

03/00864/FUL

Received on 16th September, 2004

Chichester Nunns Partnership, Rawden House, 65, Cowbridge Road East,
Cardiff. CF11 9AE
(Chichester Nunns Partnership, Rawden House, 65, Cowbridge Road East,
Cardiff. CF11 9AE)

LAND TO REAR OF BANK HOUSE, EAST STREET, LLANTWIT MAJOR

Demolition of all existing buildings and construction of 3 bed detached property, on site parking and amenity facilities.

The development is situated within the Llantwit Major Conservation Area.

The application was advertised on 8th July, 2003.

SITE DESCRIPTION

The application site relates to an existing two storey Victorian warehouse building which was formally used for double glazing manufacturing but is currently vacant. The existing building is constructed from red brick with a slate roof. The building covers approximately half of the application site, where the whole site is some 200 square metres. The application site is situated in the heart of the town on Durrell Street, Llantwit Major, which is a one-way single width road which links East Street to Stag Lane. The application site backs on to several commercial premises on East Street including the beer garden of the Kings Head Public House and also adjoins a residential dwelling along its northern boundary.

DESCRIPTION OF DEVELOPMENT

This is a full application which has been amended for the demolition of the existing buildings on the site and the construction of a single detached dwelling with associated parking/amenity facilities. The proposed dwelling will measure a maximum length of 7.2 metres by a width of 5.8 metres, part of which will be set back 1.5 metres from the front elevation. The ridge height of the dwelling is 7.8 metres, whereas the set back wing will have a lower ridge height of 7.5 metres.

The ground floor accommodation will provide a hall and WC leading to the main living room with kitchen and breakfast room. The first floor accommodation provide three bedrooms (one with en-suite) and a bathroom. The dwelling will have a small forecourt front garden with small rear garden with patio area. The dwelling will be served by two parallel parking spaces.

PLANNING HISTORY

The site has been subject to the following applications.

03/00889/CAC – Demolition of all existing buildings and construction of a pair of semi-detached houses. Application to be determined, pending decision of application reference 03/00864/FUL.

CONSULTATIONS

Llantwit Major Town Council – Were consulted on the original scheme (which related to two dwellings on the site) and have raised no objection in principle, however they have stated that insufficient detail has been given in that the properties are very bland and are not in keeping with the Conservation Area. On the amended scheme the Town Council raised an objection to the application as “the proposed dwellings are not appropriate for the Conservation Area of Llantwit Major”.

Conservation Area Advisory Group at their meeting on 17th September, 2003 considered the original scheme (which related to two dwellings on the site) and recommended that the application should be refused. Whilst the Group welcomed the improvement of the site, including refurbishment of the existing building, they considered that the design, form and scale of development as proposed would detract from the character and visual amenities of the Conservation Area.

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

Glamorgan Gwent Archaeological Trust – Were consulted on the application and have advised that there is no archaeological restraint to the positive determination of this application.

Environment Agency – Were consulted and have raised no objection to the application subject to an acceptable method of foul sewerage disposal connection to the foul sewer.

The Head of Visible Services (Highways Engineer) – Was consulted on the original scheme and has stated that the development is located in Durell Street which is a narrow, busy one way street. There are highway objections to the proposed development based on the following observations:

- i. The parking provision of one space per unit does not comply with the South Wales Parking Guidelines which requires two parking spaces per unit.
- ii. The drive/parking area should have a minimum length of 5.5 metres to prevent overhanging onto the adopted highway and a minimum width of 3.2 metres.
- iii. An adequate vision splay cannot be achieved due to the adjacent walls.
- iv. The orientation of the proposed accesses requires vehicles to drive past and reverse against the flow of traffic creating a traffic safety issue.

REPRESENTATIONS

Adjacent occupiers were notified on the original scheme and a letter of representation has been received from the adjacent occupiers of Stag Cottage and The Old Dairy. Whilst the letter does not object to the scheme it raises concerns over safety implications regarding the demolition of the existing building, safety issues and environmental implications during construction works and concerns regarding the layout and design of the dwellings and potential loss of privacy.

REPORT

The application site falls within the residential settlement boundary of Llantwit Major, where Policy HOUS2 of the adopted Vale of Glamorgan Unitary Development Plan 2005 supports housing infill, small-scale development and redevelopment within the settlement boundary of Dinas Powys, where the criteria listed in Policy HOUS9 are met.

Policy HOUS9, states that subject to the provisions of Policy HOUS2, development will be permitted which is within, or closely related to, the defined settlement boundaries provided that it meets all the following criteria:

- (1) The scale, form and character of the proposed development is sympathetic to the environs of the site.
- (2) The proposal has no unacceptable effect on the amenity and character of existing or neighbouring environments of noise, traffic congestion, exacerbation of parking problems or visual intrusion.
- (3) The proposal does not have an unacceptable impact on good quality agricultural land (Grades 1, 2, and 3a) on areas of attractive landscape or high quality townscape or on areas of historical, archaeological or ecological importance.
- (4) When appropriate and feasible the provisions of Policy REC3 are met.
- (5) The provision of car parking and amenity space is in accordance with the Council's approved guidelines.
- (6) Adequate community and utility services exist, are reasonably accessible or can be readily and economically provided.

Policy HOUS12 (Residential Privacy and Space) states that existing residential areas characterised by high standards of privacy and spaciousness will be protected against over development and insensitive or inappropriate infilling.

Policy ENV25 (Design of New Developments) states that proposals for new development must have full regard to the context of the local natural and built environment and its special features.

More specifically in relation to development within the Conservation Area, the relevant policies contained in the adopted plan are Policies ENV15 (Protection of Built and Historic Environment), ENV18 (Development in Conservation Areas), ENV19 (Development in Conservation Areas) and ENV22 (Conservation and enhancement of open space). Consideration should also be given to national planning guidance as set out in Planning Policy Wales March 2000 and TAN12 on Design.

Furthermore consideration should also be given to the policies and guidance set out in the adopted Amenity Standards Supplementary Planning Guidance.

Also considered relevant is National Planning Policy Guidance contained in Planning Policy Wales (March 2002). In particular Paragraph 9.3.2 states that “sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area.”

Paragraph 9.3.3 states that “Insensitive infilling or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area’s character and amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing”.

Paragraph 9.3.4 “In determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area’s character and amenity”.

Issues

Therefore, the key issues that need to be assessed in relation to the Conservation Area are:

- Whether the existing buildings on the site which are proposed to be demolished are of any merit to the character of the Conservation Area.
- Whether the proposed new dwelling would have an impact on the setting of the adjoining properties and residential dwellings on Durrell Street, Stag Lane and the Conservation Area.
- Whether the proposed development in terms of the siting, scale, form, design and materials are considered to preserve or enhance the Conservation Area.

The site itself is bounded by residential dwellings and as such the redevelopment of the site is considered as appropriate for infill development. The existing Victorian Building on the site is a large scale building which dominates what is a secondary street which links West Street with Stag Lane. Whilst the building may well have some historic interest, the building is considered to be of little architectural merit and as such there is no objection in principle to the demolition of the building subject to an acceptable scheme for the redevelopment of the site.

The original scheme related to the redevelopment of the site with a pair of modern semi-detached dwellings. However, such a scheme was served by insufficient parking and amenity space and would have resulted in over development of the site. Following negotiation with the agent several further schemes were discussed, however given the limited size of the site and highway constraints it was considered that that the site could only accommodate a single dwelling. The scheme as now submitted for consideration relates to what is a cottage style detached dwelling.

With regard to highways issues, it is considered that the revised scheme overcomes the objections previously raised with regard to two dwellings on the site. The proposal now satisfies the Highway officers objections in relation to the access from Durrell Street and the dwelling is served by two off-street spaces in line with Parking Guidelines.

In terms of the design and scale, the dwelling is of a simple cottage style design and the use of traditional window proportions is in keeping with the character of the area. The simple roof layout and lower ridge of the set back wing help to reduce the scale and massing of the building on the site, and its siting parallel to the road frontage reinforces the rhythm of the building frontages onto Durrell Street. No details of material and finishes have been submitted however, subject to a condition requesting the submission of details, it is considered that the use of a slate roof, render elevations and traditional windows would be considered acceptable.

The proposed scheme provides a small patio and garden area of some 65 square metres, in addition to a small area of amenity space to the front of the house. The Amenity Standards Supplementary Planning Guidance states that developers should provide a minimum of 1m² of amenity space per 1m² of gross floor area for new dwellings. In this case, the dwelling has floorspace of some 125 metres square. Therefore based on the Councils standards there appears to be a substantial shortfall in the provision of amenity space to serve the dwelling. However, in the case of this application, consideration must be given to the constraints of the site, its historic context and the fact that the application relates to the redevelopment of a former commercial site. It is therefore considered that the available garden area is nevertheless of a reasonable size and sufficiently private to serve the occupiers of the proposed dwelling.

In terms of privacy and overlooking, the development is located in close proximity to adjacent residential and commercial uses. However the aspect of the dwelling will not result in any direct overlooking of neighbouring dwellings nor will the scale and massing of the dwelling result in an overbearing form of development on adjacent occupiers.

To conclude it is considered that the redevelopment of the site will preserve the character of the Conservation Area and the following recommendation is therefore made.

03220

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The permission hereby granted shall relate to the amended plans, reference 05 Revision C received by the Local Planning Authority on 18th July, 2005 and plan reference 04 Revision C received by the Local Planning Authority on 21st July, 2005.
3. Details of the materials and colour of the external finishes of the proposed shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.
4. Details of proposed finished floor levels in relation to the existing ground levels and the finished levels of the site, including cross sections, shall be submitted to and agreed in writing, with the Local Planning Authority before development commences.
5. Notwithstanding the submitted plans, details of all proposed means of enclosure of the site shall be submitted to the Local Planning Authority for their approval in writing and the approved means of enclosure shall be constructed prior to the development hereby approved being brought into beneficial use and shall thereafter be so maintained at all times.
6. The access, car parking spaces and amenity space shown on Drawing No. 04 Revision C shall be fully laid out prior to the development hereby approved being brought into beneficial use and shall thereafter be maintained at all times to serve the dwelling hereby approved.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting that Order, no additional windows, doors or any other openings shall be inserted into any elevation of the dwelling hereby permitted, without the prior written consent of the Local Planning Authority.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the dwelling(s) hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for a purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected, or placed within the curtilage of the dwelling(s) hereby approved without the prior written consent of the Local Planning Authority.

Reason(s):

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

2. For the avoidance of doubt.
3. To safeguard local visual amenities.
4. To ensure a satisfactory form of development.
5. To safeguard the privacy of adjoining occupiers.
6. To ensure satisfactory provision of access, on-site parking and amenity space to serve the development hereby approved.
7. To safeguard the privacy of adjoining occupiers.
8. In the interest of visual amenity.
9. To enable the Local Planning Authority to control the scale of development.

NOTE:

1. **Where the work involves the creation of, or alteration to, an access to a highway the applicant must ensure that all works comply with the appropriate standards of the Council as Highway Authority. For details of the relevant standards contact the Visible Services Division, The Vale of Glamorgan Council, The Alps, Wenvoe, Nr. Cardiff. CF5 6AA. Telephone 02920 673051.**

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

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

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

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

Edwards Construction, Plot 11, Village Farm Ind. Est Pyle, Bridgend. CF33 6RJ
(Phillip Wynne Architect, 51, Eastgate, Cowbridge, Vale of Glamorgan. CF71 7EL

LITTLE ACRE, CORNTOWN ROAD, CORNTOWN

Construction of four dwellings and associated garages and access road

The application was advertised on 22nd March, 2005.

SITE DESCRIPTION

The site largely comprises the property formerly known as 'Little Acre'.

DESCRIPTION OF DEVELOPMENT

This is a full planning application to construct four detached dwellings, all with detached garages. Three of the dwellings would comprise two-storey five bedroom properties with the dwelling on the plot fronting Corntown Road comprising a four bed property with the first floor accommodation in the roof space.

Vehicular access in the form of a private drive is proposed to be created off the B4524 that runs through Corntown.

PLANNING HISTORY

84/0109/OGWR – Refusal of outline planning application in May 1984 for residential development not exceeding three detached houses on land to the rear of Corntown Farm house, for the following reasons:

1. The proposal constitutes an undesirable extension of residential development beyond the limits of Corntown village into the open countryside.
2. The carrying out of residential development on a backland site involving the use of a shared means of access through an existing residential property, represents an undesirable form of tandem development which is detrimental to residential amenity and not conducive to good planning practice.
3. The proposed development will create hazards to traffic due to the applicant's inability to provide a minimum vision splay of 3m by 70m on the eastern side of the access.
4. The development will create hazards to pedestrians entering and leaving the site due to the lack of footway along the frontage."

02/01211/OUT – Outline planning permission was granted on 8th May, 2003 for the demolition of a bungalow and the construction of four houses with an associated site access on land at Little Acre.

02/01748/OUT – An outline planning application was submitted in December, 2002 for the demolition of outbuildings and the construction of four new houses on land to the north at Corntown Farmhouse. The application was withdrawn.

05/00193/OUT – An outline planning application was submitted for the construction of five houses on land to the rear of the property formally known as 'Little Acre' and Corntown Farmhouse. The application was withdrawn in July 2005.

CONSULTATIONS

Ewenny Community Council - Objected to the originally submitted plans on the grounds that the area of Plots 2 and 3 intrude onto land owned by Corntown Farmhouse, for which no planning approval has been granted and it also appears to take into the site the access lane to the fields at the rear of Parklands.

Garden History Society - Has been consulted. No comments have been received to date.

Glamorgan Gwent Archaeological Trust - Has recommended that a condition be attached to require an archaeological watching brief.

Environment Agency - Has stated that it is understood that flooding in the vicinity results from surface water flowing from fields situated at the rear of the site i.e. flooding that is not associated with a watercourse. It is suggested that the technical services department be consulted who may wish to consider flow attenuation e.g. Sustainable Urban Drainage Systems.

Welsh Water - Has no objection to the application.

The Head of Visible Services (Highways) - Had no objection to the originally submitted plans, subject to satisfactory access, parking and turning arrangements.

The Head of Visible Services (The Operational Manager Engineering Design) - Has stated that the area is known to suffer from flooding due to surface water flows sheeting off the adjacent fields. The development may exacerbate this or re-direct flows. The applicant should submit details indicating the method for dealing with water run-off and for flows originating from the higher land to the south. The applicant should also consider floor threshold levels to reduce potential flooding.

The Director of Legal and Regulatory Services (Environmental Health) - Has no comment.

REPRESENTATIONS

The application has been advertised as affecting the setting of a listed building and neighbouring occupiers have been consulted. The occupiers of Nos. 4, 7 and 8 Nantlais and Watergate have objected to the application. The main points raised are summarised below:

- Increase in traffic close to a difficult bend on an increasingly busy road.

- Concerns regarding potential exacerbation of flooding problems.
- The site is outside the settlement boundary for Corntown and potential for precedent being set should the application be approved.
- Loss of agricultural land.
- Concern regarding noise, dust and traffic during construction.
- Loss of privacy.
- The plan shows the use of more land than is available within the boundaries of Little Acre. The termination of the access road at the south boundary indicates an intention to develop further to the south.

Further to negotiations, revised plans have been submitted, which have been subject to further consultations. Any additional comments received will be reported directly to Planning Committee.

REPORT

The development plan for the site comprises the adopted Vale of Glamorgan Unitary Development Plan 2005 (UDP).

Outline consent (02/01211/OUT) was granted in May, 2003 to construct four houses on the site of the former bungalow known as 'Little Acre'. The site of this current application is similar to that previous application, except that the current application includes additional strips of land to the east and west.

The site is located entirely within the settlement boundary of Corntown, and so the application has been considered in the light of Policy HOUS9 of the UDP, which states that development will be permitted which is within or closely related to the defined settlement boundaries provided that it meets all the following criteria:

- the scale, form and character of the proposed development is sympathetic to the environs of the site;
- 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;
- the proposal does not have an unacceptable impact on good quality agricultural land (Grades 1, 2 and 3a) on areas of attractive landscape or high quality townscape or on areas of historical, archaeological or ecological importance;
- when appropriate and feasible the provisions of Policy REC 3 are met;
- the provision of car parking and amenity space is in accordance with the Council's approved guidelines;
- adequate community and utility services exist, are reasonably accessible or can be readily and economically provided.

To the east of the site is Corntown Farmhouse, a Grade II Listed Building. The application has therefore also been assessed with regard to Policy ENV 15 of the UDP, which requires that the environmental qualities of the built and historic environment, including listed buildings, be protected.

Concerns were expressed by my offices regarding the scale and design of the dwellings as originally submitted and the impact that the development would have on the character of the area and the setting of the adjacent Grade II curtilage Listed Building at Corntown Farmhouse. However, further to negotiations, revised plans were submitted increasing the number of properties proposed from three to four and considerably reducing the size and scale of the proposed dwellings.

The dwellings as revised would be of a scale and design that would be acceptable in the area. In particular the dwelling on the plot fronting Corntown Road has been reduced in scale and designed so as to minimise the impact on the setting on the adjacent listed building. Sufficient parking and outside amenity space would be provided to serve all the proposed dwellings.

A dormer window on the rear elevation of Plot 4 would be situated relatively close (6 metres) to the boundary with the proposed dwelling at Plot 3. However, given the change in levels through the site and the relatively substantial width of Plot 3, it is not considered that this arrangement would result in a poor or unacceptable level of privacy for future occupiers.

03994

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Notwithstanding the details of the access submitted, revised drawings of the proposed access shall be first submitted to and agreed in writing with the Local Planning Authority prior to works commencing to show a private drive with a minimum width of 4.5 metres. The drive shall be surfaced in a bound material for the first ten metres from the adopted highway. The development shall be completed in accordance with the details approved.
3. Details of the materials and colour of the external finishes of the proposed dwellings shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the dwelling(s) hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for a purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected, or placed within the curtilage of the dwelling(s) hereby approved without the prior written consent of the Local Planning Authority.
6. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use.
7. Before the commencement of the development hereby permitted, a scheme showing the means by which foul sewage and surface water run-off are to be catered for shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be put to beneficial use until the drainage works have been completed in full accordance with the approved details.
8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.
9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
10. In pursuance of Condition No. 8, the landscape scheme shall include the strip of land to the west of the proposed private drive.
11. The permission hereby granted shall relate to the amended plans, reference 05/00331/FUL, received by the Local Planning Authority on 11th July, 2005.

Reason(s):

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of highway safety.
3. To safeguard local visual amenities.
4. To enable the Local Planning Authority to control the scale of development.

5. To enable the Local Planning Authority to control the scale of development.
6. To safeguard local visual amenities.
7. To ensure satisfactory drainage of the site.
8. To safeguard local visual amenities.
9. To ensure satisfactory maintenance of the landscaped area.
10. In the interests of visual amenity.
11. For the avoidance of doubt.

