

## PLANNING COMMITTEE

MINUTES of a meeting held on 14<sup>th</sup> December, 2005.

Present: Councillor A.D. Dobbinson (Chairman); Councillor Ms. R.M. Birch (Vice-Chairman); Councillors R.J. Bertin, Mrs. M.E.J. Birch, G.A. Cox, A.D. Hampton, Mrs. V.M. Hartrey, M.R. Harvey, N.P. Hodges, G.C. Kemp, Mrs. A.J. Preston, Mrs. M. Randall, W.C. Vaughan, A.J. Williams and M.R. Wilson.

Also present: Councillors G. John and A.J. Readman.

### 688 APOLOGIES FOR ABSENCE -

These were received from Councillors E. Hacker, F.T. Johnson and Mrs. M. Kelly Owen.

### 689 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 16<sup>th</sup> November, 2005 be approved as a correct record.

### 690 DECLARATIONS OF INTEREST -

Councillors G.A. Cox, A.D. Hampton, M.R. Harvey, G.C. Kemp and A.J. Williams	Planning Applications 04/00963/REG3, 05/01306/REG3 and 05/01734/REG3 - Cabinet Members
Councillor A.D. Hampton	Agenda Item No. 9 (iii) - Planning Application 05/00570/FUL, Jackson's Quay, The Waterfront, Barry - Owner of residential property near the development site.
Councillor W.C. Vaughan	

### 691 SITE INSPECTIONS (DLRS) -

RESOLVED - T H A T the attendance of the following members at the sites indicated below on 15<sup>th</sup> November, 2005 be noted:

Apologies for absence were received from Councillors R.J. Bertin, G.A. Cox, Mrs. V.M. Hartrey, Mrs. M. Kelly Owen and Local Member Mrs. S.I. Sharpe.

Avalon Health and Leisure Centre, Beach Road, Sully	Councillor A.D. Dobbinson (Chairman); Councillors E. Hacker, Mrs. A.J. Preston and Mrs. M. Randall. Also present: Local Member Councillor A.M. Ernest
6 Penlan Road, Llandough	Councillor A.D. Dobbinson (Chairman); Councillors E. Hacker, Mrs. A.J. Preston and Mrs. M. Randall. Also present: Local Member Councillor C.L. Osborne.

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

RESOLVED -

- (1) T H A T the determination of Building Regulation Applications as listed in the report be noted.
- (2) T H A T the service of notices under the Building (Approved Inspectors etc) Regulations 2000 as listed in the report be noted.

693 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR UNDER DELEGATED POWERS (DEER) -

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

**Decision Codes**

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

05/01441/FUL	A	Yr Ysgubor Gannol, Wallas, Llampha, Nr. Colwinston	Conversion of barn to dwelling house as approved 05/00580/FUL
05/01446/FUL	A	20, Cae Canol, Caversham Park, Penarth	Disabled adaption to provide new ground floor W.C. and shower wet room
05/01447/FUL	A	17, Brook Street, Barry	Conversion into two self-contained flats
05/01454/FUL	A	Glambreck, Broughton Road, Wick	Retention of small wooden building at rear of property
05/01455/FUL	A	Barn B, Village Farm, Marcross	Stainless steel aga flue
05/01458/FUL	A	Cwm Ciddy Toby Hotel, Port Road West, Barry	Single storey extension to public house/restaurant
05/01460/FUL	R	Building to the rear of 20, Plymouth Road, Barry Island	Continued use as dwelling
05/00243/FUL	A	Plot 3A - Atlantic Trading Estate, Barry	Joinery shop & associated facilities, new access road & turning area
05/00427/FUL	A	Heddfan, Colwinston	Erection of garage
05/00676/LBC	R	East Wing, Nash Manor	Insertion of new stair between ground floor living room and first floor corridor. Stair constructed in hardwood with polished oak handrail. Remove 1951 blockwork wall to top of main staircase
05/00714/FUL	A	Cornerswell Road, Penarth	Demolition of existing 2 storey and single storey commercial buildings and erection of 2 storey house at Cornerswell Road, junction with back lane of Machen Street, Penarth.
05/01173/FUL	R	5, Croft Street, Cowbridge	Rear extensions

05/01211/FUL	R	3, Croft Street, Cowbridge	Rear extensions
05/01234/FUL	A	10, Y Craig, Craig Yr Eos Road, Ogmore By Sea	Insertion of window in east elevation
05/01246/FUL	R	1, Dingle Close, Barry	Retaining wall and new footpath and steps to side and rear of existing pool
05/01313/FUL	R	Amey Buildings, Rectory Road, Penarth	Extension to existing office building
05/01400/FUL	A	53, Winsford Road, Sully	Retention of balcony
05/01402/FUL	A	Glen Haven, Colhugh Street, Llantwit Major	Demolition of single storey garage, erection of double garage with pitched roof and bedroom accommodation in the loft space
05/01413/FUL	A	Ty Coedwig Fach, Kingswood Close, Ewenny	Extensions to garage, bedroom No. 1 and replacement of conservatory with Garden Room and Utility area
05/01448/LAW	A	West Lake Chop Suey House/Takeaway, 4A, Elm Grove Road, Dinas Powys	Preparation and sale of hot food for consumption off the premises
05/01463/FUL	A	39, Andover Close, Barry	Amendment to 05/00320/FUL. Minor alteration to window size on rear elevation
05/01465/FUL	R	6, Lake Hill Drive, Cowbridge	To employ an assistant childminder and increase the number of children from 6 to 12
05/01466/FUL	A	The Cottage, 89, Penlan Road, Llandough	Garage and new porch
05/01467/FUL	A	5, Coldbrook Road West, Barry	Extension to front of house
05/01468/FUL	A	Ushi's, 44, High Street, Cowbridge	Replacement of first floor windows and doors

