

## Penderfyniad ar yr apêl

Ymweliad â safle a wnaed ar 21/11/06

## Appeal Decision

Site visit made on 21/11/06

gan/by P J Macdonald MSc ARIBA MRTPI

Arolygydd penodwyd gan Cynulliad  
Cenedlaethol Cymru

an Inspector appointed by the National  
Assembly for Wales

Dyddiad/Date 28-11-2006

Appeal Ref: APP/Z6950/A/06/1199624

Site address: Land to the rear of Daniel Street, Barry.

The National Assembly has transferred the authority to decide this appeal to me as the appointed Inspector

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Rocketfine Ltd against the decision of Vale of Glamorgan County Borough Council.
- The application Ref 2006/00076/FUL, dated 5/01/06, was refused by notice dated 13/07/06.
- The development proposed is erection of housing development, flats and associated site works (6 houses and 26 flats = total 32 units)

**Summary of Decision: the appeal is dismissed for the reasons given below.**

### Procedural Matters

1. In determining this appeal, I have had regard to the written representations made by the appellants, the Council, Boyer Planning (on behalf of Newydd Housing Association) and interested persons, and to what I saw on my accompanied site inspection.
2. During the course of that site inspection, it became apparent that I had not been supplied by the appellants with all the drawings that had formed part of the original application. Four drawings were supplied with the appeal forms, these being two site layouts (numbered 100 and 110) and two drawings (both numbered 300) showing the layout and elevations of the large flat block. I believe that the site layout drawings may have been superseded in respect of the car parking layout, so I shall not comment further on that aspect. I have not been supplied with plans or elevations of the small flat block or the six houses. However, having considered the information that has been supplied, I have concluded that it is sufficient to demonstrate that there are solid reasons for dismissing the appeal, these reasons being set out below.

### Main Issue

3. The appeal site has previously had planning permission for 17 residential units (granted in April 1994), and is an allocated housing site in the UDP under Policy HOUS1(4). Hence the principle of its residential use is not in question. The main issue arising in the determination of this appeal is whether the proposed layout represents overdevelopment of the site, resulting in a form of development which would be detrimental to the privacy and amenity of the

residents of surrounding dwellings, lacking adequate amenity space for the residents of the new dwellings, and out of scale and character with the area in which it would be situated. I note that an appeal for a different form of development was dismissed in January 2005, solely on grounds of inadequacy of the sewerage system. Works are in progress to upgrade the sewerage system, and these are due for completion on 1 April 2007. Hence, had the appeal succeeded, this matter could have been dealt with by a Grampian condition.

#### Planning Policy

4. The adopted Unitary Development Plan contains Policy HOUS8, which sets out the criteria for residential development. These include criterion (1), which requires scale, form and character of the proposed development to be sympathetic to its surroundings; and criterion (2), which requires that there is no unacceptable effect on the amenity and character of existing or neighbouring environments. Policy ENV27 requires new development to have full regard to its context, and to complement or enhance the local character of buildings and open spaces. The Council also has supplementary planning guidance on amenity standards, including the provision of amenity space for flatted development.

#### Site Description and Proposed Development

5. The appeal site, which has an area of about 0.54 hectares, is an irregularly shaped area of backland, once used as allotments, in a residential context within the urban area of Barry. Housing in the area is of varying ages and styles, but is generally two storeys high, except for some bungalows in Cae Glas. Daniel Street to the south of the appeal site consists of terraced housing of traditional form, with relatively short rear gardens.
6. The appeal proposal consists of a three storey block of 20 flats immediately behind Daniel Street, with a smaller block of 6 flats to the north, immediately behind the housing in Westbury Close. Six houses, in two terraces of three, are proposed at the western end of the site, at right angles to the houses in Daniel Street. Vehicular access would be gained at the eastern end of the site, off Robins Lane close to a recently constructed housing association development, by means of a long cul-de-sac road.

#### Reasons and Conclusions

7. The proposed layout is at a noticeably higher density than its surroundings, with the two flat blocks being in very close proximity to the rear garden walls of existing housing, and considerable areas of the site devoted to roads and car parking. Apart from the area of garden enclosed between the two projecting wings of the larger flat block there are no useable amenity areas for the flat dwellers, and it is clear that the Council's advisory standards on amenity space, as set out in the SPG, are nowhere near achieved. The site layout gives a strong impression of insensitive infilling, paying little heed to the character of the surrounding area or to the environmental quality of the spaces that would be created within the site. The overall impression is one of considerable overdevelopment. I note the appellants' reference to the need to achieve higher urban densities, but this must not be achieved at the expense of other desirable environmental and amenity considerations, as it is in this case.
8. As to the effect on the amenity and privacy of the existing residents, I can only comment on the effect of the larger flat blocks on Daniel Street, as I have not been given detailed drawings of the houses or the smaller block of flats. The large three storey block of flats would far exceed in height, scale and mass anything to be found in the immediate vicinity, and would

constitute an alien and intrusive form of development in its context. It would also be very deleterious to the privacy and amenity of the residents of nearby houses in Daniel Street, since it would create two three storey gable ends (approximately 12.3m high), with living room windows in them, in very close proximity to their rear gardens, the gables being only about 1m away from southern boundary of the appeal site with the rear lane. This would be very harmful to the privacy of these rear gardens and would create an overbearing and intrusive form of development. The habitable room windows in these gables would be, at minimum, only 13m from the rear walls of the houses in Daniel Street, as against the 21m normally sought. This is clear evidence of overdevelopment of the site.

9. Whilst I am unable to evaluate the impact of the smaller flat block or that of the houses, due to the appellants' failure to supply drawings of them, I have no doubts that the proposed layout constitutes gross overdevelopment of the site, harmful to the character of the area, and that the amenities of the residents of Daniel Street would be unacceptably diminished by the scale, form and siting of the large flat block. Hence I am in no doubt, even in the absence of complete information, that this appeal must fail.

**Formal Decision**

10. For the above reasons, I hereby dismiss this appeal.



**Peter Macdonald**

**Inspector**

+AX

# Appendix B

06/01322/FUL

## BARRY TOWN COUNCIL

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

8<sup>th</sup> November 2006

Dear Sir

### Town and Country Planning Act 1990 (as amended)

Planning Application No. 2006/01322 (FUL) - Land to rear of Daniel Street  
Proposed Development: Erection for housing development - flats and associated site works. (6 houses and 18 flats - total 24 units).

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

**Strong Objection** - Despite the reduction in the number of residential units proposed for this site. The Town Council considers that these proposals represent an insensitive and inappropriate form of infill development with a congested layout and a substandard access road.

