

PLANNING COMMITTEE

MINUTES of a meeting held on 5th April, 2006.

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, E. Hacker, A.D. Hampton, Mrs. V.M. Hartrey, M.R. Harvey, N.P. Hodges, F.T. Johnson, Mrs. M. Kelly Owen, G.C. Kemp, Mrs. A.J. Preston, Mrs. M. Randall, W.C. Vaughan, A.J. Williams and M.R. Wilson.

Also present: Councillor A.J. Readman.

1006 APOLOGY FOR ABSENCE -

This was received from Councillor A.G. Powell.

1007 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 9th March, 2006 be approved as a correct record.

1008 DECLARATIONS OF INTEREST -

No declarations were received.

1009 METHOD FOR THE ASSESSMENT AND PRIORITISATION OF TRANSPORT SCHEMES FOR NEW DEVELOPMENTS (REF) -

The Committee was advised of a method which had been developed by officers as a means to assess and prioritise transport schemes in association with new developments and to seek the Committee's endorsement of the use of the method particularly when funding was limited. The method developed by officers consisted of a matrix whereby proposed transport improvement schemes were assessed against a list of Vale specific transport objectives which had been derived from

- the Community Strategy 2003/2012;
- the Adopted Vale of Glamorgan Unitary Development Plan 2005; and
- the Vale of Glamorgan Local Transport Plan 2000.

The devised matrix listed 20 objectives based on objectives and policies in the above documents, which were consistent with national planning and transportation policies. These included a number of general objectives relating to improved access for all modes and some specific to walking, cycling, public transport, car sharing and freight. With a prioritised list, officers

would be in a stronger position to negotiate for an effective range of transport improvements.

RESOLVED - T H A T the contents of the proposed matrix for assessing and prioritising transport schemes as set out in Appendix A to the report and its use for future prioritisation of transport schemes in association with new developments be endorsed and the Cabinet be informed accordingly.

Reason for decision

To advise the Cabinet of the Committee's endorsement of the use of the matrix as a means to prioritise transport schemes in association with new developments to make most effective use of limited resources.

1010 VALE OF GLAMORGAN CONSERVATION ADVISORY GROUP -

The following report of a meeting held on 16th March, 2006 was submitted:

Present: Councillor A.D. Dobbinson (Vice-Chairman in the Chair); Councillor Mrs. L. Adams (Cowbridge with Llanblethian Town Council), Mrs. P. Goodwin (Pride in Barry), Mr. G.H. Haynes (Cowbridge and District Local History Society), Mr. A.H. Jones (Barry Preservation Society), Mr. L. Millar (Cowbridge Chamber of Trade), Mr. G. Robertson (Penarth Society), and Mrs. J. Williams (The Victorian Society).

Officers: Mrs. J. Crofts, Mr. N. Lloyd and Ms. J.L. Pugh.

(a) Apologies for absence -

These were received from Councillor Ms. R.M. Birch (Chairman), Mrs. J. Darbey (Bonvilston Civic Trust), Mr. M. Flynn (R.T.P.I.), Councillor Mrs. E. Jervis (The Wenvoe History Group), and Mrs. J. Robinson (Llantwit Major Chamber of Trade).

(b) Minutes -

AGREED - T H A T the minutes of the meeting held on 15th February, 2006 be approved as a correct record subject to the following:

- the addition of the apologies for absence of Mrs. J. Robinson (Llantwit Major Chamber of Trade); and it being noted
- that, in respect of the application relating to Cowbridge Grammar School, it had not been recorded that planning permission had already been granted for the development.

(c) Information feedback -

- 05/00286/FUL Proposed construction of 6 no. two-storey 3 bedroom affordable houses on land at Broughton, Wick. This application was refused on 13th February, 2006.
- 05/01305/FUL Proposed first floor extension over existing kitchen/breakfast room, utility room and double garage at Court House, Flemingston, St. Athan. This application was refused on 24th February, 2006.
- 05/01774/FUL Proposed demolition of existing double garage and construction of new four bedroom dwelling at Belgrave House, Factory Road, Llanblethian. This application was refused at the Planning Committee meeting on 9th March, 2006.
- 05/01649/FUL Proposed extension to existing teaching area and school hall at the Llancaiach Primary School, Llancaiach. This application was approved on 17th February, 2006.

(d) Applications in Conservation Areas -(i) Michaelston-Le-Pit

06/00238/FUL Received on 21st February, 2006.