05/01471/FUL	A	Trehill House, St. Nicholas	Convert integral garage into games room, and construct detached single garage to front of property curtilage.
05/01486/FUL	A	Ochr-y-Bryn, Craig Penllyn, Cowbridge	Renewal of planning permission 00/00930/FUL
05/01487/FUL	A	30, Windyridge, Dinas Powys	Two storey rear extension
05/01493/FUL	A	44B, Victoria Road, Penarth	Installation of upvc doors at ground floor
05/01509/FUL	A	Porthdare, 1, Maes Lloi, Aberthin	Single storey extension
05/01510/FUL	A	5, Pencoedtre Road, Barry	Demolish detached garage to side of house, construct two storey extension and construct single storey connecting corridor to rear of house
05/01512/FUL	A	Faraway, Highlight Lane, Barry	Single storey kitchen, lounge, garage and WC. extension with car port
05/01517/FUL	A	32, Cilgant y Meillion, Rhose Point	Conservatory
05/01518/ADV	R	Field on junction of A48 and St. Hilary	Free standing sign
05/01527/FUL	A	1, Halton Close, Penarth	Alterations and extension
05/01529/FUL	A	West Farm, Southerndown	Additional window to proposed extension - revision to planning consent 05/00402/FUL
05/01536/FUL	R	48, Marine Drive, Barry	First floor balcony to front
05/01538/FUL	A	Glas Fryn, Wick Road, Ewenny	Proposed internal alterations and extensions to dwelling

05/01547/FUL	A	82, Brookfield Avenue, Barry	Conservatory
05/01550/FUL	A	38A, Trebeferad, Boverton, Llantwit Major	Single storey flat roof extension to rear of existing dwelling
05/01555/FUL	A	6, Conway Drive, Barry	Single storey kitchen extension to the front elevation
05/01557/FUL	A	8, Highlight Lane, Barry	Rear single storey kitchen extension and garage
05/01564/FUL	A	25B, Archer Road, Penarth	Replacement of existing double glazed units to kitchen and lounge
05/01568/FUL	A	14, Cilgant y Meillion, Rhoose Point	Convert double garage into one reception room
05/01574/ADV	A	10 and 11, Broad Street, Barry	Shop sign (restaurant)
05/01588/FUL	A	36, Gelyn y Cler, Pencoedtre, Barry	Conservatory
05/01590/FUL	A	Little Patch, Port Road West, Barry	Single storey extension and attached garage
05/01595/FUL	A	18, Bridgewater Road, Sully	P shaped Edwardian conservatory
05/01159/FUL	A	Skipper Philip, Church Farm, Monkash	Conversion of existing dilapidated barns into four bedroom dwelling
05/01479/FUL	A	9, Tydfil Street, Barry	Rear conservatory
05/01484/LBC	A	National Westminster Bank, 4, Westgate, Cowbridge	DDA implementation works. Storm doors repositioned. Inner lobby doors replaced with new bi- folds. Ramp up 80mm within lobby. Regrade paving to entrance and add new handrails and railings

05/01093/OUT	A	Off Bassett Road, Sully	Erection of one detached dwelling with existing access from Bassett Road
05/01255/OUT	A	Paddocks next to The Coal Yard, Gileston	Erection of a three box timber stable building
05/01393/FUL	A	Finnegans Inn, 1-8, Station Approach Road, Barry Island	New shop front to south elevation (facing Station Approach Road) Phase One
05/01453/FUL	A	12, Milton Road, Penarth	Loft conversion
05/01494/FUL	A	Glendon, Argae Lane, Dinas Powys	Erection of stable buildings and feed barn
05/01516/FUL	A	4, Whitcliffe Drive, Penarth	Two storey extension to side and rear for garage and kitchen with enlarged bedrooms over
05/01519/FUL	A	12, Min Y Mor, Barry	Amendment to approval 05/00287/FUL - All as approved except bathroom to rear and bedroom 2 to front
05/01520/FUL	R	Efail y Roper, Trerhyngyll	Alterations and extensions to existing dwelling
05/01521/FUL	A	16, Dyserth Road, Penarth	First floor bedroom, bathroom and ground floor utility room, living room, garage and WC.
05/01526/FUL	A	2, Handel Close, Penarth	Single storey conservatory
05/01531/FUL	A	49, Clive Place, Penarth	New porch
05/01532/FUL	A	26, Clos Llawhaden, Pencoedtre, Barry	Disabled adaptation to provide new ground floor sleeping accommodation, WC and shower wet room
05/01535/FUL	A	49B, Plymouth Road, Penarth	Single storey extension and conservatory