Serious concerns are raised in respect of :-

- 1) Unneighbourliness and overlooking particularly in relation to the three-storey block of flats which would be situated in close proximity to the existing dwellings in Westbury Close.  
This Council would wish any development on this site to be restricted to a maximum of two storeys in height.
- 2) The provision of adequate levels of amenity space and on-site car parking facilities, the latter being of particular importance in view of the road layout, limited manoeuvring space and the direct means of access from the access road to the car parking bays.
- 3) The unimaginative design and finish of the buildings.

The development is therefore considered to be contrary to Policies HOUS2, HOUS8 and ENV27 of the Adopted Vale of Glamorgan Unitary Development Plan and should therefore be refused.

Yours faithfully

Executive Officer

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

# Appendix C

06/01322/FUL

## Consultation response: Ecology

Application reference: 04/01948/FUL and 04/01949/OUT  
Application site: Land to the rear of Daniel Street, Barry

### Nesting birds

The vegetation and scrub on this application site is likely to be used by nesting birds. It is therefore 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.
- To comply with the law, a condition be included which states that the removal/clearance of any vegetation must be done outside the bird nesting season which is generally recognised to be from March to September inclusive, unless a survey is first conducted which ascertains absence of nesting birds.
- To compensate for potential loss of nesting bird breeding sites in developing this pocket of green space within this built up part of Barry, it is recommended that the development scheme includes in its landscaping scheme the planting of native tree/scrub species appropriate to the ecology of the local area and ideally of local provenance.

### Bats

The vegetation on site may potentially be used by bats. It is recommended that an informative be included in any consent to advise the developer of the following:

All British bats and their breeding sites and resting places are protected by law through UK legislation under the Wildlife and Countryside Act (1981) (as amended) and through European legislation under the Habitats Directive (EC Directive 92/43/EC), enacted in the UK through the Conservation Regulations (1994).

In relation to structures used by bats for shelter or protection (i.e. roosts), this legislation makes it an offence to either intentionally or recklessly damage, destroy or obstruct access to any site used by bats, whether bats are present at the time or not, or to intentionally or recklessly disturb bats within a roost.

In the event that bats or bat roosts are found to be present, works must stop and advice must be sought from the Countryside Council for Wales, (CCW). If a development is likely to impact on bats or their roosts, it will usually be necessary for the developer to obtain a development license from the National Assembly Wales Government. It is the developer's responsibility to obtain the relevant licenses, as required, before the commencement of works.

# MEMORANDUM / COFNOD

The Vale of Glamorgan Council  
The Alps, Weavoe, CF5 6AA



Appendix D

06/01322/FUL

To / I:	Head of Planning and Transportation
Dept / Adran:	
Date / Dyddiad:	2 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 22 September 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.

06/01322/FUL

**Land to the rear of Daniel Street, Barry  
Erection of housing development, flats and associated works  
etc**

Strategic culverted watercourses cross the site. A compensator pipe, which runs from the culverted watercourse to feed the open watercourse to the east of the site, also crosses the site. There is also a grid in the access lane adjacent to No 37 Robins Lane; excessive surface water run-off from the highway and immediate area discharges into this structure during periods of heavy / prolonged rainfall to prevent flooding of the area. Surface water from the grid then discharges into the open watercourse to the east of the site.

The Developer will be required to maintain the flows within the watercourses, the compensator pipe and the grid structure, both during and after the works. The Developer should be requested to submit details of the proposals to maintain the flows and the structures referred to above for approval prior to the commencement of any works on site.

The proposed construction of buildings over or near the culverts etc will severely restrict any future maintenance and repair work to the culverts. It is therefore recommended that no buildings are constructed within 6 metres of the culverts. Any bridging / protection works to the culverts and the compensator pipe for the proposed highway / access road will require the approval of this Council, as Land Drainage Authority, and the Developer should submit appropriate details for the necessary approvals prior to commencement of works.

The submitted details indicate that surface water run-off from the

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06/01322/FU

proposed development is to discharge to an existing surface water system which is presumed to mean the culverted watercourse.

The applicant should therefore consider the effect of the proposed run-off on the watercourse and limit the flows to greenfield run-off and / or the spare capacity of the culvert downstream so as not to cause or exacerbate flooding downstream. The Applicant should therefore be requested to provide full details of the proposals for the approval of the Local planning Authority prior to the commencement of any works on site.

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

Our Ref : SE/2006/014284-1/1  
Your Ref : 2006/1322/FUL



ENVIRONMENT  
AGENCY

Date : 23 October 2006

Appendix  
E

06/01322/FUL

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 HOUSING DEVELOPMENT, FLATS AND ASSOCIATED SITE WORKS (6 HOUSES AND 18 FLATS). LAND TO THE REAR OF DANIEL STREET, BARRY.**

Thank you for referring the above application which was received on 10 October 2006.

The Environment Agency has no objection to the proposed development but we wish to make the following comments: -

We are not aware of any flooding problems associated with this site. Other sources, for example, Local Unitary Authorities, may be able to provide information on issues such as localised flooding from drains, culverts and small watercourses.

It is recommended that you consult with the Local Authority's Engineers Department in order to establish that should any surface water drainage from this site be discharged to a watercourse, ditch or culvert (excluding statutory main rivers) that such discharge will not cause or exacerbate any flooding in this catchment.

We are concerned there may be culvert situated below the proposed development site. This should be identified prior to planning consent being granted. The Environment Agency normally objects to any development proposed over existing culverts.

Any works (including temporary works) in, under, over or adjacent to any watercourse may require the formal consent of the Environment Agency prior to works commencing. In accordance with the Agency's "no-culverting" policy, consent for culverting will only normally be granted for site access purposes.

Under the terms of the Water Resources Act 1991, an Abstraction Licence may be required from the Environment 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. An Impounding Licence may be required for the impounding of any watercourse, ditch or stream (e.g. by dam, weir etc.). The applicant should contact our Water Resources

Environment Agency

Plas Yr Afon, St. Mellons Business Park, Fortran Road, St. Mellons,, Cardiff, CF3 0EY, Tel no:02920245039, Fax no:02920362920

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06/01322/KJ

department if an application for a water abstraction licence is required.

It is the responsibility of the applicant to ensure that the development will not affect any existing legal water interests in the area.

The site must be drained by a separate system of foul and surface water drainage, with all clean roof and surface water being kept separate from foul water. The local sewerage undertaken should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows generated as a result of the development, without causing pollution.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

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.