NOTE:

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

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

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

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

Mr. T. Berry, 51, Woodlands Avenue, Pencoed, Bridgend. CF34 6UW
(Mr. T. Berry, 51, Woodlands Avenue, Pencoed, Bridgend. CF34 6UW)

WESTARD FARM, WICK

Change of use from barn to two storey dwelling

SITE DESCRIPTION

The application site relates to a former complex of farm buildings occupying what was known as Westard Farm located to the south of the village of Wick on the eastern side of Broughton Road, which links Wick to Broughton. The site lies outside the settlement boundary of both Wick and Broughton, although it falls within the northern part of the Broughton Conservation Area.

The existing complex relates to a small enclosed farmyard consisting of several buildings, including a small stable block, store building and garage and the main barn. The site is enclosed along the southern and western boundaries by the dwelling and curtilage of the dwelling known as Westard, to the north by the farm buildings of Brooks Farm and to the east by a stone wall enclosing the yard from the agricultural land beyond.

The barn subject to the application is constructed from random stone with dressed stone quoins and a slate roof. Internally the barn has been lime-washed.

DESCRIPTION OF DEVELOPMENT

The proposal is for the conversion of the main barn to a dwelling to provide a kitchen, lounge, bathroom and toilet at ground floor level and three bedrooms at first floor level.

The proposal will use all existing openings, in addition to the provision of three additional windows on the eastern elevation and four rooflights on the eastern facing roofplane. The remainder of the site will be used as curtilage to the dwelling and the existing garage will be used as garaging in connection with the residential use of the barn.

The main barn will be finished with a natural slate roof, aluminium gutters and down pipes and timber windows and doors.

The application has been supported by a structural survey and a protected species survey.

PLANNING HISTORY

The site has not been subject to any previous planning applications.

CONSULTATIONS

Wick Community Council - Were consulted although to date no comments have been received.

The Vale of Glamorgan Conservation Area Advisory Group at their meeting on 18th May, 2005 recommended that the application should be approved.

Welsh Water has requested that conditions and an advisory note be attached to any planning permission granted in order to ensure that foul and surface water is drained separately from the site.

The Director of Legal and Regulatory Services (Principal Environmental Health Officer (Pollution)) – No comment to make.

Environment Agency – Has been consulted and has responded with an informative guidance note for developers.

The Head of Visible Services (Highways Department) – Was consulted and has raised no objection in principle, subject to the applicant satisfying the following conditions.

- (i) A turning facility and parking provision in accordance with the South Wales Counties Parking Guidelines shall be provided within the curtilage of the site (for each unit) and retained thereafter. Vehicles must be able to enter and exit the site in a forward gear.
- (ii) The proposal must not compromise the turning and parking provision already existing on the site.
- (iii) From the drawings and a site inspection there appears to be adequate space in the farmyard for the provision of adequate parking/turning.

At the request of the Council's Bio Diversity Officer, a survey of protected species was undertaken (comprising of a bat and barn owl survey), undertaken by a licensed survey of all the buildings on the site, as the existing barns could provide potential roost sites for bats. The submitted report states that there is very little evidence of bat or owl activity.

REPRESENTATIONS

None.

REPORT

In policy terms, the application site lies within the countryside and the relevant policy in assessing the proposal is Policy ENV7 – Small Scale Rural Conversions contained in the adopted Vale of Glamorgan Unitary Development Plan 2005.

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

- (iii) The building is structurally sound and the conversion can be achieved without substantial reconstruction of the external walls, or extension to the building. However each proposal will be assessed as a matter of fact and degree, depending on the particular circumstances of the case.

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

The application site whilst falling within the countryside, falls within the Broughton Conservation Area. The conservation area is characterised by dwellings set at right angles to the main road, which defines the linear pattern of the village of Broughton.

The relevant policies and guidance in assessing this application with regard to the Conservation Area are Policies ENV15 (Protection of Built and Historic Environment), ENV18 (Development in Conservation Areas) and ENV25 (Design of New Developments). Consideration should also be given to national planning guidance as set out in Planning Policy Wales March 2000 and TAN12 on Design. Consideration should also be given to the policies and guidance contained in the Vale of Glamorgan Supplementary Planning Guidance on Conservation Area in the Rural Vale.

The key issues that need to be assessed in relation to the Conservation Area are:

- Whether the change of use of one of the historic farm complexes to a residential use will impact on the character and setting of the linear pattern of the Conservation Area.
- The appropriateness of the degree of alterations to the external elevations of the barn.
- Whether the proposals as a whole preserves or enhances the character of the Conservation Area.

The existing barn is set within a former farmyard once forming part of Westard Farm. The site no longer forms part of a holding and the buildings are no longer in agricultural use. Furthermore the site itself is well integrated into the village of Wick and as such the residential use of the site would not be incompatible with adjacent uses.

The proposed access will be from the main road via the existing access to the yard and there is sufficient area within the yard for turning and car parking in line with the Head of Visible Services (Highways Department) comments. As such the proposed access and parking will not have any impact on the character of the Conservation Area or the appearance of the countryside.

The Principal Building Control Officer has assessed the submitted structural report and has undertaken a site inspection. He has advised that the structural report submitted by the applicant appears to be a true reflection of the condition of the property. He considers that the main walls of the barn are structurally sound, although he has identified several areas which would require some reconstruction. Therefore, given that the structural report has identified the building as being generally structurally sound, it is considered that the conversion can be undertaken without substantial reconstruction of the external walls, or extension to the building.

The proposed conversion of the barns will not require any extension and will only relate to internal works and minor alterations to the existing elevations. The proposed conversion will use all existing openings in addition to the provision of three additional windows on the eastern elevation and the introduction of four roof-lights on the eastern facing roof-plane. The degree of alterations to the existing building is minimal and as such it is considered that the conversion work can be undertaken without unacceptably altering the appearance and rural character of the building in accordance with the above referenced policy.

With regard to the curtilage which is shown to be used in connection with the existing barn, this relates to the former farmyard which is defined from the agricultural land to the east and south by an existing stone wall field boundary and as such amenity space can be provided within the curtilage of the site without undue incursion into the rural landscape. There are two further buildings which are shown to be retained within the curtilage for the storage of animal feed and for stabling ancillary to the residential use of the barn and such uses of these buildings are considered acceptable.

In terms of details of materials and finishes, the application forms state that the main barn will be finished with a natural slate roof, aluminium gutters and down pipes and timber windows and doors. Such materials are considered acceptable given the sensitive nature of the site. However, samples and additional details of windows shall be required to be submitted by way of condition.

To conclude, it is considered that the proposals will maintain the rural character of the existing barns and the conversion can be undertaken without unacceptably altering the appearance and rural character of the building and the Conservation Area.

03902

RECOMMENDATION

APPROVE subject to the following condition(s):

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

2. Notwithstanding the submitted plans, prior to the commencement of development full details in respect of the proposed access, vehicle turning areas and provision for on-site parking for three vehicles, shall be submitted to and agreed in writing by the Local Planning Authority and shall be fully laid out prior to the beneficial use of the site and thereafter maintained.
3. Notwithstanding the submitted details, further details of windows, doors, conservation style rooflights, eaves and rainwater goods to a scale of 1:10, 1:20 and 1:50 as appropriate, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and shall be constructed in full accordance with the details as agreed and thereafter so maintained at all times.
4. Samples of slate, ridge tiles and rainwater goods shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and shall thereafter be carried out in accordance with the agreed samples and thereafter maintained at all times.
5. A method statement detailing the cleaning, repair, repointing and where necessary the reinstatement of the stone elevations, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and the development shall be constructed in full accordance with the agreed method statement and thereafter maintained at all times.
6. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use.
7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the dwelling(s) hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

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

Reason(s):

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In the interests of highway safety.
3. To safeguard local visual amenities.
4. To safeguard local visual amenities.
5. In the interests of local visual amenities.
6. In the interests of visual amenities.
7. To safeguard local visual amenities.
8. To ensure satisfactory maintenance of the landscaped area.
9. To enable the Local Planning Authority to control the scale of development.
10. To enable the Local Planning Authority to control the scale of development.

NOTE:

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

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

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

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

Mrs L Pointon Bell, 64, Millfield Drive, Cowbridge, Vale of Glamorgan, CF71 7BR.
(Mrs L Pointon Bell, 64, Millfield Drive, Cowbridge, Vale of Glamorgan, CF71 7BR.
)

THE OLD MILL, LLANMIHANGEL, VALE OF GLAMORGAN.

Renovation & conversion of former Mill house into two bedroom dwelling and construction of double garage.

SITE DESCRIPTION

The application site relates to the old corn mill and surrounding land in the small rural hamlet of Llanmihangel and the site falls within the Llanmihangel Conservation Area which comprises an historic group of buildings set within a secluded valley. The group is dominated by the Grade I Listed Plas Llanmihangel, its historic gardens and includes the Grade II medieval fortified church of St. Michael and All Angels located to the south of the Plas.

The old mill is located some 450 metres to the south east of the centre of Llanmihangel and to the east of the church and is accessed by what is now an overgrown track. The existing mill is in a dilapidated and ruinous state where very little of the roof structure remains and parts of the existing building appear to be near to collapse, with extensive vegetation growth within the structure. The existing building is split level with a single storey store area at upper ground level and a mill and a small cottage of two storey height at lower ground level. The building is constructed of random stonework with lime mortar with curved brick heads to windows and doors and dressed stone quoins.

The mill is surrounded by a woodland with a long rectangular fishpond to the south west with an earthed dam to its eastern end. The stream is canalised along the southern side of the pond which forms the southern boundary of the application site.

DESCRIPTION OF DEVELOPMENT

This is a full application for the renovation and conversion of the old mill into a two bedroom dwelling and the construction of a detached double garage. The accommodation will consist of a dining room, kitchen, cloakroom and lounge at ground floor and two bedrooms and bathrooms at lower ground floor. The conversion will utilise existing openings and all doors and windows will be stained hardwood with slate used for the roof covering. Rainwater goods are to be painted aluminium.

The application includes the construction of a pitched roof double garage some 10 metres to the east of the mill set at a lower level. The garage will measure 5.6 metres in both width and depth with an eaves height of 2.5 metres and ridge height of 4.6 metres. Materials and finishes will match that of the existing mill, being stone elevations and a slate roof.

The application includes the creation of a 4.5 metre wide access track from the adopted highway and the centre of the hamlet some 200 metres in length and terminates with a circular turning area which provides direct access to the double garage. The scheme includes the cultivation of a garden area to be used in association with the converted mill.

The application has been supported by a design statement and structural survey.

PLANNING HISTORY

The site has not been subject to any previous planning history.

CONSULTATIONS

Llandow Community Council – Were consulted on the application and have raised a strong objection on the following grounds:

- (i) It constitutes an impingement into the surrounding countryside.
- (ii) Access to the site would be problematic.
- (iii) This would be a new development within a Conservation Area.

The Vale of Glamorgan Conservation Area Advisory Group at their meeting on 18th May, recommended that the application should be refused on the grounds that the proposed redevelopment would not preserve or enhance the character of the Conservation Area.

Glamorgan Gwent Archaeological Trust – Were consulted on the application and their comments are attached as Appendix A.

The Head of Visible Services (Engineering Design) – Has stated that the submitted details indicate that surface water run-off is to discharge to “other”. The applicant should be requested to provide full details of the surface water drainage proposals for further comment.

The Director of Legal and Regulatory Services (Environmental Health : Pollution Section) – No comment to make regarding the application.

REPRESENTATIONS

Adjacent occupiers were notified on 28th April and to date no letters of representations have been received. One letter of representation received from the owner of Plas Llanmihangel, which raises an objection to the application, is attached as Appendix B.

REPORT

The application site lies within the open countryside and its immediate environment, including the disused ponds and areas of woodland, are within the control of the applicant. The Conservation Area of Llanmihangel embraces both the natural landscape created by the wooded valley as well as the man made features. The importance of the Conservation Area lies in the protection it affords to a virtually complete medieval site consisting of the main house, the church, barns, fishponds and corn mill. As well as being located within the countryside, well outside of any settlement designated under the adopted Unitary Development Plan, the site is also located within the “Lower Thaw Valley” Special Landscape Areas. There are also a number of Listed Buildings grouped around the heart of the Conservation Area.

The relevant policies and guidance in assessing this application are those contained within the adopted Vale of Glamorgan Unitary Development Plan 2005 in relation to Policies ENV 7 (Small scale rural conversion), ENV XXX (Special Landscape Areas), ENV15 (Protection of Built and Historic Environment), ENV18 (Development in Conservation Areas) and ENV 22 (Conservation and enhancement of open space). Consideration should also be given to national planning guidance as set out in Planning Policy Wales March 2000 and TAN 12 on Design. Weight should also be given to the policies and guidance contained in the Vale of Glamorgan Supplementary Planning Guidance on Conservation Areas in the rural vale.

Therefore the key issues that need to be assessed in relation to the proposals are:

- Whether the existing mill building is structurally sound to enable its conversion without a significant degree of rebuild so as not to impact adversely on the character of the area.
- The impact of the conversion, the access track and garden area on the character of the southern part of the Conservation Area and the impact on the historic features of the canalised stream, and pond and on the rural setting of the area as a whole.
- The impact of the wider setting of the Grade II Listed St. Michael and All Angels Church.
- The appropriateness of the scale, form, design and materials of the converted mill and new garage.
- Whether the proposal as a whole will preserve or enhance the character of the Conservation Area with particular consideration given to the key issues set out in the Llanmihangel Conservation Area Appraisal contained in the Vale of Glamorgan Supplementary Planning Guidance on Conservation Areas in the rural vale.

The principal policy in assessing such applications for rural conversion is Policy ENV7, which relates to Small Scale Rural Conversions contained in the adopted Vale of Glamorgan Unitary Development Plan 2005.

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

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

The conversion relates to what is essentially a dilapidated and ruinous building with evidence of subsidence. Criterion (iii) of the above Policy states that the building must be structurally sound to ensure that the conversion can be achieved without substantial reconstruction of the external walls, or extension to the building.

The submitted structural report has been assessed by the Principal Building Control Officer in addition to a site inspection. He has advised that the applicants structural report identifies a number of structural problems and that the entire roof structure due to its present condition should be removed and reconstructed. Furthermore from the information submitted, it appears that three elevations of the existing structure require a high percentage of reconstruction and repair.

In conclusion, the Principal Building Control officer has stated that the existing structure is in poor condition and a high percentage of re-construction work would be required to reinstate the building.

Notwithstanding the above, consideration must also be given to the acceptability of the other elements of the application. The proposed curtilage to be used in connection with the residential use of the Old Mill is extensive in area where it is 30 metres wide at its narrowest point by a depth of some 60 metres. The change of use of what is currently wooded land surrounding the mill to formal garden would significantly impact on the rural character of the historic landscape of the Conservation Area and would also result in an extensive and unjustified encroachment into the open countryside which is contrary to criterion (v) of the above referenced policy.

The site is shown to be accessed by a new access road of some 200 metres in length by a width of 4.5 metres, which would result in a domesticated access onto the adopted highway and alteration to the road frontage immediately adjacent to Plas Llanmihangel. As such it is considered that the proposed access road itself is contrary to criterion (vi) of the above referenced policy which states that vehicular access should be available, or can be provided from the public highway, without any unacceptable effect upon the appearance of the countryside.

The scheme includes the provision of a detached double garage, which would result in the construction of a large scale detached building which would be wholly domestic in appearance and would further undermine the character and setting of both the old mill and the Conservation Area and would be considered contrary to the above referenced Policy which strictly limits any extensions or new build to converted rural buildings. Furthermore, if garaging is required it is considered that it could be incorporated into the fabric of the existing building which was historically used for storage and a cart store.

The design statement states that it is proposed to hold further discussions with the vale of Glamorgan Ecology officer, to discuss works to the ponds and states "it would be desirable to restore these in part or whole as they form an integral part of the Conservation Area". Whilst the Council may well welcome the principle of the restoration of the ponds, no details have been submitted and the ponds fall outside the application site. Notwithstanding this, if the ponds were to be included as part of a comprehensive scheme for the conversion of the mill, whilst no doubt having ecological benefits, it is not considered that such a scheme of restoration would be considered to have sufficient benefits to the character of the Conservation Area to overcome the policy objection to the conversion of the structurally unsound mill.

In the view of the above the following recommendation is made.

03900

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposed conversion of the former mill would result in the substantial reconstruction of what is a structurally unsound, dilapidated and ruinous building. Furthermore, the provision of an extensive access track, double garage and substantial curtilage would be detrimental to the rural character of the building, adversely impacting on the historic setting of the adjacent listed buildings, the Conservation Area and would also result in unjustified development in the countryside. The proposal is therefore considered to be contrary to Policies ENV1 (Development in the Countryside), ENVXXX (Special Landscape Areas), ENV7 (Small Scale Rural Conversions), ENV15 (Protection of Built and Historic Environment), ENV18 (Development in Conservation Areas) and ENV22 (Conservation and enhancement of open space) contained in the adopted Vale of Glamorgan Unitary Development Plan 2005.

A. Wilson and T. Matley, Glenrhyd, 16, Venwood Close, Wenvoe. CF5 6BZ
(Boyer Planning Limited, 33-35, Cathedral Road, Cardiff. CF11 9HB)

16, VENWOOD CLOSE, WENVOE

Two storey extension

SITE DESCRIPTION

The application site is occupied by an existing two storey, semi-detached dwelling, orientated at right angles to its pair. The property is located on a prominent corner plot at the entrance to Venwood Close approximately 45m from the junction with Old Port Road. A public footpath runs to the rear of the property.

DESCRIPTION OF DEVELOPMENT

This is a detailed application for the construction of a two storey pitched roof extension on the south western elevation of the house, which is currently the front elevation, including the main front entrance doorway. The proposed extension will measure 3.8m x 5.7m to a ridge height of approximately 6.8m. The north west side elevation of the extension will incorporate a bay window, with the entrance door to the property transferred from the front elevation to the side. The external finishes will match the existing dwelling.

PLANNING HISTORY

02/00393/ful – An application to construct a ground floor extension at the property was refused on 10th May, 2002, for the following reason:

“The proposed extension by virtue of its size, design, projection and prominent siting on the corner of Venwood Close would have a detrimental impact upon the appearance of the street scene and upon the balance of the semi-detached properties at Nos. 15 and 16 Venwood Close. The proposed extension would therefore detract from the visual amenities of the surrounding area and upon the character and appearance of the pair of semi-detached dwellings.”

A subsequent appeal was dismissed on 30th October, 2002.