Mr. S.D. & Mrs. T.E. Watts, 1, St. Michaels Close, Michaelston-Le-Pit, Dinas Powys, Vale of Glamorgan, CF64 4HF
(Arplan Design Service, 30, Blaen-y-Coed, Rhiwbina, Cardiff, CF14 6LL)

1, ST. MICHAELS CLOSE, MICHAELSTON

Development of roofspace and two storey side extension.

RECOMMENDED - REFUSAL - the Group considered the design unwieldy in relation to the character of the existing building and discordant when viewed from the open countryside; and that the scale of the development was inappropriate, detracting from the current balance of composition between the existing pair of semi-detached houses, neither preserving or enhancing the conservation area.

(ii) Penarth

06/00163/FUL Received on 7th February, 2006

John Lean Esq., 68, Huddleston Road, London, N7 0AG
(Loyn & Co. Architects, 21, Victoria Road, Penarth, Vale of Glamorgan, CF64
3EG)

9, KYMIN TERRACE, PENARTH

*Demolition of existing garage and stores to be replaced with new dwelling,
together with new forecourt for car parking servicing original house.*

*RECOMMENDED - REFUSAL - the Group considered that, having regard to
the setting of the site, the scale, form and design of the new development
were out of character with this part of the conservation area and expressed
particular concern in relation to the part demolition of the front boundary wall
to create on-site parking which, it was considered, would alter the whole
character of the area to the detriment of the conservation area.*

*(Note: Mr. G. Robertson declared an interest in the above matter and took no
part in the discussion thereof).*

(iii) Cowbridge with Llanblethian

(A) **06/00060/ADV** Received on 19th January, 2006

Tesco Stores Ltd., P.O. Box 400, Cirrus Bld., Welwyn Garden City,
Herts., AL7 1AB
(MBH Partnership, Rosemount House, Rosemount Ave., West Byfleet,
Surrey, KT14 6LB)

44, HIGH STREET, COWBRIDGE

Various signs.

(B) **06/00061/FUL** Received on 19th January, 2006

Tesco Stores Ltd., P.O. Box 400, Cirrus Bld., Welwyn Garden City,
Herts., AL7 1AB
(MBH Partnership, Rosemount House, Rosemount Ave., West Byfleet,
Surrey, KT14 6LB)

44, HIGH STREET, COWBRIDGE

New shopfront with ATM unit and new plant to rear.

Applications (A) and (B) above were considered in tandem.

RECOMMENDED - REFUSAL - the Group expressed concern at what it considered to be the excessive amount of signage, to the discordant appearance of the ATM, and to the amount of dead shop frontage created thereby. It recommended that re-consideration be given in particular to the size of (and necessity for) the two hanging signs which lie at right angles to the façade of the building.

(C) **05/01887/FUL** Received on 23rd January, 2006

*Mr. D.M. Mathias, Centre Great Ltd., Parcau, Isaf Farm, Laleston, Bridgend, CF32 0NA
(Robert Thomas, C/O Davies Sutton, Penhevad Studios, Penhevad St., Grangetown, Cardiff, CF11 7LU)*

COWBRIDGE GRAMMAR SCHOOL AND FORMER COUNCIL DEPOT YARD, CHURCH STREET, COWBRIDGE

Conversion of existing buildings into 15 residential units with 4 new build residential units on the former Council Depot yard site and 24 parking spaces and amenity space.

*Having considered the amended application which had been brought before the Group in accordance with an earlier request, the Group
RECOMMENDED - APPROVAL.*

(e) **Any Other Business** -

In response to questions, it was reported that

- *the feasibility of sending agendas out a week in advance of the meeting in order to allow members more time in which to visit the sites in question would be further investigated, although members were reminded of the very tight time constraints with which the Planning Department were required to comply;*
- *information relating to the EU Initiative on Ground-Nesting Birds should be directed to the Council's Ecologist;*
- *the Chairman would investigate the current position relating to the nominated representative of Barry Town Council on the Advisory Group; and,*
- *the progress report in relation to any legal action in respect of the site known as Greenfields, Llanblethian, the subject of application 05/01931/FUL referred to in the minutes of the previous meeting, would be submitted to the next meeting.*

RESOLVED - T H A T the report be noted.

1011 SITE INSPECTIONS (DLRS) -

RESOLVED - T H A T the attendance of the following Members at the sites indicated below on 9th March, 2006 be noted, subject to Councillor Mrs. V.M. Hartrey being added to the list of Members present at 14a and 14b Barry Road, Barry.

Apologies for absence were received from Councillors R.J. Bertin, E. Hacker and Mrs. M. Kelly Owen.