05/01554/FUL	A	7, Ringwood Crescent, St. Athan	Construction of garage and car port with associated roadworks
05/01558/FUL	A	B & J Autos, Heritage Business Park, Wick Road, Llantwit Major	Siting of portable office adjacent to existing workshop (for vehicle repairs)
05/01569/FUL	A	1, Fairleigh, Michaelston le Pit	Single storey extension to side
05/01573/FUL	A	Pedwar, St. Mary Church, Cowbridge	Demolition of existing single storey garage, erection of new two storey extension, alteration of existing single storey extension, new bay to existing dining area
05/01575/FUL	A	18, Groeswen, Llantwit Major	Convert garage into living room and extend above garage
05/01577/FUL	A	Greengates, 4, Main Road, Ogmore By Sea	Extension to existing house and detached garage
05/01584/FUL	A	Great House Farm, Llandough, Cowbridge	Lean-to extension to north side of existing agricultural shed for storage of agricultural machinery
05/01589/FUL	A	The Church, Earl Crescent, Barry Island	First floor bedroom extension
05/01592/FUL	R	Cwmcae Cottage, Groesfaen Road, Peterston Super Ely	Conservatory
05/01594/OUT	R	14, Kipling Close, Penarth	Proposed two bedroom house
05/01596/FUL	A	32, Greenfield Avenue, Dinas Powys	Single storey porch to the front window, new door and window

05/01600/FUL	A	7, Ger-y-Llan, St. Nicholas	Amendment to planning permission 05/00695/FUL - Erection of single storey lean-to extension and conservatory, addition of pitched garage roof with first floor accommodation to existing garage
05/01603/FUL	A	89A, Glebe Street, Penarth	Take down and rebuild the front elevation of the property
05/01607/FUL	A	Bryn Glas, Sully Road, Penarth	Conservatory
05/01610/FUL	A	2, Percy Smith Road, Llantwit Major	Amendment to approved application 04/01461/FUL - two storey extension
05/01617/FUL	A	12, Ffordd Cwm Cidi, Barry	Single storey ground floor extension
05/01618/FUL	A	1, Beechwood Drive, Penarth	Conservatory and porch
05/01628/FUL	A	4, Rogersmoor Close, Penarth	Demolition of existing and construction of new porch, new pitched roof over existing flat roofed dormer
05/01506/FUL	A	Coed Hills, St. Hilary	Erect wood milling/drying building for the housing of plant and subsequent timber storage to supply craft workshop
05/01507/FUL	A	Plot 1, land adjacent to the carpark of the Red Lion Public House, Bonvilston	Alterations to one dwelling as approved under planning permission 02/00385/FUL
05/01514/FUL	A	Land adjacent to The Wild Goose Inn, Llanbethery	House and garage
05/01672/PNA	A	Maendy Uchaf Farm buildings, Maendy, Cowbridge	Building for hay and straw storage

04/01146/FUL	A	The Garth, St. Nicholas	alteration to vehicular and pedestrian access
05/01123/FUL	A	West Hall Barn, West Aberthaw	Barn conversion to domestic dwelling - Fulfilling conditions attached to consent no. 04/00234/FUL
05/01149/FUL	A	Highfield Farm, Wick Road, Llantwit Major	Construction of domestic garage and store
05/01183/FUL	A	64, Lewis Road, Llandough	Two storey extension to rear of property comprising lounge, dining room and extra bedroom accommodation
05/01327/LBC	A	Lower House, Flanders Road, Llantwit Major	Conversion of former cart store to form study, new floor internally. New external timber doors. Conversion of former cowshed to garden room, slate and glass roof. New internal floor and stair. Form opening through from kitchen
05/01336/FUL	R	28, White House, The Knap, Barry	Ground floor - Enclosure of undercroft parking space to playroom, store to side of garage and conservatory extension. First floor - bedroom, bathroom and en-suite extension
05/01459/FUL	A	Lubna's Indian Takeaway, 5, Poundfield, Llantwit Major	Change opening hours - 5.30pm to 11.00pm
05/01473/FUL	A	2, Wessex Place, Barry	Construction of new gable dormer to improve head height and gable installation of shower in existing en-suite bathroom
05/01496/LAW	A	86, Kingsland Crescent, Barry	Retention of property as 8 flats

05/01502/FUL	A	Land to the rear of 8, Ash Grove, Ystradowen	Change of use of land to domestic curtilage
05/01503/FUL	A	Merimbula, Llanmaes	Proposed two storey rear extension
05/01523/FUL	A	42, Barrians Way, Barry	Ground floor extension to rear of garage to provide new sitting area and conservatory
05/01528/FUL	A	Welford Court Hotel, Port Road West, Rhoose	Change of use of Guest House to Restaurant and Guest House
05/01542/FUL	A	Orchard End, West End, Llantwit Major	Extend link between kitchen and dining room
05/01544/FUL	A	24, Clive Place, Penarth	Remove current windows and replace with White UPVc windows with transoms at half height.
05/01572/FUL	A	284, Holton Road, Barry	Proposed change of use to ground floor from A1 retail to A3 food/cafe
05/01598/FUL	A	Primrose Cottage, 1, The Vines, Colwinston	Stove and Isokern block chimney to living room
05/01599/FUL	A	3, The Parade, Castle Drive, Dinas Powys	Vary Condition 4 of planning permission 89/01361/FUL to extend the opening hours to 12 midnight Monday to Sunday
05/01619/FUL	A	24, Maes Glas, Barry	Conversion of garage to bedroom/study with ensuite and provision of additional on-site parking space
05/01624/FUL	A	8, St. Annes Avenue, Penarth	Demolish existing conservatory, build new single storey extension to rear of property and single storey bedroom extension to front of property

05/01625/FUL	A	151, Plymouth Road, Penarth	Demolition of existing garage. Construction of two storey extension to side and rear to create new garage and living space
05/01655/FUL	A	2, Gwalch y Penwaig, Barry Island, Barry	Conservatory
05/01657/LAW	A	44, High Street, Barry	Retention of restaurant and premises
05/01662/FUL	A	22, Forrest Road, Penarth	First floor extensions over existing single storey rear extensions
05/01667/FUL	A	42, Byrd Crescent, Penarth	Proposed conservatory to rear
05/01670/FUL	A	17, Cwrt Edward, The Waterfront, Barry	Garage conversion
05/01671/ADV	A	Tynwydd Inn, 103, Tynwydd Road, Barry	Various signs
05/01682/FUL	A	30, Picton Road, Rhoose	Conservatory

694 APPEALS (DEER) -

RESOLVED -

(1) T H A T the list of appeals received and decisions concerning appeals arising from the refusal of the Council to grant planning permission be noted.