04/00690/FUL – Two storey extension. Refused on 2nd July, 2004, for the following reason:

- “1. The proposed extension by virtue of its size, design and prominent siting on the corner of Venwood Close would erode the currently spacious setting of the building and have a dominating impact on the street scene, to the detriment of the character and appearance of the Close. The proposal is therefore considered contrary to Policy H18 of the South Glamorgan Structure Plan 1989 Deposit Draft 1998 (as amended 2003) and Policies HOUS12 and ENV25 of the Vale of Glamorgan Unitary Development Plan.”

04/01412/FUL – Two storey extension. Refused 5th November, 2004, for the following reason.

- “1. The proposed extension by virtue of its size, design and prominent siting on the corner of Venwood Close would erode the currently spacious setting of the building and have a dominating impact on the street scene, to the detriment of the character and appearance of the Close. The proposal is therefore considered contrary to Policy H18 of the South Glamorgan Structure Plan 1989 Deposit Draft 1998 (as amended 2003).”

04/01926/FUL – Two storey extension. Refused 27th January, 2005 for the following reason:

- “1. The proposed extension due to its size, design and prominent siting on the corner of Venwood Close would erode the currently spacious setting of the building and have a dominating impact on the street scene to the detriment of the character and appearance of the Close. The proposal is therefore considered contrary to Policies H18 and EV19 of the South Glamorgan Structure Plan Proposals for Alteration No. 1 1989; Policies HOUS12 and ENV25 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended 2004); Supplementary Planning Guidance on Amenity Standards and National Guidelines contained within Planning Policy Wales March, 2002 and Tan12 – Design.”

CONSULTATIONS

Wenvoe Community Council – Comment:

“This Council at its meeting on Thursday 19th May, 2005, considered the above planning application and resolved not to support it owing to it's size and prominent position in Venwood Close, Wenvoe.”

REPRESENTATIONS

The occupiers of neighbouring properties were notified on 28th April, 2005. A number of letters of representation have been received on the application. These include the following. Letters of objection, which have been received from the occupiers of Nos. 1, 2, 3, 14 and 15 Venwood Close. Whilst all the letters are available on file for Committee Members inspection the letter from the occupier of No. 15 Venwood Close is reproduced at Appendix A as being generally indicative of the objections raised. These include detrimental impact on the appearance of the Close, dominating the adjoining semi-detached property; loss of the open grassed front aspect; and adverse affect on trees along rear footpath.

Letters in support of the application have been received from the occupiers of “Chantecler”,. 17 and 29 Venwood Close, and “Ty Pica” No. 25 Old Port Road. Again all of these letters are available on file for Committee Members inspection, however the letter from the occupiers of “Chantecler”, Venwood Close is reproduced at Appendix B as being generally indicative of the supporting comments.

In addition, a petition in support of the application signed by a total of 11 No. residents has also been submitted and a copy is reproduced at Appendix C.

Jane Hutt the Assembly Member for the Vale of Glamorgan has also submitted a letter in support of the application which is reproduced at Appendix D.

A letter of representation has also been submitted by John Smith MP requesting that Committee Members consider holding a site meeting on this application. A copy of this letter is reproduced at Appendix E.

Finally the applicants agents Boyer Planning have submitted a Planning Statement in support of the application. This is available on file for Committee Members inspection, however, a copy of the Appraisal and Conclusions is attached at Appendix F.

REPORT

This is the fourth application submitted by the applicant for a two storey extension to the dwelling. The first three applications were refused by the Council primarily on the grounds of adverse effect on the character and appearance of Venwood Close. A much earlier application for a single storey extension to the property submitted by the previous owners was also refused and dismissed on appeal in October, 2002. A copy of the Inspector's decision is reproduced at appendix G. Again the main issue of concern was the impact on the character and appearance of Venwood Close.

In policy terms, whilst the status of certain policy documents has changed with the recent adoption of the Vale of Glamorgan Unitary Development 2005, nevertheless the policy background remains essentially the same. The site is located within the residential settlement boundary for Wenvoe and just outside of the Wenvoe Conservation Area. In addition the trees to the south of the property, adjacent to the public footpath, are protected by a Tree Preservation Order. As such the following policies are considered relevant to the assessment of this revised application.

Policy HOUS12 of the Unitary Development Plan states:

"Existing residential areas characterised by high standards of privacy and spaciousness will be protected against over development and insensitive or inappropriate infilling."

Policy ENV25 of the Unitary Development Plan refers to the Design of New Development and states:

"PROPOSALS FOR NEW DEVELOPMENT MUST HAVE FULL REGARD TO THE CONTEXT OF THE LOCAL NATURAL AND BUILT ENVIRONMENT AND ITS SPECIAL FEATURES. NEW DEVELOPMENT WILL BE PERMITTED WHERE IT:

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

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

The Council also has adopted Supplementary Planning Guidance. The Supplementary Planning Guidance on Amenity standards not only refers to the level and quality of amenity space but also contains policies relating to the visual impact of residential development. Policy 1 states:

“Privacy and visual amenity must be secured in any proposed development by careful design of buildings and the relationship between buildings and features such as trees, hedges, public spaces, footpaths and screen walls and fences.”

National guidance is contained within Planning Policy Wales March, 2002 and TAN12-Design. Paragraph 9.3.3. of Planning Policy Wales states:

“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.”

TAN12 – Design emphasises the importance of good design in the environment and its significance to the quality of people’s lives. One of its objectives is to sustain or enhance character in townscape and landscape.

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

The property is located on a prominent corner plot which is clearly visible from Old Port Road, and the front elevation of the house is a feature to which the eye is drawn to on entering Venwood Close. Indeed this was a characteristic of the property identified by the appeal inspector in 2002 when he noted that:

“The appeal property is situated at a focal point at the entrance to Venwood Close from where, the oblique view of its front façade and flank wall attracts the attention of the observer. Due to its restricted, but distinctive design, No. 16 provides a visual link and acts as a fulcrum between the dwellings fronting 2 cul-de-sacs and, by so doing, unifies and strengthens the identity of the small estate.”

As was identified in the previous applications a feature of Venwood Close is the open-plan front gardens which provide an attractive setting to the dwellings and adds to the character of the Close. This open-plan front garden area is argued to be even more significant a feature at the application site as it affords a sense of spaciousness to both arms of the close and also on other approaches such as along the public footpath to the south.

This latest revision has further reduced the length of the extension projecting out from the south, front elevation by 0.4m (as scaled from the submitted plans). In addition, the width of the extension will match the existing dwelling with the 1.15m projection proposed in the last application being omitted from the current scheme. The design of the roof has also been simplified so that the ridge of the extension is to the same height and ties in with the main ridge of the existing house.

It is considered that the asymmetrical appearance of the existing pair of semi-detached houses at Nos. 15 and 16 Venwood Close currently relate well to the other houses in the Close in terms of both scale and design. The revised extension now proposed is still considered to be of a size that it alters the relationship between the two properties. The revised scheme also still proposes the re-orientation of the front elevation of the house which will again have an adverse affect on its relationship with the other properties in the Close. Thus as a focal point to the Close, instead of the oblique view of the front façade and front wall, on entering Venwood Close off Old Port Road the view will be of a side elevation, giving little lead into the distinctive character of the remainder of the Close.

It is appreciated that this further reduction in the length of the extension allows for the retention of more of the front garden. However it is still considered that the proposed extension will detract from the spaciousness of this site. Nowhere is this sense of spaciousness more significant than at the application site which is viewed from a number of approaches. The most obvious approach is off Old Port Road, but the sense of spaciousness and its loss from the two storey extension will also be evident on approaching the property from the southern wing of Venwood Close, and from the east along the public footpath, where the proposed revised scheme would still obliterate much of the skyline now visible on entering the Close from the path.

In conclusion, it is considered that this latest revision does not overcome the previous objections and again the current proposal, due to its size, design and siting at this very prominent location would erode the currently spacious setting of the building and have a dominant impact on the street scene, reducing the visual quality of the Close and the adjoining Conservation Area.

Consideration of this application was deferred at the previous Committee meeting to enable Committee Members to inspect the site. It is currently anticipated that this inspection will take place on 27th July, 2005.

03954

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposed extension due to its size, design and prominent siting on the corner of Venwood Close would erode the currently spacious setting of the building and have a dominating impact on the street scene to the detriment of the character and appearance of the Close. The proposal is therefore considered contrary to Policies HOUS12 and ENV25 of the adopted Vale of Glamorgan Unitary Development Plan 2005: Supplementary Planning Guidance on Amenity Standards; and National Guidance contained within Planning Policy Wales March, 2002 and TAN12 - Design.

05/00610/FUL

Received on 18th April, 2005

Mr. Carl Terry, Church Cottage, Llanmaes, Vale of Glamorgan. CF61 2XR
(Mr. Carl Terry, Church Cottage, Llanmaes, Vale of Glamorgan. CF61 2XR)

MEADOWVALE NURSERY, LLANTWIT MAJOR ROAD, LLANTWIT MAJOR

Change of use from wholesale nursery to retail garden centre

SITE DESCRIPTION

The application site relates to approximately 4.8 hectares of land to the north of Llantwit Major on the Cowbridge Road (B4270). The site currently accommodates a wholesale nursery and pony paddocks.

The site lies within the open countryside outside the residential settlement boundary for Llantwit Major. It is bounded by the B4270 to the east, a watercourse to the south and a public footpath to the north. The site is accessed via a long private drive off the main road at the south-east corner of the site.

DESCRIPTION OF DEVELOPMENT

The application seeks Planning Permission to change the use of a wholesale horticultural nursery and adjoining fields into a retail garden centre (A1 retail use class). It is proposed to construct a new 10m wide entrance from the main road giving access to a new 6m wide driveway into the site.

Illustrative drawings have been submitted showing the potential future development and layout of the site and proposed garden centre with a footprint of approximately 10,000 sq. ft. The applicant expects that 20 to 30 full time positions will be created within the first 12 months. The illustrative plans also show a lake, car parking for 80 vehicles, landscaping and a walkway. The garden centre will include an ancillary tea/coffee shop. The pony paddock to the north-east corner of the site is retained.

PLANNING HISTORY

00/01034/FUL - 3 new buildings : toilet block, wormery, storage/barn. Approved 3rd November, 2000.

95/00634/FUL - To erect poly-tunnels and building in association with horticultural nursery and to erect windbreak around new tunnels. Approved 21st August, 1995.

CONSULTATIONS

Llantwit Major Town Council - Was consulted on 4th May, 2005. "No objection."

The Head of Visible Services (Highways Development) - Was consulted on 4th May, 2005. "The Highway Authority has no objection in principle, subject to the applicant satisfying the following conditions:

A turning facility and parking provision in accordance with the South Wales Counties Parking Guidelines shall be provided within the curtilage of the site (for each unit) and retained thereafter. Vehicles must be able to enter and exit the site in a forward gear.

Visibility splays of 9m x 120m in both directions, measured from the centre line of the proposed access, shall be provided. Nothing, which may cause an obstruction to visibility shall be placed, erected or grown in this visibility splay.

Any works on the existing highway must be constructed at the applicants expense. All works in connection with this proposal must be carried out at the applicant's expense and shall not commence without prior consultation with the Highways Traffic Section. The applicant is required to contact Mr. Peter Coughlan to agree construction details."

The Director of Legal and Regulatory Services (Environmental Health – Pollution Control) – Was consulted on 4th May, 2005. "This department has no comment to make regarding this application."

The Head of Economic Development and Leisure – Was consulted on 4th April, 2005. "From an Economic Development perspective, I am supportive of opportunities to create locally based employment related to the local rural economy. This, in principle, would support the Council's current rural regeneration programmes.

However, this proposal is for general retail provision, not related to specific local producers, and as such the viability of existing retail centres in Llantwit Major and Cowbridge needs to be considered. If an assessment of locations in these towns fails to identify a realistic opportunity to satisfy the market, then I would fully support the proposed use at its proposed location.

To be realistic, an alternative location would need to accommodate the full business model proposed, including the 'leisure' activities outlined, as this would be part of the 'offer' to attract customers. In my previous discussions with the applicant, I recommended that a comprehensive professional case is made for the proposal. I am surprised to see a simple change of use application, and wonder whether this should be more appropriately dealt with as a detailed proposal."

The Head of Visible Services (Operational Manager Engineering Design) - "A watercourse passes on the boundary of the proposed development and it may be affected by the proposals. The developer will be required to maintain flows within the watercourse, during and after the works, and should be requested to submit appropriate details showing proposals to maintain the same to the Local Planning Authority prior to the commencement of any works. Any culverting/bridging of the watercourse will require the approval of the Environment Agency, as well as this Council as Land Drainage Authority, and the Developer should submit appropriate details for the necessary approvals prior to commencement of works."

REPRESENTATIONS

Neighbouring occupiers were notified on 4th May, 2005. No objections were received.

The Country Land & Business Association, Jane Hutt AM, Alun Cairns AM and John Smith MP have all written in support of the application and the proposal, highlighting the positive contribution to the local economy and the proposed access improvements which would improve highway safety.

Their letters are attached as Appendix A to this report.

REPORT

The application seeks consent to change the use of a wholesale horticultural nursery and adjoining fields into a retail garden centre (A1 retail use class) at Meadowvale Nursery, Llantwit Major. It is also proposed to construct a new and improved access into the site. Although the application has been submitted in outline, illustrative submissions identify that the garden centre will incorporate new retail buildings and a landscaped 'wildlife lake', and will eventually include an ancillary tea/coffee shop with 80 car parking spaces. Although the applicant has confirmed that the existing pony paddock is to be retained to the north east corner of the site, the application site boundary includes this area and covers 4.8 Ha of land in total.

It should be noted that the nursery is currently a relatively low intensive use of the site with few buildings in the countryside that blend in well with the surrounding area and is screened from the main road. The previous planning history for this site only relates to approximately 2.76 hectares of land and this application almost doubles the area that forms part of the application to 4.8 hectares. Therefore, it is possible that any future development would significantly increase the built-up nature of the site and degrade the open character of the nursery.

The site forms part of the open countryside and the proposal is for a retail development outside the recognised shopping centres of the Vale of Glamorgan. Therefore the proposal can be assessed against Policies ENV1 – Development in the Countryside; ENV2 – Agricultural Land; ENV9 – Conservation of the Countryside; ENV10 – Protection of Landscape Features; ENV25 – Design of New Developments and SHOP12 – New Retailing Developments Outside Shopping Centres of the adopted Vale of Glamorgan Unitary Development Plan 2005, Planning Policy Wales (March 2002) and advice contained within TAN 6 Agricultural and Rural Development (2000).

The proposal represents a retail development outside a district shopping centre.
Policy SHOP12 states:

PROPOSALS FOR NEW RETAIL DEVELOPMENT OUTSIDE EXISTING TOWN AND DISTRICT SHOPPING CENTRES WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE PROPOSAL EITHER SINGULARLY OR CUMULATIVELY WITH OTHER EXISTING OR APPROVED DEVELOPMENTS WILL NOT DETERMINE THE VITALITY, ATTRACTIVENESS AND VIABILITY OF THE TOWN AND DISTRICT SHOPPING CENTRES OR THE RETAIL DEVELOPMENTS PROPOSED IN POLICY SHOP3;
- (ii) THERE ARE NOT SUITABLE TOWN, DISTRICT OR EDGE OF CENTRE SITES AND IN THE CASE OF OUT OF TOWN PROPOSALS, THERE ARE NO SUITABLE TOWN, DISTRICT, EDGE OF CENTRE OR OUT OF CENTRE SITES ('THE SEQUENTIAL TEST');
- (iii) THE PROPOSAL WILL NOT HAVE AN UNACCEPTABLE EFFECT ON THE ACHIEVEMENT OF AN ACCEPTABLE SUPPLY OF BUSINESS/INDUSTRIAL LAND AS IDENTIFIED IN POLICY EMP 1;
- (iv) THE PROPOSAL IS WELL LOCATED TO PUBLIC TRANSPORT, THE NEEDS OF THE NON-CAR TRAVELLER AND THE MAIN ROAD NETWORK;
- (v) THE HIGHWAY NETWORK IS CAPABLE OF ACCOMMODATING THE TRAFFIC GENERATED BY THE PROPOSAL WITHOUT AN UNACCEPTABLE ADVERSE EFFECT ON TRAFFIC FLOWS AND PATTERNS, SAFETY, ENERGY USE OR OTHER EMISSIONS;
- (vi) CAR PARKING AND SERVICING FACILITIES ARE IN ACCORDANCE WITH THE COUNCIL'S APPROVED GUIDELINES;
- (vii) ADEQUATE UTILITY SERVICES EXIST, ARE REASONABLY ACCESSIBLE OR CAN BE READILY AND ECONOMICALLY PROVIDED;
- (viii) THE PROPOSAL DOES NOT RESULT IN THE LOSS OF GRADES 1, 2 OR 3A AGRICULTURAL LAND OR HAVE AN UNACCEPTABLE EFFECT ON AREAS OF ECOLOGICAL, GEOLOGICAL, GEOMORPHOLOGICAL, WILDLIFE IMPORTANCE, LANDSCAPE PROTECTION OR ARCHAEOLOGICAL INTEREST;

The applicant has not carried out a Sequential Test Analysis of sites within neighbouring towns, district or edge of centre sites such as Llantwit Major or Cowbridge and has not demonstrated the need for this enterprise in this particular location. This current application is solely for the change of use of the existing nursery and surrounding land into a retail garden centre with a new access. However, if this application is approved, a further application will be submitted for new retail units, a lake, car parking, landscaping and an ancillary coffee shop. It is considered that this countryside location is not suitable for a more intensive retail use of the land which would not only increase the impact of built development in the countryside, but also fundamentally alter the character and appearance of the site, as well as the manner in which people would visit it. Policy ENV1 states that planning permission will only be granted for development which is "essential for agriculture, horticulture, forestry or other development... for which a rural location is essential." This is not the case as the Garden Centre would represent an unnecessary development in the countryside, contrary to the policy and Planning Policy Wales.

With regard to visible impact, the proposal would also require a significant new central access with 9m x 120m visibility splays, the result of which would be the loss of a substantial amount of hedgerow, to the severe detriment of the countryside. This would not be mitigated by replacement planting, such that the proposal is contrary to Policy ENV10.

The applicant has not demonstrated a need for the re-development of the site and has not examined if there are other sites within existing centres capable of accommodating this venture, contrary to criteria (ii) of Policy SHOP12 and Planning Policy Wales. The future development of the whole site (4.8 Ha.) for retail use is also likely to undermine the vitality, attractiveness and viability of Llantwit Major and Cowbridge Town Centres, contrary to criteria i) of Policy SHOP12 and Planning Policy Wales. The site is also in a potentially unsustainable location as its out of centre location would encourage car use, generate traffic and specific visits by customers without a realistic public transport alternative, contrary to the aims and objectives of Planning Policy Wales.

Whilst the projected growth of the enterprise might benefit the local economy through the employment of local people, the intended future development of the site would have highway implications, would generate pressure for other ancillary uses and would be incongruous and insensitive new development in the countryside.