Belgrave House, Factory Road, Llanblethian	Councillor A.D. Dobbinson (Chairman), Councillors G.A. Cox, Mrs. V.M. Hartrey, Mrs. A.J. Preston and Mrs. M. Randall
248 Holton Road, Barry	Councillor A.D. Dobbinson (Chairman), Councillors G.A. Cox, Mrs. V.M. Hartrey, F.T. Johnson, Mrs. A.J. Preston, Mrs. M. Randall and B.I. Shaw
14a and 14b Barry Road, Barry	Councillor A.D. Dobbinson (Chairman), Councillors G.A. Cox, F.T. Johnson, Mrs. A.J. Preston and Mrs. M. Randall

1012 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.

1013 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)	

05/01560/FUL	A	Ty Cadno, Clawdd Coch, Pendoylan	Alteration of existing dwelling. Construction of single storey living area extensions. Construction of roof dormers
05/00718/FUL	A	21, Clinton Road, Penarth	Demolition of existing garage and erection of new garage
05/01385/FUL	A	11, Cherwell Road, Penarth	2 storey rear extension with single storey extension to rear of garage
05/01475/LBC	A	Cog Farm, Cog Road, Sully	External works include a new slate roof and new glazing and timber panelling to block up existing openings. Internal work includes new stud walls, new first floor and new staircase
05/01874/FUL	A	Chonji, The Downs, St.Nicholas	Alterations to dormers on front and rear elevations
05/01902/FUL	A	41, Lidmore Road, Barry	Garage and first floor extension

05/01915/FUL	A	65, Pyke Street, Barry	Conversion of existing house to one, one bedroom flat and one, two bedroom flat with rear extension at ground floor
05/01982/FUL	A	Llangoedmor, 10, Marine Parade, Penarth	Demolition of attached single storey outbuilding at rear of house and construction of single storey bay extension to rear north west corner, insertion of windows
06/00013/FUL	A	Cliffe Cottage, Southra, Dinas Powys	Conservatory
06/00016/FUL	A	Glyncoed, Aberthin Road, Cowbridge	Two storey extension to North West side elevation
06/00018/FUL	A	1, Springfields Close, Wenvoe	Single storey extension and garage to side of property
06/00028/FUL	A	36, Byrd Crescent, Penarth	Special needs - single storey extension bedroom/shower/wc
06/00030/FUL	A	Glan yr Afon, The Limes, Cowbridge	Single storey rear extension to an existing house to add utility area and cloakroom/WC
06/00031/FUL	A	18, Castle Road, Rhoose	Extension to existing garage and extension to form sunlounge, dining and kitchen
06/00034/FUL	R	5, St. Augustines Crescent, Penarth	Loft conversion to form bedroom with en-suite
06/00035/FUL	R	180, Port Road East, Barry	Increase size of rear dormer window
06/00044/FUL	A	22, Rhodfa Felin, Barry	Conversion of integral garage to a dining room, removal of garage door and replaced with window

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06/00047/FUL	A	Unit D3, Atlantic Gate, Barry	Inclusion of 3 new external windows in existing industrial unit
06/00048/FUL	A	22, Middlegate Court, Cowbridge	Construction of small single storey extension at rear of property (for disabled use) and store/utility room in rear of garage
06/00074/FUL	A	73, Lakin Drive, Barry	Installation of a balcony to rear master bedroom
06/00086/FUL	A	7, Countess Place, Penarth	Single storey extension to side and rear
06/00095/FUL	A	Old Petrol Station, Wick	Widen footpath in front of premises, remove and reposition existing wall. Also retention of rear balcony
06/00103/FUL	R	3, Dylan Close, Llandough	Loft conversion
06/00104/FUL	A	The Cottage, Ystradowen, Cowbridge	Conservatory
06/00110/FUL	A	20, Mountjoy Avenue, Penarth	Loft conversion with pitched roof dormers to side and rear
06/00246/LAW	A	Llanmihangel Farmhouse, Llanmihangel	Extension to property.
06/00211/OBS	S	Brocastle Estate, Brocastle, Bridgend	Construct 12 No. 2 bed apartments over 2 floors in lieu of 4 no. 2 bed apartments
05/01192/FUL	R	Land opposite Springfield Cottage, Drope Road, St. Georges Super Ely	Construction of detached garage and kennel
05/01399/FUL	A	37, Sandringham Close, Barry	Two storey extension to side of dwelling and take down existing conservatory and erect new conservatory