(2) T H A T the statistic relating to appeals for the period April 2005 to March 2006 which indicated that 69% of all appeals received to date being refused with a further 31% being allowed be noted.

695 ENFORCEMENT ACTION (DEER) -

(i) Land at Ashleigh House Stables, Llandow -

It had been brought to officer's attention following a complaint of ongoing works from the public in relation to the removal of topsoil to create a track and hard standing on the above mentioned land. This had subsequently been confirmed following a site inspection by officers.

The owner of the land had been advised in writing to stop such works and explain as to why the work had been undertaken without the benefit of permission. At the same time, the owner had also been advised that the works could be liable to immediate enforcement action. As a consequence an application was submitted in an attempt to regularise the works already undertaken and also proposing works for a further track and hard standing on the land.

Since the application had been submitted it appeared that a substantial amount of rubble and demolition waste had been deposited on the land and used to create a track up to 10 metres wide in places. It also appeared that the stockpiling of such material was also taking place for further works.

It was considered that such activities being undertaken were uncontrolled and were harming the appearance of the countryside. Further, the works were undertaken directly adjacent to a road and therefore had a detrimental effect on the appearance and character of the countryside contrary to the adopted Vale of Glamorgan Unitary Development Plan 2005.

There appeared to be no justification for the works with the tracks being laid well in excess of what would be necessary to create access to fields. Therefore, it appeared that the operations were more likely an exercise to deposit demolition waste. The Environment Agency had been informed of the work being undertaken at the site and were considering a further prosecution.

Authorisation was sought for the service of an Enforcement Notice in respect of the construction of a track way on the above land without the benefit of planning permission or an agricultural justification.

RESOLVED - T H A T the Director of Legal and Regulatory Services be authorised to take all necessary action, including action under Section 172 of the Town and Country Planning Act 1990 (as amended) to ensure:

- (i) The cessation of the deposit of demolition waste or hardcore material onto the land and the creation of tracks and/or hard standings.
- (ii) Ensure that all the material currently deposited on the land is removed and the land restored to its former agricultural status.

#### Reasons for decisions

To ensure that the current harmful effect on the appearance of the countryside by virtue of the proliferation of access track ways and hard standings is stopped and the land is returned to its former grazing status.

## 696 GENERAL PLANNING MATTERS (DEER) -

(i) Crown Immunity Consultation -

A consultation letter had been received from the Welsh Assembly Government which invited comments on three draft Strategy Instruments (SIs) and a draft Circular in relation to the intended removal of Crown immunity with regard to the Planning Acts. The consultation letter itemised in more detail the three individual Statutory Instruments together with the intended Circular. The final part of the letter raised specific questions which all consultees were invited to answer and the Council's response to those questions were included in the report at Appendix B. The Assembly Government had requested all responses to be received by 19<sup>th</sup> December, 2005.

## RESOLVED -

(1) T H A T the removal of Crown Immunity for future prospective Crown developments be welcomed, however, the Committee requested that the WAG's attention be drawn to the apparent gap in the proposed regulations in that development consisting of the dredging of marine based sand and gravel should be brought under full planning control.

(2) T H A T a copy of the report, including the responses to the relevant questions, be forwarded to the Welsh Assembly Government as forming this Council's response on the consultation paper.

Reasons for decisions

(1&2) To allow for a response to the consultation paper to be passed to the Welsh Assembly Government.

(ii) Llantrithyd and Tre-Aubrey: Proposed 30 m.p.h. Speed Restriction Order -

Approval was sought to introduce a Traffic Regulation Order to implement a 30 m.p.h. speed restriction through the above villages. The villages in question were situated to the south of the route A48 near Bonvilston and had four approach roads from the A48 and neighbouring villages. The absence of a system of street lighting meant that the villages were currently subject to the national speed limit of 60 m.p.h.

Officers continually reviewed the appropriate speed limit that should apply within villages which had led to this assessment and representations had also been made by the relevant Community Councils.

Accordingly a speed and volume traffic survey had been undertaken on the approach roads through Tre-Aubrey into the village of Llantrithyd, using automatic traffic data collection equipment for a four day period between 16<sup>th</sup>

August and 19<sup>th</sup> August, 2005, monitoring vehicles travelling in either direction. The results had revealed that the 85<sup>th</sup> percentile speed recorded for traffic into the village for 43.4 m.p.h. with an average daily total of 377 vehicles, whereas for traffic leaving the village the daily total average was 436 vehicles within an 85% percentile speed of 41.4 m.p.h.

RESOLVED -

(1) T H A T subject to the views of the Chief Constable and other statutory consultees, public notice be given of the Council's intention to make a Traffic Regulation Order, the effect of which will be shown at Appendix A to the report.

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

Reasons for decisions

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

(2) To allow the necessary works to be undertaken.