04002

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposed retail enterprise, by reason of its scale and location, is considered to be unjustified in the interests of agriculture or horticulture, while the future development of the site would represent an unacceptable and unsustainable form of development in the countryside, causing serious harm to the character and appearance of the area while failing to demonstrate that there would be no harm to the vitality and viability of local established shopping centres. The proposal is therefore contrary to the aims and objectives of Policies ENV1, ENV9, ENV10 and SHOP 12 of the adopted Vale of Glamorgan Unitary Development Plan 2005 and Planning Policy Wales (2005).

Mr. R. Jones, C/o Agent.

(G. Powys Jones The Maltings, East Tyndall Street, Cardiff Bay, Cardiff. CF1 5EA)

BARN AT GWERN Y GAER ISAF, PETERSTON-SUPER-ELY

Conversion of barn to dwelling

SITE DESCRIPTION

The site is situated in open countryside to the north west of Peterston-Super-Ely. The building subject of the application is situated close to an existing barn conversion to the west of the farmhouse property known as Gwern-y-Gaer Isaf.

DESCRIPTION OF DEVELOPMENT

A full planning application seeking to convert a building to create a 2 bedroom dwelling. The building comprises a single storey pitched roof building constructed in stone with slates to the roof.

The proposed accommodation includes 2 bedrooms with separate bathroom at first floor with a lounge/dining area, kitchen and utility room at ground floor. The existing lounge end opening would be used as a patio door to the lounge. All other doors/windows would involve the use of existing openings with rooms in the roof being lit by existing roof lights. Access would be via an existing single track access to the site.

PLANNING HISTORY

89/00095/FUL – The Welsh Office allowed an appeal and granted planning permission for the conversion of disused stables (which are situated to the east of the building subject of the current application) to a dwelling.

99/01386/FUL – Application to convert the barn to a dwelling was refused on 27th January, 2000 for the following reasons:

- “1. The Local Planning Authority has documentary evidence to demonstrate that the application building has recently undergone significant alternation. In the opinion of the Local Planning Authority, this is contrary to the spirit of Annex D of Planning Policy Guidance 7 “Re-use and Adaption of Rural Buildings” and therefore is considered contrary to national planning policy.
2. The Local Planning Authority considers that the proposal would be contrary to Policy ENV7 (1) of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended), as the site does not form part of a rural settlement as defined as a significant group of buildings in residential use.
3. The Local Planning Authority considers that the proposal would be contrary to Policy HOUS3 of the Vale of Glamorgan Unitary Development Plan Deposit Draft 1998 (as amended) and Policy H10 of the South Glamorgan Structure Plan (Alteration No. 1) 1989, in that the site falls within the open countryside.”

04/01159/FUL – Planning permission was granted on 10th September, 2004 to construct a two storey rear extension at the former farmhouse at Gwern-y-Gaer Farm, Peterston-Super-Ely.

CONSULTATIONS

Peterston-Super-Ely Community Council – Has objected to the application. It is of the opinion that the current application does not differ from the previous application and should be refused for the same reasons as before. A copy of their letter and response to the previous application is attached as Appendix A.

Environment Agency – Has no objection.

Welsh Water – Has no objection.

The Head of Visible Services (Highway Development) – Has no objection, subject to the provisions of turning and parking facilities.

The Head of Visible Services (Operational Manager Engineering Design) – Has stated that a watercourse crosses on the boundary of the development. Floors within the watercourse need to be maintained during and after works.

The Director of Legal and Regulatory Services (Environmental Health) – Has no comment.

REPRESENTATIONS

Neighbouring and nearby occupiers have been consulted but no comments have been received to date.

REPORT

The development plan for the site comprises the adopted Vale of Glamorgan Unitary Development Plan 2005 (UDP).

The site lies in open countryside and within the Ely Valley and Ridge Slopes Special Landscape Area as identified by the UDP.

The application has been assessed with regard to Policy ENV7 of the UDP, which relates to small scale rural conversions.

The application is similar to the previously submitted proposal (99/01386/FUL), which was dismissed at appeal on 26th June, 2000.

The Inspector on assessing that appeal recognised that the barn “had been subject to considerable repair and rebuilding over the past few years. Some of this work, particularly the internal walls, appears more related to an anticipated change of use to a dwelling rather than the repair of a barn. The evidence is inconclusive as to the extent and sequence of this work. I am not aware of any active enforcement action in respect of any of this work. I shall therefore consider the case on the basis of the conversion of the barn as it existed at the time of my inspection”.

The Inspector considered that the main issues in the case were the effect on the character and appearance of the area bearing in mind national and local policy, and whether the access is suitable to serve the proposal.

The Inspector stressed the case as follows:

“I consider that this proposal fails to satisfy at least three of the criteria of Policy ENV7 of the emerging Vale of Glamorgan Unitary Development Plan (as amended). Under (i) this building does not form part of a significant group of buildings in residential use in that the existing house and barn conversion are at the most an isolated group of no more than three dwellings and associated barns in the open countryside. Under (vi) the provision of a domestic curtilage would be clearly visible from the main railway line to the south west. The curtilage of the existing house and barn conversion is largely screened from this view by the appeal building and adjacent barn giving the group of buildings the appearance of a traditional farm. This proposal would result in a significant change in this general appearance in that a residential curtilage would be clearly visible resulting in the appeal building taking on the appearance of a new dwelling in the open countryside. Criteria (vii) refers to vehicular access which I shall consider under the other main issue.

Given the policy background I conclude that this proposal would be contrary to the objectives of national and local policy. It would result in the creation of a new dwelling in the open countryside, which together with the inevitable domestic appearance of its curtilage, would be harmful to the character and appearance of the area. There are no special circumstances in this case, such as agricultural need, to justify setting aside the strong planning policy objection to this proposal”.

Turning to the issue of the access I note that the Council did not raise any objection to the use of the existing access. This was the subject of objection from third parties. I observed that the access is along a narrow winding lane with very limited places of vehicles to pass. This proposal would involve a new dwelling adding traffic to what is an inadequate access. In my view any significant improvements to this access to provide reasonable passing places could be in conflict with criteria (vii) of Policy ENV7. In addition visibility to the right where the access lane joins the main road is very restricted. Given the speed of traffic along that main road I take the view that even one additional dwelling would result in a significant increase in traffic using the access. This would be detrimental to the safety of highway users. On this issue I conclude that the access is not adequate to serve the proposal.”

The agent has made the following comments in support of the application.

“The applicant, in 2000 had “jumped the gun” on aspects of the conversion of the barn in a misplaced anticipation of a grant of permission by the Council. This aspect was highlighted in the first paragraph of the Inspector’s report. No further works have been undertaken since and the barn remains in a similar condition to that existing in 2000.

Modifications were made to Policy ENV7 following the Inspector’s report on the Deposit Draft of the Unitary Development Plan Criterion (i) referred to by the Inspector in his appeal decision has now been deleted.

The Inspector's concerns regarding the impact of the proposed curtilage on the surrounding countryside is questioned. The agent states that the railway line at this point runs partly in a shallow cutting and trains run past at high speed. Nevertheless, since 2000, the applicant has implemented a planting scheme immediately to the south of the barn, between it and the railway. This affords screening to any residential curtilage which may be formed now and, when fully matured, would be effective in overcoming the Inspector's previous concerns in this respect.

With regard to the Inspector's concerns on the access to the site, the agent states that Gwern-y-Gaer is currently comprised of the main dwelling and outbuildings converted into 2 dwelling units. The latter remain in the control of the applicant. To overcome the Inspector's concerns, the applicant proposes to modify the outbuildings so that it becomes 1 rather than 2 dwellings. This can be achieved without planning permission. A Section 106 obligation would be executed to this effect, if necessary, but it is considered that a condition to this effect would suffice. In this manner no additional traffic would be generated by the current proposal over and above that which currently exists.

The requirements of all other relevant criteria of Policy ENV7 are met. The guidance found in the written explanation to the policy provides that isolated conversions are unsustainable. In this case however, the barn stands next to an existing group of 3 dwellings (2 of which are the result of conversion). The replacement of one conversion with another would clearly not be unsustainable since it would not place a greater burden on local services nor increase the overall need to travel by car."

The Council's assessment of the case is as follows:

In light of the previous appeal decision in 2000, it is necessary to consider whether there have been any material changes in site or other circumstances since that date, which would be sufficient to justify reaching an alternative decision on this similar application.

In this respect, it is noted that the submitted drawings are identical for both applications, with little or no apparent change in site circumstances other than the planting of trees in the intervening years. In policy terms, the Unitary Development Plan has now been adopted, with Policy ENV7 varied from that considered on appeal with the deletion of former criterion (i). Planning Policy Wales (2002) has also been published.

The building has undergone substantial refurbishment and rebuilding, including a number of residential style openings, including velux roof lights to the roof. These alterations have substantially altered the appearance and character of the original building, and as a result of these works, now provide a building shell physically capable of residential conversion.

It is considered that these works went far beyond simple repair and maintenance, with the specification of the building is considered being far in excess of what would normally be required for agricultural use.

Although such works were undertaken in 2000, it is relevant to consider advice in TAN6 – Agricultural and Rural Development – which at paragraph 12 refers to situations where planning authorities have reason to believe that an applicant has attempted to abuse the system (where referring to new build). Given the nature of such alterations, this advice is indeed considered to be pertinent to the current proposals, and to reinforce the objections detailed below.

The Council's approved SPG 'The Conservation of Rural Buildings' states that "the Council will not normally grant consent for residential conversion in respect of recently constructed or reconstructed agricultural buildings". However, the Inspector in the previous appeal determined the appeal on the basis of the building as it exists on the site, and so it would be difficult for the Council to sustain a refusal of the application on these grounds.

With regard to recent planting, it is considered that any landscaping provided to the south of the site is likely to have limited effectiveness in terms of providing screening from the railway (with very limited impact during the winter months). The impact of an extensive new residential curtilage would be very evident within the vicinity of the site from adjacent residential properties.

A new Policy ENVXXX 'Special Landscape Areas' has been included within the adopted Vale of Glamorgan Unitary Development Plan 2005, with the site being located within such an area. It is considered that the Policy reinforces the Council's concern regarding the impact of new residential curtilage on the character of the surrounding countryside.

Despite requests, the agent has refused to submit a structural report and survey and a wildlife survey with the application, despite advice in national and local planning policies that these should be submitted with a planning application.

Although criterion (i) of the "old" ENV7 (pre-modifications) no longer applies, nevertheless it is firmly considered that there has been no material change in site circumstances to warrant overriding the objections of the previous Inspector at appeal in terms of the visual harm caused by the proposal.

To conclude the proposal is contrary to Policies ENV7 of the Vale of Glamorgan Unitary Development Plan 2005. It is considered that the proposal would have an adverse impact on the rural character of the area that has been designated as being of special landscape value.

Planning Policy Wales 2002 states that:

"If the existing building is unsuitable for conversion without extensive alteration, rebuilding or extension, or if the creation of a residential curtilage would have a harmful effect on the character of the countryside, similar control to that over new house building in the open countryside will apply."

The proposal, therefore, by reason of its location represents an unacceptable form of development that would be tantamount to the creation of a new dwelling in the open countryside. The proposal is therefore unacceptable in principle, being contrary to the guidance contained in Planning Policy Wales 2002 and to Policies ENV1 and HOUS3 of the UDP, which presume against new development, unless it can be justified in the interests of agriculture or forestry.

The proposal is also contrary to the aims of Policy ENV XXX 'Special Landscape Areas' of the UDP which states that new development within or closely related to the following special landscape areas will be permitted where it can be demonstrated that it would not adversely effect the landscape area. In this regard, the proposal is also contrary to Policy ENV25 of the UDP, by failing to have regard to the surrounding environment.

Furthermore, the site is located within the countryside away from local services. The proposed new dwelling would therefore represent an unsustainable form of development, which would be contrary to guidance in Planning Policy Wales March 2002 which seeks to promote sustainable patterns of development. The proposal would also not accord with Policy 2 of the UDP which encourages sustainable practices.

Finally, the agent has offered to 'lose' a dwelling at the former barn conversion that is situated adjacent to the building subject of this application in order to overcome the Inspector's concerns regarding access to the site. However, the Council's records indicate that planning permission has been granted for the use of that barn as a single dwelling only. The Council have no record to show that the barn is in use as two dwellings, and no such evidence has been submitted by the applicant to this effect. In any respect, such an offer is not considered to overcome the harm previously identified by the Inspector, such that the concerns regarding access remain.

03976

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposed conversion of this partially reconstructed rural building fails to accord with Policy ENV7 of the adopted Vale of Glamorgan Unitary Development Plan 2005, due to the adverse impact that the proposed dwelling and residential curtilage would have on the rural character of the surrounding landscape which has been designated as being of Special Landscape Value. The development would therefore amount to the creation of a new dwelling in the open countryside, which would not be in the interests of agriculture or forestry. The proposal would therefore also be contrary to Policies ENV1, HOUS3, ENVXXX 'Special Landscape Areas', and ENV25 of the adopted Vale of Glamorgan Unitary Development Plan 2005; the Council's Supplementary Planning Guidance "The Conversion of Rural Buildings" and Planning Policy Wales 2002.
2. The proposed development would result in increased traffic movements along a substandard access to the detriment of highway safety, contrary to Policies ENV7 and ENV25 of the adopted Vale of Glamorgan Unitary Development Plan 2005.

3. By reason of its location within the countryside, away from local services, the proposed new dwelling would represent an unsustainable form of development, contrary to guidance in Planning Policy Wales March 2002 and Policy No. 2 of the adopted Vale of Glamorgan Unitary Development Plan 2005.

05/00667/FUL

Received on 28th April, 2005

Mr. Paul Llewellyn, Old Beaupre Farm, St. Hilary, Cowbridge, Vale of Glamorgan.
CF71 7LT

(Mr. Paul Llewellyn, Old Beaupre Farm, St. Hilary, Cowbridge, Vale of Glamorgan.
CF71 7LT)

LAND FORMERLY PART OF RECTORY FARM, LLANDOUGH

Proposed agricultural dwelling/four bedroom house with conservatory and double garage

SITE DESCRIPTION

The site relates to agricultural land situated to the south of Llandough, Cowbridge. To the north of the site is the residential property known as The Rectory. The land is identified as Grade 3 agricultural land on the Land Classification Map (1960's).

DESCRIPTION OF DEVELOPMENT

The application seeks full planning consent for a four bedroom detached dwelling. Access to the dwelling would be from the public highway to the west of the site along an access track of approximately 120m in length to a site/garden curtilage of approximately 34m x 34m. Drainage is to be to cesspit/new drainage.

PLANNING HISTORY

None on this site.

CONSULTATIONS

Llanfair Community Council – Objection. The Community Council is concerned about the access onto this site, although it is already in existence for agricultural vehicles it is felt that the access is highly unsuitable as a residential one being on a narrow corner of a one track lane.

The Director of Legal and Regulatory Services (Pollution Control) – See Appendix A.

Dwr Cymru Welsh Water – No comment to make as private drainage facilities are to be used.

Glamorgan Gwent Archaeological Trust – Have no objection to the determination of the application.

The Head of Visible Services (Highway Development) – Comment as follows:

“Further to a site inspection carried out on 22nd May, 2005 in relation to the above application, the Highway Authority has no objection in principle, subject to the applicant satisfying the following conditions:

The proposed access shall have a hard surface of concrete or bituminous bound material for a minimum distance of 6.0m from the highway boundary. This is to prevent loose material being dragged onto the public highway, to the detriment of highway safety. Gates, if provided, must be set back a minimum of 6.0m.

Visibility splays of 2.0m x 33.0m in both directions, measured from the centre line of the proposed access, shall be provided. Nothing, which may cause an obstruction to visibility shall be placed, erected or grown in this visibility splay.”

Countryside and Environment Projects (Footpaths) – Comment as follows:

“There are no Public Rights of Way shown on the Definitive Map that are directly affected by the development as shown. The path shown on the OS map as crossing the proposed driveway is not a Public Footpath nor am I aware that it is being used as such. The nearest Public Right of Way, No. 2 Llanfair, passes quite close to the rear of the proposed development, though it does not cross the development area shown.

I therefore have no objections to the proposal, but would like to be kept updated should any changes be made to the proposal, since they may subsequently have an impact on Public Footpath No. 2 Llanfair.”

Council’s Agricultural Advisor – See Appendix B.

REPRESENTATIONS

Site notice posted and neighbour notification. No comments to date.

REPORT

The development lies within an area of open countryside to the south of Llandough, Cowbridge. The site is not in an identified settlement. The application has been submitted as an application for an agricultural dwelling. Details submitted as an agricultural appraisal by the applicant are attached as Appendix C.

The application falls to be considered as development in the countryside and thus the relevant policy framework is that contained in the adopted Vale of Glamorgan Unitary Development Plan 2005 and Planning Policy Wales 2002.

Policies in the Unitary Development Plan of relevance are:

Policy ENV1 – Development in the countryside including where development will only be granted for that essential to agriculture etc.

Policy ENV2 – Agricultural land will be protected from irreversible development.

Policy ENVXXX – Special Landscape Areas whereby development should not adversely affect the recognised special landscape qualities.

Policy ENV9 - Conservation of the Countryside.

Policy ENV25 – Design of New Development.

Policy HOUS2 – Additional residential development will be permitted within settlement boundaries.

Policy HOUS3 – Subject to Policy HOUS2 provisions dwellings in the countryside will not be permitted unless such developments can be justified in the interests of agriculture and forestry.

Policy HOUS5 – Agricultural and forestry dwellings will be permitted subject to an essential need based on a functional test and where appropriate a financial test and other criteria of design, scale etc.

Policy HOUS6 – Agricultural Occupancy Conditions: Will be considered on basis of Policy HOUS5 criteria.

Planning Policy (Wales) - Is considered relevant and in particular paragraphs 9.3.7 – 9.3.10. which indicate that a functional test to establish whether for the proper functioning of the enterprise one or more workers need to be readily available at most times and a financial test to establish that the farming enterprise is economically viable and advises that:

“.....since if it is not, new permanent accommodation cannot be justified on agricultural grounds and to provide evidence of the size of dwelling which the unit can sustain”. (9.3.7).

The Local Planning Authority has considered the application for a dwelling for agricultural purposes taking into account the location, size of dwelling and the specific details of the agricultural enterprise and within the context of the above policy framework.

The assessment of the functional test is that there is no proven need for the dwelling now sought on the holding. One dwelling already exists on the holding and there is no overriding need for a second.

In relation to the financial test this was not fully assessed as there is no functional need for the dwelling. However the Council's Agricultural Consultant has stated that “we note the accounts provided are not current but do show the farm is very much run as one enterprise”. (4.0).

The agricultural consultants' report is appended to this report.

