ru'c'

Stepaside,
River Walk,
Cowbridge,
Vale of Glamorgan,
CF71 7DW.

Mr D.R. Thomas.
Head of Planning and Transportation,
The Vale of Glamorgan Council,
Dock Office,
Barry Docks,
Barry,
CF63 4RT.

7/4/05

Dear Mr Thomas,

Town and Country Planning Act, 1990 (as amended)
Application No. 05/00408/FUL
River Walk, Cowbridge. Erection of four detached dwellings.

I am writing to object to the above proposed developments as outlined in the available sketch plans. My reasons are as follows:

1. The drainage system, including the arrangements for dealing with sewage in River Walk, has not been adopted by the Council and is at full capacity. I am very concerned that further development will lead to overburdening of the system, which will involve all of the residents in considerable additional and unexpected costs. Alternatively, the developer should upgrade the present system so that the Council can adopt it before further housing is built. Also, I understand from Mr James Dyke of Welsh Water Operations Division, that the developer would have to obtain permission from the present users responsible for the unadopted system to connect via it to the main sewage system.
2. In it's Response to the ICE Presidential Commission Report 'Learning to Live With Rivers' the Government agreed that the standard of Drainage Impact Assessments supplied by developers for all new developments must be sufficiently detailed to demonstrate that appropriate and sustainable solutions drainage related issues are incorporated into development proposals (paragraph 11.5.7). There is no drainage impact assessment with the plans for this development and I am concerned that no account has been taken of potential drainage problems.
3. The plan does not make clear whether it will be necessary to encroach or otherwise interfere with the river bank and the run-off for river water should the level rise as happened in 1998. This could have an effect on the flooding risk for properties in River Walk, including particularly

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the proposed new housing, and on flooding risk elsewhere. I would like to be reassured that all the appropriate risk assessments will be undertaken and available for public inspection and comment before this application is further considered.

Yours sincerely,



Mrs Carolyn Roderick.

05/00409/FUL 'A'

5 Mill Park
Cowbridge
Vale of Glamorgan
CF71 7 BG

8th April 2005

Your ref. P/DC/YP/05/00409/FUL

Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Town and Country Planning Act, 1990 (as amended)
Application No. 05/00409/FUL
River Walk, Cowbridge
Erection of two detached dwellings

Dear Sir / Madam

Thank you for your letter of 23rd March, 2005. I am grateful to have the opportunity to comment on the planning application above; and through this letter, wish to do so.

My understanding of the **Town and Country Planning Act, 1990 (as amended)** is that numerous different consents are required. These may be characterised for the purpose of this set of observations as: a) environmental, and b) particular to my own situation.

a) The former include:

• **Over-development of plot**

From the plans available at the Planning Department office in Cowbridge, there is evidence of significant over-crowding of the proposed site. Such over-crowding will also detract from the ambience of the River Walk development more generally.

• **Changing the use of land**

It is clear that the application requires a change to the use of the land. It has not been established that this is a satisfactory or desirable outcome.

• **Proximity to the river.**

The proximity to the river, at the lower height above the river level will also render the proposed development susceptible to the effects of the river bursting its banks.

• **Works to trees, hedges and other flora**

Though it is stated in the application that there will be no need to fell trees, I anticipate that the application will require the removal of hedges and other flora. In addition, though not a Site of Special Scientific Interest, the area is, nonetheless, a home for different fauna (especially water-birds). The application will cause the destruction of their natural habitat. (cf. The Wildlife and Countryside Act, 2001.)

• **There are other related concerns:**

Pollution to the River Thaw - This is likely to be an inevitable consequence of the building work associated with the application, including:

05 / 00409 / FUL 'A'₂

- **Water and sewerage**

During the last few years there have been difficulties encountered in the vicinity of the proposed plot of land. These have resulted in some drastic action at the local Comprehensive School – closure and children sent home. The plans for the proposed new development indicate increased usage of the existing drainage arrangements. This is likely to add to the problems already being encountered. This is wholly unsatisfactory.

- **Loss of privacy**

The relative seclusion of our property was a key feature of its attractiveness. The erection of two detached dwellings located in close proximity (albeit on the opposite bank of a small river) will severely erode the privacy of our property. Importantly too, the proposed new properties will overlook the windows of our house. For both our house and the proposed new development, there will be an intrusive outlook.

- **Diminished security**

The change to the use of the land will make our property less secure. (The present flora make our property impenetrable from the other side of the river.)

- **Loss of some 'natural light'**

It is difficult to predict the extent to which this factor will be significant, but it may be.

- **Noise pollution during construction work.**

I should be grateful if you would consider these points in your deliberations. These points collectively constitute a major objection to the application, and I therefore conclude that the application should be rejected. I look forward to your response.

Yours faithfully,



Dr S. Fleming

creu lle gwell
creating a better place

Appendix

A1



Asiantaeth yr
Amgylchedd Cymru
Environment
Agency Wales

26/01419/FUL

Mr Rob Thomas
The Vale Of Glamorgan Council
Development Control Section
Docks Office Subway Road
Barry
South Glamorgan
CF63 4RT

Our ref: SE/2006/100005/01-L01

Your ref: 2006/01419/FUL

Date: 04 December 2006

Dear Mr Thomas

Erection of two-storey medical centre with associated access, parking and landscaping at the Bear Field, The Broadshoard, Cowbridge.

Thank you for referring the above planning application for our consideration. The delay in reply is regretted, however I am now in a position to respond.

The application site lies partially within zone C2, as defined by the development advice map (dam) referred to under TAN 15 Development and Flood Risk (July 2004). Our Flood Map information, which is updated on a quarterly basis, confirms the site to be within the extreme flood outline. In accordance with TAN15, the development category is regarded as highly vulnerable. The TAN states that such developments should not be permitted within zone C2.

If your Authority is minded to approve the application contrary to TAN 15, the applicant must be required to undertake a flood consequence assessment (FCA) prior to determination of the application. We should then be asked for advice on this assessment in accordance with TAN15. This will ensure that all parties are aware of the risks to, and from, the development, and ensure that if practicable, appropriate conditions to manage the risks can be incorporated in any planning permission.

The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given under Section 7 and Appendix 1 of TAN15. Prior to undertaking a FCA, the applicant is advised to contact Johnathan Austin (029 2024 5155) for additional advice and information.

In the absence of a FCA, we **object** to this application. We would therefore recommend that determination of the application be **deferred** in order for a FCA to be submitted. If any subsequent FCA fails to demonstrate that the consequences of

Environment Agency
Rivers House (St. Mellons Business Park) Fortran Road, St. Mellons, Cardiff, CF3 0EY.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
Cont/d..

RECEIVED

flooding can be acceptably managed, then we will sustain our objection and recommend that the application be refused.

We are required to report to the Welsh Assembly Government those instances in which recommendations for refusal on grounds of flood risk, have not been accepted by Local Planning Authorities. Therefore, if planning permission is granted contrary to our recommendation, we would be grateful if you would provide us with a copy of the Committee report, relevant Committee minutes and the decision notice.

Further consultation is considered essential as, in addition to flood risk, we have identified further constraints that would affect development at this site, i.e. (foul drainage).

Yours sincerely

Jon Goldsworthy
Planning Liaison Officer

Direct dial 029 2024 5039

Direct fax 029 2036 2920

Direct e-mail jonathan.goldsworthy@environment-agency.gov.uk

cc Brackley Investments

*Copied to Agere 6/12
see letter*

**ENVIRONMENTAL
AND ECONOMIC
REGENERATION**

05 DEC 2006

RECEIVED

ACK
NO: P152
ACTION BY: MGT/MR
RECEIVED
D.E.R

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Appendix

A2



Asiantaeth yr
Amgylchedd Cymru
Environment
Agency Wales

06/01419/KL

Mr Rob Thomas
The Vale Of Glamorgan Council
Development Control Section
Docks Office Subway Road
Barry
South Glamorgan
CF63 4RT

Our ref: SE/2006/100005/02-L01

Your ref: 2006/01419/FUL

Date: 09 January 2007

Dear Mr Thomas

Erection of two-storey medical centre with associated access, parking and landscaping at the Bear Field, The Broadboard, Cowbridge.

Thank you for referring a Flood Consequence Assessment (FCA) in support of the above planning application, which was received on 27 December 2006.

We have considered this FCA produced by Austin Partnership, Reference 05.1622 dated August 2005 submitted in support of the above planning application. Based upon the information submitted, the assessment shows that the risks and consequences of flooding could be acceptably managed in accordance with criteria set out in TAN15. We therefore have no objection to the development subject to inclusion of the following recommendations and conditions in any planning permission: -

With regard to surface water, due to downstream restricting structure(s) and/or inadequate capacity of the receiving watercourses, we object to any development taking place which generates flows greater than 6.1 litres/sec/hectare being discharged to any watercourse in the vicinity of the proposed development. Whatever regulation method is adopted to control the rate of surface water runoff from the development, it is essential that the developer makes suitable provision to ensure satisfactory long-term maintenance of the system/structure installed.

The site is located on Blue Lias (Jurassic), which under the Policy and Practice for the Protection of Groundwater has been classified as being Major aquifer. There are no Source Protection Zones at the site, but the closest is 500 m to the North of the site.

We note that use of a new private treatment plant for foul water and a direct discharge to watercourse for surface water drainage. Given the location within

Environment Agency
Rivers House (St. Mellons Business Park) Fortran Road, St. Mellons, Cardiff, CF3 0EY.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk

Cont/d..



Cowbridge, we request that all drainage from the site be disposed of to mains sewer as our preferred option. If connection to mains sewer were not a viable option, then a site investigation would be required to determine the site suitability, as the site is located on a Major aquifer. The site would also require a Discharge Consent and our local Regulatory Water Quality team should be consulted.

CONDITION: No development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been approved by and implemented to the reasonable satisfaction of the Local Planning Authority.

REASON: To prevent pollution of the water environment and prevent the increased risk of flooding.

CONDITION: Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

REASON: To prevent pollution of the water environment.

We note that the site is a playing field and that the existing building will be replaced, therefore in case any contamination is found during the development we request inclusion of the following condition.

CONDITION: Should contaminated material be observed (visual or olfactory) then the Environment Agency Wales must be contacted and a site investigation to determine the nature and extent of contamination will be required. In the event that contamination is confirmed the developer must liaise with the Environment Agency Wales on measures required to protect surface water and groundwater interests. This may include undertaking a risk assessment and derivation of appropriate remedial targets.

REASON: To protect the quality of controlled waters in the area.

The following comments should also be considered;

The applicant should be aware that pursuant to Section 23 of Land Drainage Act 1991, the prior formal Flood Defence Consent (formerly land drainage consent) of the Environment Agency is required for the erection of any mill dam, weir or other like obstruction to the flow of an ordinary watercourse or raise or otherwise alter such an obstruction; or erect any culvert that would be likely to affect the flow of any ordinary watercourse or alter any culvert in a manner that would be likely to affect any such flow. Any culverting of a watercourse also requires the prior written approval of the Local Authority under the terms of the Public Health Act 1936. We resist culverting on conservation and other grounds, and consents for such works will not normally be granted except for access crossings.

The responsibility for the maintenance and good order of all watercourses and structures thereon rests, in the first instance, with the riparian owner. Land Drainage legislation does not seek to remove this responsibility.

The Local Authority should be satisfied, that on completion of the development, watercourse(s) including the riverbank, structures such as outfalls, footpaths etc., and other open spaces adjacent to the watercourse, have the necessary agreement(s) in place to ensure that they are maintained in perpetuity.

Cont/d..

There are no water abstraction licence within 1 km of the nation grid reference SS 9940 7486. You need to be satisfied that the search covers your area of interest. It is the responsibility of the applicant to ensure that the development will not affect any existing legal water interests in the area.

There is no mention of the applicant using mains or private water supply. If the applicant intends to abstract water an Abstraction Licence may be required. The applicant should contact the Water Resources team 02920245124 to discuss if water is required during the development stage or beyond for any purpose. The same applies if the applicant is thinking of impounding any watercourse.

Under the terms of the Water Resources Act 1991, an Impounding Licence may be required from the Agency for the impounding of any watercourse, ditch or stream (e.g. by dam, weir etc.) and an Abstraction Licence may be required from the Agency for the abstraction of water from any inland water or underground strata. This is dependent on water resource availability and may not be granted.

There are no Conservation objections in principle to this proposal, however we would make the following comments;

Water vole and/or great crested newts may inhabit the adjacent Silver Well ponds. Should the proposed works affect these ponds, connecting watercourses, hedgerows or scrub vegetation, we would advise the Local Planning Authority to request that these species are surveyed for prior to any development. Should any protected species be found adequate measures must be put in place to prevent damage to the animals or their habitat. CCW and the county ecologist should be contacted in this regard.

The proposed development creates an opportunity for incorporating space for bats within the new building's roof, and the advice of the Countryside Council for Wales and the Bat Conservation Trust should be sought as to the most appropriate way to incorporate it in the development.

Should you wish to discuss any of the above issues further please do not hesitate to contact me.

Yours sincerely



Jon Goldsworthy
Planning Liaison Officer

Direct dial 029 2024 5039

Direct fax 029 2036 2920

Direct e-mail jonathan.goldsworthy@environment-agency.gov.uk

cc Brackley Investments

End

Erection of two storey medical centre with associated access, parking and landscaping at The Bear Field, The Broadshoard, Cowbridge.

There are no highway objections in principle to this proposed development subject to the following Highway requirements being fully satisfied :-

- 1) Notwithstanding the submitted plans, no works whatsoever shall commence on site until full engineering details of the access road and alterations to the adopted highway including cross sections, alignment, street-lighting, construction, surface water drainage, lining, signing, traffic calming etc. have satisfied a Stage 2 Safety Audit and have been submitted and approved by the LPA to enable possible adoption of the areas considered suitable for maintenance at the public expense.
- 2) The Developer to enter into a legal agreement with Local Authority to enable alterations to the existing adopted highway and construction of the proposed access road to be completed to adoptable standards.

NOTE

The Developer will require written consent from the Local Authority to enable him to travel over land that is in the control of The Authority in order to gain access to the site. The Authority in return shall require the Developer to enter into a legal agreement with The Authority to ensure the construction to the appropriate standard and subsequent adoption of the access road. (S278/38 including appropriate bond and fees)

- 3) No works to commence on the medical centre until the alteration works to the adopted highway have been completed to the satisfaction of the Highway Authority.
- 4) Parking provision to be in accordance with the addendum to the South Wales Parking Guidelines 1993 dated September 2001 and be laid out in accordance with the Council's design criteria and approved by the LPA prior to the beneficial use of the development.
- 5) Unobstructed, safe vehicular/pedestrian access to the leisure centre must be maintained at all times.
- 6) Wheel washing and sweeping facilities to be provided within the boundary of the development site to ensure mud and debris is not dragged onto access road and adopted highway to the detriment of highway safety. Positioning of wheel wash to be agreed with the Highway Authority.
- 7) Delivery times and haul routes to the proposed site to be agreed with the Highway Authority prior to commencing work on site.

Appendix B 06/01419/HU

- 8) Surface water run-off to be dealt with within the confines of the medical centre site.

Tom Bevan
30th November 2006.

Planning Officer :- Jane Crofts.

MEMORANDUM / COFNOD

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

Appendix C.



06/01419/FUL

To / I:	Jane Crofts
Dept / Adran:	Development Control
Date / Dyddiad:	28 th November 2006
Your Ref / Eich Cyf:	

From / Oddi Wrth:	Chris Fray
	Head of Economic Development & Leisure
My Ref / Fy Cyf:	HED&L/CF/lje10
Tel / Ffôn:	(01446) 704630
Fax / Ffacs:	(01446) 704622

Subject / Testyn: **Planning Application Ref. 2006/01419/FUL**
Proposed Two-Storey Medical Centre at the Bear Field,
Cowbridge

With reference to the above planning application I am restricting my comments in this memorandum to issues relating to the effect of the proposal on the adjoining Leisure Centre.

The proposal will result in changes to the car park for the Leisure Centre. Although the number of spaces remains similar there will be a reconfiguration of spaces and the loss of soft landscaping. Vehicles accessing the Medical Centre will be able to cross in front of the main Leisure Centre entrance. Traffic calming measures have been introduced but there will always be element of risk arising from the additional traffic.

In the event of the proposal being recommended for approval, I suggest that a condition is attached to the consent to the effect that a scheme of works will be agreed prior to commencement of construction in order to minimise disruption to the Cowbridge Leisure Centre and to ensure the safety of Leisure Centre customers and users of the playing fields. In this respect a "crossing point" from the Mother and Baby car park spaces would assist in improving safety. The existing number of mother and baby car park spaces should also be the same as existing.

Chris Fray
Head of Economic Development and Leisure

c.c. Dave Knevett, Operational Manager Leisure & Tourism
Jamie Morgans, Leisure Centre Manager
Simon Jones, Cowbridge Leisure Centre
Phil Beaman, Operational Manager Parks & Grounds Maintenance

MEMORANDUM / COFNOD

The Vale of Glamorgan Council
The Alps, Wenvoe. CF5 6AA

06/01419/FUL



To / I:	Head of Planning and Transportation
Dept / Adran:	
Date / Dyddiad:	8 November 2006
Your Ref / Eich Cyf:	

From / Oddi Wrth:	Operational Manager Engineering Design
My Ref / Fy Cyf:	ED/SP/APB/L5/1
Tel / Ffôn:	(029) 20673107
Fax / Ffacs:	(029) 20673114

Subject / Testyn: **Planning Applications Registered from 6 October 2006**

With reference to the above list, I would comment as follows on land drainage and coast protection matters where my officers are aware of such implications.

06/01419/FUL

**The Bear Field, The Broad shoard, Cowbridge
Erection of two storey medical centre with associated
access, parking and landscaping**

The submitted details indicate that surface water run-off from the proposed development is to discharge to a watercourse, with flows being attenuated. It is noted that the rate of discharge of surface water run-off to the watercourse has been agreed with the Environment Agency.