(iii) Planning Application Reference 05/00570/FUL, Jackson's Quay, The Waterfront, Barry -

The Committee had previously considered the above application at its meeting held on 28<sup>th</sup> September, 2004 and at that time resolved that planning permission be granted subject to conditions as detailed at Appendix A to the report and subject to the applicant's first entering into a Section 106 Legal Agreement as detailed below:

- (a) To secure the provision of 15 No. affordable housing units on the above site.
- (b) To secure the provision of a public artwork feature as indicated on the approved Drawing No. 7425-P(0)110A in agreement with the Local Planning Authority; and
- (c) To make a financial contribution to the improvement of public transport links to/from the Waterfront.

The Committee, at that time, also resolved that the application be reported back for consideration in the event that any difficulties occurred with regard to the Section 106 negotiations.

Negotiations between officers and the applicants on the detail of the Section 106 Agreement had failed to reach a resolution that was acceptable to both parties, particularly in respect of the specific terms of how the affordable

housing units would be provided. Officers had confirmed at the time of negotiations that the make up of the affordable units must be on the basis of 10 No. rented units and 5 No. low cost units in order to comply with the Council's adopted policies and the Supplementary Planning Guidance (SPG) and Affordable Housing.

The applicants had subsequently submitted a letter dated 23<sup>rd</sup> November, 2005, in which they submitted reasons for wanting to provide 15 No. affordable units on a low cost ownership basis rather than on the basis as specified by officers.

In summary, they contended that the provision of social rented units within this scheme would have a significant detrimental effect on the commercial viability of the project such that the high quality buildings proposed could not be constructed. Officers felt that this issue was a matter for the Committee to consider whether the scheme, as proposed, was of a design quality that merited its progression "outside" of the approach adopted by the Council through Supplementary Planning Guidance or whether the Council's SPG policy should take precedent. In this regard the Council's SPG stated that the precise form or obligation would depend on the circumstances of each case.

The applicants were proposing that the affordable units are sold on a "low cost" homes, discounted at 30% of market value, stating that this was in accordance with the Council's SPG. However, the SPG further stated in paragraph 4.3 that the discount was required to be at least 30% of the normal market value and that the Council would consider discounts on a site by site basis, according to a methodology as detailed within the document. In this particular instance, the calculation would need to consider not only the average earnings, but also adjustments to be applied given the type of unit provided. The relevant SPG (with the exception of the appendices) was attached to the report at Appendix C. In addition, the comments of the Head of Housing and Community Services were also set out in Appendix D to the report. Whilst the comments of the applicants were noted, the Council had a policy and SPG guidance on this specific issue.

Accordingly, the Committee's views were sought on the applicants further representations as set out in the report.

Having regard to all issues it was

**RESOLVED - T H A T** the applicants be advised that the requirements of the Section 106 Legal Agreement, insofar as they relate to the affordable housing, thus, in the first instance, provide for a total of 15 No. affordable units, with 10 of the units being affordable rented and 5 No. of the units low cost market housing. Failing such agreement, the application be **REFUSED** on the following grounds.

Reason for decision

The proposal fails to secure an acceptable provision of affordable housing in line with Policy HOUS13 of the Vale of Glamorgan Unitary Development Plan 2005; Supplementary Planning Guidance on Affordable Housing; and national guidance contained in Planning Policy Wales March 2002 and Technical Advice Note (Wales) 2 (TAN) Planning and Affordable Housing (November 1996).

(Note: Councillor A.D. Hampton declared an interest in the above item and withdrew from the room during consideration of the matter.)

## 697 PLANNING APPLICATIONS (DEER) -

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

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

**04/00774/FUL**

Received on 20th May, 2004

(p.80)

Mrs Lynda Williams, C/O Agent.

(Steve Morgan Associates, Tregleath House, 1, Serpentine Road, Newport, NP20 4PF. )

**MOORLANDS FARM, WICK ROAD, LLANTWIT MAJOR**

Barn conversion to domestic dwellings - 4 No. with detached garages

**REFUSED** (written representations)

Reason(s):

1. In the opinion of the Local Planning Authority the proposal is tantamount to the creation of four new dwellings in the countryside, unjustified for agricultural or forestry purposes, since the proposed conversions would adversely affect the rural character of the buildings and their landscape setting. The proposal is therefore contrary to Policies ENV1, ENV7, ENV25 and HOUS3 of the adopted Vale of Glamorgan Unitary Development Plan 2005; Supplementary Planning Guidance on the Conversion of Rural Buildings; and national guidance contained in Planning Policy Wales March 2002.
2. In the opinion of the Local Planning Authority the proposal represents an unneighbourly form of development that would adversely affect the residential amenities of both existing and future occupiers and conflict

with agricultural operations on the site contrary to Policies ENV7 and ENV25 of the adopted Vale of Glamorgan Unitary Development Plan 2005; Supplementary Planning Guidance on the Conversion of Rural Buildings and Amenity Standards; and national guidance contained in Planning Policy Wales March 2002.

**05/00777/FUL**

Received on 13th May, 2005

(p.87)

Mr. L. Davies, Cog Farm, Cog Road, Sully, Vale of Glamorgan.

(Phillip Wynne Architect, 51, Eastgate, Cowbridge, Vale of Glamorgan. CF71 7EL)

**COG FARM, COG ROAD, SULLY**

Conversion of existing barn into a dwelling

The property is a Grade II Listed Building.

The application was advertised on 29th June, 2005.