It is also considered that the size of dwelling (lounge, dining, family room, conservatory, hall, kitchen, utility, wc shower at ground floor and double garage, with 4 bedrooms (1 en-suite) and bathroom) extending to approximately 252 sqm with double garage is excessive for an agricultural dwelling; in any event. A dwelling of no more than 150sq m would have been considered a reasonable size if an agricultural justification for a dwelling had existed.

It is considered therefore that the dwelling represents unjustified development in the countryside which would cause harm to this area of special landscape value by the creation of a large dwelling set within an extensive curtilage (1225 sqm excluding access driveway approximately).

03988

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. There is no agricultural justification for a second dwelling on the agricultural holding nor for a dwelling of the size proposed. Therefore the proposal represents unjustified new residential development in the countryside which would cause serious harm to this Area of Special Landscape Value. As such the proposal is considered to be development contrary to Policies ENV1 and ENVXXX Special Landscape Areas, ENV9, HOUS2, HOUS3 and HOUS5 of the adopted Vale of Glamorgan Unitary Development Plan 2005 and advice contained in Planning Policy Wales 2002.

Mr. and Mrs. R. Fox, 2, Glascoed Cottages, Sully Road, Penarth, Vale of Glamorgan.

(R. J. Morris Associates, 6, Glas Yorath, Whitchurch, Cardiff. CF14 1QG)

LAND ADJACENT TO 2, GLASCOED COTTAGES, SULLY ROAD, PENARTH

Erect detached house

The application was advertised on 15th June, 2005.

SITE DESCRIPTION

The site comprises part of the residential curtilage of No. 2 Glascoed Cottages. The site is located in the countryside between Penarth and Dinas Powys.

DESCRIPTION OF DEVELOPMENT

A full planning application to construct a detached two storey three bed dwelling. A new access, parking and turning area would be created off the lane to serve both the proposed dwelling and existing property. A total of four parking spaces would be provided to the front of the site.

PLANNING HISTORY

95/00860/FUL – Planning permission was granted in November 1995 to demolish a single storey extension and construct a two storey extension to the side, a single storey extension to the rear and internal alterations at the property.

96/00841/FUL – Planning permission was granted in October 1996 to construct a sunroom and covered terrace at the property.

02/01408/FUL – Planning permission was granted in December 2002 to construct an extension to the roof and alteration of the front entrance at the property.

CONSULTATIONS

Dinas Powys Community Council – Has objected to the application on the basis that this is garden development.

Environment Agency – Has no objections.

Dwr Cymru Welsh Water – Has been consulted but no comments have been received to date.

The Head of Visible Services (Highway Development) – Has no objection.

The Director of Legal and Regulatory Services (Environmental Health) – Has no objection but would request that a condition be imposed to require that any soils to be imported to the site shall be assessed for any potential contaminants.

REPRESENTATIONS

The application has been advertised as a departure from the development plan. No comments have been received to date.

REPORT

The development plan for the site comprises the adopted Vale of Glamorgan Unitary Development Plan 2005 (UDP). The application has also been assessed with regard to the Council's approved Amenity Standards, Supplementary Planning Guidance and Parking Standards.

The site is located in open countryside and within a 'Green Wedge', as identified by the Unitary Development Plan. The proposal would constitute development within the open countryside which would not be in the interests of agriculture. The proposal is therefore unacceptable in principle, being contrary to the guidance contained in Planning Policy Wales 2002 and to Policies ENV1 and HOUS3 of the Unitary Development Plan, which presume against development in the countryside.

The site is located within a designated 'green wedge', which has been identified by the Vale of Glamorgan Unitary Development Plan to prevent urban coalescence between and within settlements. In this case, the policy seeks to prevent coalescence between Penarth and Dinas Powys. The proposal constitutes an "inappropriate" form of development which would have a detrimental impact on the open rural character of the area. No very special circumstances have been submitted to outweigh the harm caused by reason of inappropriateness (Planning Policy Wales). The new access and parking area would further exacerbate the impact on the rural character of the lane. The proposal is therefore considered to also be contrary to Policy ENV3 of the Unitary Development Plan, which states that within such areas, development which prejudices the open nature of the land will not be permitted.

By reason of its location within the countryside, away from local services, the proposed new residential development would represent an unsustainable form of development, contrary to guidance in Planning Policy Wales March 2002 and Policy 2 of the adopted Vale of Glamorgan Unitary Development Plan 2005.

03977

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposal constitutes inappropriate development within the countryside and within a designated 'Green Wedge' which would have a detrimental impact on the open rural character of the area. No exceptional circumstances have been put forward to justify overriding such harm. The proposal is therefore contrary to Planning Policy Wales March 2002 and Policies ENV1, ENV3 AND HOUS3 of the adopted Vale of Glamorgan Unitary Development Plan 2005.

2. By reason of its location within the countryside, away from local services, the proposed new residential development would represent an unsustainable form of development, contrary to guidance in Planning Policy Wales March 2002 and Policy 2 of the adopted Vale of Glamorgan Unitary Development Plan 2005.

Mark Nessbert, 9, Nant y Rhos, The Drope, Vale of Glamorgan. CF5 4UD
(Mark Nessbert, 9, Nant y Rhos, The Drope, Vale of Glamorgan. CF5 4UD)

**FIELD NEXT TO FIELD NO. 7414 OPPOSITE TELEVISION TRANSMITTING
STATION AT ST. LYTHANS DOWN**

Five bedroom two storey detached house with two storey detached garage with workshop/storage above

The application was advertised on 29th June, 2005.

SITE DESCRIPTION

The site is located in the open countryside to the north of Wenvoe.

DESCRIPTION OF DEVELOPMENT

A full planning application for the construction of a five bed two storey house. A single point of access would be created off the adjoining lane. It is also proposed to construct a large triple garage with a workshop and store above.

PLANNING HISTORY

None.

CONSULTATIONS

Wenvoe Community Council – Does not support the application, which is contrary to Policy HOUS3. If approved it would set a precedent for the area.

Glamorgan Gwent Archaeological Trust – Has been consulted. No comments received to date.

The Head of Visible Services (Highways) – Has been consulted. No comments received to date.

The Director of Legal and Regulatory Services (Environmental Health) – Has no objection but would request that a condition be imposed to require that any soils to be imported to the site shall be assessed for any potential contaminants.

REPRESENTATIONS

The application has been advertised as a departure from the development plan. No comments have been received to date.

REPORT

The development plan for the site comprises the adopted Vale of Glamorgan Unitary Development Plan 2005 (UDP). The site is located in open countryside and within the Duffryn Basin and Ridge Slopes Special Landscape Area.

The proposal would constitute development within the open countryside that would not be in the interests of agriculture. It is considered that this isolated development would have a detrimental impact on the rural character of an area which has been designated as being of special landscape importance. The proposal is therefore unacceptable in principle, being contrary to the guidance contained in Planning Policy Wales 2002 and to Policies ENV1 and HOUS3 of the Unitary Development Plan, which presume against development in the countryside.

The dwelling and garage would both be substantial buildings which would have a significant visual impact on the area. The proposal is also contrary to Policy ENVXXX 'Special Landscape Areas', which seeks to ensure the protection of the character of Special Landscape Areas.

The site is located within the countryside away from local services. The proposed new residential development would therefore represent an unsustainable form of development, which would be contrary to guidance in Planning Policy Wales March 2002 which seeks to promote sustainable patterns of development. The proposal would also not accord with Policy 2 of the Unitary Development Plan which encourages sustainable practices.

Furthermore, the application site is classified as Grade 2 Agricultural Land. The development of the land for residential purposes would be likely to result in the permanent loss of this land for agricultural purposes. No exceptional overriding need for the development has been demonstrated. The proposal is therefore contrary to Policy ENV2 of the Unitary Development Plan, which carries a presumption against new development on land of high agricultural value, other than for the purposes of agriculture.

Finally, it appears from the Council's records that the site does not abut the adopted highway, and so access to the site would depend upon the agreement of a third party. As submitted, the proposals would not allow for connection to the adopted highway. In this regard, the proposal is contrary to Policy ENV25 of the Vale of Glamorgan Unitary Development Plan 2005, which requires that new developments meet the Council's approved standards for access.

03975

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposal constitutes development in the countryside in a prominent location which would have a detrimental impact on the rural character of an area which has been identified as having special landscape value. The proposal is therefore contrary to Planning Policy Wales March 2002 and Policies ENV1 and HOUS3 of the adopted Vale of Glamorgan Unitary Development Plan 2005, which seek to resist new development in the open countryside, unless in the interests of agriculture or forestry. No such justification has been submitted with this application. The proposal is also contrary to Policy ENVXXX 'Special Landscape Areas' of the adopted Vale of Glamorgan Unitary Development Plan 2005, which seeks to protect the character of Special Landscape Areas.
2. By reason of its location within the countryside, away from local services, the proposed new residential development would represent an unsustainable form of development, contrary to guidance in Planning Policy Wales March 2002 and Policy 2 of the adopted Vale of Glamorgan Unitary Development Plan 2005.
3. The proposed development would result in the irreversible loss of Grade 2 Agricultural Land. No exceptional overriding need for the development, has been demonstrated and therefore the proposal is considered to be contrary to Policy ENV2 of the adopted Vale of Glamorgan Unitary Development Plan 2005.
4. The proposal does not demonstrate that the site can be accessed from the adopted highway. The proposal is therefore contrary to Policy ENV25 of the adopted Vale of Glamorgan Unitary Development Plan 2005, which requires that new developments meet the Council's approved standards for access.

Mr. and Mrs. A. Evans, Marcross Farm, Marcross, Vale of Glamorgan. CF61 1ZG
(Mr. and Mrs. A. Evans, Marcross Farm, Marcross, Vale of Glamorgan. CF61 1ZG
)

LAND OPPOSITE LLANDOW CARAVAN PARK, LLANDOW

Proposed caravan storage compound, comprising fenced area, new CCTV pole and new access

SITE DESCRIPTION

The application site is located a short distance away from the Llandow Trading Estate and lies opposite the site of the existing Llandow Caravan Park. The application site is approximately 290 metres in length and 30 metres wide. It is currently surfaced in tarmac, as the site was formerly part of the old Llandow Airfield runway.

DESCRIPTION OF DEVELOPMENT

It is proposed to use the site for a caravan storage compound together with fencing, a CCTV pole and also a new access to the existing site. The submitted layout plan indicates that there would be 173 storage spaces, each space being approximately 3 metres by 9 metres. There is an existing compound within the existing Caravan Park directly opposite, but this current proposal is in addition to that storage area and is not intended as a replacement facility.

PLANNING HISTORY

None recently on the application site itself. However, the existing caravan park on the opposite side of the road has been the subject of several applications in recent years, including the following:

04/00129/FUL – Extension to an existing storage compound. Approved 19th March, 2004.

01/00824/FUL – Extension to storage compound. Approved 28th September, 2001.

CONSULTATIONS

Llandow Community Council – Were notified on 3rd June, 2005 but no comments have been received to date.

Glamorgan Gwent Archaeological Trust – “We have studied the proposals and note that the proposed development will cause minimal ground disturbance in an area where development has already occurred and therefore we cannot envisage that any archaeological features will be affected..... we have no objection to the determination of this application”.

The Head of Visible Services (Highway Development) – The Highway Authority has no objections in principle subject to the applicant satisfying the following conditions.

“A turning facility and parking provision in accordance with the South Wales Counties Parking Guidelines shall be provided within the curtilage of the site for each unit, and retained thereafter. Vehicles must be able to enter and exit the site in a forward gear.

Visibility splays of 2.4m x 90.0m in both directions, measured from the centre line of the proposed access, shall be provided. Nothing, which may cause an obstruction to visibility shall be placed, erected or grown in this visibility splay. The existing vegetation should be trimmed back.”

Health and Safety Executive – No comments received to date.

REPRESENTATIONS

A site notice has been posted at the site entrance, but no representations have been received to date.

REPORT

The site is located within the countryside, as there is no designation or allocation ascribed to the site in the adopted Vale of Glamorgan Unitary Development Plan 2005 and the site also lies well outside any relevant settlement boundary. Accordingly, the following policies of the adopted Vale of Glamorgan Unitary Development Plan 2005 are considered to be relevant in the assessment of this proposal.

POLICY ENV 1 – DEVELOPMENT IN THE COUNTRYSIDE

WITHIN THE DELINEATED COUNTRYSIDE PERMISSION WILL ONLY BE GRANTED FOR:

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

The proposal clearly does not conform to the requirements of the above Policy. Whilst the existing Caravan Park opposite this site can be described as a clear recreational use, this proposal only involves the storage of caravans which is not directly recreational in nature.

The proposed site lies close to, but outside, the designated employment site allocation at Llandow Trading Estate. The proposal therefore constitutes a commercial storage area on a significantly large site (approximately 0.9 hectare or 2.25 acre) in the countryside. As such, the following Policy of the adopted Unitary Development Plan is also considered to be relevant.

POLICY EMP3 – NEW BUSINESS AND INDUSTRIAL DEVELOPMENT

PROPOSALS FOR NEW BUSINESS AND INDUSTRIAL DEVELOPMENT INCLUDING AGRICULTURAL SERVICE INDUSTRIES AND THE EXTENSION, CONVERSION AND REPLACEMENT OF EXISTING PREMISES FOR SUCH PURPOSES, WILL BE PERMITTED IF ALL OF THE FOLLOWING CRITERIA ARE MET:

- (i) THE PROPOSAL DOES NOT LIE WITHIN THE COUNTRYSIDE EXCEPT FOR THOSE PROPOSALS ACCEPTABLE UNDER THE TERMS OF ENV7 (RURAL BUILDINGS) OR COMM2 (REDUNDANT HOSPITALS);
- (ii) THE PROPOSAL MINIMISES THE LOSS OF GOOD QUALITY AGRICULTURAL LAND (GRADES 1, 2 AND 3A) AND DOES NOT HAVE AN UNACCEPTABLE IMPACT ON AREAS OF ATTRACTIVE LANDSCAPE AND HIGH QUALITY TOWNSCAPE OR AN AREA OF HISTORICAL, ARCHAEOLOGICAL OR ECOLOGICAL IMPORTANCE;
- (iii) THE SIZE AND RELATIONSHIP OF ANY NEW BUILDING AND/OR ALTERATION OR EXTENSION IS NOT DISPROPORTIONATE TO ITS SIZE AND SETTING;
- (iv) ACCESS AND PARKING ARRANGEMENTS ARE IN ACCORDANCE WITH THE COUNCIL'S APPROVED STANDARDS;
- (v) ADEQUATE LANDSCAPING IS PROVIDED;
- (vi) THE PROPOSAL DOES NOT HAVE AN UNACCEPTABLE EFFECT ON RESIDENTIAL AMENITY BY VIRTUE OF TRAFFIC CONGESION, NOISE, SMELL, SAFETY, HEALTH IMPACTS AND EMISSIONS;
- (vii) ADEQUATE UTILITY AND INFRASTRUCTURE SERVICES EXIST OR ARE REASONABLY ACCESSIBLE OR CAPABLE OF BEING READILY AND ECONOMICALLY PROVIDED.
- (viii) DOES NOT PRESENT ADDITIONAL RISK TO THE HEALTH OR SAFETY OF USERS OF THE SITE AND DOES NOT UNACCEPTABLY POLLUTE AIR, WATER, OR LAND; AND
- (ix) DOES NOT UNACCEPTABLY AFFECT THE USE OF THE ADJOINING LAND BY VIRTUE OF THE RISK AND IMPACT OF POTENTIAL POLLUTION.

As the site of this proposal clearly lies within the countryside as designated by the Unitary Development Plan, the proposed development is clearly contrary to criterion (i) of the above Policy. It can also be argued that because the site is very significant in extent (approximately 173 caravan storage spaces as indicated on the submitted layout), the proposal would fail to take account of the context of the local natural environment.

It is also considered that Policy ENV25 of the adopted Unitary Development Plan is significant in this analysis. This Policy states:

POLICY ENV25 – DESIGN OF NEW DEVELOPMENTS

PROPOSALS FOR NEW DEVELOPMENT MUST HAVE FULL REGARD TO THE CONTEXT OF THE LOCAL NATURAL AND BUILT ENVIRONMENT AND ITS SPECIAL FEATURES. NEW DEVELOPMENT WILL BE PERMITTED WHERE IT:

- (i) COMPLEMENTS OR ENHANCES THE LOCAL CHARACTER OF BUILDINGS AND OPEN SPACES;
- (ii) MEETS THE COUNCIL'S APPROVED STANDARDS OF AMENITY AND OPEN SPACE, ACCESS, CAR PARKING AND SERVICING;
- (iii) ENSURES ADEQUACY OR AVAILABILITY OF UTILITIY SERVICES AND ADEQUATE PROVISION FOR WASTE MANAGEMENT;

- (iv) MINIMISES ANY DETRIMENTAL IMPACT ON ADJACENT AREAS;
- (v) ENSURES EXISTING SOFT AND HARD LANDSCAPING FEATURES ARE PROTECTED AND COMPLEMENTED BY NEW PLANTING, SURFACE OR BOUNDARY FEATURES;
- (vi) ENSURES CLEAR DISTINCTION BETWEEN PUBLIC AND PRIVATE SPACES;
- (vii) PROVIDES A HIGH LEVEL OF ACCESSIBILITY, PARTICULARLY FOR PUBLIC TRANSPORT, CYCLISTS, PEDESTRIANS AND PEOPLE WITH IMPAIRED MOBILITY;
- (viii) HAS REGARD TO ENERGY EFFICIENCY IN DESIGN, LAYOUT, MATERIALS AND TECHNOLOGY; AND
- (ix) HAS REGARD TO MEASURES TO REDUCE THE RISK AND FEAR OF CRIME.

As the total length of the site is nearly 300 metres in extent, it is considered that the impact of a development of this size would not conform to the requirements of either criterion (i) or criterion (iv) of the above Policy. Whilst the application details do indicate that the side boundaries of the site will be landscaped and fenced (with 2m and 2.4m high chain link fencing) it is nevertheless considered that the visual impact of such a large area of caravan storage would detract from the open rural aspect of this area. Whilst it is conceded that the surface of the intended site is existing tarmac (being the site of a former runway), it is nevertheless considered that a development of this size and extent will have an unwarranted visual impact on the rural character of this area and will also run contrary to the Policies outlined above. Accordingly, a recommendation of refusal is made.

03993

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposed caravan storage compound, by reason of its size and extent in this open countryside location, would represent an unacceptable form of new development, which would also have an adverse and detrimental impact upon the rural character and amenities of the surrounding area. The proposal is therefore contrary to Policies ENV1, ENV25 and EMP3 of the adopted Vale of Glamorgan Unitary Development Plan 2005.