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

Yours faithfully

**JON GOLDSWORTHY**  
Planning Liaison Officer

CC: AT Lloyd-Haycock

ACK
NO: 2006
ACTION BY: MJC/AMC
RECEIVED

ENVIRONMENTAL  
AND ECONOMIC  
REGENERATION

24 OCT 2006

RECEIVED



DWR CYMRU  
WELSH WATER

PO Box 10  
Treharris  
CF46 6XZ

Btwh 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: 25/10/2006  
Enquiries Tel.: 01443331155  
Our Ref.: 2006/DCWW/36989  
Your Ref.: P/DC/JMS/2006/01322/FUL  
Grid Ref.: ST1252469232

Appendix  
F.

06/01322/FUL

Dear Sir

**Re: Erection of Housing Development, 6 No Houses and 18 No Flats.  
Land to The Rear of Daniel 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

The proposed development would overload the existing public sewerage system. Improvements are planned for completion by 1<sup>st</sup> April 2007.

We consider any development prior to this date to be premature and therefore **OBJECT** to the proposals unless appropriate **Conditions** can be attached to prevent occupation prior to the completion of these essential works. We offer the following Condition:-

""None of the buildings hereby approved shall be occupied until essential improvements to the public sewerage system have been completed by Dwr Cymru Welsh Water, and the Local Planning Authority have been informed in writing of its completion. This work is scheduled for completion by 1<sup>st</sup> April 2007"".

Reason: To mitigate the existing hydraulic overloading of the public sewerage system and ensure the local community and environment are not unduly compromised.

#### Conditions

Foul water and surface water discharges must 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.

glas

Glas Cymru Cyfyngedig

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

We welcome correspondence in Welsh and English  
Rydym yn croeso i chi ymwneud â ni yn 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: Penllyn Road,  
Nelson, Treharris, Merthyr Tydfil Glamorgan CF46 8LY

P.A. 44

NDC de yn cydweithio a Dŵr Cymru ar ran walth cynllunio a  
datblygu.

Dŵr Cymru Cyl, cwmni cyfyngedig wedi'i gofrestru yng  
Nghymru rhif 2366777, Swyddfa gofrestradwy: Heol Penllyn,  
Nelson, Treharris, Morgannwg Ganol CF46 8LY

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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.

No land drainage run-off will be permitted, either directly or in-directly, to discharge 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 number of public sewers 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 7 metres either side of the centreline of the 1350mm surface water sewer and 3m either side of all other apparatus.

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

**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.

**SEWAGE TREATMENT**

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

**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.

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REF  
P/DCTSMC/2006/01322/FUL

MR. S. ROBERTS  
26, DANIEL ST  
BARRY/  
PF63 1QT.

Dear Sir

I am writing about the plans for  
the rear of Daniel St

I am concerned about the space between  
my garage and your Development

As I will not be able to use my garage  
hoping you can do something about  
this as I would like to use my garage

Thanking you

Mr S Roberts

Mr. M. J Vincent,  
19, Westbury Close,  
Bally.  
CF63 1QE.

20th October 2006.

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06/01322/FUL

Planning and Transport,  
The Vale of Glamorgan Council,  
Dock Offices,  
Bally.  
CF63 4RT.

Dear Sir or Madam.

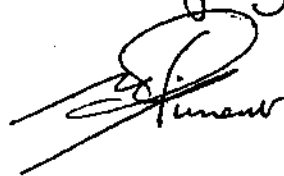
Re: Development application 2006/01322/FUL.

I have inspected the building plans submitted in relation to the above proposed development and wish to state that I continue to have objections to this development as the plans stand at present.

My grounds for objection are that the proposed block of six flats to the rear of my property would be three stories high and would also be fully glazed on the rear projection.

Due to the close proximity of these proposed flats I feel they will totally overlook and overshadow my property causing a loss of privacy for myself and my family.

Yours Faithfully.



# Appendix G

APP NO

2006/01322/FUL/

MRS J. M. CROFTS

MR. MRS A. P. Bishop

46 DANIEL ST

BARRY

Q.F 63 19X

06/01322/KL

DEAR MADAM

I AM WRITING TO YOU ABOUT THE LAND AT THE REAR OF DANIEL ST. IT APPEARS THAT YOU ARE ABOUT TO BUILD FLATS AND HOUSES AT THIS LOCATION. I WOULD LIKE TO OBJECT TO THE BUILDING OF FLATS BECAUSE THE LESSONS SHOULD HAVE BEEN LEARNT ABOUT BUILDING THESE UNITS.

G. BOONSDON ESTATE HAD TERRIBLE TROUBLE OVER THE YEARS AND HAD TO BE PULLED DOWN REHARNE ESTATE ARE STILL HAVING TROUBLE WITH FLATS TO THIS DAY. ROBINS LANE HAD TO BE PULLED DOWN BECAUSE OF

E 06/03/22/RL

ONGOING PROBLEMS. So could you please  
PUT MY OBJECTIONS ON RECORD THANK YOU

Yours Faithfully  
A. B. Bishop

MRS. G. EVANS

20, WESTBURY CLOSE

BARRY

CF63 1QE

22<sup>ND</sup> October 2006.

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06/01322/FU

Planning + Transport

The Vale of Glamorgan Council

Dock Offices

Barry

CF63 4RT

Dear Sir or Madam

Re Development application 2006/01322/FU

I have looked at the plans submitted for the above development and I would like to register my objections to this development.

My grounds for this objection being flats to the rear of my house would be three storey, and would also be fully glazed at the rear.

These flats will overshadow, and overlook my house causing me to lose all my privacy.

I strongly object to this

yours faithfully

Gillian Evans

18 Daniel Street  
Cadoxton  
Barry  
South Glamorgan  
CF63 1QX  
October 27<sup>th</sup> 2006

G 06/01322/FUL

The Planning Inspectorate  
REF P/DC/JMC/2006/01322/FUL

Dear Sir/Madam.

I attended the Meeting at the Barry Civic Office when the application was first submitted by the Builders Rocket Fine Limited, to erect (6houses and 26flats-Total 32 units) to the land at the rear of Daniel Street,( when it was in fact rejected, at that time).

There were no Councillors present in the Civic Offices at that time to represent us,( the owners and occupiers), but I assumed that it had been rejected, without question, so I am very surprised to hear, that an appeal has been made. I have been twice to the Civic Offices to view the new plans, but unfortunately, there wasn't anyone there available, to explain to me the difference between the two plans, I have been in touch with Jane Crofts, by telephone, and I believe that the flats have been reduced to two storey buildings, as opposed to three storey buildings.