The Applicant should therefore be requested to provide full details, including hydraulic flow and storage calculations, of the proposals for the disposal of surface water run-off, for the approval of the Local Planning Authority, prior to the commencement of any works on site. The Applicant should also be requested to provide copies of relevant correspondence with the Environment Agency relating to the discharge to the watercourse.

The watercourse to which a connection is to be made is located on land in the ownership of this Council. It is recommended that you seek the comments of the Client Department, the Operational Manager Parks and Ground Maintenance.

A. P. Bosley
for Operational Manager Engineering Design
ar ran Rheolwr Gweithredol Dylunio Peirianeg

MEMORANDUM / COFNOD

The Vale of Glamorgan Council
Regulatory Services
Legal & Regulatory Services Directorate
Civic Offices, Holton Road
BARRY, CF63 4RU

Appendix E



To:	Head of Planning and Transportation
Dept / Adran:	
Date/Dyddiad	19th December 2006
:	
Your Ref / Eich Cyf:	P/DC/JMC/2006/01419/FUL

From /	Jon Bailes
Oddi Wrth:	Pollution Section
My Ref/Cyf	JMB/203889
Tel / Ffôn:	01446 709105
Fax /	01446 709449
Ffacs:	

Subject / Testyn: **Re: Planning Application No - 2006/01419/FUL**
The Bear Field, The Broadshoard, Cowbridge.
Erection of two storey medical centre with associated access, parking and landscaping.

I refer to your memorandum received by this department on 11th December 2006 regarding the above development.

The information submitted regarding ground contamination is sufficient. We have no further comment to make on this subject.

However, we would recommend that the following standard planning condition be inserted into any Planning Permission granted:

'Any soils or similar material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Reason: To ensure that the safety of future occupiers is not prejudiced.'

I also note that the proposal references the need for shrub clearance and would recommend that the areas in question be assessed for the presence of Japanese Knotweed prior to this work being carried out.

If you require any further information please do not hesitate to contact me.

Regards,

Jon Bailes
Pollution Control Officer (Contaminated Land)

MEMORANDUM / COFNOD

The Vale of Glamorgan Council
Regulatory Services
Legal & Regulatory Services Directorate
Civic Offices, Holton Road
BARRY, CF63 4RU

Appendix E

06/01419/FUL

VALE of GLAMORGAN



BRO MORGANNWG

To: Head of Planning and
Transportation

Dept / Adran:
Date/Dyddiad 14th November 2006
:
Your Ref / P/DC/JMC/06/01419/FUL
Eich Cyf:

From / Kristian James
Oddi Wrth: Pollution Section
For Steve Pye
My Ref/Cyf KDJ/200235
Tel / Ffôn: 01446 709105

Fax /
Ffacs:

Subject / **Re: Planning Application No - 06/01419/FUL**
Testyn: **The Bear Field, The Broadshoard, Cowbridge.**
Erection of two storey medical centre with associated access, parking and landscaping

I refer to your memorandum received by this department on 25th October 2006, this department has Contaminated Land Actions to make regarding the above application

Records held by this Authority give no indication that the proposed development land has been subject to any historical or contemporary use of a type that might have resulted in ground strata becoming contaminated. The site does not appear to be either former landfill/area of infill nor situated close to any such land resulting in a potential risk of gas migration. Therefore there would be no definite requirement to undertake a formal contaminated land risk assessment to identify potential risks to long term occupants, the local environment or to the integrity of buildings.

However a Planning Statement has been issued which addresses Archaeology, Ecology and Flooding and that a geotechnical report has also been produced that contains information on ground conditions. Therefore it would be in the interest of the developers/site owners to provide proof and evidence that the land is not contaminated and which could be achieved through compiling a Desk Top Study Report incorporating historical land use information together with the existing geotechnical data.

As such it is recommended that a Condition be included to the following effect:

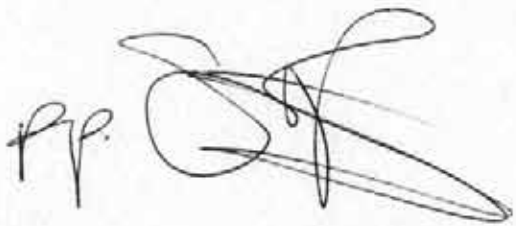
This department has no objection to the proposed development with respect to contaminated land. However,

1). No development shall take place until a study to determine whether the land is contaminated and any associated remedial works have been carried out to the satisfaction of the Local Planning Authority. This will encompass:

A desktop study of the area of the proposed development.

2). any soils or similar material to be imported or reused in situ shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Reason: To ensure that the safety of future occupiers is not prejudiced.

A handwritten signature in black ink, appearing to be 'K. James', written in a cursive style.

Kristian James
Team Leader

Consultation response: Head of Economic Development & Leisure (Ecology)

Application reference: 06/01419/FUL

Application site: The Bear Field, The Broadshoard, Cowbridge

06/01419/FUL

*Otter

The application site lies within 200m of the River Thaw where otters are known to be present and the network of drains and ponds to the north and east of the application site have the potential to contain otter. It is therefore possible that the hedge and scrub surrounding the field at the east end of the application site may provide resting up places for otters.

- It is therefore recommended that an otter survey be conducted prior to any consent being granted, to include recommendations for mitigation as appropriate.

*Great crested newt

It is noted that several ponds and wetland areas lie within 500m of the application site, which is the recognised foraging range for a great crested newt. Should any of these wetlands support breeding populations of great crested newt, there is the possibility that great crested newt could be using the application site as terrestrial habitat.

- It is recommended that the developer be made aware that great crested newts 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). This legislation makes it an offence to damage or destroy a breeding site or resting place, to either intentionally or recklessly damage, destroy or obstruct access to a place used for shelter and protection, or to intentionally or recklessly disturb great crested newts within a place used for shelter or protection.
- It is recommended that a great crested newt habitat assessment and survey of the application site be conducted prior to consent being granted, to include recommendations for mitigation, as appropriate.

Reptiles

The application site includes habitat which could potentially be used by reptiles.

- It is recommended that the applicant be informed that reptiles are protected under the Wildlife and Countryside Act 1981.
- It is recommended that a condition of consent be that a reptile clearance methodology for the field and surrounding hedgerow/scrub at the east end of the application site be undertaken, and that this is submitted to the local authority for approval prior to the commencement of works.

Boundary hedgerows

The planning statement states that cutting back of boundary scrub will be required which will be followed by reinforcement shrub planting, but it is not clear what the extent of the cutting back will be and whether or not the proposals will be detrimental to the boundary hedgerows.

- It is recommended that further information be submitted on the proposals for treatment of boundary hedgerows. Proposals should demonstrate retention and future management

of existing boundary hedgerows and show on a plan the extent of proposed cutting back and replanting. Any proposals for replanting should contain a mix of indigenous, locally sourced species and should be sufficient to ensure no net loss of hedgerows / trees.

Landscaping

Given the rural location of the application site on the edge of Cowbridge it is recommended that any landscaping scheme includes indigenous, locally sourced species.

Nesting birds

The vegetation on this application site may be used by nesting birds.

- It is recommended that the developer be made aware that under the Wildlife and Countryside Act 1981 (Section 1) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built.
- It is recommended that to comply with the law, a condition be included in any consent which states that work affecting vegetation should be done outside the nesting season which is generally recognised to be from March to August inclusive, unless it can be demonstrated that nesting birds are absent.

***N.B.** A developer will require a development licence from the National Assembly Wales government for any development that would contravene the protection afforded to European protected species (which include otter and great crested newt) under the Habitats Directive. Before such a licence can be granted, the following tests, specified in Article 16 of the Habitats Directive, must be satisfied:

- *the derogation (in the form of a licence) is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment"*
- *there is "no satisfactory alternative" to the derogation*
- *the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range".*

Although derogations are currently granted by a licence issued to the developer by the National Assembly Wales government, local planning authorities are under a duty to have regard to the requirements of the Habitats Directive in exercising their functions. To avoid developments with planning permission subsequently not being granted a derogation in relation to European protected species, planning authorities should take the three requirements for a derogation into account when considering development proposals where a European protected species is present, and planning reports should demonstrate that the three tests have been applied.

**Consultation response: Head of Economic Development & Leisure
(Ecology)**

Application reference: 06/01419/FUL

Application site: The Bear Field, The Broadshoard, Cowbridge

**Further comments following submission of Ecological Overview
submitted in respect of this application**

An Ecological Overview was conducted based on a site visit in February 2006. The overview identified actual or potential ecological issues. However it states that the assessment overview has not taken the form of a full ecological survey due in part to seasonal constraints.

The ecology comments and recommendations made previously in respect of this application still apply.

In addition to these, the following recommendations are made based on the findings, recommendations and conclusions made in the Overview report.

Phase 1 habitat survey

- As recommended in the overview report, a phase 1 habitat survey is recommended, to be undertaken at an appropriate season and to include an assessment of impact, to identify flora present and the potential for any protected species or other surveys that may be required.

The Ecological Overview recommends a number of additional surveys in the event that vegetation removal will be required. A phase 1 survey will enable the potential for protected species to be established. Where potential for European Protected Species is identified, surveys will be required prior to the granting of consent. It is therefore essential that the phase 1 survey be undertaken before a consent is granted.

Hedgerow

Previous comments submitted by the Ecology team requested further information on the proposals to cut back hedgerow / boundary scrub. The Ecological Overview considers that some of the hedgerows on site will qualify as Important under the Hedgerow Regulations 1997 due to their ancient and/or species rich nature.

- It is therefore now recommended that where proposals will result in a reduction in boundary hedgerow/scrub, a full hedgerow survey be conducted prior to the granting of consent, to include an assessment of impact.

Our ref: VOG0764/CNM

CURATORIAL DIVISION

Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
BARRY
CF63 4RT

17th January 2006

FAO Jane Crofts

Dear Sir

Re: Proposed Medical Centre: Bear Field, Cowbridge:
PL.App.No. 06/01419/FUL

Thank you for your letter of the .8th December, the attached letter from Andy Marshall of Brackley Investments and the accompanying archaeological desk-based assessment for the site prepared by GGAT Contracts.

When we responded to your original consultation for this application (our letter of the 20th November 2006) we were unaware that the archaeological desk-based assessment for the site had been prepared, it is not mentioned at all in the planning statement prepared by Brackley Investments accompanying the application. Consequently its contents were not considered when we made our response and we therefore noted the conclusions of the report on the watching brief conducted during the geotechnical works undertaken on the site (which was mentioned in the planning statement) that clearly stated that there was a potential for important archaeological feature to be present in the application area. However, now that the applicant's agent has presented a copy of the archaeological desk-based assessment we can now review the contents of that work along with the results of the archaeological watching brief.

The desk-based assessment clearly indicates the high possibility that significant archaeological features may be located in the application area, given that a Roman bath house was discovered and excavated immediately to the southeast of the application area and an extensive area of Roman agricultural and industrial activity was excavated to the west. However, a geophysical survey conducted in the application area only identified two liners anomalies and the watching brief conducted on the geotechnical work identified no archaeological features and surprisingly recovered no Roman material (although medieval and post-medieval artefacts were identified). Therefore having reviewed all of the presented evidence we can conclude that it is unlikely that any archaeological features of sufficient importance for the current planning application to be refused on archaeological grounds survive in the application area. We therefore do not now object to the positive determination of the current application.

GLAMORGAN
GWENT
ARCHAEOLOGICAL
TRUST LTD

*Curatorial
Division*



Glamorgan-Gwent
Archaeological Trust
Limited
Heathfield House
Heathfield
Swansea SA1 6EL
Tel: (01792) 655208
Fax: (01792) 474469
www.ggat.org.uk
email: curatorial@ggat.org.uk

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without Share Capital
Registered Charity No. 505609

G 06/01419/FUL.

The conclusions given above however have been made following a limited archaeological investigation of the site. It remains possible that archaeological features, albeit not of national importance, could be revealed during the construction works required for the medical centre. It will therefore be necessary for an archaeologist to monitor the groundworks required for the development and for procedures ensuring that any archaeological features identified are fully investigated and recorded are agreed. Consequently we recommend that a condition recommend that a condition requiring the applicant to submit a detailed programme of investigation for the archaeological resource prior to the development commencing should be attached to any consent granted by your Members.

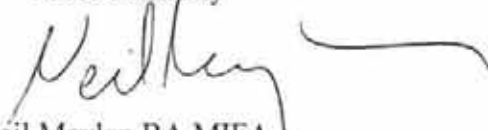
We recommend that the condition should be worded in a manner similar to the model given in Welsh Office Circular 60/96, Section 23:

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

Reason - *In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied.*

If you or the applicants have any questions or require further advice please do not hesitate to contact us.

Yours faithfully



Neil Maylan BA MIFA
Archaeological Planning Manager

Appendix

'H'

06/01419/FU

Mr Rob Thomas,
Head of Planning and Transportation,
Vale of Glamorgan Council,
Barry.

18th November 2006

Dear Mr Thomas,

Application No 2006/01419/FUL The Bear Field, The Broadboard, Cowbridge.

I wish to express my concern involving two impending planning decisions on the part of the Vale of Glamorgan Council – a): the proposal to construct a two storey medical centre adjacent to Cowbridge Leisure Centre and b): the council's decision to sell off the cattle market site for unspecified redevelopment.

While I have no objection to the relocation of the medical centre and understand the need for it, I have to point out that there is deep concern on the part of residents of The Broadboard regarding access, the poor state of the road surface, parking and congestion, which are already aggravated and can only be made infinitely worse by an enormous increase in traffic into this zone by the council's proposals. Furthermore, ingress and egress on to Westgate from The Broadboard is both difficult and dangerous.

The medical centre itself is in use constantly; between the two practices currently existing there, doctors cope with more than 400 appointments per week; additionally there are clinics for babies and children, for nursing care, chiropody, phlebotomy and other conditions.

As many of these patients arrive by their own transport, the impact on The Broadboard will be massive. Several traders and office workers already park their vehicles at the entrance to the Broadboard, where they are left all day – a situation further aggravated by the presence of the nursery school at Ramoth church, which generates a constant in-and-out flow throughout the day and even during school holidays when the facility offers playschool services.

It is clear from this that people who take advantage of the current "free" parking in the Broadboard will simply move further into the residential zone, making it impossible for householders to park or gain access to their driveways.

The mooted decision by the Council's cabinet to dispose of the cattle market site bodes further ill for The Broadboard and for parking generally in the town unless further provision is made for parking.

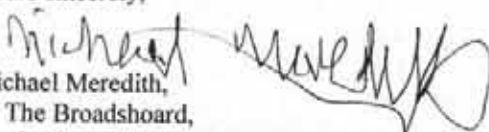
If the Council were to revert to the proposal to sell the cattle market to a developer for a supermarket, the prospects for the town in terms of traffic and trade would be injurious beyond measure.

Four years ago, the local community voted by a majority of four to one to oppose the development of a large supermarket on the part of Waitrose, which would have been ruinous for Cowbridge and its High-street.

Subsequently the District Planning Inspector ordained that there had been inadequate public consultation and that the matter should not be considered afresh until the year 2011 – and that even then there should be proper public consultation on the part of the Vale Council in so doing.

May we be assured that these proper measures will be put in place and that the community as a whole will have the opportunity to influence planning decisions over these matters, which otherwise promise to be deeply damaging for the town and its residents?

Yours sincerely,


Michael Meredith,
26 The Broadboard,
Cowbridge CF 71 7DB. 01446-774765

H

06/01419/FUL

Your reference: P/DC/JMC/2006/01419/FUL

18 THE BROAD SHOARD
COWBRIDGE
VALE OF GLAMORGAN
CF71 7DB
Thursday 26th October 2006

Dear Mr. Thomas,

Town and Country Planning Act, 1990 (as amended)

Application No. 2006/01419/FUL

Location : The Bear field, The Broad Shoard, Cowbridge

Proposal : Erection of two story medical centre with associated access, parking and landscaping

Thank you for your letter dated 20 October 2006 regarding the above. We have examined the application and would comment as follows.

We agree with the principals laid down for the need of a new medical centre and do not object to this in any way. However the traffic evaluation given in the application for The Bear Field does not accord with the practical experience of ourselves as regards the frequency and levels of traffic experienced and the periods over which this is encountered. The date given in the application is that of July 1997 which is hardly relevant to 2006, especially as it was in the school holiday period. The term "gridlock" or "near gridlock" is often used in the vicinity of the junction of The Broad Shoard and Westgate on school days from 8.00am to 9.00am and 3.00pm to 4.00pm with the associated volume of school bus traffic entering Westgate from The Butts road, leading from the cattle market, to Westgate.

We would suggest that a more relevant and current analysis of traffic flows be established. On Wednesday 25th October 2006 there was a gridlock situation at or about 11.45 am with the X2 bus service (Cardiff-Swansea) in both directions stuck in the jam, with cars and lorries from the newly opened quarry at Pontylcun/Miskin area. This extended all along the High Street from the Bear Hotel to the end of Westgate. The queues from the Leisure centre amounted to 6 cars, and larger vehicles, trying to get out on to Westgate

The proposed traffic scheme for the new Medical Centre has The Broad Shoard as the only access point to the new facility. That traffic which enters The Broad Shoard must leave by The Broad Shoard. We do not find this acceptable because at the moment the residential part of The Broad Shoard encounters many days when access up The Broad Shoard is often very difficult and on some occasions impossible. Vehicles delivering have had to abandon their journeys because of double parking caused in the main by daily activities at The Ramoth Chapel and parking of vehicles used by people visiting Cowbridge Town - not necessarily visiting the residents of The Broad Shoard. The practice of parking and shopping in Cowbridge encroaches even further up The Broad Shoard than it has ever done before. It is clearly evident that the approaches to the Leisure Centre are being used even more for this as again was witnessed on Wednesday 25th October 2006.

It is suggested that it would be better if another access/egress point were established from the proposed Medical Centre to join Eagle Lane and the out by way of the Town Hall area. This would create a one way system for the Medical centre and Leisure Centre.

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06/01419/FUL

From appendix E in the documentation it is felt that some of the reasons given for not proceeding with certain sites are questionable.