**APPROVED subject to the following condition(s):**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The permission hereby granted shall relate to the amended plans, reference (PL)202 Rev. D, received by the Local Planning Authority on 14th September, 2005.
3. 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.
4. Details of the materials and colour of the external finishes of the proposed barn conversion shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.
5. The vehicle parking area to the north of the site shall be laid out and surfaced before the development hereby permitted is brought into beneficial use and shall be maintained at all times within the curtilage of the site for use exclusively in connection with the converted barn.
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. Notwithstanding the submitted plans, the permission shall not relate to the provision of rooflights to the roof of the barn.
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 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 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 ensure satisfactory drainage of the site.
4. To safeguard local visual amenities.
5. To ensure adequate off-street parking.
6. To safeguard local visual amenities.
7. For the avoidance of doubt as to the extent of this permission.
8. To enable the Local Planning Authority to control the scale of development.
9. To enable the Local Planning Authority to control the scale of development.

**05/01031/FUL**

Received on 27th June, 2005

(p.93)

Mr S. J. Black, Aderyn, Port Road, Nurston, Rhoose, Vale of Glam. CF62 3BM

(Mr S. J. Black, Aderyn, Port Road, Nurston, Rhoose, Vale of Glam. CF62 3BM)

**FORMER BIRD FARM, PORT ROAD, NURSTON**

Change of use from joinery workshop to a holiday cottage

**REFUSED** (written representations)

**Reason(s):**

1. The proposed change of use to a holiday cottage would result in the creation of a stand alone residential unit, which would both cause harm to the character of the site and wider countryside, and result in the loss of an existing rural commercial enterprise where no justification has been submitted to demonstrate that there is no longer a need for such a commercial use. As such, the proposed development is contrary to Policies ENV1 and HOUS3 of the adopted Vale of Glamorgan Unitary Development Plan 2005 and the advice contained in Planning Policy Wales March, 2002.

**05/01048/FUL**

Received on 29th June, 2005

(p.99)

Norton Property Company, Kiln House, Poole Road, Lytchett Matravers. BH16 6AF

(Russell Lee Young, 6, Caebach Close, Culverhouse Cross, Cardiff. CF5 4TU)

**HAM WOODS, HAM MANOR PARK, LLANTWIT MAJOR**

7 No. holiday chalets, associated site development works and removal of existing barn

**APPROVED** subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. 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.

3. Prior to any work on site other than the felling of trees ref. T834, 831, 859, 857,858, 856, 854, 847 and 848 the scheme of tree protection as detailed in the 'Tree Report on Ham Woods Llantwit Major' dated 9th December, 2002 prepared by Treescene shall be fully undertaken on site and shall be so retained for the duration of building works on site.
4. Prior to the construction of the concrete slabs for any of the chalets hereby approved details of any external lighting, means of enclosure, and refuse or storage units or seating shall be submitted to and approved in writing by the Local Planning Authority and notwithstanding the terms of the Town and Country Planning (General Permitted Development) 1990 Order only lighting, means of enclosure or any other seating and structures as formally approved by the Local Planning Authority shall be installed, placed or constructed on the site.
5. Details of any communication cables, other cables and pipelines other than those indicated on the submitted plans shall be submitted to the Local Planning Authority prior to the commencement of any works for their excavation, construction or laying for their approval in writing and the development shall thereafter be carried out in accordance with the approved details.
6. The chalets hereby approved shall only be used for holiday accommodation and shall not be occupied as a sole or main residence, or any other use falling within Class C3 of the Town and Country Planning (Use Class Order) 1987, as amended.
7. The developer and any successors in time shall keep a register of all occupiers of the chalets, their names and main residential addresses and the period of occupancy of the chalets and the register shall be made available for inspection by the Local Planning Authority within one week of the Local Planning Authority's written request to inspect the register.
8. This consent does not relate to any work to trees lying outside the application site edged red and does not grant, imply or convey any permission for any change of use of land lying outside the site edged red.
9. Any soils or similar material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Reason(s):

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. To ensure satisfactory maintenance of the landscaped area.
3. To safeguard the trees to be retained on site in the interests of the visual amenities of the area.
4. To safeguard the trees to be retained on site in the interests of the visual amenities of the area.
5. To safeguard the trees to be retained on site in the interests of the visual amenities of the area.
6. The site is not one which is considered suitable for residential development other than as tourist accommodation.
7. The site is not one which is considered suitable for residential development other than as tourist accommodation.
8. For the avoidance of doubt as to the extent of this consent.
9. To ensure that the safety of future occupiers is not prejudiced.

(Note: Councillors G. John and A.J. Readman spoke on the above matter with the consent of the Committee).

**05/01082/FUL**

Received on 5th July, 2005

(p.105)

Mr D. Phillips, Vishwell Farm, St. Andrews Road, Wenvoe. CF5 6AF  
(Harmers Limited 39, Lambourne Crescent, Cardiff Business Park, Ilanishen, Cardiff. CF14 5GG)

**VISHWELL FARM, ST. ANDREWS ROAD, WENVOE**

Upgrading/expansion of Caravan Club site to provide touring caravan site (15 pitches) and provision of enlarged play area/amenity area by levelling area by minor tipping works

APPROVED subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The consent hereby granted shall only permit the use of the site for no more than 15 touring caravan pitches and does not permit the storage of any caravans on the site.