Nevertheless it does not alter the fact that the area is still too small for all of these units to be erected on this site, it is without question, ridiculous, you will still have too many occupants for such a small area of space, and I object most strongly to my privacy being invaded by these flats, and houses, which will be very close to my property, (this house has been in my family for well over 80years), I am very familiar with the area in question, I do know that what I am saying is correct, the noise and disruption to the occupants of Daniel Street, and Westbury Close, will be grossly unfair, the builders in question would definitely not want to live there, they will be literally plonking a building site in between two long established living areas, and letting the owners/occupiers, get on with it as best they can, and as we all know, this area already has very real existing problems of their own, at this present time, so to add to it, to mind, does not bear thinking about, and makes no sense at all.

I will be going back to see Jane Crofts in November, when she is back from holiday, in the meantime, I hope that you will look at this situation favourably, as it will totally disrupt life, as we, the occupants of Daniel Street, and Westbury Close know it. I would just like to add, I believe the same sort of structure was erected in the Vere Street area, where the Old Palace Cinema used to be, and I know of occupants who would dearly like to move out, after having lived in that area all of their lives, because the life they knew has been totally disrupted, and they are now very unhappy, and feel their lives have been ruined, as a result of the building project, I can supply the names of these unfortunate people if you wish it.

Yours Sincerely  
Mrs Muriel Boss.

M. Boss



06/01322/FUL

Mr & Mrs AA Cook  
31 Robins Lane  
Cadoxton  
BARRY  
Vale of Glamorgan  
CF63 1QT

Your Reference: 2006/01322/FUL

Monday 23<sup>rd</sup> October 2006.

For the Attention of Mrs Crofts  
Dock Offices  
Vale of Glamorgan Council  
Barry Docks  
Barry  
CF63 4RT

Dear Sir / Madam,

**RE: Residential Development Plans**

Further to your letter dated 9<sup>th</sup> October 2006, I would like to notify you of the objectives I have, with regard to the above proposal.

I have studied the plans and I am concerned and object to the 12 flats in the three storey building which will be overlooking my property and therefore reducing my privacy. This area is made up of two storey houses and bungalows and the proposed flats would have an overbearing nature to the area.

The east end of the three storey flats have an amenity area planned which will restrict my access and exit from my garage to the rear of 31 Robins Lane as the planned access is from Robins Lane. I have used this access for over 20 years, which gives me Prescriptive Rights.

The open iron grid flood culvert deposits rain water that gutter drains cannot effectively contend with, thus preventing homes from flooding. I would like to inform you that due to heavy rain my house has been badly flooded once and near to, on several occasions. As I have previously mentioned in past correspondence, I have spoken to the manager of the Drainage Department, Mr

G 06/01322/FU

Bosley, and he agreed that the culvert should stay as an open culvert.

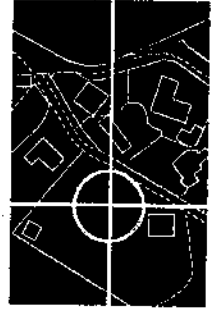
I forward these objections for your information and consideration. Please can you forward me a copy of the Appeal decision.

Yours faithfully,

Mr & Mrs AA Cook

# BOYER PLANNING

ENVIRONMENTAL PLANNING AND DEVELOPMENT CONSULTANTS  
YMGYNGHORWYR CYNLLUNIO AMGYLCHEDDOL A DATBLYGU



24 October 2006  
Our Ref: 06.943

Appendix G

06/01322/FUL

Mrs Jane Crofts  
The Vale of Glamorgan Council  
Dock Office  
Barry Docks  
Barry  
CF63 4RT

33-35 CATHEDRAL ROAD  
CARDIFF  
CF11 9HB

33-35 HEOL Y GADEIRLAN  
CAERDYDD  
CF11 9H8

T: 029 2034 3711

F: 029 2034 3734

cardiff@boyerplanning.co.uk  
www.boyerplanning.co.uk

Dear Mrs Crofts

**Town and Country Planning Act 1990 (as amended)**

**Application Ref: 2006/01322/FUL – Land to the Rear of Daniel Street, Barry  
Erection of Housing Development, Flats and Associated Site Works [6 Houses  
and 18 Flats = Total 24 Units]**

Boyer Planning Ltd has been instructed by Newydd Housing Association to register our strong objections to the proposed development and would request that the application be refused. The application proposal is considered from both a planning policy and material considerations.

**Planning Policy**

The objections are founded upon an assessment of the application proposal in accordance with both national and local planning policies.

Planning Policy Wales 2002 provides the national planning policy context for development proposals and in particular at paragraph 9.3.3 states that *“insensitive infilling or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area’s character and amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing.”*

Furthermore TAN 12 – Design outlines key objectives for the design of all development and in particular paragraph 45 states that *“The visual appearance of proposed development, its scale and its relationship to its surroundings are material considerations in determining planning appeals and applications. Planning permission should be rejected on grounds of poor design.”*

The Vale of Glamorgan Adopted Unitary Development Plan [1996-2011] provides the local planning policy context. Policy HOUS 8 – Residential Development Criteria provides a set of criteria which development should meet in order to be considered acceptable. In particular:



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- (i) *"The scale, form and character of the proposed development is sympathetic to the environs of the site;*
- (ii) *The proposal has no unacceptable effect on the amenity and character of existing or neighbouring environments by virtue of noise, traffic congestion, exacerbation of parking problems or visual intrusion;*
- (v) *The provision of car parking and amenity space is in accordance with the Council's approved guidelines."*

In addition, Policy ENV27 – Design of New Developments, of the Adopted UDP is important in so far as it requires all new developments to have *"full regard to the context of the local natural and built environment and its special features."* Policy ENV 27 also provides a set of criteria which the development should meet, most importantly:

- (i) *"Complements of enhances the local character of buildings and open spaces;*
- (ii) *Meets the Council's approved standards of amenity and open space, access, car parking and servicing;*
- (iv) *Minimises any detrimental impact on adjacent areas."*

The Vale of Glamorgan Council Adopted SPG – 'Amenity Standards' also provides clear guidance regarding the requirement for adequate amenity space for new residential development. Policy 2 – Amenity Space within Residential Development states that *"The Council will ensure that usable, adequate and appropriate private amenity space is provided as part of residential development."*

In light of the national and local planning policy context, the objections can be divided into two matters of significance; the impact upon the character and appearance of the surrounding area and the impact on the residential amenities of adjoining occupiers.

However before I deal with each in turn below it is important to raise an error in the submitted application. From viewing the file it is evident that the submitted redline plan does not accord with the site layout plan. It seems that the submitted redline plan does not take into account the land in the rear garden of No. 30 Daniel Street meaning that effective the 6 No. link houses currently sit outside the application boundary.

#### **Impact on the Character and Appearance of the Surrounding Area**

It is considered that the proposed dwelling would have a significant adverse impact upon the character and appearance of the surrounding area.