1. The present location of the health centre was erected upon a site of an Historical nature. That has not changed.
2. The former cattle market is not listed or destined for a supermarket according to information in the public domain. The site is large with plenty of space for both vertical and lateral expansion and has no flooding problems.
3. With the flood alleviation works being carried out in Cowbridge the Old Brewery site becomes an option.
4. With the proposed closure of Cowbridge fire station this site becomes an option. This site does not have any flood plain issues.

When The Broad Shoard was constructed some 35 years ago it was residential development with access to the Cowbridge Sports and Athletic Club only. Since that date there has been the addition of the Leisure centre, the Tennis club and latterly the Bowls Club. In addition there has been a substantial increase in the daily and evening activities at The Ramoth Chapel, whereby the The Broad Shoard is used as the main access point. All of these have impacted upon the residential aspect of The Broad Shoard.

Progress and improvement of the infrastructure must go hand in hand. I cannot see this in the way in which the new Medical Centre is being portrayed and projected.

There is also the issue is of **DEMOCRATIC PARTICIPATION** but we find that upon talking to some residents that only a select few have been sent the attached letter possibly only 11 properties on The Broad Shoard out of a total of possible 48 or more; all of whom pay rates and the vast majority have one or more motor vehicles. It is also understood that contact with the named person on the letter attached is not satisfactory either in the response from the Vale of Glamorgan or being able to talk to someone who can answer questions.

Yours faithfully



Mr. and Mrs. P.G.W.FRANCE

MR. THOMAS
HEAD OF PLANNING AND TRANSPORTATION
THE VALE OF GLAMORGAN COUNCIL
BARRY DOCKS
BARRY CF63 4RT

cc

H' 06/01419/FUL

UNITED FREE CHURCH, COWBRIDGE
WESTGATE, COWBRIDGE, VALE OF GLAMORGAN CF71 7AR
Web site: www.cowbridgeunitedfreechurch.org.uk

Secretary:
Mrs. M. Weavers
20 Geraint's Way
Cowbridge
Vale of Glamorgan
CF71 7AY
Tel: 01446 773494

Minister:
Heather Barton Jones
23 Geraint's Way
Cowbridge
Vale of Glamorgan
CF71 7AY
Tel: 01446 771021

Treasurer:
Mr. A. Pearse
68 The Verlands
Cowbridge
Vale of Glamorgan
CF71 7BY
Tel: 01446 771883

9 November 2006

Your ref: P/DC/JMC/2006/01419/FUL

Mr. Rob Thomas
Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
BARRY
CF63 4RT

Dear Sir

Town and Country Planning Act 1990 (as amended)

Application No.2006/10419/FUL

Location: The Bear Field, The Broadshoard, Cowbridge

Proposal: Erection of two storey medical centre with associated access, parking and landscaping

One of the users of our premises has passed your letter to us, and I am writing on behalf of United Free Church and our users. We allow our premises to be used by various groups in the Community such as a ballet group, Welsh Nursery School, Welsh Play Group, St. John's Ambulance Group, Guides and the Cowbridge Choral Society.

We use the access to our buildings on the Broadshoard (although our postal address is Westgate) and this is especially vital for disabled visitors and children. The main use is in afternoons and early evenings. We are very concerned that the parking arrangements planned for the new medical centre will not be large enough to cope and that cars may overspill onto the Broadshoard, thus making our access very difficult if not impossible. This overspill already happens when the Leisure Centre car park is very busy. We are very conscious that our neighbours find parking outside their houses quite difficult already, and any extra traffic is going to be chaotic.

We would be pleased to have your comments on this worrying state of affairs.

Yours faithfully,

Margaret Weavers

Margaret Weavers
Secretary, United Free Church

'H'

06/01419/FU

Linda Adams
10 THE LIMES COWBRIDGE VALE OF GLAMORGAN CF71 7BJ
Tel: 01446 771 309. e-mail: adamsl@onetel.com

12-12-06
Mr. Rob Thomas
Head of Planning and Transportation
Dock Office
Barry CF63 4RT

Dear Mr. Thomas,

Cowbridge Medical Centre, Bear Field.

I am writing to object to the above planning application on grounds of its design and materials and lack of sustainability.

Although not in the Cowbridge Conservation area, it will be visible from it and will not complement, improve or enhance the area in any way. As a building it is more in keeping with an industrial estate than with a historic town centre dense with listed buildings and features. It is true that the Leisure Centre will be its closest neighbour but one ugly building cannot excuse the perpetration of another.

The lack of sustainability in its design and construction also gives cause for concern and certainly does not accord with the advice contained in the VOG document, Sustainable Development: a Developer's Guide. As a very big building of 2534 square metres occupying a site of 3.25 acres, this counts as a major development and should have the most stringent criteria of sustainability applied to it, so that its environmental impact is minimised and it fits better into a site which is midway between a heritage street scene and a natural landscape. What the developers describe as sustainability seems to relate to the fact that it can be reached by public transport, and it has opening and louvred windows to counteract what will undoubtedly be a problem with overheating.

The materials used do not do not include energy efficient natural materials such as wood and stone, but rely on a heavy use of metal in the roof, windows, curtain walling and doors which is very heat-conductive. Instead of being covered in metal, the roof would benefit from being a green roof i.e. with plants that retain rainfall, reducing run off, and providing good thermal properties, reducing both heating and cooling costs. This would be particularly valuable as the area behind is wetland the year round, and part of the Thaw flood plain. The use of renewable energy resources such as photovoltaic arrays or solar water heating would also be a significant advantage on a building this size.

The corner of the proposed site next to the ambulance drop-off, bin store and four reserved parking places adjoins the ancient Silver Well. The well has a stone surround and still contains clear water which used to be piped to the

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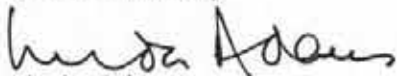
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06/01419 FW

High Street area and was still drinkable when last tested in the 1990s. That corner is surrounded by a thicket which is partly in the proposed site and partly on the well side. The well is in a secluded part of the family nature reserve established by Mr. and Mrs. David John, which won second prize in the Vale Biodiversity Partnership awards in 2005. The developers propose a radical cutting back of vegetation surrounding the site and I would urge your department to impose a condition ensuring that the boundaries which are at the back of the site, comprising an ancient wall and hedgerows, should be protected so that this tranquil area, in which Cowbridge residents and visitors are welcome to walk, receives maximum protection from the impact of a very big development.

In conclusion, while a new Health Centre will be a major benefit to the town, it should be one in which the principles of good health should be symbolized by a building that fits better with its surroundings and accords with the principles of sustainability advocated by the WAG and by the Vale Council.

Yours sincerely


Linda Adams

06/01491/FUL

Appendix A.

Mr Rob Thomas
Head of Planning & Transportation
The Vale Of Glamorgan Council
Development Control Section
Docks Office Subway Road
Barry
South Glamorgan
CF63 4RT

Our ref: SE/2006/100023/01-L01
Your ref: 2006/01491/FUL
Date: 06 November 2006

Dear Sir/Madam

Proposed agricultural dwelling (resubmission of App. No. 2005/01712/FUL) at Land formerly part of Rectory Farm, Llandough, Cowbridge, Vale of Glamorgan.

Thank you for referring the above application, which was received on 03 November 2006.

The Environment Agency does not accept the promotion or proliferation of cesspools as a viable long-term sewerage option, in view of the potential environmental, amenity or public health problems arising from inadequate operation and maintenance. The DETR Circular 03/99 / Welsh Office Circular 10/99 "In Respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development" also discourages the use of cesspools and provides a hierarchy of drainage options that should be considered before the use of cesspools is considered. The use of the public foul sewer, private sewage treatment plant (which can be offered up for adoption to the Sewerage Undertaker) or septic tank should be considered as a more sustainable method of foul drainage disposal. The applicant must complete a full foul drainage assessment which proves to the planning authority's satisfaction that the use of cesspools is unavoidable.

If a cesspool is considered as the only viable option by the Planning Authority the Agency requests that the following condition be applied:

CONDITION: All foul drainage shall be contained within a sealed and watertight cesspool, fitted with a level warning device to indicate when the tank needs emptying. No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works including emptying has been submitted to and approved in writing by the Local Planning Authority. The scheme

Environment Agency
Rivers House (St. Mellons Business Park) Forran Road, St. Mellons, Cardiff, CF3 0EY.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
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shall be completed in accordance with the approved plans before the development is occupied.

REASON: To prevent pollution of groundwater.

In addition, we make the following advisory comments.

The developers should adopt all appropriate pollution control measures, both underground and on the surface, to ensure that the integrity of the aquatic environment, both groundwater and surface water is assured.

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environmental Protection Act 1990.

Carriers transporting waste from the site must be registered waste carriers.

The activity of importing waste into the site for use as, for example hardcore, must be registered by the Environment Agency Wales as an exempt activity under the Waste Management Licencing Regulations 1994.

I have sent a copy of this letter to the agent.

Yours faithfully

Jon Goldsworthy
Planning Liaison Officer

Direct dial 029 2024 5039

Direct fax 029 2036 2920

Direct e-mail jonathan.goldsworthy@environment-agency.gov.uk

cc Mr Christopher Morgan

ENVIRONMENTAL
AND ECONOMIC
REGENERATION

5 7 NOV 2006

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Appendix B1

06/01491/FUL

PLANNING APPRAISAL

for

VALE OF GLAMORGAN COUNCIL

of

06/01491/FUL.

An application to erect a farm worker's dwelling
at
Part Rectory Farm, Llandough, Cowbridge

Applicant: P Llewellyn
Agent: C Morgan
Advocate: A Roberts (ADAS)

Prepared By

RICHARD ANSTIS MRICS

**Pryor House
Snuggs Lane
East Hanney
Wantage
OX12 0HU
01235 868233
richard@nstis.com**

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

FAO: Mrs J M Crofts
DATE: November 2006

B1 06/0/491/FUL

CONTENTS

- 1.0 INTRODUCTION

- 2.0 DETAILS OF THE HOLDING
 - 2.1 Location
 - 2.2 Tenure
 - 2.3 Dwellings
 - 2.4 Buildings
 - 2.5 Land
 - 2.6 Enterprises

- 3.0 FUNCTIONAL TEST

- 4.0 FINANCIAL TEST

- 5.0 OTHER TESTS

- 6.0 CONCLUSION

1.0 INTRODUCTION

- 1.1 Mr Llewellyn has applied to the Vale of Glamorgan Council for consent to erect a farm worker's dwelling at part Rectory Farm, Llandough.
- 1.2 This appraisal was requested by the Vale of Glamorgan Council to examine the proposal in accordance with relevant planning policy. The property has been inspected from the roadside and the air. No further inspection has been carried out.
- 1.3 A yard plan provided as part of the previous application has been referred to.

2.0 DETAILS OF THE HOLDING

2.1 Location

The site of the proposed house is in open countryside about 300m to the north west of The Herberts (a hamlet of dwellings) and 900m from the village of St Mary Church.

2.2 Tenure

The holding is part owned and part held under tenancies and is run as one holding. There is some discrepancy over the exact extent of the land, between the previous submissions and the latest, but from the analysis of the plans, the farm is assumed to be as follows:

The application site at Rectory Farm and 20ha is owned. 1km to the east (Ty'n y Caeau) is a further block of 20ha, also owned. 1.25km to the south east (St Mary's Church) is a single field of 3.6ha, also owned, with the last block of owned land some 1.75km to the east (St Hilary), comprising 6.9ha.

The farming partnership then rents 16ha at Fishweir Farm, some way from the central holding, on a periodic FBT, 2.2ha at Rectory Farm, under a short term FBT and the historic nucleus for the holding at Old Beaupre Farm, comprising 57ha, held under a secure AHA tenancy.

15 years ago, Rectory Farm was sold and the land was split from the house, which was sold to an unconnected party. Old Beaupre Castle, including the adjacent house, is included in the area edged in blue on the application map, but in fact is not part of the holding.

2.3 Dwellings

The applicant lives with his parents in a dwelling on the holding at Old Beaupre Farm, occupied under the AHA secure tenancy. The position of the house is shown filled black to the east of field number 7243 on the application plan. There are no other dwellings on the holding.

2.4 Buildings

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There are two principle yards at the holding, the first being adjacent to the dwelling at Old Beaupre Farm, comprising a collection of livestock and storage buildings and the second being adjacent to the proposed dwelling, on the land at part Rectory Farm.

Other buildings include a cattle house at OS7922, below the application site, a machinery shed adjacent to Old Beaupre Castle and a period Tythe barn to the south of that in OS 9394. This last building may or may not be appropriate for conversion.

2.5 Land

The land is predominantly laid to permanent pasture, but with around 20ha dedicated to feed corn production.

2.6 Enterprises

The farming system is described in the supporting report and in essence comprises a sheep and cattle farm, producing finished lambs and cattle for sale.

To expand, there is a suckler herd of 27 cows and one bull. 90-100 store cattle are bought and finished each year, together with the suckler progeny not kept as followers. 330 lambing ewes are also kept with their followers.

The two holdings are run together and the yards are used for different aspects of the mutual enterprise, but specifically the calving appears to occur at the buildings at Rectory Farm from November to April (paragraph 3 at 4.3.1 ADAS report), with rearing and finishing at Beaupre Farm. The sheep appear to be lambed at Rectory Farm between February and April (paragraph 3 at 4.3.2).

3.0 FUNCTIONAL TEST

3.1 The functional test is required to show that there is a proven agricultural need for a farm worker to be present *on site most times out of necessity* at the proposed location. Given that a dwelling already exists on the holding and the holding is run as one unit, the test must show that a second dwelling is required.

3.2 There is compelling evidence that a need exists for a dwelling on the holding, but one already exists at Beaupre Farm.

3.3 If the proposal had been for a second dwelling at Beaupre Farm, the evidence would have had to have been assessed in terms of the additional need, over and above that satisfied by the first house. This is not the proposal.

3.4 If the enterprises were run entirely separately, the need that related to Rectory Farm would have to have been assessed separately. This is not the fact.

06/014-91/FUL B1

- 3.5 As it is, the proposal is for a second dwelling to serve the whole holding, but located at Rectory Farm, rather than at Beaupre Farm. The first part of the assessment therefore is an analysis of whether there is an overriding reason why the applicant can *not* use the buildings at Beaupre Farm, where there is already provision for a full time worker to be on site, for the part of the enterprise that requires such attendance – the source of the need.
- 3.6 The submitted evidence on this issue comprises three points:
- A. That the buildings at Beaupre Farm are unsuitable. This point has not actually been made in such obvious terms, but at paragraph 11 of section 5, the traditional buildings (that make up some of the buildings at Beaupre Farm) are described as being more labour intensive than the more modern ones.
- Section 4.4 of the ADAS report describes the structure and current use of both sets of buildings. There are substantial buildings at Beaupre Farm and many of these are not used for a part of the enterprise that creates the agricultural need which requires a worker to be on site.
- There is no submitted evidence that shows why the existing buildings at Beaupre Farm can not be used for the part of the enterprise that creates the need, nor why new buildings could not be erected for this purpose at that location.
- B. That to prevent disease, the breeding stock should ideally be kept separate from purchased stock (paragraph 10, section 5). No evidence has been submitted as to why such separation as is necessary could not be achieved at Beaupre Farm.
- C. That a caravan has already been permitted at Rectory Farm, as temporary accommodation (paragraph 2, section 4.7). This is not accurate. In fact, the caravan at Rectory Farm is wholly unauthorised and enforcement has been held in abeyance until December 2006, pending the outcome of other planning matters. This is not the same as granting planning permission for a limited time.
- 3.7 Since there is insufficient evidence to show an overriding reason why the need could not be both based and satisfied at Beaupre Farm, it follows that there is no proven need at Rectory Farm and the functional test is not satisfied.

4.0 FINANCIAL TEST

The financial test is unnecessary where the functional test is not passed.

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5.0 OTHER TESTS

In line with considerations given in the recent Welsh Assembly Government Research findings, the parts of the functional test that have already been analysed in the functional test have been extracted here, for clarity:

1. Full-time Test: We are satisfied that there is sufficient evidence that a second farm worker is required full time on the holding (as a whole) in terms of labour requirement.
2. Other Dwelling Test: We are satisfied that from the evidence provided and our limited research, there are no neighbouring dwellings which would satisfy the need, had it been shown.
3. Other Planning Requirements: We have considered commensurate size and location of the dwelling, but all other planning issues are outside our brief.

6.0 CONCLUSION

- 6.1 In our opinion, the application fails the functional test and does not prove an overriding need for a second farm worker's dwelling at Rectory Farm.
- 6.2 Size – We consider that a dwelling of no more than 150m² would be commensurate with the needs of a second farm worker, were a need to have been shown.
- 6.3 Location – Were an overriding need to have been shown to exist at the yard adjacent to the proposal, then the position of the proposed house would have met that need.

Signed

Dated

19th January 2007

Re: 06/01491/FUL – Rectory Farm, Llandough
Response to letter 9th January 2007 - Aled Roberts to Jane Crofts:

The letter refers to our earlier appraisal and specifically to section 3.1.

Extract from November 2006 Appraisal:

3.1 *The submitted evidence on this issue comprises three points:*

A. *That the buildings at Beaupre Farm are unsuitable. This point has not actually been made in such obvious terms, but at paragraph 11 of section 5, the traditional buildings (that make up some of the buildings at Beaupre Farm) are described as being more labour intensive than the more modern ones.*

Section 4.4 of the ADAS report describes the structure and current use of both sets of buildings. There are substantial buildings at Beaupre Farm and many of these are not used for a part of the enterprise that creates the agricultural need which requires a worker to be on site.

There is no submitted evidence that shows why the existing buildings at Beaupre Farm can not be used for the part of the enterprise that creates the need, nor why new buildings could not be erected for this purpose at that location.