Mr. and Mrs. R. Williams, Golf Bungalow, Ogmore By Sea, Vale of Glamorgan.
CF32 0QP
(Mr. R. Hathaway, 25, Preswylfa Court, Bridgend. CF31 3NX)

GOLF BUNGALOW, OGMORE BY SEA

Conversion of stable block to two bedroom residential unit

SITE DESCRIPTION

The site is located in the open countryside on the road that runs between Ewenny and Ogmore.

DESCRIPTION OF DEVELOPMENT

A full planning application to convert a stable block to create a two bedroom dwelling to be occupied by a member of the family. This is to allow for the more effective management of the family riding school business. The application proposes the following alterations to the building:

- The raising of the roof of the stable block and adjoining triple garage. The side walls of the building would also be built up removing the hips from each end of the building.
- The construction of dormer windows within the roof to both the front and rear elevations.
- The construction of a porch to the front of the building.
- Revisions to the windows and doors of the building.

The existing access serving Golf Bungalow would be used to access the proposed new dwelling.

PLANNING HISTORY

53/82/0835 – Planning permission was granted by Ogwr Borough Council on 7th October, 1982 to extend the bungalow and construct a treble garage with 3 stables at Golf Bungalow.

CONSULTATIONS

St. Brides Major Community Council – Has been consulted. No comments received to date.

Glamorgan Gwent Archaeological Trust – Has been consulted on the application. No comments have been provided to date.

The Head of Visible Services (Highways) – Has been consulted, and any comments will be reported to Committee.

The Director of Legal and Regulatory Services (Environmental Health) – Has no comment to make on the application.

REPRESENTATIONS

Neighbouring occupiers have been consulted. No comments have been received to date.

REPORT

The development plan for the area comprises the adopted Vale of Glamorgan Unitary Development Plan 2005 (UDP).

The application seeks consent for the conversion of an existing stable block to a two bedroom dwelling. The proposal involves raising the height of the stable block and the adjoining garage as well as other external alterations such as new windows, doors, dormer windows and a chimney.

The site lies in open countryside and within the Glamorgan Heritage Coast as identified by the Unitary Development Plan.

The application has been assessed with regard to Policy ENV7 of the Unitary Development Plan, which relates to the conversion of small scale rural buildings which have become surplus to requirements. The objective of this policy is to secure the reuse and protection of buildings of historic and architectural interest that contribute to the rural character of the Vale. However, this proposal relates to a modern building, which is not considered to be suitable for residential conversion. The building is of recent construction, with planning permission for the building being granted in October 1982. The approved Supplementary Planning Guidance “The Conversion of Rural Buildings” makes it clear that generally barns considered suitable for conversion must be of a stone or brick built construction and built before 1914.

The proposal, therefore, by reason of its location represents an unacceptable and unjustified form of new residential development in the open countryside. The proposal is therefore unacceptable in principle, being contrary to the guidance contained in Planning Policy Wales 2002 and to Policies ENV1 and HOUS3 of the Unitary Development Plan, which presume against new development, unless it can be justified in the interests of agriculture or forestry.

In addition, the alterations and extensions to the building would unacceptably domesticate the appearance of the building and significantly increase its visual impact to the detriment of the rural character and appearance of the surrounding countryside and the Glamorgan Heritage Coast. The proposal is therefore also contrary to the aims of Policy ENV4 of the Unitary Development Plan which seeks to control development in order to retain the sense of isolation and natural scenery. In this regard, the proposal is also contrary to Policy ENV25 of the Unitary Development Plan, by failing to have regard to the surrounding environment.

Furthermore, the site is located within the countryside away from local services. The proposed new dwelling would therefore represent an unsustainable form of development, which would be contrary to guidance in Planning Policy Wales March 2002 which seeks to promote sustainable patterns of development. The proposal would also not accord with Policy 2 of the Unitary Development Plan which encourages sustainable practices.

The personal circumstances put forward by the applicant in support of the application are not considered to provide sufficient justification to outweigh the planning policies and concerns expressed above.

03978

RECOMMENDATION (W.R.)

REFUSE

Reason(s):

1. The proposed development would amount to the unacceptable and unjustified creation of a new dwelling in the open countryside, which would be contrary to Planning Policy Wales March 2002 and Policies ENV1 and HOUS3 of the adopted Vale of Glamorgan Unitary Development Plan 2005. These policies seek to resist new development in the open countryside, unless in the interests of agriculture or forestry.
2. The proposed development, by virtue of the extensions and alterations proposed, would unacceptably domesticate and increase the visual impact of the building, and thus would have a detrimental impact on the rural character of an area within the Glamorgan Heritage Coast. In this regard, the proposal would be contrary to Planning Policy Wales March 2002 and Policies ENV1, HOUS3, ENV4, ENV25 and HOUS7 of the adopted Vale of Glamorgan Unitary Development Plan 2005.
3. By reason of its location within the countryside, away from local services, the proposed new dwelling would represent an unsustainable form of development, contrary to guidance in Planning Policy Wales March 2002 and Policy 2 of the adopted Vale of Glamorgan Unitary Development Plan 2005.

Ms. Sarah Renwick, 24, Tair Onen, Cowbridge, Vale of Glamorgan. CF71 7UA
(Ms. Sarah Renwick, 24, Tair Onen, Cowbridge, Vale of Glamorgan. CF71 7UA)

24, TAIR ONEN, COWBRIDGE

Renewal of planning permission 04/00662/FUL - Change of use of existing lounge to beauty treatment room

SITE DESCRIPTION

The application site, No. 24 Tair Onen, is a semi-detached property that lies at the end of a cul-de-sac in the countryside to the east of Cowbridge.

DESCRIPTION OF DEVELOPMENT

The application proposes to renew planning permission for the use of the ground floor lounge of No. 24 Tair Onen as a beauty treatment room. The proposal is to use a single room of the property for the business, which offers beauty treatment and alternative health therapy. The applicant has indicated that she is to be the sole practitioner of the business.

PLANNING HISTORY

Planning permission was granted on the 30th July, 2004 for the change of use of the lounge to a beauty treatment room (ref. 04/00662/FUL). The consent was restricted to a temporary period of one year to enable the Local Planning Authority to fully assess the impact of the use on the amenities of neighbouring residents.

CONSULTATIONS

Welsh St. Donats Community Council - Were consulted on the 3rd June, 2005 and have raised an objection on the following grounds:

- The range of activities being carried out have widened since consent was granted.
- A noticeable increase in the volume of traffic causing nuisance and inconvenience.
- Obstruction of access for emergency vehicles.

The Head of Visible Services (Highway Engineer) - Was consulted on the 3rd June, 2005 and comments as follows:

“No objections to this application. It is noted that no alteration to the existing access or creation of a new access from the highway is required as part of this application.”

REPRESENTATIONS

Numbers 13 - 23 Tair Onen were consulted in respect of this application. Seven letters of objection have been received from the residents of Nos. 13, 14, 15, 16, 19 and 22 Tair Onen. One anonymous letter of objection has been received through the Community Council. The letters of objection are attached to this report as Appendix A, however the objections are summarised as the following points.

- An increased level of traffic using the cul-de-sac.
- An invasion of privacy.
- Insecurity due to lack of knowledge regarding the clients using the business.
- The business is being operated on a larger scale than that which has been granted permission.
- Insufficient parking to serve the business.
- Inappropriate location for a business use.
- The parking of clients cars blocks the turning area at the end of the cul-de-sac.
- The clinic operates outside of normal working hours.
- Degradation of the road surface of the cul-de-sac as a result of increased traffic.
- The proposal will set a precedent for further businesses in the area.
- Consent will provide a basis for the expansion of the business.

REPORT

In policy terms, the site is located in the countryside and involves the conversion of part of an existing property. Policy EMP3 of the adopted Vale of Glamorgan Unitary Development Plan 2005 (UDP) relates to new business and industrial development and allows such development subject to the following criteria being met:

- (i) The proposal does not lie within the countryside except for those proposals acceptable under the terms of Policy ENV7 (rural buildings) or COMM2 (redundant hospitals).
- (ii) The proposal minimises the loss of good quality agricultural land and does not have an unacceptable impact on areas of attractive landscape and high quality townscape or an area of historical, archaeological or ecological importance.
- (iii) The size and relationship of any new building is not disproportionate to its setting.

- (iv) Access and parking arrangements are in accordance with the Council's approved standards.
- (v) Adequate landscaping is provided.
- (vi) The proposal does not have any unacceptable effect on residential amenity by virtue of traffic congestion, noise, smell, safety, health impacts and emissions.
- (vii) Adequate utility and infrastructure services exist or are reasonably accessible.
- (viii) The proposal does not present additional risk to the health or safety of users of the site and does not unacceptably pollute air, water or land.
- (ix) The proposal does not unacceptably affect the use of the adjoining land by virtue of the risk and impact of potential pollution.

In addition to this, Policy ENV25 of the Unitary Development Plan – The design of new development, seeks to ensure that new development pays regard to the context of the environment within which it is proposed and minimises detrimental impacts on adjacent areas.

In assessing the current application, it is considered that criteria (iv) and (vi) of Policy EMP3 of the UDP are of principal importance in that they relate to highways and parking issues and the impact of the proposal on the residential amenities currently enjoyed by existing residents in the cul-de-sac.

Whilst some neighbour concerns were raised in relation to planning application ref: 04/00662/FUL, a temporary consent of one year was granted to enable a full assessment of the impact of the proposal on the residential amenities of neighbouring properties. In the interim period between this approval and the application to renew the consent, further concerns have been raised by neighbouring residents and the Community Council in relation to the business use. These concerns have been reiterated by the objections received in relation to the current application.

The primary issues of concern for the neighbouring residents appear to be the increase in traffic along Tair Onen and the subsequent parking and access difficulties, and the general impact of the business use on the quiet enjoyment of their homes. It is noted that the majority of residents between the A48 and the application site have raised an objection to the application.

In relation to highway issues, whilst the Highway Engineer has not raised any specific objection to the application in terms of parking provision within the site and access to the site, it is apparent that the clients visiting the premises do not always park within the curtilage of No. 24 Tair Onen, resulting in parking and access difficulties for residents along the cul-de-sac. Whilst it is accepted that the applicant or other residents may not in any instance always park within the confines of their own curtilage, the introduction of the business use has clearly increased the pressure on the parking capacity of the cul-de-sac and turning area.

In addition to general manoeuvring difficulties, it is considered that the business has resulted in a substantial number of vehicle movements above that which would not normally be associated with a residential use, resulting in general inconvenience to neighbouring properties in terms of noise, emissions and disruption to the quiet enjoyment of their homes.

In conclusion, it is considered that following a full assessment of the impact of the business use during the lifetime of the previously granted temporary consent, the continued use of part of No. 24 Tair Onen as a beauty and health treatment practice would result in an unacceptable impact on the residential amenities that one would reasonably expect to be enjoyed by the occupiers of the neighbouring properties.

03990

RECOMMENDATION - (W.R.)

In the event of Committee accepting the recommendation to refuse planning permission, the Director of Legal and Regulatory Services be authorised to take all necessary action, including action under Section 172 of the 1990 Town and Country Planning Act (as amended) to ensure the cessation of the use of the premises for a mixed use of residential and commercial purposes.

REFUSE

Reason(s):

1. It is considered that the continued use of part of No. 24 Tair Onen as a beauty and health treatment practice would unacceptably impact upon the residential amenities enjoyed by neighbouring properties by virtue of additional traffic movements to the site, parking difficulties, noise and general nuisance that would result from the business use. The proposed use is therefore contrary to Policies ENV25 and EMP3 of the adopted Vale of Glamorgan Unitary Development Plan 2005.

G. S. & H. Randhawa, The Talbots, Walterston, Barry, Vale of Glamorgan. CF62 3AS

(G. S. & H. Randhawa, The Talbots, Walterston, Barry, Vale of Glamorgan. CF62 3AS)

THE TALBOTS, WALTERSTON

Occupation in breach of agricultural occupancy condition since 1987

SITE DESCRIPTION

The site comprises an existing house approved under reference CR416627 on 26th September, 1972 in outline and in full CR17018 under reference on 27th March, 1973 in the small hamlet of Walterston near Llancarfan. The dwelling was conditioned that the occupant of the dwelling be limited to that of a person employed or last employed in agriculture or forestry, or a dependant of such a person.

DESCRIPTION OF DEVELOPMENT

The applicant has applied for a Lawful Development Certificate under Section 191 of the Town and Country Planning Act with regard to the continued occupation of the property in breach of this condition since 1987 when the current occupier purchased the dwelling.

PLANNING HISTORY

03/01138/FUL – Erection of a single store side conservatory. Approved 24th October, 2003.

99/00468/FUL – Swimming pool enclosure, lounge and prayer room. Approved 2nd July, 1999.

94/00851/FUL – Swimming pool and enclosures. Approved 21st October, 1994.

86/00465/FUL - Extension to domestic dwelling. Approved 1st July, 1986.

77/1087 – Remove Condition No. 2 of consent (agricultural occupancy). Refused 4th October, 1977.

78/1576 – Remove Condition No. 2 of consent (agricultural occupancy). Refused 14th November, 1979; dismissed on appeal 8th January, 1980.

CONSULTATIONS

None.

REPRESENTATIONS

None.

REPORT

This is an application for a Certificate of Lawful Development in respect of the occupancy of an agriculturally tied residential property in breach of the relevant agricultural occupancy condition.

For a breach of the agricultural condition to be proved the applicant must show that there has been a continuous breach for the past 10 years and the relevant date of commencement of the breach is therefore 1995.

The occupancy condition on the original consent states:

“The occupation of the proposed dwelling shall be limited to persons employed or last employed locally in agriculture as defined by Section 290 of the Town and Country Planning Act 1971, or in forestry, or a dependent of such a person residing with him (but including a widow or widower of such a person).”

This dwelling was built sometime in the mid 1970s and occupied by the original applicant. In the late 1970's two attempts were made to remove the relevant condition and these were refused and supported on appeal.

Subsequently the then owner of the property changed the name of the house from Middle Hill to the Talbots and renamed an existing neighbouring bungalow (which was not conditioned in any way) also in their ownership, Middle Hill.

In 1987 the property (now known as the Talbots) was purchased by the current applicant who was working in a firm of solicitors known as Layton Lougher & Co. followed by Fisher McCarthy Randhawa and finally G.S. Randhawa & Co. The applicants wife has worked as the sub postmistress at the Post Office at No. 61 Sanquahar Street, Cardiff.

At no time has either of the parties worked in agriculture or forestry. Furthermore, the Council carried out investigations into the alleged breach of this condition in the late 1990's, but it was determined at that time that enforcement action would not have been possible due to the length of the occupancy by the current applicant (in excess of 10 years).

Accordingly, given the above it is clear that the Council has no evidence to refute the claim that the relevant condition of the consent has been breached for a period in excess of 10 years and on this basis it is considered that the Certificate should be issued.

03973

RECOMMENDATION

That a Lawful Development Certificate be issued under Section 191 of the Town and Country Planning Act 1990 for the following reason.

APPROVE

Reason(s):

1. It would appear from the evidence provided by the applicant that the specific breach of the relevant condition has occurred continuously for 10 years prior to the application being made.

Note:

It should be noted that the relevant agricultural occupancy condition remains in force and should the current breach (which is considered lawful) be terminated, either by virtue of a qualifying occupant taking residence in the dwelling, or by virtue of a period of non-occupation then this lawful breach would terminate.

P. A. & P. A. John, Cherry Acre, Llangan, Bridgend. CF35 5DR
(P. A. & P. A. John, Cherry Acre, Llangan, Bridgend. CF35 5DR)

UNIT 4, WEST WINDS INDUSTRIAL ESTATE, LLANGAN

2 No. industrial units

SITE DESCRIPTION

The application site relates to an existing industrial unit used as a vehicle repair garage known as Unit 4, forming part of Westwinds Industrial Estate, a small industrial estate in Llangan.

DESCRIPTION OF DEVELOPMENT

This is a full application for the demolition of the existing unit and its replacement with a modern industrial unit which will be subdivided into 2 units. The building will be slightly smaller than the existing building on the site and will measure 31 metres in length by a width of 13 metres with an eaves height of 2.2 metres and a ridge height of 5.5 metres.

The building will be divided internally to provide two separate units each with ancillary office, kitchen and WC. The units will each be served by a roller shutter door (vehicle entrance) and a separate pedestrian entrance on the southern elevation.

The unit will be served by an access road/turning area between the proposed unit and Units 5A and 5B and a total of 7 allocated parking spaces will be provided.

The building will be finished in facing brick on the external walls and box profile cladding in olive green to match existing units at the site.

PLANNING HISTORY

The site has not been subject to any previous history although there is extensive history which relates to the estate as a whole.

CONSULTATIONS

Llangan Community Council - Were consulted and to date no comments have been received.

The Director of Legal and Regulatory Services (Environmental Health) –
Comments as follows:

“This department does not object to the application. However a condition has been requested with regard to the importation of soils which should be assessed for their chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved by the Local Planning Authority in advance of its importation.

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

“The layout shown is acceptable as it provides adequate turning facility and parking provision in accordance with the South Wales Counties Parking Guidelines shall be provided within the curtilage of the site/for each unit, and retained thereafter. Vehicles must be able to enter and exit the site in a forward gear.”

REPRESENTATIONS

Neighbouring industrial units were consulted and to date two letters of representation have been received which have been received from the occupiers of the recently completed industrial units opposite the application site, being Units 5A and 5B. The letters raise concern in relation to the potential problems with regard to access, parking and deliveries.

REPORT

The site is located in the countryside and forms part of a small industrial estate which originally developed from a number of former poultry buildings over the last 15 years. Planning permission was granted for the whole site (including the existing application building) to light industrial uses, restricted to Class B1 of the Town and Country Planning Use Classes Order 1987.

The existing buildings at the site have over time been either demolished and rebuilt or upgraded / reclad where the site as a whole now appears as a modern industrial estate. This application seeks to demolish what is the last original building on the site and to construct a single unit to be subdivided into two units.

The existing building is currently used for car repairs which does not fall within the approved use of the site. However the proposed new development relates to two smaller units which, as in the recently approved consent for the adjacent unit, should be restricted to a B1 Use.

The proposed building will be almost identical to the recently approved adjacent unit (planning application ref: 04/001884/FUL) which has now been constructed on site .

In terms of impact the replacement building will have a near identical footprint to the former building and whilst the eaves and ridge height will be higher, the general scale and design will be in keeping with the adjacent units. Materials and finishes are also shown to match the existing modern units on the site and are therefore considered acceptable.

The application site backs onto countryside which is several metres lower than the adjacent industrial estate. Whilst this building, having a higher eaves level and ridgeline, may be more prominent when viewed from the adjacent countryside, the scheme of native planting required under a previous application would provide an appropriate screen, and has already been planted.

With regard to access and parking, the letters of representation are noted. Whilst the entrance to the two adjoining units would front Units 5A and 5B, the concerns of possible conflicts during deliveries are noted. However, the Highway Engineer has considered the scheme and has advised that the layout shown is acceptable as it provides an adequate turning facility and parking provision in accordance with the South Wales Counties Parking Guidelines.