The surrounding residential area is characterised by predominantly two storey properties, with the exception of the bungalows at Cae Glas, all of which have frontages addressing the adjoining public highway so as to contribute to a sense of

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place and sympathetic street scene. The proposal application is strictly at odds with this pattern of development in that it seeks to 'shoe-horn' 24 units comprising of 2 No. blocks of flats and 6 No. link houses into the site, giving rise to an overtly cramped form of overdevelopment.

The design implications of the proposed dwelling must not be overlooked either. The scale and form of the flat development would have an adverse impact on the surrounding character of the area. The three storey aspects of the 6 No. flats development would have an overbearing impact on the surrounding two storey residential dwellings. The current design layout for the 24 No. units portrays an overdevelopment of the site and both national and local planning policy guidance make it clear that poor design that does not respond to local character should be rejected. This is overtly apparent in this instance.

#### Impact upon Residential Amenity

It is considered that the proposed dwellings would have a significantly harmful impact on the residential amenity of adjoining occupiers, by virtue of the physical, overbearing, overshadowing and overlooking impact. It is also considered that, by virtue of the above factors the proposal would result in substandard living conditions for the occupiers of dwellings located along Daniel Street, Westbury Close and Cae Glas, as well as the occupiers of the proposed dwellings.

In terms of physical impact, the close proximity of the 2 storey block of 12 No. flats to No.6 – No. 20 Daniel Street and the proximity of the 3 storey block of 6 No. Flats to No.19 – No.22 Westbury Close, together with its excessive scale and massing would give rise to a very oppressive outlook from these properties contributing to a significantly overbearing and overshadowing experience for the respective occupiers; such a situation, which is warned against in both national and local planning policy, must be avoided.

It is also inevitable that the proposal would adversely affect the privacy currently experienced by adjoining residents. This is particularly the case for the existing dwellings, No.6 – No. 20 Daniel Street. In this respect there are opposing habitable room windows within 14 metres of one another, which is sub-standard in terms of development control good practice as noted in Amenity Standards SPG Policy 4. A minimum separation of 21 metres should be achieved to avoid such a constraint and this is not physically possible with the current design. The level of privacy experienced by occupiers within garden areas would also be seriously compromised by the proposed development given the overlooking potential from proposed first floor windows. The above concerns are also amplified at No. 19 – No. 22 Westbury Close due to the proximity of the 3 storey aspect of the flats. The location of the No. 6 flats creates concerns again with opposing habitable room windows which are within 14 metres of one another.

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In light of the overdevelopment of the site the scheme, in part, does not accord with the Council's Amenity Standards SPG. From reviewing the proposed layout it is evident that the residential dwellings have little if any amenity space. According to paragraph 5.5 of the SPG "*In self contained housing developers should aim to provide a minimum of 1m<sup>2</sup> of amenity space per 1m<sup>2</sup> of the gross floor area of the dwelling.*" In this case the 6 No. houses proposed on the site have a gross usable floor space of approximately 111msq while only providing at a maximum 24msq, to a minimum of 14msq of rear garden amenity space. This clearly is not an adequate provision and below the minimum requirement by 87msq to 97msq per unit.

The lack of amenity space is again evident in the provision of the flats. Paragraph 5.7 states that "*In flatted developments, developers should aim to provide a minimum of 20m<sup>2</sup> amenity space per person.*" In this regard the block of 6 No. flats provides an approximate maximum of 110msq of amenity space, where as to be in accordance with the SPG the block requires approximately 220m<sup>2</sup> to meet the standards.

Although the current scheme now provides adequate amenity space for the No. 12 flats it is to the detriment to the car parking provision for the site. The proposed scheme clearly does not accord with national and local car parking guidelines. The scheme currently provides at total of 40 spaces, of which 19 spaces are provided for the No. 12 flats. The Council's car parking guideline as set out in Appendix 6 of the UDP suggest that there is a requirement for 1-2 spaces per one and two bedroom and 3 spaces per three plus bed rooms. Taking this into account and calculating the parking requirements with 2 spaces per one and two bedrooms, means that the No. 12 flats require a total of 28 spaces, while if calculated using just 1 space per one and two bedroom requires a total of 20 spaces. It is therefore evident that there is a short fall in the parking requirements and does not provide any provision for visitors.

Furthermore using the car parking guidelines for the No. 6, three bedroom link houses, the current scheme only shows 2 spaces per house, totalling 12 spaces, where as there is a requirement for 18 spaces. The lack of car parking is further exasperated by the poor layout and design.

### Conclusion

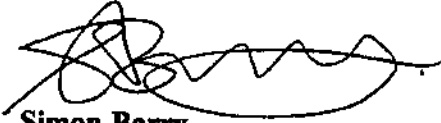
In light of the above it is considered that the development represents an unacceptable form of residential overdevelopment that would have a significant adverse impact on both the surrounding character of the area and the residential amenities of existing and proposed occupiers.

I would therefore respectfully request that the application be refused for the above reasons.

06/01322/KL

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Yours sincerely

A handwritten signature in black ink, appearing to be 'Simon Barry', written over a horizontal line.

**Simon Barry**  
**PLANNER - CARDIFF**

Cc Gareth Davies

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) Fortran Road, St. Mellons, Cardiff, CF3 0EY.  
Customer services line: 08708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.environment-agency.gov.uk](http://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  
REGULATION

07 NOV 2006

Handwritten initials and a circular stamp with illegible text.

End **RECEIVED**

Appendix B:

06/01491/KU

## **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

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		<b>2.3</b>	<b>Dwellings</b>
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		<b>2.5</b>	<b>Land</b>
		<b>2.6</b>	<b>Enterprises</b>

**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

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.

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 150m<sup>2</sup> 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 .....

19<sup>th</sup> January 2007

**Re: 06/01491/FUL – Rectory Farm, Llandough**

**Response to letter 9<sup>th</sup> 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.

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 AHO, 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**

Appendix C.

06/01491FUL



Head of Planning  
C/o Mrs J M Crofts  
The Vale of Glamorgan Council  
Dock Office  
Barry Docks  
Barry  
CF63 4RT

Henstaff Court Business Centre  
Groesfaen, Cardiff  
CF72 8NG

Canoifan Busnes Cwrt Henstaff  
Y Groesfaen, Caerdydd  
CF72 8NG

Tel/Ffôn: 02920 899100  
Fax/Ffacs: 02920 890054

[www.adas.co.uk](http://www.adas.co.uk)

9/1/07

Your reference P/DC/JMC/006/01491FUL

Dear sir

Re Town and Planning Act 1990 Rectory Farm Llandough

I reply to the points raised by Mr Anstis and his interpretation of the Dwelling house appraisal report for a key agricultural worker undertaken by ADAS in August 2006 for Messrs TD Llewelyn and son.