B. *That to prevent disease, the breeding stock should ideally be kept separate from purchased stock (paragraph 10, section 5). No evidence has been submitted as to why such separation as is necessary could not be achieved at Beaupre Farm.*

C. *That a caravan has already been permitted at Rectory Farm, as temporary accommodation (paragraph 2, section 4.7). This is not accurate. In fact, the caravan at Rectory Farm is wholly unauthorised and enforcement has been held in abeyance until December 2006, pending the outcome of other planning matters. This is not the same as granting planning permission for a limited time.*

3.2 *Since there is insufficient evidence to show an overriding reason why the need could not be both based and satisfied at Beaupre Farm, it follows that there is no proven need at Rectory Farm and the functional test is not satisfied.*

In reply to 3.1A above, Mr Roberts states that some of the buildings at Beaupre Farm are used for storage of barley and silage as feed for the fattening stock, which occupy the remainder and that these are unsuitable for housing breeding stock.

Even if there were sufficient evidence to show that the existing buildings could not be adapted, there is no explanation as to why further buildings could not be erected at Beaupre Farm.

06/01491/FWL
Appendix B2

In reply to 3.1B above, Mr Roberts sites the need to keep breeding and fattening stock separate to prevent the transfer of disease and states that this is not possible at Beaupre Farm.

No evidence is submitted to support this claim. It is too easy to simply state that since isolation of livestock groups is obviously a factor in preventing the spread of disease, it necessarily follows that the separation needs to be into two yards, in entirely different locations. Indeed, in assessing the evidence, we have interviewed representatives from DEFRA, FAWC, The Welsh Assembly and both English and Welsh Vets. as senior representatives of the AHQ, all of whom have indicated that there is no such guidance, nor anything that would negate the possibility of housing both the breeding and fattening cattle in one yard.

In short, the letter provides little substantial evidence to support the assertion that there is an overriding need to split the enterprise and therefore to create two pockets of need for on site presence.

Richard Anstis MRICS

C

06/01491/KL

The old buildings at Beaupre farm are used by the finishing cattle which are fed on barley and silage which is stored in other buildings close to the cattle buildings. The buildings are utilised at Beaupre by the finishing stock and there is no room for housing additional animals. These buildings are constructed of steel/concrete block walls which have low headroom and no outer yards, with denser internal stocking rates. The quantity of feed needed to be fed and carted around the livestock buildings is substantial with the barley and silage kept close to the housing quarters, which is a practical feeding and management system.

The buildings at Rectory are used to house the breeding cows have an open yard in front which gives better ventilation and access to the cows and calves as well as more room which is required under the good code of Agricultural practice for cows and calves and meets welfare standards and cross compliance visits undertaken by WAG officials. This could not be practised at Beaupre buildings. The ventilation aspect of the buildings is important in preventing viral and respiratory diseases in the young calves as well as room for preventing bullying which goes on within the herd infrastructure. The Rectory farm buildings have a self feed silage system which is self contained where the quality of the silage made for the cows can be targeted to suit the ration required by making more mature silage as opposed to younger quality silage for the finishing cattle at Beaupre.

Thus the feeding system at Rectory allows more time to manage and look after the breeding stock which require close supervisory attention around calving/lambing. There is a purpose built cow handling and crush system at Rectory which is used to handle and restrain the cows which is essential around calving time when cows can get agitated and aggressive. This is not the case at Beaupre. Health and safety of both man and beast is paramount in avoiding any accidents as well as providing the facilities required to supervise the management of the breeding stock.

The buildings at Beaupre were built for the purpose of housing/feeding the breeding stock as a self contained unit and the capital cost incurred for this purpose. It must be borne in mind that biosecurity and welfare issues are very important factors which can help determine the profitability of livestock units, by preventing disease spread and to provide the facilities which allows the animals to display their normal behavioural characteristics.

The silage feeding and storage system means that no silage is carted back and forth between the farms which minimises traffic as well as reducing congestion and deposition of mud on the road. It is totally impractical to think that silage could be transported back and forth between farms to feed to different classes of livestock before considering the factors such as cost, time, nuisance, wear and tear etc etc.

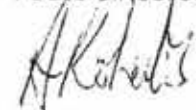
It follows from the above facts that the buildings at Beaupre cannot be used for the enterprise that creates the need which requires a worker to be on site. Thus as written in the original report there is an overriding need for a

C 06/01491/tu

worker to be based at Rectory farm and to be based within sight and sound of the animals.

The financial loss within breeding stock which can occur from disease outbreaks and from being unsupervised can be substantial eg a loss of one calf would result in a loss of up to £200/cow , before additional work and costs are taken into account. Thus farm profitability and viability can be eroded without the proper supervision which is required to maintain a well managed farming system.

Yours sincerely



Aled Roberts Senior Consultant

06/01715/OUT 'A'

Mr D J Ward
33 Elfed Avenue
Penarth
Vale of Glamorgan
CF64 3LY
02920331064

2nd March 2007

Mrs Y.J.Prichard
Planning and Transportation
Vale of Glamorgan Council
Dock Office
Barry Dock
Barry,
CF63 4RT.

Dear Mrs Prichard,

ST. LUKES CHURCH, ELFED AVENUE, PENARTH – 2006/01715/OUT

I am in receipt of your letter regarding the proposal for demolition and residential development of the above site. I wish to make the following observations/objections to the proposal as I believe this development would adversely affect my current standard of life:

Buildings

- 1) I consider that five houses is an overdevelopment on this site and all five houses will directly overlook my property diminishing my privacy considerably.
- 2) Has any thought been considered in locating these properties in a mixture of some north to south facing and some west to east facing. This would limit the affect on my privacy.
- 3) What is the proposed style and finish to these properties – will they blend in with current properties in the area (there are no three house link properties in this area).

Occupancy

What type of housing is proposed on this site – is this Housing Association, sheltered accommodation, social housing, privately owned residences?

06/01715/OUT 'A'₂

Access

Is the proposed new access road going to be adopted by the Vale of Glamorgan Council or is it to remain a private road?

This road will be a matter of feet from my front door and my four-year-old daughters' bedroom with the possibility of between 5 and 10 cars in and out many times a day, unlike the usage of the church at my time of purchase of this house.

Are these proposed new properties going to have their own driveways/parking spaces or are they to be parked outside my property – again causing extra noise, inconvenience and further diminish my privacy.

Do the developers have any proposals to build a new wall or fence between my property and this new development? My current fence is adequate for the boundary with a church but not for this development.

Road Alterations

- 1) I note that the proposed alterations to the road layout will mean the removal of grass verges on which my children, and those of neighbours, currently play.
- 2) The proposed new road layout also affects the drives of both my neighbours and I, and constitute an additional hazard for both local residents – particularly children – and schoolchildren attending St. Cyres School.
- 3) There is very limited parking on Elfed Avenue at present, which is also a bus route, which will doubtlessly increase with this proposed development
- 4) The only access to the main road network is via Redlands Road and any increase in traffic from this estate will only exacerbate what is already a bottleneck at main commuter hours.

Privacy

My property currently has approximate 80 metres between it and properties on Redlands Road to the east. These new, proposed properties will be no more than 15 to 20 metres away directly overlooking my house and garden, again adversely affecting privacy and peace and quiet currently experienced.

If this development goes ahead the noise, mess and continual building work will create a significant nuisance and inconvenience for all properties in the vicinity.

Future Plans

Will this development adversely affect any future house extension plans that I may have as more space is currently needed in my house as I have 4 children and only a three bedroom house?

I assume that any observations or objections contained in this letter, or any other residents observations will be taken into account before any decision is made on this development by your planning department.

I also assume after your decision and/or final plans are submitted to you, all current and future observations/objections will be entertained before any work on this development takes place.

06/01715/OUT 'A'₃

Please note that all above observations/objections contained in this letter are made on the basis of the very limited information provided by yourselves. One sheet of A4 paper with the outline plan for five houses does not afford any real information on what these properties will look like, who will occupy them, proposed timescale of work, affect on the current householders i.e. overdevelopment, increase in traffic as this is an estate with only one entrance/exit to Redlands Road; invasion of privacy, security of property and safety of children.

Please note that I would like official confirmation of receipt of this letter. I would also like answers to the questions raised in this document. If it is possible to attend planning committee meetings then I would like to be informed when this proposal comes before committee so that I can attend to fully appreciate its impact and assure myself that observations/objections raised are taken fully into consideration.

At some stage I assume you or someone from your department will come to look at this site, with or without the developers, to peruse these proposals. I think it would be beneficial to all concerned that any objectors, including myself, could be invited to attend this site meeting to further discuss the proposed development.

Yours sincerely

D J Ward

p.s. I have also sent a copy of this document by post today.

06/01715/OUT 'A'₄

Diana Gregory

131 Westbourne Road
Penarth
Vale of Glamorgan
CF64 5BR
Tel: 029 2070 7678

The Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry CF63 4RT

24 April 2007

Dear Madam/Sir,

Town and Country Planning Act 1990 (as amended)
Application No: 2006/01715/OUT

**Location: Site of St.Luke's Church, Elfed Avenue,
Penarth**

**Proposal: Demolition of redundant church building
and residential development on the site**

Thank you for your letters, (two), of 16th April 2007, advising me of the amended plans and documents in respect of the above planning application. I would like to make representation about this application as follows:

1. The disposal of totally unnecessary waste constitutes an environmental problem which can easily be prevented by turning this planning application down. St Luke's church building is in good structural condition. It is not dilapidated nor is it located in an isolated rural area, as are many redundant churches. It is not old, having been built in the 1960s. The roof is sound. There is no damp or leakage and whilst some modernisation is required, the interior is in good decorative condition. The East and West walls have been painted in the last two years. The building contains a large hall with polished wood block floor, particularly good for dancing, kitchen, toilets, various adjacent rooms, stage and disabled access through the fire door. There is plenty of room for parking and/or extension. To demolish this sound building with so much potential for community use, is, in my view, little short of vandalism and surely is not consistent with the Council's policy on the care of the environment.

2. This property is ideally suited for use as a community/youth centre or church. It is in considerably

06/01715/OUT 'A'₅

better condition than some other community centres that I have seen in Penarth, and in particular, to Glyndwr Hall, which is on the same estate. There is no youth centre in Penarth and a youth club was formerly based in this building. The Vale of Glamorgan or Penarth Town Councils might consider buying it and, perhaps, pulling down Glyndwr Hall. In addition, a church which is without its own building and which has been holding services at St. Luke's periodically over a year or so, is interested in buying it.

3. The planning permission is neither needed nor wanted by any purchaser who wishes to use the building. It serves only to grossly inflate the price well above the market value for a church/hall. A buyer wishing to use the building does not want to pay for its demolition!. Inevitably, planning permission for residential development will make it a lot more difficult, if not impossible for the property to be used for community and/or church purposes by making it too expensive.

I have no personal interest in the potential buyers mentioned above. I have attended St. Luke's church for the last 12 years, so I know the building very well. I have written to the Representative Body of the Church in Wales to express my views and I very much hope that you will reject this planning application to allow sale at the 'normal' price to a buyer who would benefit the community here in Penarth. I write in a personal capacity but I am by no means alone in this view.

Further to paragraph 4 of your advisory note, I would like to attend the Planning Committee if possible, and I would like to be informed of the decision.

Yours faithfully,

Diana J. Gregory
Diana J. Gregory

06/01771/FUL
Appendix A.

06/01771/FUL

25 Suran-y-Gog
Manor Park
Pencoedtre Village
Nr. Barry
CF63 1FT

10 January 2007

Mr. S. D Butler
Planning Officer
The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Dear Mr. Butler

Planning Application No: 2006/01771/Ful
Land at Suran-Y-Gog, Pencoedtre Village

Thank you for your letter dated 2 January 2007 advising me of the planning application which, has been submitted for the above.

Living immediately opposite the proposed development I feel I must object to the proposed plans, which I viewed at the Vale of Glamorgan's offices today, for the following reasons:

1. The proposal to construct a combination of 2 and 3 bedroom terraced and semi detached houses is not in keeping with the properties in the immediate vicinity of the proposed development, which as I am sure you are aware are all detached (mainly 4 bed). I firmly believe the inclusion of high-density small houses will severely affect the value of the existing houses in the immediate vicinity. 50 houses on a 3-acre site is in my opinion over development. The proposals to over develop this vacant site clearly reflect an attempt by the Developer to fit as many houses as possible on this site in order to maximise their profit without due regard to the impact of the neighbouring properties.

....Continued

06/01771/FUL

'A'

Page 2

10 January 2007

2. There are currently over 700 houses already completed on Pencoedre Village, with little community facilities, other than a bus stop, a recently installed post box and Lidl's store. It is noted that the outline planning application on the proposed site for a school has now elapsed and consequently appears now to be offered up for residential development. The Planning Policy framework does not appear in this instance to cater for the increased demands that the estate has already placed on the local community with respect to the lack of a new school, shops and other community facilities and this latest development proposal will only add further burden to that.
3. Any further development is likely to result in increased traffic flow, on what is already a rat run for other areas of the estate. There is a major problem at the junction of Suran-Y-Gog, where cars frequently cut the corner and subsequently do not stop at the junction. By creating a further junction to service this proposed new development will only add to this problem.
4. It is noted that by applying for permission for a maximum of 50 houses, the Developer does not need to provide affordable housing, however in my opinion the design, shape and sizes of the proposed units are based on an affordable housing concept and in a market where prices have risen sharply, these houses are likely to be marketed on the basis of affordability, therefore there is a subtle but important difference in the way the word "affordable" is interpreted. What guarantees can be offered I wonder that the Developer isn't building these houses for onward sale to a housing association or similar?
5. The proposed massing and elevational treatment of the houses does not provide any different prospect to that which the Developer currently provides in housing estates up and down the country. Indeed of the houses already constructed on the estate to date, the Barratt standard of specification and finish appears to offer a "cheap and cheerful" level of housing, which further adds to my concerns raised in point 1 above.

...Continued

06/01771/FUL

'A'

Page 3

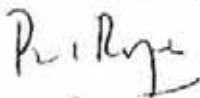
10 January 2007

6. The sustainability statement produced by the Developer does not in my opinion provide sufficient conclusive proof that the existing infrastructure (particularly foul and surface water) can accommodate the additional capacity, which will be generated by 50 new houses.
7. The Developer appears to have missed the opportunity to make a sustainability statement by utilising renewable energies in order to reduce the carbon footprint of these houses. This decision has no doubt been made on a cost versus value basis as the Developer is likely to have little interest in the ongoing running cost and contribution to carbon emissions once these houses have been sold. Notwithstanding my objections to the scale and sizes of the proposed units, the planning authority has an ideal opportunity to insist on more rigorous use of sustainable technologies by large scale Developers, as purely meeting Part L of the new building regulations in my opinion is not enough.

I would emphasise that I do not strongly object to the existing vacant site being transformed into residential use. I would more than likely support a scheme whereby 4 bedroom, detached houses were constructed, which would supplement and reflect the scale of the adjoining houses, but obviously fewer in number. Whilst it may be a matter for the planning committee to decide what if any Section 106 contributions would be required from the Developer if this application were to be successful, it seems on the face of it that the Developer is not offering much back to the local community, in fact to the contrary this development would place an increased burden on the existing network of services, including transport and infrastructure.

In conclusion therefore I would be less than happy if the current proposed scheme was granted planning permission for the reasons stated above and I trust that the planning authority will take on board these concerns in adjudicating over a decision. I look forward to hearing from you.

Yours Sincerely



Paul Rogers



Dŵr Cymru
Welsh Water

PO Box 10
Treharris
CF46 6XZ

Blwch Post 10
Treharris
CF46 6XZ

Tel: +44 (0) 1443 331155
Fax: +44 (0) 1443 331161
Web site: www.dwrcymru.com

Ffôn: +44 (0) 1443 331155
Ffacs: +44 (0) 1443 331161
Safle gwe: www.dwrcymru.com

Director of Planning
Vale of Glamorgan County Borough
Council
Dock Office
Holton Road
Barry Docks
Barry
CF63 4RT

Date: 25/01/2007
Enquiries Tel.: 01443331155
Our Ref.: 2007/DCWW/40054
Your Ref.: P/DC/JMC/2006/01822/
Grid Ref.: ST1308668839

Appendix A

06/01822/FUL

Dear Sir

**Re: Erection of 7 No Affordable Self Contained Apartments
Vacant Land at The Corner of Vere Street, and Harvey Street, Barry**

Further to the above consultation we would provide the following comments:-

We would request that if you are minded to grant Planning consent for the above development that the **Conditions and Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

SEWERAGE

Conditions

Foul water and surface water discharges shall be drained separately from the site.

Reason :- To Protect the integrity of the Public Sewerage System.

No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

Reason :- To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

Land drainage run-off shall not be permitted to discharge, either directly or in-directly, into the public sewerage system.

Reason :- To prevent hydraulic overload of the public sewerage system and pollution of the environment.

The proposed development site is crossed by a public sewer main with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

Reason : To protect the integrity of the public sewer and avoid damage thereto.

glas

(Glas Cymru - Cyfngedig)

Welsh Water is owned by Glas Cymru - a 'not-for-profit' company
Mae Dŵr Cymru yn eiddo i Glas Cymru - cwmni nad wa'n gennad eidd

We welcome correspondence in Welsh and English
Rydym yn croeso i gŵbtaeth yn y Gymraeg neu yn Saesneg

NDC South working with Dŵr Cymru in providing the
planning and development functions.

Dŵr Cymru Cyl, a limited company registered in
Wales no. 2366777. Registered office: Penwyn Road,
Nelson, Treharris, Mid Glamorgan CF46 6LY

NDC ibi yn gŵbtaethio a Dŵr Cymru ar ran weith cyfluro a
siatbysu.

Dŵr Cymru Cyl, cwmni cyfngedig wedi'i gohestru yng
Nghymru rhif 2366777. Swyddfa uchafstredig: Heol Penwyn,
Nelson, Treharris, Morgannwg Ganol CF46 6LY

A

06/0 1822/FUL

Advisory Notes

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on Tel: 01443 331155.

WATER SUPPLY

A water supply can be made available to serve this proposed development. The developer may be required to contribute (under Sections 40-41 of the Water Industry Act 1991) towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to New Connections Design Department, Players Industrial Estate, Clydach, Swansea SA6 5BQ.