05/01718/FUL	A	The Pines, Park Road, Barry	Proposed extension over existing garage to provide accommodation for carer
05/01946/FUL	A	5, Victoria Avenue, Penarth	Proposed extension
05/01950/FUL	A	Huddarts Restaurant, 69, High Street, Cowbridge	Two storey rear extension and alteration to roof of main building
05/01978/FUL	A	13, Lidmore Road, Barry	Single storey rear extension
05/01987/FUL	A	7, Vale Court, Cowbridge	Rear 2 storey and lean-to extension and part garage conversion
05/01997/LBC	A	Manor Cottage, St. Hilary	Single storey extension
06/00008/FUL	A	90, Stanwell Road, Penarth	Change of flat roof to pitched roof. Build new carport at end of garden
06/00009/FUL	A	92, Stanwell Road, Penarth	Double storey pitched roof extension to extend existing kitchen and existing bedroom on rear annex
06/00049/FUL	A	27, Sully Terrace, Penarth	Single and two storey extension to rear, rebuilding of existing garage
06/00053/FUL	A	9, Maes Lindys, Rhoose Point	Change existing detached garage to room whilst keeping garage door in place
06/00063/ADV	A	Evans Halshaw, Valegate Retail Park, Culverhouse Cross, Cardiff	Retention of new signage
06/00065/FUL	A	216 Holton Road, Barry	Retention of ground floor hot food takeaway under Class A3
06/00088/FUL	R	Land at Caercady, Welsh St. Donats	Improvements to existing access and retention of constructed driveway

06/00111/FUL	A	109, South Road, Sully	Conservatory extension
06/00115/FUL	A	4, St. Oswalds Road, Barry	Demolish coal shed and erect single storey extension to kitchen
06/00116/FUL	A	8, Hastings Place, Penarth	Extension to existing kitchen
06/00122/FUL	A	Coed Mansel, Llangan	Construction of circular horse exerciser in existing stable yard
06/00132/FUL	A	Barry Telephone Exchange, Dock View Road, Barry	Installation of louvre panels within existing window openings
06/00133/FUL	A	27, Bedford Rise, Llantwit Major	Single storey extension providing bathroom and utility
06/00139/FUL	A	51, Meadowcroft, Rhoose	Amendment to application 05/01395/FUL (porch)
06/00155/FUL	A	24, Trem Y Don, Barry	Conservatory - retrospective application
06/00050/FUL	A	4, Uphill Close, Sully	Side extension with lounge/bedrooms, sunlounge and 1 no. dormer to rear
06/00051/FUL	A	4, Uphill Close, Sully	Side extension with lounge/bedrooms and sunlounge/bathroom, with 2 no. dormers front and rear
06/00064/FUL	R	16, St. Lythans Road, Barry	Proposed roofspace conversion to form study/bedroom and bathroom
05/01398/FUL	R	Pleasant View, The Causeway, Llanblethian	Alterations and extensions
05/01415/FUL	A	Lereve, Old Port Road, Wenvoe	To landfill an existing hole with inert material to bring level in line with adjoining area to accommodate lawn

05/01677/FUL	A	39, Adenfield Way, Rhoose	Take off roof complete. Reconstruct roof at new ridge level, construct dormers with rooms in roof space. Construct new roof over side extension
05/01770/FUL	R	Parcel No. 3907, Nr. Maesydd, Llangan	Refurbishment and roof extension to existing general shed
05/01878/FUL	A	63, Cedar Way, Penarth	Two storey pitched roof extension to side, new porch and conservatory and new pedestrian access
05/01970/LBC	A	The Market Place Restaurant (Ye Olde Masons Arms) High Street, Cowbridge	Various signs
06/00006/OUT	A	1A, Palmersvale Business Centre, Palmerston Road, Barry	Two 800 sq.ft. workshops
06/00029/OUT	R	Adjoining garden of Awelon, Treoes	Proposed dwelling
06/00036/FUL	A	17/19, Ivor Street, Barry Island	First floor flat extension and conversion of 2 no. one bedroom flats into 2 no. two bedroom flats
06/00072/LBC	A	60, High Street, Cowbridge	Alternative rear garage/parking
06/00087/FUL	R	Rita's Multicultural Cafe, 95, Main Street, Barry	Change of use from shop to cafe (ground floor only)
06/00091/FUL	A	Doghill Farm, Dyffryn, St. Nicholas	Extension to approved open garaging in conjunction with extant barn conversion approval
06/00093/FUL	A	Field adjacent Wallas Farm, Llampha	Proposed field shelter (for donkeys)
06/00107/FUL	A	Kenley, Piccadilly, Llanblethian, Cowbridge	Ground floor extension