Points 3.6 A and B refer to the source of the need.

The farming system comprises of breeding stock and finishing animals of which the finishing stock are mostly purchased in to the farming system. In terms of biosecurity the suckler cows are kept completely separate from the beef stores/fattening animals as advised by the state veterinary service and agricultural advisers to prevent any transfer of disease such as TB, Bovine viral diarrhoea, Infectious Bovine rhinotracheitis, Leptospirosis, etc which will have severe effects on herd health, welfare and productivity.

This is considered a good code of Agricultural practice which the Welsh Assembly Government is promoting to the Industry in attempts to mitigate disease spread and any potential Zoonosis spread to humans.

The greater the distance which is placed between the breeding stock and the finishing animals improves biosecurity together with the fact that faeces/urine which can carry some of these infectious diseases can be kept completely separate. This cannot be undertaken at Beaupre farm buildings due to their close proximity and hence risk of disease spread. Finishing cattle are bought and sold during the year hence new animals are constantly entering the holding which need to be kept entirely separate to prevent any infectious diseases from spreading.

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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

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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

06/01771/FUL  
Appendix A.

06/01771/FUL

25 Suran-y-Gog  
Manor Park  
Pencoedre 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, Pencoedre 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

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Page 2

10 January 2007

2. There are currently over 700 houses already completed on Pencoedtre 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

06/01711/PUL

'A'

Page 3

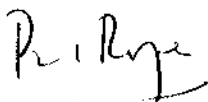
10 January 2007

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

06/01802/FUL 'A'

Mr C. S. Manning  
56 Churchfields  
Cadoxton  
Barry  
CF63 1FR

Miss/Mrs Yvonne Pritchard  
Planning Officer  
Vale of Glamorgan Planning Department  
Dock Office,  
Barry CF63 4RT

30<sup>th</sup> January 2007

Dear Madam,

**Ref: Planning Application: 0601802FUL Conversion of The Royal Hotel, Cadoxton, Barry CF63 1BA into 18 One Bedroom Residential Flats.**

Regarding the above Planning Application, Submitted by: Peter Jenkins Architects, 124 High Street, Barry CF62 7DT on behalf of Tadross Hotels Limited, I would like to register my objections regarding certain Planning issues and other matters which I would like to bring to your attention.

Firstly, being an owner of an adjoining property to this proposed development, I was very disappointed not to be informed by letter, but I have been informed that other property owners, who do not live adjacent to The Royal Hotel, were sent letters.

I visited the Barry Dock Offices today to view the Plans for the proposed development and noted that there are only 20 allocated parking bays, I was on the understanding that the Vale of Glamorgan Council recommend at least 1 to 2 parking bays per residential unit?

I also note that the entry and egress from the parking area would be directly on to an already busy and congested Main Street, local School children frequent the area often and I fear this could result in an accident or worse.


I do feel that the Cadoxton Ward already has its fair share of one bedroom residential flats and over the years has resulted in the necessity of frequent visits by the local constabulary to the Main Street/Royal Hotel area.

I think that it would be very helpful to all if the local Planning Officers conducted a site Visit to the area.

06/0 1802 / FUL 'A'<sub>2</sub>

I would be grateful if this letter could be brought to the attention of the Planning Committee Meeting on Wednesday 31 January 2007.

Yours sincerely, .



Mr Colin S. Manning (7 Barry Road)

c.c. Mr Rob Thomas  
Head of Planning.

06/01802/FUL 'B'

Proposal: Conversion & extension of former Hotel to 18 no. 1 bedroom Residential units (ref. P/DC/YP/2006/01802/FUL

ME

TO THE HEAD OF PLANNING & TRANSPORTATION.

We, the undersigned - being local traders and/or residents, disagree wholeheartedly with the proposed conversion and extension of the Royal Hotel to 18 single bedroom units.

There are already 10 beds at 3 & 4 Church Road, a 'half way house' on Barry Road and numerous one bedroom flats on Main Street all within 100 metres of the proposed site.

Our fear is that the clientele attracted to live in such a conversion would be detrimental to the area and the character of Cadroxton would be downgraded once again. Please think carefully about the long term consequences for all of us. Thank you.

MR ASHWIN PATEL  
COSTCUTTER

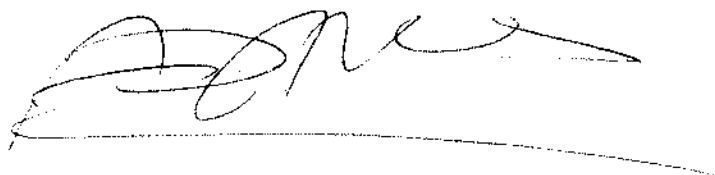
3. BARRY ROAD

CADROXTON

BARRY

CF65 1BA

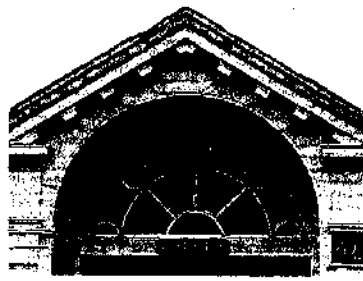
TRADER  
+  
RESIDENT



Appendix A

2007/00031/HUL

RD: 2007/31.



East Villa, 48 Eastgate, Cowbridge, CF71 7AB  
Tel: 01446 775650 Fax: 01446 771534 e-mail: don@prysg.fslife.co.uk

Wednesday 4<sup>th</sup> April.

Head of Planning & Transport,

I have looked at the plans for the Armoury, 48, Eastgate Cowbridge & have three major concerns.

Firstly, the garden at 46 is higher than our garden 48. The building will therefore dominate & overshadow our property. Secondly, the window on the side elevation looks directly onto our garden. Thirdly, the whole building is unsympathetic with its surroundings.

especially since we are in a  
conservation area.

My husband is at present  
out of the country. but - if he  
returns in time will make his  
own observations.

Yours faithfully,  
(Mrs) M. G. Rose

**RECEIVED**  
45 APR 2007  
ENVIRONMENTAL  
AND ECONOMIC  
REGENERATION

D.E.R
RECEIVED
ACTION BY: Mr.
NO: 187
ACK: 13:25



East Villa, 48 Eastgate, Cowbridge, CF71 7AB  
Tel: 01446 775650 Fax: 01446 771534 e-mail: don@prysg.fslife.co.uk

07/00031/FUL

Hypocrite A,

15.03.07

The Planning Department,  
Vale of Glamorgan Council,  
Barry.