We hope the above is satisfactory. However, should you require further assistance please contact us on the above telephone number, quoting our reference.

Yours faithfully,


Rhidian Clement
Planning Team Leader

Our response is based on the information provided by your application/enquiry. Should the information change then we reserve the right to make new representation.

2006/01822/FUL

Thomas, Rob

Appendix
B

06/01822/FUL

From: Moore, Neil (Cllr)
Sent: 06 March 2007 18:26
To: Thomas, Rob
Subject: 2006/01822/FUL - Vacant Land at the corner of Vere Street and Harvey Street, Barry

I would like to ask for the planning committee to have a site visit for this application.

I do not consider the recommendation to be acceptable and if the site visit is not considered, I would urge the application to be **deferred or preferably refused**.

I do not make this request for refusal lightly.

- The report suggests that there have been no responses to consultation. I have received a copy of a letter from Mr R D Paterson of Sully who owns an property in the Vere Street and who wrote a letter of objection dated 16th February 2007 to the Vale Planning Department. If you require a copy, I can supply one. His objection also echoes the sentiments of many residents in the area who have expressed their views of opposition in the last several PACT meetings, when Newydd (the applicants) were present and again since this application has been received.

The main objection of Mr Paterson and the residents is not of development of the site. Indeed it would be welcome. The objection is that there is already an abundance of single apartments in the area and they would prefer the site not to be overdeveloped and that FAMILY accommodation be provided in an area already saturated by flats.

- I would take exception with the policy and reasoning as to why this application is acceptable.

There is always an assumption that if affordable accommodation is considered then the people who live in them appear to be a sub-species who do not need the same amount of amenity space as normal inhabitants. It also assumes that they do not own motor vehicles and therefore there is no need to consider adequate parking for the residents of the development. This is a misconception and I can take you to a similar affordable housing site (by the way for families) where every household has at least one car. I consider this conception of people who live in affordable housing to be disgraceful and degrading. I would also challenge whether or not it breaches any equal opportunities provision.

In conclusion I still consider this to be an overdevelopment of the site and would ask that the recommendation of acceptance be NOT agreed.

Thank you for giving me the opportunity of commenting on this application.

Neil

*Cllr Neil Moore
Labour Councillor for Cadoc
Vale of Glamorgan County Borough Council*

07/03/2007

Telephone 01446 709472 (Office)
Telephone & Fax 01446 721525 (Home)
Mobile 078 123 57 876
nmoore@valeofglamorgan.gov.uk

06/01899/FUL

B



Help save paper - do you need to print this e-mail ?

This message is confidential and the information must not be used, disclosed or copied to any other person who is not entitled to receive it. If you receive this message in error please notify the sender and then delete it.

P 123

2006/01822/FUL

March

Appendix

C 06/01822/FUL

49A Vere Street
Cadoxton
Barry
CF63 2HW

16th February 2006

The Vale of Glamorgan Council
Dock Office
Barry Dock
Barry
CF63 4RT

Dear Sir/Madam

Planning application 2006/01822/FUL

Proposed development of seven 1 & 2 bedroom flats, with associated gardens and parking area

I wish to object to the current proposed Development in Vere Street.

Newydd have shown poor management of their existing properties i.e. Liddicoat Court in Vere Street, witnessing upturned cars in the car park, large wheelie bins upturned in the street, smashed windows above the public footpath. Out of control fires, gas pipes and metres have been ripped from the wall. Gas boiler flues have been crushed. The above damage has been caused by vandalism but as owners Newydd are very slow to carry out these essential repairs. The facade of the existing building which stands opposite is testament to this.

On inspecting the plans at the dock office I was informed that the development was passed on the 8th March 2007 and would go to committee on the 7th March 2007 I asked if a planning officer could explain this to me and Mr O Georges explanation was not satisfactory. The road survey suggests there is adequate room in Vere Street/ Harvey street for parking, from experience I can say this is not the case, additionally there are many buildings and flats in the area currently unoccupied eg: the taxi office and above three floors and pizza shop with again above three floors, these at any time could be in full occupation, this has not been given consideration to in the survey.

FO
YORCH ON
BEVER
D'S B

C

06/01822/FUL

Newydd have found it necessary to equip their existing flats with high security doors and windows yet the proposed development boasts a considerable amount of glass and this does not reflect their experiences within this immediate area. Vere Street has had a long history of being commercially based so I would like to see shop units developed on the ground floor of the proposed application as a step to continuing the regeneration programme in the area.

Yours sincerely



Miss M Aust

P. 123 2006/01822/FUL

March

Appendix
C

06/01822/FUL

48 Vere Street
Cadoxton
Barry
CF63 2HW

The Vale of Glamorgan Council
Dock Office
Barry Dock
Barry
CF63 4RT

16th February 2007

Dear Sir/Madam

Planning Ref 2006/01822/FUL

Proposed development of five two bedroom flats and 2 one bedroom flat, with associated gardens and three parking spaces.

I have concerns about this proposed development and my reasons for objection are as follows:

1. In recent years Vere Street has attracted two similar types of the proposed development, the tenants are by enlarge young, single, unemployed on low income, There has in the past and continues to be a high level of criminal activity, primarily linked to these developments and in some instances have been very serious. Therefore a saturation of this type of development cannot be good for the community and its social development.
2. On inspection of the plans and taking into the account of number of single and double bedrooms this could accommodate in excess of 19 adults with off road parking for only 3 vehicles the rest of the vehicles are to use the highway, Harvey street is a cul-de-sac with no turning area and with the amount of houses and workshop in that road is heavily used. Vere Street has to cater for many businesses and houses in multiple occupation non of which have off road parking. I note a survey has been carried out by the developer regarding parking and available spaces the survey did not take into consideration that you should not park within 10 metres of a road junction. Also the figures generated in the survey do not reflect reality. Vere Street suffers from a number of problems and so benefits from two CCTV cameras which would be helpful in determining the accuracy of this survey.

'C' 06/01822/FUL

I am not against the development of this land but I believe the accommodation should be suited and directed for families in this area.

Yours sincerely

A handwritten signature in dark ink, appearing to be 'R D Paterson', with a long horizontal stroke extending to the right.

R D Paterson

BARRY TOWN COUNCIL

Council Offices
7 Gladstone Road
Barry
CF62 8NA
Tel. No. (01446) 738663

Appendix D

21st February 2007

Dear Sir

Town and Country Planning Act 1990 (as amended)

Planning Application No. **2006/01822 (FUL) - Vacant land at the corner of Vere Street and Harvey Street.**
Proposed Development: **Erection of 7 affordable self-contained apartments.**

The Barry Town Council wish to submit the following observations in respect of the above-mentioned application:

A number of aspects of this proposal are to be welcomed, in particular the intentions to:-

- **Redevelop a long-term vacant brownfield site which is prominently situated in Vere Street.**
- **Provide a development of small affordable homes.**
- **Reduce significantly the number of residential units previously proposed for this site.**

However, the submitted plans raise a number of serious concerns with regard to:-

- 1) **The external design and finish of:-**
 - a) **The prominently sited, glazed stairwell; the way in which it would link the traditionally designed three-storey accommodation block in Vere Street to the lower structures in Harvey Street and its visual impact on an otherwise very traditional streetscene.**
 - b) **The two lower, flat roofed accommodation blocks fronting Harvey Street. This Council is of the opinion that these blocks would bear little relationship to the surrounding traditional development or the modern corner stairwell.**
- 2) **The very low level of on-site car parking.**

An objection is therefore raised against the submitted plans as they are considered to be contrary to Policy ENV27 of the Adopted Vale of Glamorgan Unitary Development Plan.

Yours faithfully

Executive Officer

D R Thomas Esq
Head of Planning and Transportation
Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4US

VALE of GLAMORGAN



07/00103/FUL

APPENDIX A

Vale of Glamorgan
Highway Authority Observation Sheet

Planning Application Reference	07/00103/FUL
Observations By	Paul D Harrison
Date	8 February 2007
Location	27, Heol Pearetree, Rhoose Point, Rhoose
Proposal	Minor Works Consisting of Extending The Existing Low Retaining Side Boundary Wall Around The Front Lawn And Adding Railing; New Matching Boundary Wall And Railings To Opposite Side of Property To End Level With House: Driveway Gates Level With House
Case Officer	Marlene Ferreira

Further to the site visit undertaken in relation to the above, I would comment that the Highway Authority are unable to sustain an objection to the development proposals provided that the following details are made conditional to the planning consent.

- 1 The proposed access gates to be located across the existing driveway are required to open inwards, and not over the adjacent private shared drive.

O. M. Mc Auliffe
26 Heol Peartree
Rhoose Point
Vale of Glamorgan
CF62 3LB

07/00103/FUL

00103 + 10 + 90

APPENDIX B

14 February 2007

Rob Thomas
Head of Planning and Transportation
Vale of Glamorgan Council
Dock Office
Barry Docks
BARRY
CF63 4RT

Dear Mr Thomas

Re; Planning Application No. 2007/00103/FUL
Location; 27 Heol Peartree, Rhoose Point, Rhoose
Proposal; Front and side boundary walls and gates

Although I have not yet received a letter from you notifying me of the above, I gained site of it on the net and have subsequently viewed the plans at the Dock office. The purpose of this letter is to confirm that I strenuously object to the proposed planning application submitted by Mr and Mrs Hamilton on three main grounds; a) this is an extremely un-neighbourly development proposal, b) The penning off of their drive with two metre gates and boundary structures has no precedent on the whole of this development for very valid reasons. c) To allow this development would be contrary to the whole ethos which the original planners worked so hard to achieve at Rhoose Point, and contrary to the approved plans for this estate as an open plan development with all drives open and ungated.

In their letter of application the proposers attempt to justify the erection of this walled and gated virtual fortress by saying they would regain a level of privacy which they have lost by the erection of our extension. They also say that all along the front here people have constructed decks which are similar to what they are proposing. Can I just say categorically here, that no one has done anything remotely similar to what they are proposing, and I can confidently say that to date there has been no un-neighbourly constructions erected. No decks or extensions have been erected on boundaries as per this proposal. All have been erected well within individual plots, and none deprive adjoining properties of even one inch of visual amenities.

Regarding the suggestion that they wish to regain the privacy which they had prior to the construction of our extension. I would say that we went to great lengths to ensure that our extension did not affect our neighbours, by putting no extra glass on their side than there was previously. I would just point out that I cannot see one inch more of their property now than I could previously. There is no privacy at the front on an open plan development like this and the Hamiltons, like the rest of us who purchased houses here knew that prior to purchase.

07/00/03/FUL 'B'

a) Un-neighbourly Proposal

I know that the house adjoining the Hamiltons on the other side will also be strenuously objecting to this planning proposal, therefore in this letter I will restrict my objections to the effect of this proposal on my property only.

This proposal if allowed would see a two metre construction of brick, railings, and privacy panels erected right outside, and running across my window. It will take away all of my visual amenities from that side of my house, but worse than that I will be looking onto a barricade which will hem me in like a prison wall. Uniquely the original planners of this development and the Council Planning department at the time, knew that people were buying these houses at Rhoose point despite the negatives of close proximity to the airport, etc because of the beautiful visual amenities, and they went to great lengths to protect these visual amenities by the open plan layout of the estate and by their approved planning documents which underline their commitment to the protection of these visual amenities for individuals and for the houses here. This planning proposal runs roughshod over that, and gives no consideration to neighbours. This is a most un-neighbourly proposal and on that basis I would respectfully request it's rejection.

b) There is no precedent for the penning off or enclosing of driveways at Rhoose Point.

I have looked all over Rhoose Point development East and West and there is no precedent anywhere where an individual drive has been enclosed in this way, not even with low walls and gates, let alone two metre structures. All drives on this development are open as per the original approved plans for the development. To agree to the penning off of the Hamilton's drive would set a precedent which would totally change the visual amenities of this estate. Even if the four houses in this row followed suite and all penned off their drives (let alone other houses in the estate) we would end up with a hotch potch of walls, gates and privacy panels creating a warren of private corrals which would look more like a shanty town than the lovely open plan development that the planners worked so hard to achieve.

I would just like to add that to set such a precedent would be a major deviation from the vision of the original planners, but the fact that, on top of that such a deviation would also materially damage adjoining properties, in my case with a two metre structure right outside my window, surely makes this planning proposal prohibitive and therefore it should be rejected.

c) This application contravenes approved plans for this Estate

I, like most of the residents on this site was attracted to the open plan layout. I was reassured also by the Vale of Glamorgan's approved plans for the site and the commitment of those plans to maintain this open plan layout. That document states:-

'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.'

The document states that the reasons for this are 'to safeguard local visual amenities'. (Copy of document attached) This proposed development goes against this approved document as it materially damages my visual amenities and would also set a precedent which would affect the visual amenities of the whole development. This planning application is not sensitive to or in keeping with the original open plan aspects of this estate which the original planners were so committed to creating and maintaining. Therefore on this basis I urge rejection of this proposed development.

07/00/103/FUL 'B'

I enclose my original letter of objection to the similar application made by Mr & Mrs Hamilton last year, as it holds good for this recent application.

To conclude I object to this proposal as stated in a, b & c above. I am a 62 year old woman who bought this house to live in for the rest of my life. It is my ideal house and I passionately love the beautiful visual amenities which we are so blessed with here. I cannot put into words the level of stress that I have experienced since last year when the Hamiltons first made this planning proposal to the Council, without even mentioning it to me, or considering me in any way.

The Hamiltons are seeking a level of privacy that is wholly impossible on such an open plan development without destroying other people's visual amenities, and materially damaging their property and environment. I would therefore respectfully entreat you to reject the submitted proposed planning development above.

Yours sincerely

O.M.McAULIFFE

Calle de la Margarita 63
El Soto de la Moraleja
28109 Madrid
Spain
00 34 91 650 3521
susan.legg@virgin.net

07/00103 FUL 'C'

Mr Rob Thomas
Head of Planning and Transportation
Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

17 February 2007

Dear Mr Thomas

Re : Planning Application No. 2007/00103/FUL
27 Heol Pearetree, Rhose Point - Front and side boundary walls and gates

You will recall that I wrote to you [12 September 2006 - copy attached] **vehemently opposing** Mr and Mrs Hamilton's original Planning Application No. 2006/01151/FUL. In your letter dated 23 November 2006 [ref : HP&T/DRT/lje27/2006/01151/FUL] you assured me that : *'.....should any future proposals be submitted you will be re-consulted and any comments you make would be taken into account in determining the planning permission'*. I am very disappointed that, to date, I have heard nothing from you or the Planning Department particularly as I believe that an amended planning application was submitted last month. Accordingly I wish to reiterate that my objections remain as strong as ever.

You further stated that *'The Council has to ensure that it deals with applications for planning permission in an open, and transparent manner, ensuring consistency and fairness to applicants and objectors'*. How can you claim to act in an *'open and transparent manner'* if *'the objectors'* are not consulted? I understand that Mr and Mrs McAuliffe have received no notification either. Surely to make a decision based on the applicants' viewpoint alone is biased and therefore inequitable.

My property is situated at the end of the cul de sac where I already have a 6ft wooden fence on my boundary to the west, being the rear garden of the adjoining plot, which restricts my westerly view. However I was aware of this when I purchased my property and accepted it. Nevertheless due to the Vale of Glamorgan's approved plans for the site, I was reassured that no further restrictions to my visual amenities would be permitted:

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'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'

This was stipulated by the Council's planning officers who, in their wisdom, wished to *guarantee* that the open plan aspect of the development would remain forever and thus safeguard the local visual amenities of this beautiful coastal setting. Why has that changed?

28 Heol Pearetree is sited significantly lower than No. 27 and to allow a brick wall with piers and railings on top [with an overall height of two metres] to be constructed on the boundary wall would 'box me in'. This would materially damage my property by seriously curtailing my visual amenities to the east. As the railings are to have privacy panels, the overall impression would be the same as having a two metre high side boundary wall. It is significant that privacy panels are only incorporated on the boundary walls between Mr and Mrs Hamilton and their neighbours, whilst not present in the wall that fronts the sea. Apparently they are perfectly happy to sabotage their neighbours' 'visual amenities' whilst safeguarding their own. Hardly a neighbourly act!!

Nowhere on Rhoose Point has anyone built on, or erected gates on, a boundary wall. [Boundary walls on the development are party walls when adjoining another plot and not single ownership according to my deeds.] Any decking or extensions have always been erected well within boundaries giving due care and consideration to protect adjacent neighbours' visual amenities. By allowing the proposals to be implemented, the original planners' aims would be totally disregarded. A new precedent would be set that would open the floodgates for future applications - Rhoose Point could end up a assortment of different enclosures whether walls, gates or fences which would detrimentally affect the street scene of the development. The aesthetics once lost could never be recovered.

Finally I understand that Mr and Mrs Hamilton have put forward in their letter of application that gates are needed to eliminate people reversing at speed in their drive. This I totally refute being the only household that passes their property. Firstly, it is impossible to 'speed' along our cul de sac. More importantly, as there is ample space outside No. 28 to reverse in front of the property, I emphatically deny that anyone reverses in their drive as there is no need to.

When we purchased our properties from Westbury, we knew it was an open plan development offering beautiful unobstructed visual amenities which more than compensated for possibly any slightly lower degree of privacy. Surely if the Hamiltons could not accept the 'package' then they should have purchased elsewhere.

I appeal to you to seriously consider the repercussions if these works are allowed to go ahead. If the floodgates were opened, the inevitable deterioration of the street scene would impact on every household's enjoyment of their property. To try and

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appease Mr and Mrs Hamilton's craving for privacy at a cost of causing material harm and restricting visual amenities of other residents is just not acceptable. Therefore I strongly urge you to reject the proposed development at 27 Heol Pearetree.