3. Notwithstanding the submitted plans, full details of the proposed hedge on the bank (including a cross-section to a scale of 1:20) and details of any seeding or turfing, trees, plants, their species, size at planting and density shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development on site.
4. Notwithstanding the submitted plans, full details of the proposed play/amenity area, including details of the existing and the proposed ground levels (including a cross-section to a scale of 1:200), and details of seeding or turfing shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on site.
5. All planting, grading, seeding or turfing comprised in the approved details of landscaping, as agreed in Condition Nos. 3 and 4, 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. Prior to the commencement of development, the boundary wall to the east of the access shall be reduced in height to no greater than 900mm above carriageway channel edge throughout the length of the vision splay, which shall be 2.4m by 120m and the visibility splay shall thereafter be so maintained at all times.
7. The proposed parking area shall be laid out and surfaced in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development hereby permitted is brought into beneficial use and shall thereafter be maintained at all times within the curtilage of the site for use exclusively in connection with the development hereby permitted.

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 enable the Local Planning Authority main control over the use of the site.
3. In the interests of visual amenity in this rural location.
4. In the interests of visual amenity in this rural location.
5. To ensure satisfactory maintenance of the landscaped area.

6. In the interests of highway safety.
7. To provide satisfactory off-street parking facilities.

**05/01348/FUL**

Received on 25th August, 2005

(p.111)

Mr. G. Crandon, The Barn, Llysworney, Cowbridge, Vale of Glamorgan. CF71 7NQ

(Buckle Chamberlain Part. Ltd., Mill House, Llancayo Court, Llancayo, Monmouthshire. NP15 1HY)

**LLANGAN PRIMARY SCHOOL, LLANGAN**

Construction of new access driveway and car parking area

DEFERRED for site visit.

(Note: Councillor W.C. Vaughan declared an interest in the above item and withdrew from the room during consideration of the matter).

**05/01429/FUL**

Received on 9th September, 2005

(p.117)

Mr. J.C.Gould, Vale of Glam. Caravan Sales, 33, Vale Business Park, Llandow, Vale of Glamorgan. CF71 7PF

(Mr. J.C.Gould, Vale of Glam. Caravan Sales, 33, Vale Business Park, Llandow, Vale of Glamorgan. CF71 7PF)

**UNIT 33, VALE BUSINESS PARK, LLANDOW**

Change of use

REFUSED (written representations)

Reason(s):

1. The continued use of the site for retailing purposes and for a use not contained in Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) by reason of its location within the Vale Business Park represents an unjustified loss of employment land, contrary to the aims and objectives of Policy EMP5 of the adopted Vale of Glamorgan Unitary Development Plan 2005 and Planning Policy Wales (2005).
2. The continued use of the site for retailing purposes would be contrary to the objectives of Policy SHOP12 of the adopted Vale of Glamorgan Unitary Development Plan 2005, in so far as insufficient justification has been submitted to show that there are no suitable sites in or close

to local centres (the 'sequential test'), while the site is also in an unsustainable location, and would result in the loss of employment land.

RESOLVED - T H A T the Director of Legal and Regulatory Services be authorised to take all necessary action, including action under Section 172 of the Town and Country Planning Act 1990 (as amended) to ensure:

(i) That the unauthorised retail use of the above unit and compound is terminated and the land restored to its former condition.

**05/01430/FUL**

Received on 9th September, 2005

(p.120)

Meltray Ltd. Home Farm, Michaelston-Le-Pit, Vale of Glamorgan, CF64 4HE  
(John Rosser RIBA, 3, The Courtyard, Michaelston-Le-Pit, Vale of Glamorgan, CF64 4HE)

**66, VICTORIA ROAD, PENARTH**

Demolition of existing house and garage block, construction of new three storey apartment block with associated landscaping and car parking

**REFUSED** (written representations)

**Reason(s):**

1. In the opinion of the Local Planning Authority the proposed development represents an unacceptable quality of design that seeks to replace an existing building which, contributes to the established character of the area, with a new building the size, scale, massing and form of which would appear as an intrusive and incongruous feature within the street scene and detract from the residential amenities of neighbouring occupiers. The proposal is therefore contrary to Strategic Policy 2; and Policies ENV15, ENV25, HOUS2, HOUS9 and HOUS12 of the 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.

**05/01449/FUL**

Received on 13th September, 2005

(p.127)

V. J. Price & Son, Trevithyn Farm, Llancarfan, Vale of Glamorgan. CF62 3AT  
(S. G. Williams & Associates, Lombard House, 64, Mansel Street, Swansea. SA1 5TN)

**TREVITHYN FARM, LLANCARFAN**

Erection of one detached agricultural dwelling

DEFERRED for a site visit and for discussions with the applicant regarding the need and size of the dwelling.

(Site visit to be scheduled following negotiations and on reporting back to Committee).

**05/01581/FUL**

Received on 12th October, 2005

(p.132)

Mr. Marc White et al, Turkey Oak House, Llanmaes, Vale of Glamorgan.  
CF61 2XR

(C. J. Morgan, 13, Merthyr Street, Barry, Vale of Glamorgan. CF63 4LA)

**LAND TO THE REAR OF DRYSLWYN, PENWYLLT, KIVA KOTI, TURKEY OAK HOUSE, WITS END AND HEDDFAN, LLANMAES**

Change of use to domestic garden

REFUSED (written representations)

Reason(s):

1. The extended residential curtilages represent an unjustified loss of agricultural land and an excessive intrusion into the rural landscape which detracts from the character of the open countryside and the site location within the Llanmaes Conservation Area. This is contrary to Policies ENV1, ENV2, ENV9, ENV15 and ENV18 of the adopted Vale of Glamorgan Unitary Development Plan 2005 and also the aims of the Vale of Glamorgan Supplementary Planning Guidance on Conservation Areas in the rural Vale.