Dear Sir,

I have just returned home, having been some weeks away. I find that the occupier of the Armoury, Eastgate has applied for planning permission to build a garage with living accommodation above.

The need for a garage I can understand but the accommodation above the garage I must object to. The Armoury is a sizeable house with more than adequate rooms for its footage. The need for accommodation above the garage can only be for commercial reasons –that is to let.

The proposed structure, as presented, would dominate the street on to which it would look and would be out of line with the rest of the outbuildings to the rear of the existing properties on Eastgate.

Personally, the proposed structure would overlook the rear of my property and shows the windows of the proposed accommodation having dominant views into the rooms at the rear of my property.

I have no problems with an application for a garage – I have recently had planning permission to build a garage across the rear of my property – but a garage with living accommodation I must object to for the reasons I have presented.

Yours faithfully,

D.H.G. Rose

D.H.G. Rose.

07/00031/PL

'K'

RECEIVED
ACTION BY: MG/RD.
NO: P348
ACK:

David M. Jones  
 Heath House  
 Eastgate  
 Cowbridge  
 Vale of Glamorgan  
 CF71 7AB

Telephone: 01446 772637

The Vale of Glamorgan Council  
 Community Dept  
 Barry CF62 4LE.

1st March 2007

the attention of  
the local officer

The barrow, 46 Eastgate, Cowbridge  
 2007/00031

In relation to the above application, my  
 visit to your office and my subsequent  
 telephone call have informed me that  
 the above application was going to be  
 referred for attention. During that  
 telephone conversation you informed me that  
 you would keep me up to date with  
 progress to the original application.  
 I am writing to confirm all of  
 the above and to await notification  
 from you as to when this can please  
 be available for inspection at your  
 office.

07/01/1981  
1/2

I have not been able to compare but I have  
a collection of a number of gauges being  
used, and for a number of years  
concentrated on the various applications  
mentioned in the last survey in 1981/82  
because of the gauge problem which  
was pointed to No. 48. Each of the  
existing lines appeared at the end of road.  
The object of the study was to determine  
where my proposed gauge is that area  
and not give any suggestion where  
it is needed here.

Look forward to hearing from you in  
due course

Yours faithfully

David M. Jones

Angus M. Jones

Application  
007/00048/FUL

3 Station Road  
Dinas Powys.  
CF64 4DE.

## APPENDIX A

Dear Sir.

I am writing with regard to the proposed extension at No 5 Station Road.

I am the Post Mistress of Dinas Powys Post office situated at No 3 Station Rd, and have resided at this property for the last 20 years.

During this period No 5, requested permission to add four extra units, two shops with two separate flats above. At the time my concern was the vehicles that these would produce. I was given to understand that these vehicles would be stored "off road" at the rear of No 5.

for many years this is what took place. However when the property changed to the present owners, the original conditions appear to have been changed as no vehicles from the 4 units can now park at the rear. This has had at times a huge effect on this small village, there can be 6 to 8 vehicles parked all day from these units, causing parking problems, for the village shops.

From my point of view not only will my home be severely effected by a two storey extension, but the village will continue to be effected by these vehicles.

I therefore feel very strongly that the property No 5 has been developed enough. I would be grateful if my views could be considered.

Yours faithfully

07/00048/FUL

A'

Anne Hosgood.

The connection between this parking problem & the proposed extension is that the land that was used for parking will be partly taken up by the extension. Therefore there will be insufficient land for matters in the future to be resolved.

---

07/000 48 / FUL  
'A'



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 Peartree, 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 Pearetree  
Rhoose Point  
Vale of Glamorgan  
CF62 3LB

07/02/07  
00496 + 10 + 96  
M. K. K. K. K.

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 Pearetree, 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.

07/00/03/100 'R'

**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 Rhose 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 Rhose Point.**

I have looked all over Rhose 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.

07/03/12 'E'

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  
OO 34 91 650 3521  
susan.legg@virgin.net



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, Rhoose 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:

07/02/2014 - 2 -

'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

01/03/103/512  
- 3 -

51

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 2D

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

17 March 2007

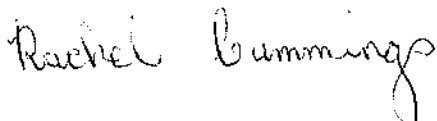
**Town and Country Planning Act 1990 - Application No. 2007/00103/FUL**  
**Location: 27 Heol Peartree, Rhose Point**

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

# APPENDIX 'A'

2, Longmeadow Drive.  
Barry,  
Vale of Glamorgan,  
CF62 9DY.

February 20<sup>th</sup> 2007.

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

Ref. No. 2007/00157/FUL 8 Longmeadow Drive Barry.

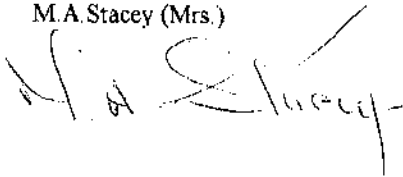
Dear Sir,

With reference to the above planning application for change of use, I wish to declare my objection to the change, the reasons listed below.

1. The Cul-de-sac road is already a hazard to the children and parents who use the road to access the local schools, and added vehicles maneuvering in and out of the residence would endanger the lives of these people.
2. There is already another care home business next door that adds to the congestion.
3. The road is not adequate for parking on either side because the road is so narrow; the bungalow residents already have a problem accessing their own driveways.
4. This is a residential area and I am concerned about the extra noise that an added care home would cause.
5. Two lorries on the junction of Longmeadow Drive and Sycamore Crescent add to the parking/driving/pedestrian problems.

Yours faithfully

M.A. Stacey (Mrs.)



07 / 00157 / ful

APPENDIX 'A'

20 Green Lawns  
Barry  
Vale of Glamorgan  
CF62 9DX

☎ 01446 730126

20th February 2007

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

07 / 00157 / FUL

Dear Sir/Madam

**Town & Country Planning Act, 1990 (as amended)**  
**Application no: 2007/00257/FUL**  
**Location: 8 Long Meadow Drive, Barry**  
**Proposal: Change of use from domestic dwelling (private)**  
**to small registered care home for 2 persons**

Further to your letter dated 13 February 2007 detailing the planning application for 8 Long Meadow Drive, Barry.