Yours sincerely

Sue Legg

Enc

07/00103/FUL

APPENDIX D

Miss M C Ferreira
Planning and Transportation Department
The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4R1

17 March 2007

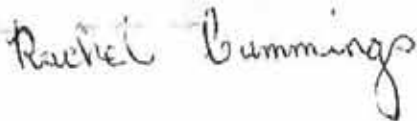
Town and Country Planning Act 1990 - Application No. 2007/00103/FUL
Location: 27 Heol Pearetree, Rhooose Point

Dear Miss Ferreira

I am not directly involved as a neighbour in the above application but as I, as do so many others, regularly use the public footpath fronting this house and the field where children play, I am writing to you as I am concerned that A Public Health and Safety issue may be involved here.

If railings with spikes are put up at the perimeter they could cause damage to the children and people walking by. Also, although perhaps none of our business as walkers, it will really spoil the whole open aspect of all the houses looking over the grass recreation area **and seems a strange idea to isolate one house in a group of others, detracting from the look of the whole.**

Yours sincerely



Rachel Cummings

COPY

Without Prejudice

Mr & Mrs A K Hamilton
27 Heol Pearetree
Rhoose Point
Vale of Glamorgan
CF62 3LB
Tel: 01656 656605 (day)
07809 400358 (mobile)

DRT.

30th April 2007

Cllr Alexander
Leader
Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
CF63 4RU

07/00103/FUL

Appendix E

Dear Cllr Alexander

27 Heol Pearetree, Rhoose Point, CF62 3LB
2007/00103/FUL

It is with much regret that I feel I must write to you. I had hoped to maintain my dignity over this issue and allow it to run its course but events have now accumulated to a point where I feel that reassurances are required.

My husband and I currently have a planning application being considered by the Vale of Glamorgan Council. This is a second application, the first of which was refused under officer delegation. Since that first refusal we have worked tirelessly with officers from the Planning Department to address any issues of concern in order to meet their requirements. Having curtailed our requirements, and downscaled our proposals to a point where we fully met the required planning requirements, we submitted a second application.

There is, however, a history of unrest attached to an extension that was built by our neighbours, Mr and Mrs McAuliffe at number 26 Heol Pearetree. Mr McAuliffe has spent his life working in the building trade and is currently a self employed Planning Application Agent largely submitting planning applications to the Vale of Glamorgan County Council on behalf of others. Two years ago Mr McAuliffe's started to build an extension to the front of his property, less than one metre from our boundary and driveway. This consisted of extending the sidewall of his property on our boundary side forward and creating what is effectively a bricked conservatory with a large railing edged roof terrace on top. Due to a loophole in the layout of the properties, involving rights of access over private land (as opposed to a public highway), he was able to construct this extension under Permitted Development without the need for planning permission. We were horrified and distraught since the intrusion on our privacy from the new window in the side wall against our boundary was horrendous, which was exacerbated by the new roof terrace that created views over the whole of our property, including a third of the rear garden. The new side window is the only window in the entire extension that opens (less than one metre from our property). The Planning Department sympathised with our predicament, caused by the McAuliffe's exploitation of the Permitted Development loophole (which being a Planning Application Agent Mr McAuliffe was clearly aware of) but could do nothing to help us. The intrusion on our privacy from this extension, particularly the new side window, has been awful since our neighbours are now able to use this front part of their extension as their lounge and are now able to permanently view our driveway, front pathway and garden. We are, unfortunately, not in a financial position to sell our property and given the detrimental impact of the McAuliffe's new extension it is no longer financially viable to do so.

Last year we submitted our original planning application to the Vale of Glamorgan Council, which was assessed by the allocated planning officer and, after a few adjustments, we were informed that the officer would be recommending approval to her senior officers. During the final decision stage Councillor Jeff James (in his capacity as Leader at that time) sent an E-mail to the Head of Planning, Mr R Thomas, demanding that our planning application be turned down, which it subsequently was. Following this decision we requested a copy of our planning application file, which contained a number of correspondences between Mrs McAuliffe and Cllr James. Cllr James, however, did not attempt to contact us regarding our proposals nor let us know that he was providing such powerful support to the McAuliffe's opposition to our application. Cllr James was, however, seen by neighbours visiting Mrs McAuliffe's home on at least one occasion. He had, unfortunately, not seen fit (or democratic) to afford us the same opportunity.

Following the refusal of our original application we subsequently worked closely with planning officers in order to address their concerns and submitted a completely updated, and curtailed, planning application that was considered in full compliance with planning regulations, in January this year. Our second application merely requests that we build a one metre high wall with one metre of blanked railings (intersected by piers) on top, along the same boundary line as the McAuliffe's have built their two-story, four metre high, extension. Our proposed construction ends at the same point as the McAuliffe's in order that the open front views to their property are maintained. The proposed gates are behind the front line of other properties and in line with other garages. We propose much less building work than the McAuliffe's have already been allowed. (Our proposal also requests an extension of an existing low retaining wall from the opposite side of our building, where it currently exists, around the front of our garden in order to level the front garden, which currently slopes steeply. Open safety railings are proposed to be fitted to the top mirroring the McAuliffe's terraced extension but at ground level instead of on the second storey.)

Our proposals are, therefore, very minor in relation to the extension already built by McAuliffe's and allowed by the Planning Department as Permitted Development. The McAuliffe's, however, feel that we should not be allowed to build along the same boundary line as they did for their extension since it will partially obscure the new window that they inserted against our property. Mrs McAuliffe's letter of objection states that she could see all that she can see now prior to her extension. This is complete nonsense and can be demonstrated by photographs that we possess showing the property prior to and post the construction of the McAuliffe's extension. We have also lost views from our property, which are now blocked by the McAuliffe's extension.

When we submitted our current planning application we were recommended to write to Cllr James in order to provide a true and fair account of the history of the situation and our subsequent proposals, from our perspective, since it was apparent that he was not aware of the true facts. We wrote to Cllr James, explaining the history and politely requested that if he felt inclined to become involved in our second application, that he might have the courtesy to contact us so that we may be allowed to show him our proposals from our perspective. (I have attached this letter for your information.) We hand delivered this letter to Cllr James house on 10 February 2007 but received no response. Over the past few months, however, neighbours have informed me that Cllr James has visited the McAuliffe's on a number of occasions and it is clear that they are familiar with one another. Cllr James has also been seen trespassing on our property (which is private property), with Mrs McAuliffe, without informing me or requesting permission to do so.

Our second planning application was also officer delegated. The decision was to be made towards the end of March. We were informed that this was going to be approved by Mr R Thomas, Head of Planning, but that Cllr James had intervened and demanded that the planning application be heard by the full Planning Committee.

07/00103/FUL

We waited until the third week of April and obtained a copy of the planning report from the Internet, three days prior to the meeting on 25th April. Our proposal had obviously been reviewed logically, assessed as acceptable from a planning law perspective and subsequently recommended for approval by the Committee. However, at the Planning Committee Meeting on 25th April neither the Chairman nor Mr R Thomas were allowed the opportunity to speak, since two councillors intervened immediately and requested that no decision should be made prior to a site visit being carried out. The Chairman responded that the application appeared straightforward but this request would have to be agreed to in line with protocol.

It is for this reason that I feel I must write to you. It appears to me that any excuse is being found, at the request of Cllr James, to find any means of prolonging and escalating the decision in order to find an excuse to turn the application down. The fact that Cllr James appears to be in constant correspondence with the McAuliffe's, has been frequently seen at their property but will not respond to our hand delivered letter, concerns me that things are not quite as they should be. This is a minor planning application, which has been escalated as a major issue due to the intervention of the McAuliffe's via Cllr James.

I appreciate and respect that planning decisions need to be made correctly but I am sure you can appreciate my need for reassurance since our application appears to be being treated rather differently from others of a similar nature and I feel that our needs are being rather ignored compared to the amount of notice that is being taken of the McAuliffe's and Cllr James.

Again, I apologise for my need to write this letter but I should be grateful for your reassurance that a fair and balanced approach is being adopted, that apparent relationships will not be allowed to prejudice the planning decision and that conflicts of interest will not be allowed to have a detrimental impact on fair process.

Yours sincerely



Mrs Joanna Hamilton

C.C. Members of the Planning Committee
Mr R Thomas, Head of Planning

Without Prejudice

Mr & Mrs A K Hamilton
27 Heol Pearetree
Rhoose Point
Vale of Glamorgan
CF62 3LB
Tel: 02920 824809 (day)
07876 717254 (mobile)

07/00103/FUL

1st May 2007

Planning Committee Member
The Vale of Glamorgan Council
Development Control
Dock Office
Barry Docks
Barry
Vale of Glamorgan
CF63 4RT

Appendix E

Dear Councillor

Householder Planning Application: 2007//00103//FUL (27 Heol Pearetree, Rhoose Point)

We should like to respond to the letters objecting to the above application.

With regards to Mrs McAuliffe's letter of 14 February 2007, we should like to state for the record that the extension the McAuliffe's (number 26) have recently constructed, which has a side window less than one metre from our property and a balcony to the first floor, is extraordinarily unneighbourly and has completely disregarded our privacy, the result of which has caused us an incredible amount of distress and anxiety coupled with a substantial decrease in the value of our property. This extension has been constructed via permitted development leveraging a loophole that has subsequently been plugged by the Vale of Glamorgan Council on later developments. The McAuliffe's extension is wholly contrary to the Vale of Glamorgan's policy document entitled 'Amenity Standards' designed to protect the privacy of neighbouring properties. Mr McAuliffe, who acts as a planning application agent as a profession, was clearly aware that this was a loophole that could be unfairly exploited to the McAuliffe's advantage and the detriment of ours.

The McAuliffe's used this loophole to extend the front of their property forwards on the ground level, creating a conservatory style extension to their lounge with a large front window running the length of the extension and a new side doorway facing the new side window that has generated unobstructed, and obtrusive, views over our front garden, driveway, garages and path leading to our front door, which they previously could not view. The new side window is the only window in the whole extension that opens (less than one metre from our property). The first floor of this construction comprises a large flat roof terrace enclosed with railings in the form of a balcony, creating unobstructed, and obtrusive, views over all of the above plus our rear garden. Mrs McAuliffe's comment '*...I cannot see one inch more of their property now than I could previously...*' is demonstrably ludicrous.

The McAuliffe's construction was built via permitted development under the guise of an extension, nevertheless, the first floor clearly exhibits an additional enclosure in the form of a balcony with railings. Yet the McAuliffe's are opposing our plans to do the same at ground floor level. Their extension has clearly invaded our privacy and would not be allowed under normal planning rules. Yet the McAuliffe's have the audacity to oppose our plan to simply build along the same line that they have built along but at half the height of their extension (in an attempt to regain just some of our privacy that has been lost). Indeed, our proposal only partially screens the McAuliffe's new side window due to our proposed limited height.

To quote the words used by Mrs McAuliffe, their extension '*runs roughshod*' over our privacy and '*...gives no consideration to neighbours...*'. The McAuliffe's extension epitomises unneighbourliness

07/00/03/FUL

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but, unlike the McAuliffe's, we had no means of objecting to their extension since it was constructed via permitted development.

Mrs McAuliffe's letter also refers to '*precedent*' and '*ethos of original planners*', yet their extension has resulted in a California beach front / Tudor hybrid that is completely out of character with all other properties on the development and has totally changed the aspect of the properties that face the cliff top.

With regards to the letter of objection from Mrs Legg (a close friend of Mrs McAuliffe), dated 17 February 2007, it is clear that Mrs Legg has not actually reviewed our current application; (Mrs Legg lives in Spain and lets her property at No. 28). Mrs Legg's letter addresses our proposals on her side of our property and refers to a two-metre wall being constructed upon the existing boundary wall as proposed in our previous application. Our current application is completely different from our previous application and does not propose to increase the existing retaining wall (which is singularly and wholly our property) other than by adding railings and piers not exceeding one metre. Mrs Legg has clearly written this letter without reviewing our current application, which is proved irrefutably by her comment relating to people reversing at speed in our drive included in our previous application (and not our current application). Mrs Legg suggests that there is ample space to reverse in front of her property (No. 28), yet visitors to this property frequently reverse onto our private driveway because of cars parking in a manner that blocks No.28's designated turning point. Our driveway is our property (for which we have paid a substantial amount of money) and visitors to No.28 have no right to reverse onto our private driveway; (having right of 'access' only along the designated private access road area). Given that it is demonstrable that Mrs Legg has not reviewed the above application, her objections should be treated accordingly.

With regards to the anonymously addressed letter from Mrs McAuliffe's friend, dated 17 March 2007, it is obvious that Mrs Cummings has also not reviewed our current application since she refers to railings being sited at the cliff side perimeter of our boundary (proposed in our previous application). Our current application does not propose any development along this boundary thus the health and safety issue raised does not arise and the aspect will not be affected as stated. Further, there is no public footpath running along this perimeter as stated by Mrs Cummings; the public footpath runs along the cliff edge (circa 100 metres away). This objection should be disregarded accordingly.

Finally, we should like to express our concerns regarding the apparent unhealthy involvement of Councillor Jeff James in support of the McAuliffe's opposition and the undemocratic approach that he has adopted to date. We have expressed our concerns in a separate letter to the Leader of the Vale of Glamorgan Council (copy enclosed). To paraphrase this letter Cllr James appears to have applied undue pressure upon planning officers at the final stage of our previous application (leveraging his former position as Leader), has not responded to a hand delivered four-page letter addressing our concerns and has ignored our request to meet with us, disallowing the same rights that he bestowed upon the McAuliffe's. Indeed, we have never met, nor spoken to, Cllr James. We are aware that Mr McAuliffe, in his profession as a planning application agent, frequently submits planning applications to the Vale of Glamorgan Council. Cllr James behaviour indicates that something is awry. He has been witnessed visiting the McAuliffe's on a number of occasions, and trespassing on our property without our permission, yet he has denied us an equal opportunity.

We trust that the Planning Committee will afford our application fair process and that conflicts of interest will not be allowed to have a detrimental impact on fair process.

Yours faithfully

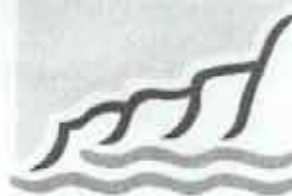


Mr & Mrs A K Hamilton

CC. Mr R Thomas, Head of Planning

MEMORANDUM / COFNOD

VALE of GLAMORGAN



BRO MORGANNWG

The Vale of Glamorgan Council
Regulatory Services
Legal & Regulatory Services Directorate
Civic Offices, Holton Road
BARRY, CF63 4RU

To:	Head of Planning and Transportation
Dept / Adran:	
Date/Dyddiad	5th April 2007
Your Ref / Eich Cyf:	P/DC/ML/07/00170/FUL

From / Oddi Wrth:	Kristian D James Pollution Section
My Ref/Cyf	KDJ/205903
Tel / Ffôn:	01446 709105
Fax / Ffacs:	01446 709449

Subject / Testyn: **Re: Planning Application No - 07/00170/FUL**
Aberthaw Power Station, Aberthaw Power Station, The Leys, Aberthaw, Barry. CF62 4ZW
Variation of condition 11 of the deemed planning consent granted 16/6/2004 to allow a variation in construction times of operation for 24 hour working

I refer to your memorandum received by this department on 14th February 2007, this department has the following observations to make regarding the above application.

The noise predictions supplied in document SD1\AMEC\0703039R01 are favourable and imply compliance with the nighttime noise limits

The prediction is based on proposed plant and activities listed in the above document.

1. Listed plant & activities may change and the predictive model used in the initial assessment must be employed when changes are foreseen. Noise levels predicted that indicate specified noise levels may be exceeded, must be notified to the LPA prior to commencement of activities, for approval.

Noise with a distinct tonality or character that could be audible at the noise monitoring locations should be considered as having a 5dBa penalty (as per principles of BS 4142)

2. In all cases the use of Best Practicable Means / Best Available Techniques to control noise must be employed. Noise-making activities that are not required to be undertaken during the night period must be avoided.
3. Compliance monitoring must be undertaken at least as per document referenced PJ2126/PJ/23035. A night time noise survey will be required within the first week of the commencement of night time working and thereafter as required based on predictive noise assessments

Kristian D James 
Team Leader, Env Health (Pollution)

STEVE HYDE
1 BRYN Y MOR
WEST ABERTHAW
VALE OF GLAMORGAN
CF62 4HZ

Re planning application No 2007/00170/ful. Variation of operating times at Aberthaw Power Station.


I wish to strongly object to this alteration of operating times at the station.

We already have to tolerate very loud and very upsetting levels of noise from the station which makes our lives very uncomfortable and difficult in the extreme. Last night for example, the steam valve (or whatever it is) was set off three times at least in the early hours of the morning disturbing my sleep very badly and making me very tired today at my desk where I have to make and take extremely difficult decisions.

It is not right that we should have to be expected to endure even more noise over an unknown period which could be weeks, months or even years.

I have no confidence that we are currently being protected from noise problems associated with the site which seem to continually be added to.

Steve Hyde
19/02/2007



Mr N.C. Guard
Greenhaven
Beach Road
Gileston
CF62 4HX
Tel 01446 750365
Mob 07802 723711

5th March 2007

Vale of Glamorgan Council
Planning Dept
Docks Office
Barry Docks
Barry
CF63 4RT

FAO M Lucas

Dear Mr Lucas

RE Your Ref 2007/00170/FUL Aberthaw Power Station

Further to your letter of 13th Feb 2007 regarding 24hour working I comment below:

I am one of the closest houses to the site and in principal would object to a 'blanket' 24hour extension on the following grounds:-

The noise levels from the construction site are very audible from my property being only about 200m from the site. Although to date the noise levels have generally been at sociable times an extension to 24hour working could mean serious sleep disruption to myself and my family.

I am keen however, to see this project end as soon as possible and to that end I would be happy to consult with yourselves and the Power Station in order to allow certain activities only on a 24hour basis, which might bring the completion date nearer. I think that this would be a sensible solution for all!

Yours sincerely,



Nick Guard

Barry/Vale Friends of the Earth
Cyfeillion y Ddaear, y Barri a'r Fro
14 Robert Street, Barry CF63 3NX



Chief Planning Officer, VOG Council,
Dock Offices, Barry

4th April 2007

Cyfeillion y Ddaear

Fax 01446 704622

Aberthaw Power Station, FGD project– Objection to application for 24/7 working

We object strongly to this application because of its impacts on the health and amenity of residents in the neighbourhood, particularly in West Aberthaw and Gileston.