**05/01680/FUL**

Received on 26th October, 2005

(p.134)

Mr. and Mrs. D. Harris, Old Froglands, Llanmaes, Vale of Glamorgan. CF61 2XR

(Mr. Geoff Webber, Hyder Consulting (UK), St. Mellons Business Park, Cardiff. CF3 0EY)

**OLD FROGLANDS, LLANMAES**

Extension to existing barn conversion to provide leisure facilities and accommodation ancillary to the main residential property

The application was advertised on 21<sup>st</sup> November, 2005.

REFUSED (written representations)

Reason(s):

1. The proposed extension, by virtue of its design, size and appearance, would adversely affect the simple rural appearance of this converted building to the detriment of its appearance and character and that of the surrounding area. The proposal would therefore be contrary to Policy ENV7 of the adopted Vale of Glamorgan Unitary Development Plan 2005, the Council's Supplementary Planning Guidance 'The Conversion of Rural Buildings', and the advice contained in Planning Policy Wales March, 2002.

(Note: Councillors G.A. Cox, A.D. Hampton, M.R. Harvey, G.C. Kemp and A.J. Williams declared an interest in the following applications and withdrew from the room).

**04/00963/REG3**

Received on 15th June, 2004

(p.138)

Nadia Stanton, Llantwit Major Youth Centre, Station Road, Llantwit Major, Vale of Glam. CF61 1ST  
(Nadia Stanton, Llantwit Major Youth Centre, Station Road, Llantwit Major, Vale of Glam. CF61 1ST)

**LLANTWIT MAJOR YOUTH CENTRE, STATION ROAD, LLANTWIT MAJOR**

Change volumized music from one evening a week to five evenings. This is to include allowing participation for weekly discos for 230 young people from Llantwit Major and the surrounding rural area

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

1. Notwithstanding the submitted plans and documents, within three months of the date of this consent, a further noise attenuation scheme shall be submitted for the further approval of the Local Planning Authority and thereafter, the approved details shall be fully implemented within three months of the date of their approval to ensure that noise breakout levels do not exceed 45db at any of the site's boundaries, including the site boundary with the adjoining properties known as The Bower, The Court House and Langland No. 7 Station Road, Llantwit Major.
2. The Youth Centre and Community Centre building shall not be open to the public before 9.00 a.m. or after 6.00 p.m. on Sundays, before 9.00 a.m. and after 10.00 p.m. on Saturdays or before 8.00 a.m. and after 10.00 p.m. on any other day, without the prior written approval of the Local Planning Authority.
3. Prior to its implementation or construction, full details of the proposed studio facility shall be submitted for the approval of the Local Planning Authority, the details and design of which shall ensure that there will be no measurable noise breakout.

4. Notwithstanding the terms of Condition No.1, any musical performance, disco or band practice, rehearsal or recording will only take place within the rooms annotated 'hall' and 'sound studio' on submitted plan reference SK1, dated January 2005, or within any subsequently approved studio facility.
5. This consent shall relate to the plans and documents submitted on the 15th June, 2004 and as subsequently amended by the plans and documents dated and received by the Local Planning Authority on 15th August, 2005.
6. This consent shall run for a temporary period expiring on 31<sup>st</sup> December, 2006, after which the use of the premises for amplified music shall revert to one evening a week in accordance with planning permissions 3650 approved in November 1994.

Reason(s):

1. To ensure adequate noise attenuation measures are implemented and to protect local residential amenity.
2. In the interests of residential amenity.
3. No details have been provided and to protect residential amenity.
4. In the interests of residential amenity.
5. For the sake of clarity as to the approved plans.
6. To enable the Local Planning Authority to monitor the use of the premises.

(Note: Councillors G. John and A.J. Readman spoke on the above matter with the consent of the Committee).

**05/01306/REG3**

Received on 16th August, 2005

(p.143)

Chris Fray, Head of Econ. Dev. & Leisure, Docks Offices, Barry. CF63 4RT  
(Chris Fray, Head of Econ. Dev. & Leisure, Docks Offices, Barry. CF63 4RT)

**LAND AT JUNCTION OF THOMPSON STREET/GREENWOOD STREET,  
BARRY**

Provision of a public car park with 22 no. spaces

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. The permission hereby granted shall relate to the amended plans, reference 05/01306/REG3 'A' received by the Local Planning Authority on 14th October, 2005.
3. Notwithstanding the submitted plans further details of the boundary walls/railings, including external finishes, shall be submitted to and approved in writing with the Local Planning Authority before the commencement of development. The proposed details should provide for a maximum height of enclosure of 600mm from footway level and a minimum spacing of 100mm centre to centre of the railings along the frontage to Thompson Street. The development shall be implemented thereafter in accordance with the approved details.
4. 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.
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.

Reason(s):

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. In the interests of highway safety.
4. To safeguard local visual amenities.
5. To ensure satisfactory maintenance of the landscaped area.

**05/01734/REG3** Received on 4th November, 2005

(p.148)

Mr. C. Myers, C/O Cadoxton Primary School, Victoria Park Road, Barry, Vale of Glamorgan, CF63 2JS.

(Mark Haynes, Learning & Development, Civic Offices, Holton Road, Barry, Vale of Glamorgan, CF63 4RU. )

**CADOXTON PRIMARY SCHOOL, VICTORIA PARK ROAD, BARRY**

Metal storage container 4m x 2.4m to store play equipment to be used by Key stage 1 children. To comply with Welsh Assembly proposed Foundation Phase.

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

1. The metal storage container hereby permitted shall be removed and the land restored to its former condition, on or before 31st December, 2008.

Reason(s):

1. In the interests of visual amenity.