This property, 8 Long Meadow Drive, backs on to the property we live in, namely 20 Green Lawns, Barry. In view of this my wife and I wish to contest the proposal to change the use of the bungalow from domestic dwelling (private) to small registered care home for 2 persons. The reasons for this are detailed below:

- There is already a care home in the property next to 8 Long Meadow Drive, namely 25 Sycamore Crescent. The garden from this property backs on to the bungalow at the bottom of our garden and an extension has already been added to the original 2 bedroom domestic dwelling some months ago and the extended property is now a care home for several adults with learning difficulties/mental health problems. Since the property was made into a care home my wife and I have lost our privacy and we are unable to sit in our garden in the nice weather as one of the residents constantly emanates an excruciating noise. I can't describe the noise, it is not just a shout or scream, but it represents a noise you would hear in a horror film or from an animal being mutilated or slaughtered. It is very disturbing and depressing.
- There are two schools near the proposed site and there is heavy traffic in the area during school times, so any further traffic from the care home, for staff and visitors alike, will cause more difficulties.
- As the dwellings in the area were built in 1962 the roads leading in and around Sycamore Crescent and Laburnam Close do not cater for the traffic it now finds there, and this already causes difficulties for everyone living there. Another care home would automatically add more traffic with constant visitors, several carers a day and food and medical deliveries back and forth.

- There are two businesses already in the area near 8 Long Meadow Drive; one where two lorries are constantly parked outside and the other one, the care home on Sycamore Crescent, next door to 8 Long Meadow Drive, has four cars or more parked there at any one time.
- Carers from the care home next door to 8 Long Meadow Drive use the garden to make their mobile telephone calls and smoke cigarettes, spoiling our privacy. The thought of this doubling with the two care homes side by side is very distressing.

My wife is being treated for Seasonal Affective Disorder, and she needs to be able to sit in our garden to benefit her health. Last summer was a nightmare with the constant screaming and shouting from the care home already in situ in Sycamore Crescent. Several times we retreated indoors because of the noise. Another care home situated at the side of our garden will no doubt make it impossible for us to sit quietly in our garden.

One more thing I have to mention is that if someone on my property emanated the noise that comes from the mental health patient in the care home already in situ in Sycamore Crescent, which happens to be next door to 8 Laburnam Close, someone would call the police as we would be disturbing the peace.

Yours faithfully



Ralph Parry

'A'

07 / 00157 / FM

# APPENDIX 'A'

Mr Rhodri Davies  
Planning & Transportation  
The Vale of Glamorgan Council  
Dock Offices  
Barry Docks  
Barry  
CF63 4RT

Mrs Allen & Mr Curtis  
1 Long Meadow Drive  
Barry  
Vale of Glamorgan  
CF62 9DY

21 February 2007

07/00157/FUL

Dear Sirs

**APPLICATION NO: 2007/00157/FUL**  
**LOCATION: 8 LONGMEADOW DRIVE, BARRY**  
**PROPOSAL: CHANGE OF USE FROM DOMESTIC DWELLING TO SMALL REGISTERED CARE HOME FOR TWO PERSONS**

Further to our meeting with Councillor Barry Shaw today, we are writing to convey our disapproval at the proposed plans to change the use of domestic dwellings to care homes for severely disabled people adjacent to our home. These people require specialised care 24 hours a day. Being both physically and mentally disabled, they create numerous problems within the local area.

Since the arrival of our new neighbours, parking has become a real difficulty for us. Carers come and go throughout the day and night, and use residents' parking spaces. Minibuses and ambulances restrict access. The bin men have been unable to come down to collect our rubbish. This could easily have been the emergency services. A lack of access could result in a fatality.

On occasion, I have even left home in the morning to find my garage blocked. This means that I cannot take my own daughter out, who is herself a special needs child.

If another business was to open adjacent to the existing one, this problem would escalate.

Having a number of small business open nearby will also surely devalue our home. This is a small, quiet cul-de-sac. There is already a second business being run from a bungalow opposite (house clearance and garden rubbish removal) where there are two lorries often left in the road full of rubbish, plus numerous cars which also compounds a problem with access to our garage because they park opposite the gates. They know we have a special needs child, but still they park inconsiderately and deny us access to our own property to enable my daughter to have safe access to a vehicle and when crossing roads.

As a result of the noise created by our new neighbours, we are now unable to enjoy our own garden or even to open our windows. There are constant screaming and moaning sounds, audible in our own home. This noise is persistent both day and

night. We cannot open our bedroom windows at night, during the summer as the noise levels are too high. If we were playing music at this volume, we would undoubtedly have a complaint made against us and be forced to lower it.

At present, there is a lack of adequate housing in the area for the elderly. By turning these bungalows into businesses we are forcing our elderly community into unsuitable accommodation. They are being forced to live in residential homes, instead of having the dignity of living independently within the community.

If we allow this to go ahead, where will it end? Will they buy the whole row of properties and the convert them all into one big care home? Surely these people need more specialised facilities. They need to be in a house with plenty of ground for them to sit outside in safety without the stares and comments from onlookers and passers by.

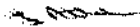
In summary, we have set out below a list of our objections.

1. Parking
2. Conversion of domestic dwelling into small business
3. Safety
4. Noise
5. Lack of Housing for elderly

Further, we are disgusted to find that not only were we not notified of the first registered care home, but that there was no indication of plans for the second.

Yours faithfully

Mrs Allen



Mr Curtis



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APPENDIX 'K'

Mr & Mrs Kitch  
88 Wordsworth Avenue  
Penarth  
Vale of Glamorgan  
CF64 2RN

28th February 2007

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

F.T.A.O. Mr. S.D. Butler.

Reference:- Planning Application No. 2007/00160/Ful

Location :- 25 Mountjoy Place Penarth

Dear sir,

Further to your letter of 13<sup>th</sup> February 2007 reference a planning application at the above address.

We have sighted the plans submitted and strongly object to this development on the following grounds:-

- 1/ Its proposed to move the existing side wall of the house which is approx 18ft high with an existing hipped roof right up to our boundary wall ( a distance of approx 3mtrs ) then convert this wall into a gable end wall of approx 30ft high with a window overlooking our property.
- 2/ We purchased our house 3 years ago with one of the main reasons being the south facing rear garden giving us uninterrupted sunshine all day long, this feature is being enjoyed by our family and grandchildren. This development as well as being unsightly and overpowering will completely overshadow our garden/rear windows and take the above family life away.
- 3/ This kind of gable end wall is totally out of character with the gardens area, as well as having a window overlooking other properties is well under 21mtrs from those properties.
- 4/ Any proposed excavations for footings etc against our boundary wall, would not only undermine our boundary wall but our garage footings also, as the site level is lower than our garden.
- 5/ Under the circumstances as no working drawings have been submitted we feel justified in insisting a party wall surveyor be appointed prior to any planning decision being considered..

Yours sincerely

Mr & Mrs Kitch