We note that RWE is seeking a significant change in the decision of the Westminster government signed by Richard Mellish, Director of Electricity Consents at the DTI. The condition on working time was set in order to protect the community and nearby residents in particular, and cannot be set aside just for the convenience of the company.

RWE say they are up against a deadline regarding sulphur emissions. Using low sulphur coal is an alternative way of complying with the deadline. Why should the company seek to save the extra cost of low sulphur coal at the expense of the community? They could be asked how they would justify their cost savings against the loss of amenity and health of residents, taking into account the disturbance/loss of sleep and therefore health that is likely to ensue. They should be asked if they would offer compensation and/or provide noise insulation and ventilation to the worst affected homes (as is done near noisy roads and airports).

The DTI permission allows work outside the working day times as long as "such works are without impact or tonal content and do not cause existing ambient background noise levels to be exceeded". RWE make no case that they would be unable to phase their daily work routine within that condition, or do it with certain exceptions. If they made such a case for limited exceptions, it might be reasonable to ask the residents to accept it. Only then should the Vale Council countenance approving the exceptions.

We understand that RWE has not submitted construction noise measurements made in accordance with the monitoring scheme set up under Condition (18). Yet they are to be given to the Council "as soon as they are available". We ask for the application to be placed on hold until RWE has supplied the monitoring data compared with the specified levels, and time given for ourselves and residents to consider that data. We ask also for reports on any emergency exceedances under Condition (19).

We note that the reason given for these Conditions is "to ensure proper control of noise during the construction". Without the monitoring and reporting, we presume there is not proper control. This is to us another reason for rejecting the application in the present circumstances.

Yours sincerely,

Max Wallis

cc. Keith Stockdale, FoE Coordinator
Ron Lloyd, Chair ADRA

07/00170/FUL

'E'

Mr Rob Thomas
Head of Planning and Transportation
Vale of Glamorgan Council
Planning Department
Dock Office
Barry
South Glamorgan
CF63 4RT

Your ref P/DC/2007/00179/FUL
Our ref
Name Kieran Somers
Phone 01793 896123
Fax 01793 893331
E-Mail kieran.somers@rwenpower.com

4th May 2007

**Electricity Act 1989 – Section 36.
Aberthaw Power Station Flue Gas Desulphurisation (FGD) Project
Application No. 2007/00170/FUL – Variation of Construction Times to Permit 24 Hour Working**

Dear Mr Thomas

Further to our planning application of 5th February 2007 to vary construction times on the Aberthaw FGD project (letter from Mike Bailey, Ref AFG/00/A24/Unique No.003875) I am writing in response to concerns that have been raised within Vale of Glamorgan Council which may lead to a view that the decision should be taken by the Planning Committee rather than by the Planning Officers. Clearly the means of determination of our application is an issue to be decided within the planning processes of the Council but we would urge you to find a route which minimises delay, commensurate with your due diligence.

Installation of the FGD plant at Aberthaw will enable the achievement of significantly improved emission standards and consequent improvements in local air quality. The plant needs to be installed and operational in time to meet deadlines set by the Large Combustion Plant Directive (LCPD). These deadlines are enforced through the laws of England and Wales. In order for the project to remain on schedule we will need the variation of the consent conditions to be in place by 9th June 2007, so that key work can be carried out alongside planned maintenance outages for the main power station. If this is not achieved there will be a programme delay of between 4-8 weeks, which, as well as being a serious threat to achieving the LCPD deadline, would probably be less favourable from the point of view of the local residents.

If it were to be decided that the Planning Committee is the appropriate forum for the determination we are concerned that any deferral of the decision beyond the next meeting, in order to carry out a site visit, would prevent meeting the deadlines set out above. To this end we would offer the Vale of Glamorgan and Officers the opportunity to visit the FGD construction site ahead of the Planning Committee meeting, should that be the route for determination. We can accommodate a visit at any time to suit yourselves and other interested parties.

We have been actively involved in consultations with local residents in order to allay their concerns, regarding the proposed changes in working hours and are keen to provide further information, where appropriate, to ensure that people are aware of the precise nature of the plans, any proposed mitigation, where required, as well as measures proposed to keep the local community fully briefed on progress etc. We believe we now have the support of St Athan and East and West Aberthaw. One of the issues that seems to have arisen as a misconception amongst local residents is that there will be additional heavy goods vehicle movements associated with the extended working hours. I can confirm that this will definitely not be the case.

RWE npower
c/o
Aberthaw
Barry
South Glamorgan
CF63 4RT
01793 896123
01793 893331
www.rwenpower.com
Registered in England
and Wales No. 003875

07/00170/FUL 'E'

We have also undertaken noise modelling to predict the impact on the local community. This has enabled more careful planning to ensure that all noise generating activities are scheduled during normal working hours and noise generated outside the normal working hours is at tolerable levels that should not significantly impact on the local residents. We also intend to work with immediate neighbours during the period of extended hours to monitor their concerns and address these in a timely manner with mitigation measures approved by all parties.

I would be grateful for any advice on the above matters and look forward to hearing from you in due course. If you require any further information please do not hesitate to contact me on the above number. My colleague Mike Bailey, who is dealing with this application, will be back in the office on 11th May. Mike can be contacted on 01793 893315.

Yours sincerely

Kieran Somers
Group Head, New Project Consents

Appendix A

07/00309/FUL

Mr M Goldsworthy.
Planning & Transportation Dept.
Vale of Glamorgan Council.
Dock Offices,
Barry Docks.
Barry.
CF63 4RT.

46 Redbrink Crescent,
Barry Island.
Vale of Glamorgan.
CF62 5TU.

26TH March 2007.

Dear Sir,

Your Ref: P/DC/MG/2007/00309/FUL.
48 Redbrink Crescent, Barry Island.

Thank you for your letter dated 8th March 2007. You advise that a further application has been received to retain an extension subject to enforcement notice P/DC/SJB/ENF/2006/0337/PC. Issued on 7th March 2007 effective date 7th June 2007.

Despite a minor alteration to the roof area, the extension will still retain its overbearing height and length. This will have very little impact on the scale of the development and its detrimental effect on my property.

I have previously written to you on 16th November 2006 (Ref 2006/01045/FUL). Where I advised that earlier 2 similar but **smaller** schemes had been rejected by the Vale Council Planning Department and subsequently refused on appeal to the Welsh Office.

These smaller schemes were both rejected due to the amenity area being grossly inadequate. This decision was made before the property was converted into 3 flats without planning permission which would of course reduce the amenity area even further.

I would therefore register my strong objection to the current application due to the way it affects my property in an overbearing manner. In addition having taken professional advice I would suggest that any planning applications relating to this property should be revoked and the current enforcement notice implemented.

Yours faithfully,



C. Brooks.

07/00309/FUL

'B'

- verbally by the Planning Officer concerned who has now retired, and your correspondence to me confirms this understanding. In my view the fact that the Planning Officer was deliberately misled confirms that the permission is voidable insofar as there was a wilful failure to serve the ownership certificate;
4. I understand that Mrs Rendell signed a Certificate A for the first application, in other words she categorically asserted that nobody else except her (the applicant) had any interest in the land. That is clearly quite wrong and confirms my view that the permission does not stand and cannot be fallen back on in any event.
 5. There can be no dispute that the extension that now stands has not been built in accordance with the approved plans, neither in size nor materials used.
 6. You have confirmed in correspondence sent to me that **the consent has "fallen in-total"** because, amongst other things, the applicant did not discharge a condition precedent.
 7. I also note, having seen the completed application form for the first permission, that Mrs Rendell claimed that the planning permission would not involve any demolition. That is clearly not true, as she has demolished the sloping roof which was over my shower, causing internal damage to my ceiling and leakages which still occur. In fact whenever I attempt to put the light on in the shower and utility room the circuit trips. This is very dangerous and Mrs Rendell should be aware that this is potentially a fire hazard. I have written to Mrs Rendell informing her of this and the only response I had was telling me to 'have a bath' instead.

In the light of the above, you should be absolutely clear that the extant permission is voidable and does not represent a fallback position for the applicant. **The existence of a voidable planning permission is not, therefore, a material consideration in the determination of the planning application.** If you proceed to take the voidable planning permission into account I put you on notice that I intend to take legal advice with a view to challenging any decision to grant planning permission on the current application.

Another point I would like to make is that in 1989 and 1990 almost identical plans were refused and thrown out on appeal. Those plans showed a structure smaller but very similar to the present plans.

Turning to a consideration of the application on its individual merits, I strongly object to the extension being built around and above, completely enclosing the window of my shower/utility room, which is seriously darkening and obstructing my light. The suggestion in the new plans to provide an additional window would make no difference whatsoever, as it would still be enclosed **inside** Mrs Rendell's property. The proposal of a window opposite that window and an internal wall makes no sense whatsoever and would certainly not improve nor rectify the situation. **Both the first plans and these amended plans are unacceptable and would make my property unsaleable and decrease it's value.**

I would also like to point out that Clause 5.9 of the Lease specifies that lessees are: *"Not to stop up darken or obstruct any windows or light belonging to the Buildings"*; and Clause 6.5: *'To observe and perform all conditions contained in any planning permission affecting the Estate.'*

I set out below my other concerns about the proposal, although I accept that not all of these are planning considerations, but in my view you should be aware of these facts in considering the application:

07/00309/FUL 'B'

1. I object to the fact that my drain is going to be inside Mrs Rendell's property and, therefore, inaccessible. I am extremely worried about the consequences of my drain being blocked. My extractor fan will also be enclosed. How am I suppose to maintain my property in these circumstances?
2. I strongly object to the fact that my shower roof, a recently built slate room, has been completely removed.
3. I object to the fact that the boundary wall was partly knocked down, recently rebuilt very roughly, is much higher and unfinished.
4. I object to the fact that damage has been caused inside my shower and utility room, plasterwork has cracked and water leakage has left damp marks and smell.
5. I very strongly object to the fact that my property is now unsaleable and has also decreased in value.

I also believe that the failure by Mrs Rendell to sign the correct Ownership Certificate and her failure to inform you of my occupation of the ground floor flat was wilful and premeditated. The following background would suggest that: When I first bought the property she wished to block up the window in question, to give me a few feet of land, knock down a wall, build another with a window in that wall. (I have that request in writing). I refused the proposal at the time because it would have meant considerable disruption with no guarantee of satisfactory completion (based on the applicant's history). Since then she has again asked me whether she could build around the window, and absurdly assured me that she would put the light on for me (ie in her property). When I refused she said she would do so anyway, ie build around my window.

I, therefore, reiterate my request in my previous objections, that you exercise your powers of Enforcement to instruct Mrs Rendell to demolish the existing extension, and also that you revoke the initial planning permission, taking into account that the conduct of the applicant is material to the decision as to whether to quash the decision, and that your own Planning Officer allowed himself to be duped by her. That is the only way of resolving this matter for all those concerned. Demolition, revocation and refusal of the current planning application is the only solution to this problem.

I look forward to your response to my comments and objections.

Yours faithfully



C.S. Raven

MG

Coral Raven

07/00309/FUL 'B'

15 April 2007

Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
BARRY
CF63 4RT
For the attention of Mr Rob Thomas

Dear Sir

Extension at Rear of 49 Redbrink Crescent, Barry Island

I am writing with reference to the illegally built extension at the rear of my property and my letter of objections dated 26 March 2007.

*I wish to add to my objections regarding this extension. As I point out on page two of my letter, (Point 7), there has been an intermittent leak for some time from the extension above, seeping through my shower ceiling and around the spotlight which has been tripping. **However, this week it was discovered that the fuse box above the light had melted and wiring had burnt and smouldered and was sparking and shorting.** I want to stress that this is a very dangerous situation and a serious fire hazard. In fact, it is a miracle, as I myself saw the wire sparking, that there has not been a fire at the property. I suspect it is a problem with the plumbing above as it has not been raining for some time.*

I wrote a note (attached) to Mrs Rendell recently pointing out the danger and her reply is attached which completely misses the point, by telling me to 'have a bath' instead.

This situation is causing a lot of stress and is affecting my health. Please could I urge the Council to draw this whole problem to a swift conclusion.

Yours faithfully



07/00309/FUL

'B'

"Crow's Nest"
48 Redbrink Crescent
Barry Island

19 March '07

Dear Mrs Raven

You complain of droplets of water leaking through my roof.
This is the consequences of your action - it might get worse
if you succeed in getting the plaCE PULLED DOWN!

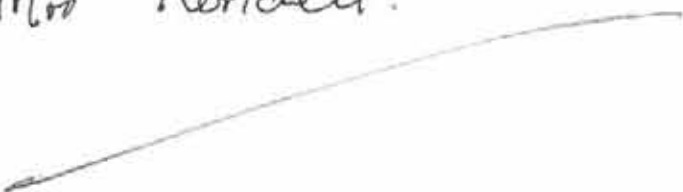
You will have to do what I have to do wait and see. Use your bath.

Hopefully, in spite of efforts to the contrary, my Builders
will be given permission to return and complete their work on the
house.

As the Freeholder of this building please give me a report on
the work you have carried out on the chimneys. I hope you have
not endangered us by blocking any of the chimneys.

Yours faithfully

Mrs Rendell.



07/00309/FUL 'B'

19.3.07

Joyce

Please note - there is a leak either in your bathroom plumbing or your roof.

I had droplets of water coming through the ceiling and around the spotlight inside my shower on Saturday.

This is very dangerous and needs urgent attention.

Carol Raven
(Flat 49)

07/00309/FUL

B

Coral Raven

49 Redbrink Crescent
Barry Island
Vale of Glamorgan
CF62 5TU
Tel: 01446 737602
Ravengreenways@aol.com

8 May 2007

Mr D R Thomas
Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
BARRY
CF63 4RT

Dear Sir

Application No: 2007/00309/FUL
Location: The Crow's Nest, 48 Redbrink Crescent, Barry Island
Further amendment

With reference to the above modified planning application, I have viewed the plans and I can see no radical alterations to them. In no way do these plans address the problems associated with this extension which is subject to an Enforcement Notice.

I reiterate, I cannot see any sense nor purpose in the addition of a 'Sunpipe' running horizontally. Such a contraption may be suitable in some circumstances running vertically but would certainly not be appropriate nor effective in this case.

I again hereby register my strong objections to these proposals which remain the same as in all of my previous letters.

Yours faithfully



C S Raven (Mrs)

Coral Raven

07/00309/FUL

30 April 2007

Mr Rob Thomas
Head of Planning and Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
BARRY
CF63 4RT

Dear Sir

**Application Nos 2007/01045/FUL & 00309/FUL and
Amendments - 48 Redbrink Crescent, Barry Island**

I am writing concerning the above planning applications and amendments, the latest being the addition of a 'Sunpipe'. I cannot see how this amendment will resolve all the problems associated with this extension, nor do I see any sense in it running horizontal anyway. Such a contraption may be suitable in some circumstances running vertically but would not be appropriate nor effective in this case. And so for these reasons my objections remain the same as previous letters of objection.

Yours faithfully



C S Raven (Mrs)

07/00309/FUL 'C'

Mr M Goldsworthy.
Planning & Transportation Dept.
Vale of Glamorgan Council.
Dock Offices,
Barry Docks,
Barry.
CF63 4RT.

46 Redbrink Crescent,
Barry Island.
Vale of Glamorgan.
CF62 5TU.

5th May 2007.

Dear Sir,

Your Ref; P/DC/MG/2007/00309/FUL.
48, Redbrink Crescent, Barry Island.

Thank you for your letter dated 30th April 2007. You advise that further modifications to plans have been put forward to yourselves relating to the above application. This of course refers to retention of planning for an extension subject to an enforcement notice.

Having viewed this latest proposed minor modification, nothing has changed relating to my property. My letter to your department dated 26th March (copy enclosed) and previous letters confirms my strong objection to this scheme.

Yours faithfully,



C. Brooks.

'Appendix D'

MG

07/00309/FUL

"Crow's Nest"
48 Redbrink Crescent
Barry Island
Vale of Glamorgan
CF62 5TU

7th May '07

R. Thomas, Esq
Head of Planning
Vale of Glam Council

BY HAND

Dear Mr Thomas

From '02 I have done everything you required of me throughout '03, '04 and '05 there were detailed discussions between my Architect Mr Nick Renwick, Mr Ewart Parkinson, Mr Dannon and myself ending in December '05 with Planning Permission.

What I do not understand, because I followed the instructions of the Welsh Water Authority, I am being punished. The only alteration made was at the behest of the Building Regulations Officer who condemned the wall of glass bricks against the stairs. I realise you have to consult the neighbours but can you tell me why you are allowing them to dictate. This is not a rhetorical question I would like an answer.

I have asked in writing a few times and also verbally to see my file. The last time was at the meeting on 2nd February I was told only three days before Planning Committee. Yet on the 20 November '06 in a letter addressed Dear Marcus Peter Drew thanked "for the time and trouble that you took in both meeting us and permitting me to examine your files and take copies of relevant plans and documents." He went on to say he could not give assurance that they would not go to the Ombudsman. Just as well as they did.

I was only able to read this letter as it was copied and distributed at Planning Committee. I again ask why cannot I have the same help you are extending to these people. Talking of letters I enclose copies of letters which I hope you will recognise as clearing my name with regard to the missing notification from your department. Obviously she had to write to me as she would have been aware that I had not received your letter. Surely her actions demonstrate her reliability.

May I request a meeting with you or Mr Goldsworthy once you have completed discussions with my good neighbours. There are not many like them around. According to the lease I am entitled to access to her flat although of course I would never avail myself of that normally this is not normal. It was intimated that usually the decision would be Officer delegated - why not in my

07/00309/FUL -2-

D'

caSE. Am I allowed to know why I am being treated so harshly. The Ombudsman said your consultation period last year was excessive and I could have complained. Mrs Raven is the only one who should have been consulted. You have been trying to force me to give her land for no apparent reason. Why?