To conclude it is considered that the application to redevelop the final building on the site will complete the general upgrading of the site as a whole and will be in keeping with adjacent units. In view of the above comments it is not considered that there are any reasons to refuse this application and the following recommendation is therefore made.

03999

RECOMMENDATION

APPROVE subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The industrial unit hereby approved shall only be used for uses falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (or any Order amending, revoking or re-enacting those Orders).
3. The access and car parking layout as set out on Drawing No. 2053/01 shall be fully laid out and marked on site prior to the development hereby approved being brought into beneficial use and shall thereafter be maintained and be made available at all times to serve Units 4A and 4B.
4. No materials, equipment or plant shall be stored outside the building hereby approved without the prior written consent of the Local Planning Authority.

Reason(s):

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and to ensure that unacceptable industrial uses are not introduced into the countryside.
3. To ensure adequate access, turning and parking arrangements to serve the industrial units hereby approved, in the interests of highway safety.
4. To safeguard local amenities.

NOTE:

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

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

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

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

Mr. M. Hughes, Chapel Farm, Nurston, Vale of Glamorgan. CF62 3BH
(Mr. M. Hughes, Chapel Farm, Nurston, Vale of Glamorgan. CF62 3BH)

CHAPEL FARM, NURSTON

Conversion of dwelling to two dwellings

SITE DESCRIPTION

The site comprises an extended two storey detached house situated in the open countryside at Nurston, which comprises a small linear group of dwellings.

DESCRIPTION OF DEVELOPMENT

This is a retrospective application to change the use of a previously constructed 2 storey pitched roof extension to the side of the property which provides a living room and kitchen with 2 bedrooms above to a single dwelling, thereby creating two semi detached properties on the site. The larger property will contain 3 bedrooms at first floor and a kitchen and living room at ground floor. The development would include sufficient off street parking for both dwellings and would use the existing access and egress arrangements. The rear garden of the property has already been subdivided to provide two gardens of an acceptable size

PLANNING HISTORY

78/00592/FUL – Conversion of disused chapel to dwelling. Approved subject to an agricultural occupancy condition.

98/00792/FUL – Planning permission. Granted September 1998 to remove the agricultural occupancy condition.

02/00210/FUL – Planning permission. Refused April 2002 for a two-storey side extension at the property.

02/00920/FUL - Planning permission. Approved August 2002 for a two-storey side extension at the property.

CONSULTATIONS

Glamorgan Gwent Archaeological Trust – No response to date.

REPRESENTATIONS

Neighbouring occupiers have been consulted. No comments received to date.

REPORT

The site is located in the open countryside as defined by the adopted Vale of Glamorgan Unitary Development Plan 2005. The dwelling was previously converted from a chapel some time in the early 1980s.

Committee Members will note that the proposal entails the change of use of a single detached dwelling into two semi detached properties, through the conversion of a previously constructed two-storey extension into a separate dwelling.

The changes, which have already taken place, have little or no effect on the appearance of the property from the highway and there is a sufficient amount of space to the front of the property to allow the parking of at least two vehicles with the smaller property and three for the original part of the property. It is also considered that vehicles will be able to enter and leave the site in a forward gear. The development includes the provision of a garden of some 85 sq m., for the smaller dwelling and over 200m sq. for the other, which are both acceptable for dwellings of the size in question.

The change of use that has taken place will also not adversely affect the amenities of neighbouring occupiers and would not result in any overlooking onto neighbouring properties.

It should be noted that the development must be assessed against Policy HOUS10 in the adopted Vale of Glamorgan Unitary Development Plan 2005 which states that the conversion of larger dwellings into smaller self contained dwelling units will be permitted subject to there being no effect on neighbours, sufficient parking being provided and the provision of satisfactory amenity space.

Given that the development currently meets the relevant criteria of the above policy it is considered that the change of use undertaken is acceptable and is recommended for approval subject to the following conditions.

03997

RECOMMENDATION

APPROVE subject to the following condition(s):

1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no boundary of any kind shall be erected between the hard surfaced front garden/parking areas of either properties, which are the subject of this consent, and other than for the parking of vehicles, these areas shall be kept available for the manoeuvring of vehicles at all times.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the dwelling(s) hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for a purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected, or placed within the curtilage of the dwelling(s) hereby approved without the prior written consent of the Local Planning Authority.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no new boundary treatments of any kind shall be erected without the prior written approval of the Local Planning Authority.

Reason(s):

1. To allow all vehicles to enter and leave the site in a forward gear and in the interests of highway safety.
2. To enable the Local Planning Authority to control the scale of development.
3. To enable the Local Planning Authority to control the scale of development.
4. In order to protect the character and appearance of the countryside.

NOTE:

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

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

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

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

Director of Learning and Development, Vale of Glamorgan Council, Civic Offices,
Holton Road, Barry. CF63 4RU
(Property Division, Vale of Glamorgan Council, Civic Offices, Holton Road, Barry.
CF63 4RU)

YSGOL PEN-Y-GARTH, REDLANDS ROAD, PENARTH

Construction of sports hall with changing facilities and alterations to existing car park

SITE DESCRIPTION

The application site relates to land between an existing car park and the main school building at Ysgol Pen-Y-Garth Welsh School, located between Redlands Road and Sully Road, in the north of Penarth. The application site itself is a grassed area part of which is currently occupied by demountable units which are shortly to be removed from the site.

DESCRIPTION OF DEVELOPMENT

This is a Regulation 3 application submitted by the Director of Learning and Development Directorate of the Council, for the construction of a sports hall with changing facilities and alterations to the existing car park.

Members of the Committee will recall that a previous planning application for a sports hall located in south-western corner of the site, was approved at Planning Committee on 12th December, 2003 subject to conditions. A revised scheme for the relocation of the sports hall has now been submitted where the sports hall will now be located nearer to the existing school. The main building will be sited on land currently occupied by demountable units which are to be removed as part of a previously approved application for an extension to the school.

The proposed new main sports hall will be slightly smaller than the previously approved scheme and measures a length of 27 metres by a width of 18 metres with a shallow pitched roof with an eaves height of 6.7 metres and ridge of 8.6 metres. A small, single storey element will be constructed to the side of the building and will accommodate the entrance lobby, changing rooms, plant room and equipment store room. This smaller, lean-to element will measure 21 metres in length by a width of 7.5 metres. The roof of the single storey element will be hipped and will abut the main building at a maximum height of 4.5 metres. The sports hall will be served by a parking area consisting of 5 spaces in addition to 2 disabled spaces. Furthermore, the adjacent car park is also shown to be directly accessed by way of a footpath and steps adjacent to the building.

The building will have main elevations constructed in facing brickwork and the roof will be finished with profiled roofing sheet with pressed metal sheeting finished in PVF2 (colour to be agreed). Windows and doors will be white aluminium, with contrasting brick soldier course heads.

PLANNING HISTORY

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

94/00163/OBS - Classroom extension. No objection 18th March, 1994.

94/00579/OBS - Demountable classroom. No objections 18th July, 1994.

95/01110/OBS - New entrance to the school and car parking within the school grounds, closure to existing entrance. No objection raised to the proposed development.

95/01150/OBS - Classroom extensions. No objections 12th January, 1996.

03/01166/REG3 - Construction of sports hall with changing facilities and alterations to existing car park. Approved 12th December, 2003 subject to conditions.

04/01211/REG3 - New six classroom extension with toilet facilities and group room to replace five demountable classrooms. Approved 20th October, 2004 subject to conditions.

CONSULTATIONS

Penarth Town Council - Were consulted on 12th April, 2005 and have stated that "the application should be approved".

Welsh Water - Has stated the following:

"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.

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.

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.

No development shall commence until the Developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been agreed in writing by the Local Planning Authority in liaison with Dwr Cymru Welsh Water's Network Development Consultant.

Reason - To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

Advisory Notes

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

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

The Head of Visible Services (Engineering Design) – Has stated that:

"The applicant should be requested to provide full details, including the discharge point of the existing details, to enable me to comment further. It is understood that it is intended to connect to a surface water sewer that eventually discharges to a watercourse. The applicant should therefore consider the effect of the run-off on the watercourse and limit the flows to greenfield run-off so as not to cause or exacerbate flooding downstream. The applicant should therefore be requested to provide full details of the proposal for approval of the Local Planning Authority prior to the commencement of any works on site."

The Head of Visible Services (Highway Development) – Has raised no objection in principle and has not specified any conditions on the granting of planning permission.

REPRESENTATIONS

Adjoining occupiers were consulted on 12th April, 2005 and two site notices were also posted. To date no letters of representation have been received.

REPORT

The application has been submitted by the Director of Learning and Development Directorate of the Council, for the construction of a sports hall with changing facilities and alterations to the existing car park.

Consideration of the acceptability of such a sports hall was previously assessed under planning application ref: 03/01166/REG3, where planning permission was granted for a slightly larger sports hall which was located on the south western corner of the site adjacent to Sully Road on part of the existing car park. Following approval of that consent this application now seeks to revise the siting of the sports hall. The agent has advised that the revised siting of the sports hall will provide better integration with the facility to the school and would not result in the loss of any car parking spaces on the site.

As previously considered, in terms of planning policy, the adopted plan for the area is the Vale of Glamorgan Unitary Development Plan 2005. The application site, although within the grounds of the school, is nevertheless classified as falling outside the defined settlement boundary of Penarth and within the Dinas Powys and Penarth Green Wedge as defined under Policy ENV3. The purpose of this designation is to protect vulnerable undeveloped land and to prevent urban coalescence. However it was considered that such development was acceptable in principle, subject to the proposal having a minimal impact on the adjoining countryside and secondly that its use will not adversely affect the amenities of nearby residential dwellings in respect of traffic generation, noise and disturbance.

In terms of the visual impact of the building, the building will now be sited in close proximity to the school, which is an improvement over the previously approved scheme which was sited adjacent to Sully Road and would have been more visible from the adjacent countryside. The proposal now relates to what now appears as an ancillary school building as opposed to a stand alone building as previously approved which was some 100 metres from the school. The impact of the building could further be reduced with the appropriate use of finishes and materials, which can be controlled by way of condition.

In terms of car parking provision, the proposal will now retain the original overspill car park which was constructed several years ago under a Regulation 3 Application granted on 25th January, 1996, by the former South Glamorgan County Council. Whilst that consent granted approval for a total of No. 83 spaces, the approved plans indicated that No. 40 of the spaces were to be constructed at a later stage. Whilst a condition attached to the consent required the final phase of the car park to be constructed within 12 months from the date of the permission, to date only some No. 43 spaces have been laid and marked out in accordance with the approved plans. The area for the remaining No. 40 spaces has only been constructed to sub base level; there is no final wearing course or marking out of these spaces on site.

Therefore should this application be approved, the applicant will be required by way of condition to fully implement, lay out and mark out the remaining spaces in order to provide the necessary parking for the proposed development in addition to the 7 No. spaces shown to the front of the proposed building.

Whilst no letters of representation have been received with regard to this application, previous concerns had been raised with regard to the current situation in relation to parking and traffic generation at dropping off and collecting times from the school where vehicles park on the highway and the pavement grass verge. It is accepted that provision of a sports hall will at times increase both the intensity and periods of use at the site, however the proposed facility will be sited directly adjacent to the main car park of the school. As such it is highly unlikely that any vehicles will park on the highway, especially out of school hours given the availability of some No. 80 vehicle spaces directly adjacent to the sports hall.

With regards to the use of the hall outside of school hours and the use of the building for non school related uses, it was accepted in the previous application that the sports hall would not be for the exclusive use of the school and will be used after school hours and at the weekend for activities such as keep fit classes, yoga, badminton, rugby and football training and scout activities. However, it is considered that there are no overriding reasons not to allow appropriate community uses within the building, as such a facility will no doubt provide a valuable benefit for the wider community. Therefore, subject to satisfactory parking arrangements, it is not considered that there are any reasons to restrict the use of the building to school use only.

Similarly it is also considered acceptable to permit use after school hours and on weekends, given that the proposed sports hall will be 50 metres from the nearest residential dwelling on Redlands Avenue to the east and some 80 metres from the nearest dwelling in Norris Close, sited to the north. It is therefore considered that the amenities of the occupiers of these dwellings will not be adversely affected by the use of the facility outside of school hours.

To conclude, it is considered that there are no overriding reasons to refuse this application and the following recommendation is therefore made.

03992

RECOMMENDATION

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

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Notwithstanding the submitted plans, additional plans to a scale of not less than 1:200 of the proposed extension to the existing car park shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and the agreed parking scheme shall be fully laid out and marked on site, prior to the development hereby approved being brought into beneficial use and shall thereafter be so maintained at all times.
3. Samples of brick and roofing materials shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and the development shall thereafter be carried out in accordance with the agreed samples and thereafter maintained at all times unless the Local Planning Authority gives prior written consent to any variation.
4. Prior to commencement of development, a landscaping scheme, including details of any trees, plants and their species, size at planting and density, shall be submitted to and approved in writing by the Local Planning Authority.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
6. Before the commencement of the development hereby permitted, a scheme showing the means by which foul sewage and surface water run-off are to be catered for shall be submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be put to beneficial use until the drainage works have been completed in full accordance with the approved details.

Reason(s):

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To ensure satisfactory provision of on-site parking to serve the development hereby approved.
3. In the interests of visual amenities of this rural location.
4. In the interests of visual amenities of this rural location.
5. To ensure satisfactory maintenance of the landscaped area.
6. To ensure satisfactory drainage of the site.

NOTE:

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

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

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

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

Director of Learning & Dev., Civic Offices, Holton Road, Barry, Vale of Glamorgan. CF63 4RU
(Education Property Officer, Civic Offices, Holton Road, Barry, Vale of Glamorgan. CF63 4RU)

COWBRIDGE COMPREHENSIVE (LOWER) SCHOOL, TOWN MILL ROAD, COWBRIDGE

Renewal of permission for one single storey double demountable classroom

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

The application was advertised in May, 2005.

SITE DESCRIPTION

The site relates to the curtilage of the Cowbridge Comprehensive School located close to the town centre. A public footpath access to the Twt Park runs alongside the school grounds. A single storey double demountable classroom is situated within the playground area of the school and lies between the school building and this footpath access to the Twt Park.

DESCRIPTION OF DEVELOPMENT

This application seeks deemed consent to retain the demountable classroom on site.

PLANNING HISTORY

Temporary consent was granted until September 2005, for the classroom under application No. 03/01269/REG3 on the basis that the retention of such a structure on a permanent basis in such a visible part of the Conservation Area would not be acceptable.

CONSULTATIONS

Cowbridge with Llanblethian Town Council - No comments received to date.

REPRESENTATIONS

No comments received following site and press notice.

REPORT

The development seeks to retain what is by design, temporary and utilitarian buildings. The site lies within a relatively prominent location, close to public facilities and to the historic town walls of Cowbridge. Development on the nature would not be acceptable on a permanent basis however it is noted that the classrooms are considered essential to enable the full curriculum to be provided to the current number of pupils on the role call. It is considered that a further temporary consent of 2 years is acceptable but that retention for longer periods would not be encouraged.

03996

RECOMMENDATION

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

1. This consent shall be for a temporary period only and the demountable classroom shall be removed from the site on or before 1st September, 2007.

Reason(s):

1. To enable the Local Planning Authority to maintain control over the development situated in the Cowbridge Conservation Area.

NOTE:

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

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

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

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

Learning and Development, Vale of Glamorgan Council, Civic Offices, Holton Road, Barry.
(Property Division, Vale of Glamorgan Council, Civic Offices, Holton Road, Barry. CF63 4RU)

RHWS PRIMARY SCHOOL, FONTYGARY ROAD, RHOOSE

Installation of demountable classroom and associated site works

SITE DESCRIPTION

The site relates to the Rhws Primary School located off Fontygary Road. The school is located to the south side of Fontygary Road with a detached library and existing temporary classroom blocks located to the south western side. The existing temporary classrooms are situated to the very back of the site just in front of the grass playing fields. The proposed siting of the new classrooms is located in front of the existing temporary classrooms in between the library and the rear elevation of the school, set back from the highway.

DESCRIPTION OF DEVELOPMENT

The application proposes to erect a temporary classroom block, which will accommodate two separate classrooms and associated facilities to meet the needs of increased pupil numbers.

The building dimensions measure:

8.6m wide.

15.6m depth.

3.2m from ground level.

The development materials include:

White UPVC double glazed windows.

Polyester powder coated profiled composite metal roof coloured dark blue grey.

External wall finish to be pastisol textured coated colour: light grey.

Steel handrailing to entrance steps – ramp and fire exist steps, 50mm diameter. Colour dark blue gloss painted.

PLANNING HISTORY

03/00438/REG3 – Single storey detached classroom. Approved 27th July, 2003.

00/00638/REG3 – Single storey detached classroom. Approved 24th July, 2000.

CONSULTATIONS

The Head of Visible Services (Highway Development) – Any comments will be reported to Committee.

REPRESENTATIONS

The library and Nos. 36, 37, 38, 39 and 40 Fontygary Road were notified on 20th June, 2005, and a site notice was posted on 28th June, 2005. No representations have been made to date.

REPORT

In recent years there have been a number demountable classrooms erected within the Rhws Primary School site, which has led to a more intensive use of the school site. In addition to the planning history, the Rhws Primary School has recently been classified as a Grade II Listed Building.

The relevant policies are considered to be Policies ENV25 and ENV15 contained in the adopted Vale of Glamorgan Unitary Development Plan 2005 which relate to the design of new developments and the protection of built and historic environment respectively. Policy ENV25 states that new development will be permitted where it:

- (i) Complements or enhances the local character of buildings and open spaces.
- (ii) Meets the councils approved standards of Amenity and open space, access, car parking and servicing.
- (iii) Ensures adequacy or availability of utility services.
- (iv) Minimises any detrimental impact on adjacent area.
- (v) Ensures existing soft and hard landscaping features are protected and complemented by new planting, surface or boundary features.
- (vi) Ensures clear distinction between public, private and semi private spaces and other measures to reduce the risk and fear of crime.
- (vii) Provides a high level of accessibility, particularly for public transport, cyclists, pedestrians and people impaired mobility.
- (viii) Has regard to energy efficiency in design, layout, materials and technology.
- (ix) Has regard to measures to reduce the risk and fear of crime.

Policy ENV15 aims to protect the Environmental qualities of the Built and Historic Environment, including Listed Buildings.

The construction of the demountable classrooms are by their nature temporary and therefore cannot be seen as a permanent impact to the aesthetic appearance of the existing school buildings. The proposed units are similar to the existing units to the rear of the school and will therefore sit comfortably within that context. However, in design terms it is considered that the proposal will not complement the architecture or setting of the existing Grade II Listed Building and as a result any approval should be temporary in nature in order to protect the future context of the existing main school building.