Mr Marcus Goldsworthy said you were trying to get the application to 24th May Planning Committee because the Enforcement comes into effect on 7th June. Does it make any difference that your plan is wrong attached to the Enforcement notice?

I do feel if Mrs Raven has tampered with the Ventaxia there should be a site meeting this is important. I am drawing your attention to this in good time. You might remember my Planning Consultant was supposed to arrange one before you failed my last application. Perhaps if you had been aware visually as well as in writing I might have had planning permission. Why is it you believe them and not me?

I will be in Stratford upon Avon on 23rd to see "King Lear"
I will drive back on 24th.

All through the last six stressful years I have asked myself why, at last I realise it is because they can.

Yours faithfully



Joyce Rendell

I WOULD LIKE THIS LETTER CIRCULATED TO THE PLANNING COMMITTEE PLEASE. I BELIEVE IT IS MY RIGHT. IT WAS FOR MY GOOD NEIGHBOURS.

(MG)

"Crow's Nest"
48 Redbrink Crescent
Barry Island
Vale of Glamorgan
CF62 5TU

07/00309/FUL

D

10th May '07

R. Thomas, Esq
Head of Planning
Vale of Glamorgan Council

BY HAND

Dear Mr Thomas

I realise my health is failing now as I forgot to enclose a copy of Passmore's letter which would clarify the situation to a certain extent. I feel all this additional correspondence helps prove my case. Of course I am not allowed to know what is said about me which makes it impossible to defend myself. Now Mrs Raven is attacking me at home as well as through your office I have some knowledge. Her help is all free and well planned in advance with the benefit of the young student planner who was in your office, a girl friend of one of the Browns at 50 Redbrink Crescent.

One thing I feel very guilty about is Mrs Pritchard, then Miss Lee. When she told my Architect Nick Renwick of Noel Architects that I did not stand a cat in hell's chance of getting planning permission, I took it as a threat not a warning. I would have saved myself a lot of distress and stress and may be retained my illusions of my vicious neighbours. Their jealousy is beyond anything I have experienced I must have been blind. I must write and apologise to her.

I feel I have proved my case and I should get planning permission providing a light tube. Mrs Raven is pushing for land stating the ventaxia is blocked. She covered it up for the Ferret T.V. programme which she organised to attack me. If you are prepared to take her word against me and my Builder and also your Building Regulations Officer I think I should know why bearing her odd behaviour in returning post addressed to 48 Redbrink Cres which is my address not hers. I told you and Councillor Tony Williams I had not received your letter but I did receive an odd letter from Passmore which at the time I thought was none of their business. Now it is clear to me why it was sent.

I presume your a tions were based on the assumption that I ignored the letter to stop work and you wanted to make an example of me. May I ask why you chose to believe this trouble maker rather than me? I must not forget Ray Brown who does not have to bother with planning permission and the Brooks who dump rubbish where they want and appear to be able to do what they want.

I believe my planning application of '05 should stand - I spent 3 years and £5,000 getting it. You took it away because my neighbours forced you to. Why? Your Planning Officer working

07/00309/FU

-2-

TD'

under delegated powers said "this is a fuss about nothing you will have planning permission in 3 weeks" sadly he broke his leg and Mr Marcus Goldsworthy took over. We all know what happened then.

The Planning Aid free representative for the neighbours who had apparently worked together in Newport was given the run of the files see letter attached to the '06 Planning Committee where my application was failed. Why?

I might be foolish but I feel if Mr Goldsworthy had worked in Newport with the Planning Aid man I was at a disadvantage. I felt this was verified by the tone of the letter and the different attitude towards me.

I am sorry if my spoken thoughts upset you but under the circumstances I really have nothing to loose.

Yours faithfully



Joyce Rendell

07/00309/FUL 'D'



Passmores

with Lewis and Jacobs
Solicitors

21 Tynwydd Road, Barry
Vale of Glamorgan CF62 8HB

Mrs J Rendell
"Crow's Nest"
48 Redbrink Crescent
Barry Island
Barry
Vale of Glamorgan CF62 5TU

☐ 1. General Enquiries
☐ 2. Property Enquiries
☐ 3. Commercial Enquiries
☐ 4. Litigation Enquiries
☐ 5. Family Enquiries

Our Ref

DHL.DAA.26468.R

Your Ref

Date

26th April 2007

Dear Mrs Rendell

Re: Our Client – Mrs Coral Raven

Thank you for your letter dated 20th April 2007. We have now had the opportunity of taking our clients instructions with regard to its content and would like to make the following points.

Firstly our client was never under the illusion that she was your tenant and of course if aware that she owns the leasehold on the property. You state that she should be responsible for all her internal work all this of course is true unless the damage to the internal parts of her property is caused by a source originating from your own property.

You should be aware that in a flat complex if a leak or some other source of damage originates from adjacent property and that the damage caused can be linked back to this other property, then it is that property whose insurance will bear the burden of any damage done. This is completely separate to a landlord and tenant relationship.

In relation to our letter of the 14th February and the work undertaken on the chimneys our client instructs us that she was having the issues raised in our letter with baby seagulls falling into the chimney and that you were notified of this potentially serious situation and still no remedial work was undertaken. In light of this our client and her neighbour placed wire mesh over the chimneys to prevent the baby seagulls from further falling down the chimneys but no actual alteration or permanent addition to your property was undertaken. Whilst our client accepts this was perhaps without your expressed authorisation if such authorisation was not reasonably forthcoming within a reasonable period then it was not unreasonable for our client to take these steps and we are sure you will agree.

Partners:

Glyn Hughes LL.B.^A
Neil Willets LL.B.^{B,C}
Catherine Roblin LL.B.^{A,B,C}
Jonathan Gifford LL.B.
Sally Matthews LL.B.

Conveyancing Executives:

Julie Morgan

Consultant:

Geoffrey Thomas LL.B.
(Non Practising)

Solicitor:

Carl Louise Evans LL.B.

Trainee Solicitor:

David How Lewis LL.B.

Practice Manager:

Jacqui Patterson

Membership Panels:

- ^A Advanced Member of Family Law Panel
- ^B The Law Society Children Panel
- ^C The Law Society Personal Injury Panel
- ^D The Law Society Probate Section
- ^E Solicitors for the Elderly

Family
LAWYERS



07/00309/FUL 'D'

To continue to deal with your letter paragraph by paragraph we now make reference to our letter of 9th August 2006 in which we drew your attention to the fact that our client did not receive the plans of your proposed extension prior to the building work being undertaken as she indeed ought to. We are somewhat confused by your comments that our client did not understand these plans when it is clear from our letter of 9th August 2006 that these were not received. We are further confused by your comments that our client has put the house in jeopardy as our client was of the belief that the work to be undertaken to the property was an extension to the existing property and not essential works as to the structure of the existing building.

Further, referring to your complaint against our client with regard to tampering with your mail, our client has confirmed that she has never tampered with your mail but accepts that in one instance mail was returned. You go on to deal with the fact that somebody has got hold of your Visa number and this is commented upon in the same paragraph as your suggestion that our client is tampering with your mail. Are we therefore to believe that you are accusing our client of obtaining your Visa number and instigating some form of financial fraud. Our concern is that this is strongly insinuated in your letter and we note that this letter was c.c'd to a Mr Craig Woolcock. In copying this letter to a third party with a defamatory statement regarding our clients reputation and reliability you have committed an act of defamation to which our client may potentially have a remedy. We would suggest that you refrain from making such statements unless you can back them up with some form of evidence and if you have such we would be grateful if these could be provided or if there is a criminal investigation being undertaken that you could give us details. In the absence of such evidence we would be grateful if no more such statements would be made by yourself or we will take our clients instructions on taking further action against you.

Finally our client has instructed us to address the last issue with regard to insurance and heating and we are informed that the insurance of the property is held by yourself as freeholder to the remaining leasehold property, that our client makes contribution to this premium and that this is the obvious way that our client would make any such claim. With the heating matter we understand that there was some confusion with regard to the heating bills when our client moved in and your comments stating that SWALEC sorted out the matter eventually clearly shows that it was not the fault of our client and there was some form of error.

We are of course aware that there has been some dispute with regard to building works on the property and that this has culminated in some other disagreement but our client has no desire to continue an acrimonious relationship with you because this will benefit neither party. Provided our client is assured that you will not make any further deformation on her character then our client hopes that this matter will be put to bed and that you can continue to reside in the same property amicably.

Yours faithfully

PASSMORES

07/00393/FUL
APPENDIX A

177 Stanwell Road
Penarth
Vale of Glamorgan
CF64 3LN

Mr M. Lucas
Planning Officer
Vale of Glamorgan Council
Dock Office
Barry Dock
Barry
CF63 4RT

16th April 2007

Dear Mr Lucas

Ref : Planning Application 2007/0393/FUL

I write to object to the above application seeking to demolish the existing structure at 5, Cog Road, Sully and the construction of a new apartment block in its place.

My interest in the scheme is based on my parents (who live at 7, Cog Road) distress at receiving this second proposal so closely after the rejection of the original and my long association with Sully, previously living in the village for 25 years. My objection is in these areas:-

Firstly, it's size and design. In no way is the revised design in keeping with the style of properties that surround it. This is an inappropriate, unsympathetic proposal, which would adversely affect the character of the area. I am concerned that my elderly parents would face an intolerable burden if this plan was to be progressed, affecting their privacy, light and general enjoyment of their garden. As mentioned in my previous objection the current property was built in the 1930's and is a great example of property design of that era, featured in many photographs of Sully from that period in history books and prints. It is in no way dilapidated and has many years of life left in it, with new roof and windows. The proposal, if granted, at a stroke will deprive Sully of one of its older buildings.

Secondly, the development would affect amenities in the area and the lives of those who live around it. Sully is in desperate needs of retail options, granting this development would mean the removal of (yet another) retail facility in the village, one popular with Sully's elderly residents and young mothers.

Thirdly, the parking provision and large numbers of cars that would come from this property. This will cause pressure on safe, lawful parking already at a time when the nearby public house frequently has a 'car overflow' from its own car park at busy times. If granted, there will be an intolerable impact not just on my parents but on all living at the bottom end of Cog Road through this gross overdevelopment. Many roads around the site already have double yellow lines, I am concerned that the numbers of spaces allocated for the planned property are not sufficient for the number of expected cars and appear to dictate complex reversing just to park. This is unsafe, and will generate noise and fumes only feet from my parents, well tended, garden.

Lastly, its affect on the quality of life of those that would live near it. I believe that the proposed high density and probable high rotation of inhabitants of those living in the property would affect quality of life of those who live in the area for its peace and calm. The consideration with regard to the noise, pollution and 24 hour lives of those who could reside in this ugly, high density block on the lives of existing residents should be considered. The building of, and potentially the lives of those who could live there, would undoubtedly disturb this peaceful area in this quiet village.

I trust that you will my consider my objections carefully when deciding whether to progress with this application. The issues of over development, massive upheaval and loss of a well-known building in Sully would affect the peace and calm of this area and the quality of life of my parents and neighbourhood friends. **I trust your team will agree with any objections and will lead to your decision to reject this proposal.**

Yours sincerely,



Richard Moremon

cc Co. Cllr Anthony Ernest

1 Meadow View Court
Sully
Penarth
Vale of Glamorgan
CF64 5AY

16th April 2007

Mr M Lucas
Planning & Transportation
The Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Dear Sir,

Your Reference: P/DC/ML/2007/00393/FUL

Having considered the proposal to demolish the existing building (retail ground floor and flat to first floor) at 5 Cog Road and construction of five two bedroom apartments with associated parking, I would make the following comments:

- The road which leads from Cog Road to Meadow View Court, the BT exchange and other residential properties, which is adjacent to the above mentioned property, is a narrow road. Similarly, at the point where this road intersects with Cog Road, Cog Road is quite narrow and this combination already often results in congested with local traffic as well as traffic wanting to enter the parking area for the Sully Inn. I feel this development will further aggravate this situation.
- While the provision of parking for 9 cars on the property is probably adequate to accommodate the cars of the residents of the apartments, I am not sure that it will be adequate for visitors. As stated above the roads around this area are narrow and there is no convenient visitors parking. The alternate option of on street parking will only lead to further congestion and increase the potential for accidents.
- The traffic congestion and lack of adequate parking in this vicinity has been highlighted over the past two weekends, when as a result of the car park for the Sully Inn being full, cars have been parked all the way along the access road into Meadow View Court from the intersection with Cog Road down into Meadow View Court, essentially reducing the access road to a single lane.
- The demolition of the retail section of this property and the re-allocation of this property to residential property further reduces the amount of retail property in the village of Sully.
- Such high density residential property is out of character for the immediate environment of the building and the village as a whole.

Yours faithfully,



Dr Russell I Thomson

Eric Bye & Gwynneth Grant
2 The Halt, Cog Road
Sully, Penarth
CF64 5AX
Tel 029 2053 1950

Your ref P/DC/ML/2007/00393/FUL

11 April 2007

The Vale of Glamorgan Council
Planning and Transportation
Dock Office
Barry Docks
Barry
CF63 4RT
For attn Mr M Lucas

Dear Mr Lucas

Re: Planning Application for 5, Cog Road, Sully

We are writing in response to your letter dated 26 March, which gave notice of an amended application for the above property. Having examined the plans, we have the following comments:-

As with the previous application, we object to the proposed development in principle because we believe it to be of an inappropriate scale in relation to the surrounding area, which is a mixture of houses and bungalows. The previous application, which was obviously refused, was for a development of 9 flats over 3 floors, with a substantial addition to the rear of the property.

The new application is for 5 flats, also over 3 floors, but including a loft apartment, with the rear addition deleted from the plan. It is noted that the proposed Cog Road frontage remains unaltered at 16 metres. The height of the proposed development in the original plans was shown as 10.254 metres. Although the revised plans are only for two floors plus the roof apartment, there is very little difference in height, with the revised application being 9.307 metres. On these grounds alone, we therefore consider this to be an inappropriate and unneighbourly proposal, which would adversely affect the character of the area as a whole and would, we believe, be an intolerable intrusion for the immediately adjacent properties.

Cog Road is not Cardiff Bay or Penarth Marina where such a proposal would be unexceptionable. It is a semi rural area with farmland within 100 metres of the site. There is no evidence of any attempt on the part of either the developer or his growing band of

advisers to understand the nature of the area and certainly no sensitivity about the likely impact of the proposals.

If these plans had been drawn up for the specific site by a decent architect, who was trying to blend the development into what is a quite attractive area, then at least the impact, if any, on surrounding properties would be minimised. We believe, however, that these are a set of cheap off the shelf plans for nowhere in particular. The fact that the planning consultants have admitted that the present property is dilapidated does not exactly inspire confidence in the developer, who, we understand, has owned the existing property for 13 years or more.

In addition to the above, we consider:-

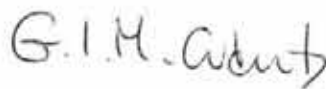
- that even the reduced proposal for 5 flats is excessive for the size of the site.
- that the proposed car parking provision is inadequate and does not comply with the requirement for two spaces per unit. The layout of the car parking area shown on the plans is probably impractical and is certainly, again, unneighbourly. This part of the plan requires careful consideration as it immediately adjoins the garden of 7 Cog Road and excessive manoeuvring would probably be required to actually use most of the spaces.
- that there appears to be no provision, and little scope, especially at the rear of the proposed development, for any soft landscaping.
- that Sully is a village notable for its lack of amenities for residents. Another consequence of this proposal would be the loss of yet another amenity in the form of the only remaining hairdressers, which would be regrettable.
- that allowing this application would create an unhealthy precedent and would open the door to other developers to make equally inappropriate proposals.

We would be grateful if these views could be taken into consideration when the application is considered.

Yours sincerely



Eric Bye



Gwynneth Grant (Mrs)

cc Councillor Anthony Ernest

Y Ganolfan Gymdeithasol

Yr Hen Bwrtwal,
Gwenfô
Bro Morgannwg
CFS 6AL

Wenvoe Community Council



Cyngor Cymuned Gwenfô

Community Centre

Old Port Road,
Wenvoe
Vale of Glamorgan
CFS 6AL

Mr. R. Hulin (Clerk/Clerc) ☎ 029 2059 1139

07/00517/OUT
APPENDIX A

4th May 2007.

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

Dear Sir,

Town and Country Planning Act 1990 (as amended)
Planning Application No. 07/00517/OUT

This Council at it's meeting on Thursday 3rd May 2007, considered the above Planning Application and resolved not to support it because it would be an over-development in the countryside and would be contrary to Housing policy No. 2.

Yours faithfully,

R.Hulin
Clerk.

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MAY 10 2007
PLANNING DEPARTMENT

RECEIVED

07/00517/OUT

Appendix B

7 Is-y Coed,
Wenvoe,
Cardiff
CF5 6DL

30th April 2007

Mr D.R. Thomas,
Head of Planning and Transportation,
Vale of Glamorgan Council,
Dock Office,
Barry
CF23 4RT

Dear Mr Thomas,

Application No. 2007/00517/OUT
Chatsworth House, Pound Lane, Wenvoe, Cardiff.

I am writing to object in the strongest possible terms to the proposal to build a detached dwelling in such close proximity to my property.

According to the above planning application, the dwelling will be built on a raised site to the rear of my home. Consequently, the property will overlook both my house and rear garden and have a major impact on my privacy.

Pound Lane is a narrow single lane carriageway which is regularly used by ramblers and local residents walking their dogs. Constructing the proposed dwelling will prove extremely challenging owing to the narrowness of the access. Indeed, the current occupiers of Chatsworth House experience great difficulty in accessing their driveway when driving from the direction of Walston Road and habitually drive to the end of Pound Lane to turn around in order to be able to do so more easily. Furthermore, it could be argued that the use of heavy plant to excavate the site, and the subsequent need for regular deliveries of construction materials in heavy goods vehicles, will present a danger to users of Pound Lane.

Finally, I am given to understand that the proposed dwelling will be situated outside the settlement boundary.

In conclusion, I strongly object to the planning application in question and ask that due consideration be given to the representations detailed in this letter.

Yours sincerely,



R.L. Roberts