There will be no increase in the number of staff to school, which reduces any need for increased amenities such as car parking. Similarly, the siting of the units means that the proposal will have no adverse impact upon either the parking facilities to the front or the open space to the rear of the site. Furthermore, due to its temporary nature, its position set back from the highway and being detached and partially hidden by the school building, it is considered that the classrooms' visibility from the highway should be heavily reduced and its impact would not be significant.

Accordingly, the application is recommended for approval, on a temporary basis of 3 years only.

03989

RECOMMENDATION

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

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Notwithstanding the submitted plans, the new safety fence that crosses the width of the yard must be detached from the main school building and maintained as such at all times.
3. This permission shall be granted for a temporary period only, expiring 3 years from the date of this consent and the unit shall be completely removed on or before that date unless a formal consent for its retention has been given by the Local Planning Authority.

Reason(s):

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To protect the setting and character of a Grade II Listed Building.
3. In order to clarify its temporary status and to protect the character and setting of a Grade II Listed Building.

NOTE:

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

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

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

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

Mark White, Vale of Glamorgan Council, Docks Offices, Barry. CF63 4RT
(Dennis Hellyar, Austin-Smith:Lord, one Dunleavy Drive, Cardiff Bay, Cardiff CF11 0SN)

ENTREPRENEURSHIP CENTRE SITE, ADJACENT TO HOOD ROAD, BARRY

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

SITE DESCRIPTION

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

DESCRIPTION OF DEVELOPMENT

This is an application under Regulation 3 of the Town and Country Planning General Regulations for amendments to the design of the Entrepreneurship Centre approved in April this year. The Centre comprises office accommodation and work space for small businesses, and is proposed to be a two storey building of approximately 1500 sq. metre floor area, arranged as two wings off a central reception core, with 15 offices and 8 workshops. Parking for 34 vehicles, including four disabled spaces, plus areas for operational access to the workshops, is proposed with access off the road currently serving the Skills Centre. The amendments now proposed relate to detailing of the main building and are as follows:

- Relief brickwork panels.
- Timber cladding to main entrance at first floor and to gable ends.
- Curtain wall glazing either side of the main entrance.
- Increased size of window above main entrance.
- Painted steel balcony to office above main entrance.
- Metal 'brise soleil' to ground floor windows.
- Painted aluminium rainwater goods.
- Reconstituted stone band at top of brickwork.

The applicants stress that these improvements are dependent on additional funding from the Welsh Development Agency, and should the cost of these extra features exceed the budget then the changes will be prioritised to achieve the maximum benefit.

PLANNING HISTORY

01/01573/REG3 (overlapping site) – Entrepreneurship Centre. Approved 28th February, 2002. Not implemented.

05/00073/REG3 – Entrepreneurship Centre. Approved 12th April, 2005.

CONSULTATIONS

Barry Town Council – Consulted 5th July, 2005. Any comments received will be reported at Committee.

Environment Agency – Consulted 5th July, 2005. Any comments received will be reported at Committee.

The Director of Legal and Regulatory Services (Pollution Control) - Consulted 5th July, 2005. Any comments received will be reported at Committee.

REPRESENTATIONS

The application was advertised on site on 8th July, 2005 and the necessary publicity for an application affecting the setting of a Listed Building was carried out on the same date. Any comments received will be reported at Committee.

REPORT

The proposal is for amendments to the architectural detail of the main building, the principle of which was established by the two previous planning permissions.

Whilst the implementation of the amendments is subject to funding being received, it is considered that they will individually and collectively enhance the appearance of the building. No changes are proposed to the layout of the site, and various conditions attached to the previous approval have already been discharged. For the avoidance of doubt, a revised comprehensive list of conditions is therefore attached.

The period for comments following the necessary advertisements regarding the effect of the proposal on the nearby Grade II Listed Pump House does not expire until Friday 29th July, but due to the need to secure funding a delay in consideration of the proposal until the next meeting of this Committee in September could be prejudicial to the success of the scheme. In these circumstances, the following recommendation is made.

03987

RECOMMENDATION

- (1) Subject to no adverse comments being received by 29th July, 2005, deemed planning permission be granted for the development subject to the following conditions.

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

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. All development shall be carried out in accordance with the programme of site investigation and remediation works approved on 26th May, 2005, or any variation thereto that may first be approved in writing by the Local Planning Authority.
3. Notwithstanding the submitted plans, within 12 months of the building hereby approved being brought into beneficial occupation, proposals for the improvement of the access to the site shall be submitted in writing for the approval of the Local Planning Authority: the approved scheme shall be implemented within 12 months of the date of its approval.
4. The building hereby approved shall be finished with the brickwork, slates and timber previously approved on 15th July, 2005 or any variation thereto that may first be approved in writing by the Local Planning Authority; notwithstanding the above, the colour of the aluminium windows shall be approved in writing by the Local Planning Authority prior to their construction.
5. The proposed bin store shall be screened in accordance with the details approved on 4th July, 2005 or any variation thereto that may first be approved in writing by the Local Planning Authority.
6. Prior to the building hereby approved being brought into beneficial occupation, a travel plan for the site shall be submitted in writing to and approved in writing by the Local Planning Authority. The approved plan shall be implemented at the time of the building hereby approved being brought into beneficial occupation and shall be retained in operation at all times.
7. The proposed parking and operational turning areas shown on Drawing Ref. L (90) 002 submitted with the application shall be laid out and surfaced in accordance with the specification on that drawing prior to the building hereby approved being brought into beneficial occupation.
8. Prior to the building hereby approved being brought into beneficial occupation, the cycle parking facilities approved on 4th July, 2005 shall be installed and shall be retained in use at all times thereafter.
9. Landscaping of the site shall be carried out in accordance with the scheme approved on 4th July, 2005 or any variation thereto that may first be approved in writing by the Local Planning Authority.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
11. The scheme of fencing approved on 4th July, 2005 shall be implemented prior to the building hereby approved being brought into beneficial occupation and shall be retained at all times.

Reason(s):

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

NOTE:

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

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

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

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

- (2) In the event of any representations objecting to the application being received following the reporting of the matter to Committee and prior to the expiry of the consultation period on the 29th July, 2005, delegated authority be given to the Head of Planning and Transportation to consider the submitted representations and the progression of the application in full consultation with the Chairman of Planning Committee.

V O G Building Services, Block B, The Alps, Wenvoe, Vale of Glamorgan, CF5 6AA.

(Steve Morris, Head of Service, Block B, The Alps, Wenvoe, CF5 6AA.)

68, DYLAN CRESCENT, BARRY

Retention of conversion of existing maisonette into 2 No. separate flats

SITE DESCRIPTION.

The application site is No. 68 Dylan Crescent, which forms part of a block of maisonettes near the junction of Dylan Crescent and Treharne Road.

DESCRIPTION OF DEVELOPMENT

The application proposes the retention of two self-contained flats, which have been formed from the conversion of a two-storey maisonette. Each unit contains two bedrooms, a lounge, bathroom and kitchen. The two flats are both accessed from a joint entrance on the front elevation of the property. The units occupy the first and second floors of the building and the ground floor/basement contains a limited area of storage space.

PLANNING HISTORY

There is no planning history to the site.

CONSULTATIONS

Barry Town Council - Was consulted on the 7th July, 2005. No representations have been received to date.

The Head of Visible Services (Highway Engineer) - Was consulted on the 7th July, 2005 and has raised no objection to the application.

REPRESENTATIONS

Numbers 52 to 76 Dylan Crescent (even numbers) and Hafan Treharne were consulted in respect of this application. No representations have been received to date.

REPORT

In assessing the proposal, Policies ENV25 - The design of new developments and Policy HOUS9- Residential development within settlement boundaries, of the adopted Vale of Glamorgan Unitary Development Plan 2005 (UDP) are considered to be of primary relevance to the application.

Policy ENV25 of the UDP permits new development provided it is of a high standard of design and pays regard to the context of the local built and natural environment. Policy HOUS9 of the UDP relates specifically to residential development although its principles reflect the aims of Policy ENV25.

Minimal external alterations have been carried out to the building, these being comprised of the blocking up, rendering and painting of window openings on the rear elevation at the ground floor level. The issues that are considered to be of primary relevance to this application are therefore those that relate to highways and parking issues and the provision of amenity space to serve the units.

In relation to parking, the Highway Engineer has raised no objection to the proposal. Whilst there is no off-street parking provision to serve the flats, it is considered that the on-street parking capacity is sufficient to serve the site. Notwithstanding this, the parking requirement for two flats of this size does not exceed that which the parking guidelines would have required to serve the previous maisonette. There is therefore no net increase in the parking requirement.

The two flats are served by an area of private amenity space to the rear of the building of approximately 95m². In accordance with the Council's approved Supplementary Planning Guidance on Amenity Standards, flatted developments should provide 20m² of amenity space per person. The amenity space provided to serve the two flats therefore satisfies this standard. Both flats have direct access to this amenity space via the communal corridor.

It is considered that the conversion of the maisonette into two flats does not have any adverse impact on the amenities of any neighbouring property.

In light of the above and considering that no adverse representations have been received, the conversion of the dwelling into two flats is considered to be acceptable in planning terms.

04000

RECOMMENDATION

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

1. NO CONDITIONS.

Director of Learning and Development, Civic Offices, Barry, Vale of Glamorgan.
CF63 4RU

(Eng. Design & Procurement, Vale of Glamorgan Council, The Alps, Wenvoe, vale
of Glamorgan. CF5 6AA)

LAND ADJACENT TO LLANSANNOR AND LLANHARRY CHURCH IN WALES PRIMARY SCHOOL, LLANSANNOR

Retention of change of use of land from agricultural to school playing field and
construction of a boundary wall

SITE DESCRIPTION

The application site comprises part of the grounds of an existing primary school
located in the countryside to the north of Cowbridge.

DESCRIPTION OF DEVELOPMENT

This is a detailed application to retain a 111 metre by 3.5 metre strip of land within
the Llansannor and Llanharry Church in Wales Primary School site and erect a
new boundary wall to the southern and western extremities of the site to form a
boundary between the school site and adjoining agricultural land. The proposed
wall will be of a height of 1.2 metres and will be constructed from blockwork. Two
options are provided for finishing the wall as follows:

- Option 1 Faced with reconstituted stone to the southern and western
 elevations, with reconstituted cock and hen coping.
- Option 2 Faced with natural stone to the southern and western elevations,
 with natural stone cock and hen coping.

In addition to the provision of the wall a hedgerow is proposed to be planted within
the 3.5 metre strip of land to be retained for school use to screen the blockwork
'internal elevation' of the wall.

PLANNING HISTORY

There have been several relevant applications relating to the site as follows:

84/00578/FUL – Provision of school sports area. Approved 24th July, 1984.

98/00177/FUL – 6 No. classroom extension, car park, vehicular access and
extension to school grounds. Approved subject to conditions 8th May, 1998.

98/00869/FUL – Amendments to 98/00177/FUL to provide 6 No. classroom
extensions and temporary accommodation. Approved 11th December, 1998
subject to conditions relating to car parking, access, landscaping and drainage.

99/00822/FUL – Retention and relocation of single storey demountable classroom
and two additional car parking spaces. Approved 15th September 1999 subject to
a condition relating to layout and retention of parking area.

02/00378/FUL – New nursery block, associated play area, car parking and external landscape works. Approved 22nd August 2003 subject to conditions including provision of footpath/drop-off point; provision of car park; landscaping and details of external finishes.

04/01358/FUL – Provision of new single storey detached early years unit (modular building) with associated play area. Provision of additional car parking and external landscaping works. This application was to regularise works already undertaken under planning permission reference 02/00378/FUL and approved in October 2004.

CONSULTATIONS

Penllyn Community Council – Were consulted on the 7th July, 2005. Any comments received will be reported to Committee.

REPRESENTATIONS

Adjoining occupiers were consulted on the 7th July, 2005. A Site Notice was posted on 12th July, 2005. Any comments received will be reported to Committee.

REPORT

The site has been subject to a number of planning applications for modifications and additions to the school in recent years. The incorporation of land to the south of the school within the school grounds to allow for the expansion of the school and the provision of playing fields, sports pitches and a car parking area has been accepted previously, as can be seen from Section 3 of this report. This application seeks to regularise the precise boundary of the school, following land transfers that have taken place.

In addition the details for the boundary wall to the then approved southern boundary wall were agreed under the terms of planning permission 98/00869/FUL as being a random rubble stone wall of a height of 1.4 metres.

In terms of the current application, discussions with the applicant reveal that the final boundary line has been set following an accurate survey of the site which reveals that the land used by the school exceeds that shown in previous planning permissions. Following discussions with the adjoining landowner this application has been submitted both to regularise the planning status of the site and to provide a clear boundary to the site.

In terms of the proposed boundary wall, Option 2 is preferred in that it is constructed of natural stone, which relates well to surrounding features and the surrounding rural environment. The use of blockwork to the 'internal' elevation is acceptable given the proposal to plant a hedgerow along the length of the wall in question. Full details of the hedgerow will be required prior to the construction of the wall.

The most up to date policies are contained within the adopted Vale of Glamorgan Unitary Development Plan 2005.

Policy ENV1 restricts development in the countryside but with exceptions, including development for which a rural location is essential. It is recognised the existing school is a long established educational facility within the countryside. Whilst its location is outside of any village or defined settlement, it serves the surrounding rural households. In the consideration of the previous applications on the site it has been accepted that the refurbishment and expansion of the school does not conflict with Council policy. These applications have allowed for a new permanent extension of the main building, extension of the school grounds for playing fields, car parking and new demountable units.

Given that the period for consultation as indicated in the site notices does not expire until 3rd August, 2005 the recommendation to grant deemed consent is made subject to no objections being received in the period following Committee and prior to the expiry of the consultation period.

03995

RECOMMENDATION

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

1. Notwithstanding the submitted plans, the wall shall be constructed in full accordance with Option 2 as detailed in Plan No. 1128 01.
2. Prior to the commencement of the development of the boundary wall, samples of the natural stone to be used in the facing and coping of the wall shall be submitted to and approved in writing by the Local Planning Authority. The wall shall hereafter be constructed in accordance with the approved details.
3. Prior to the commencement of the development of the boundary wall, full details of the proposed hedgerow shall be submitted to and agreed in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of hedgerow planting shall be carried out in the first planting and seeding seasons following the completion of the boundary wall and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason(s):

1. In the interests of visual amenity.
2. In the interests of visual amenity.
3. To safeguard local visual amenities.

NOTE:

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

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

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

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

- (2) That in the event of any representation objecting to the application being received following the reporting of the matter to Committee and prior to the expiry of the consultation period on the 3rd August, 2005 delegated authority be given to the Head of Planning and Transportation to consider the submitted representations and the progression of the application in full consultation with the Chairman of Planning Committee.

Finance & Property, Vale of Glamorgan Council, Civic Offices, Holton Road,
Barry. CF63 4RU
(Property Division, Vale of Glamorgan Council, Civic Offices, Holton Road, Barry.
CF63 4RU)

CIVIC OFFICES, HOLTON ROAD, BARRY

Infilling of existing enclosed courtyard spaces to create additional accommodation

SITE DESCRIPTION

The application site relates to the Council Civic Offices, Holton Road, Barry.

DESCRIPTION OF DEVELOPMENT

The proposal relates to the provision of “infill development” to create additional accommodation for the Council’s proposed Call Centre and One Stop Shop. This includes the provision of storage space in the lower ground floor whilst the One Stop Shop and Call Centre facility will occupy the ground floor position. The accommodation to be created will relate to the following specifications:

Lower Ground Floor:

A facilities store to be provided within one courtyard to the front (when viewed from Holton Road) of the rear lobby within the space currently accommodating the smokers’ shelter and landscaped courtyard.

A 6 x 10 metre (approximately) accommodation space within the second courtyard adjacent to the I.T. storage area with the remaining area of courtyard to be retained and re-landscaped.

Ground Floor:

The additional accommodation to be created within the courtyard and the re-modelled ground floor accommodation will provide floorspace for the proposed Call Centre, whilst the existing reception area, and office space to either side of reception will be re-modelled and re-used to provide floorspace for the One Stop Shop and associated office space.

The proposal will also include the re-modelling of existing ground floor Committee Room space and the space currently occupied by Regulatory Services, Finance, ICT and Property and Human Resources.

The roof to the newly create courtyard accommodation will comprise of profile metal sheeting with a ventilated rooflight.

SITE HISTORY

Numerous applications relating to the offices, although none directly relevant to this application.

CONSULTATIONS

Barry Town Council – Were consulted on the 13th July, 2005. Comments are awaited.

The Head of Visible Services (Highway Development) – Was consulted on the 13th July, 2005 and comments are attached as Appendix A.

REPRESENTATIONS

Site notices (2) were posted on the 13th July, 2005. Any comments will be reported to Committee.

REPORT

The proposed alterations will have no impact on any external elevations of the Civic Offices, with all works being internal to the “courtyards” in question. Whilst the submitted plans indicate the proposed reconfiguration of the existing office space, given that this does not result in any changes to the elevations of the building, such works do not fall within the remit of this application.

The key issues relate to the impact of the development on existing office space and the working environment at the Civic Office. In this regard, and as described above, one courtyard (save for a 60 square metre proposed area of accommodation) is to be retained, whilst the entire infilling of the second courtyard is part of a wider remodelling of the entire ground floor to create a new One Stop Shop and Call Centre. Accordingly there are no concerns relating to potential impact on the working environment within the offices.

A second issue relates to the creation of additional floorspace and the requirement (or otherwise) for additional car parking. In this regard the following points are noted:

- Although additional floorspace is created, the provision of the vast majority of the ground floor to a Call Centre / One Stop Shop will result in a remodelling of existing accommodation and office space to create a more open plan and user friendly area.
- The lower ground floor proposal is simply to create more storage space.
- The move to “e government” is likely to result in more business being conducted by telephone and internet link with the resultant reduction in demand for visitor space.
- The Council has recently launched a Green Travel Plan which promotes public transport use, car sharing and cycling and walking amongst staff. This is a key Corporate Plan initiative.

Whilst the comments of the Head of Visible Services are awaited it is not considered that there are any traffic / parking reasons to withhold permission.

Members will note that the consultation period does not expire until the 3rd August, 2005. Accordingly the following recommendation is made on the basis that no adverse representations are received in advance of the consultation cut off date.

RECOMMENDATION

- (1) Deemed planning consent be GRANTED subject to the following condition(s):
1. NO CONDITIONS.
 - (2) That in the event of adverse representations being received following the consideration of the matter by Planning Committee and prior to the expiry of the consultation period on the 3rd August, 2005, the Head of Planning and Transportation be given delegated authority to consider the progression of the application in full consultation with the Chairman of Planning Committee.