06/00113/LBC	A	Pheasant House, Nash Manor, Nash	Two no. additional rooflights to north and south elevations of the Pheasant House roof, amended window and door sizes to the Pheasant House, kitchen and hallway. Omit toilet under main staircase
06/00121/FUL	A	The Malt House, Treoes	Increase height of front boundary wall
06/00125/FUL	A	Hillside Farm House, Tonbreigam	Amendment to roofline of conservatory
06/00128/FUL	A	23, Carn-Yr-Ebol, Pencoedtre, Barry	Conservatory to side of property
06/00129/FUL	A	18, Jestyn Close, Dinas Powys	Garage conversion
06/00131/FUL	A	The Sweetings, Westgate, Cowbridge	Single storey rear conservatory
06/00144/FUL	A	1, Ca'r Pwll, Dinas Powys	Demolition of conservatory to be replaced with single storey lean-to kitchen dining room extension
06/00152/FUL	A	81, Blackberry Drive, Barry	Erection of Edwardian conservatory
06/00164/FUL	A	44, Westbourne Road, Penarth	Replacement of windows and doors and external works
06/00165/RES	A	Paddocks next to The Coal Yard, Gileston	Erection of three box timber stable building - Discharge of conditions 1 & 6 of Application No. 05/01255/OUT
06/00176/FUL	A	Whitehome, Pencoedtre Road, Barry	To remove/amend condition 2 of planning application 05/00812/FUL due to erection of garage which obscures vision.

06/00082/FUL	A	The Barn, Chapel Road, Wick	Two storey extension to side and rear
05/01329/FUL	A	Homri Farm, St. Nicholas	Alterations to extension of existing farm house
05/01755/FUL	A	The Seashore Grill, Beach Road, Swanbridge	Single storey side extension to provide function room and ancillary accommodation
05/01826/FUL	A	6, Birch Grove, Barry	Two storey side extension with undercroft parking space and single storey extension. Single storey garden store and rehabilitation room in garden
05/01964/FUL	A	Stable yard near Crossways, Redway Road, Bonvilston	Retrospective application to retain existing stable block and access track
06/00037/FUL	A	160, Westbourne Road, Penarth	Addition of second storey to existing garden store to form en-suite. Flat roof construction
06/00042/FUL	A	Goldsland Cottage, Wenvoe	Extension to first floor
06/00052/FUL	R	33, Archer Road, Penarth	Construction of a wooden fence fixed to top of existing brick boundary wall
06/00089/FUL	A	20, Ham Lane South, Llantwit Major	First floor extension
06/00096/FUL	A	35, Salisbury Road, Barry	Two storey extension
06/00100/FUL	A	109, Broad Street, Barry	Vary Condition 2 of planning permission 83/0012 to extend the opening hours to 12 midnight Monday to Sunday

06/00108/FUL	A	Golden Star, 17, Fontygary Road, Rhoose	Vary Condition 2 of planning consent 86/00031/FUL to allow opening hours to be: Sunday 6.00pm to 11.30pm, Friday and Saturday 12.00 noon to 2.00pm and 5.30pm to 12.00 midnight
06/00120/FUL	R	Marlborough Lodge, Crossways, Cowbridge	Construction of new residential access
06/00123/FUL	A	62, Stanwell Road, Penarth	Demolition of existing lean-to, construction of new lean-to
06/00130/FUL	A	22, Hastings Avenue, Penarth	Loft conversion with side and rear dormer windows
06/00142/OUT	R	5, Sully Terrace, Penarth	To erect a two storey residential unit to rear of 5, Sully Terrace
06/00147/FUL	A	Great House Cottage, Welsh St. Donats	Extension
06/00150/FUL	A	17, Windsor Terrace, Penarth	Demolition of existing garage and construction of a new garage with a pitched roof
06/00161/FUL	A	25, Peterswell Road, Barry	Construction of loft conversion with two dormers
06/00166/FUL	A	Amberley House, Llantwit Road, Wick	First floor extension to existing dwelling
06/00194/FUL	R	7, Hill Head, Llantwit Major	Attic conversion with dormer window.
06/00199/FUL	A	5, Parklands, Corntown, Ewenny	Single storey rear extension to include kitchen/diner and utility room and second storey extension above garage to include playroom and study. Amendment to 05/00772/FUL.

1014 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 statistics relating to appeals for the period April 2005 to March 2006 be noted, together with the list of forthcoming Hearings and Public Inquiries.

1015 TREES (DEER) -

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

Decision Codes

A - Approved
E Split Decision

R - Refused

06/00138/TCA	A	The Gate House, Southgate, Cowbridge	Fell a group of lime trees and re-coppice a hazel
06/00158/TPO	A	7 Castle Court, Llantwit Major	To fell 2 Ash.
06/00159/TPO	A	Eastbrook House, Millbrook Road, Dinas Powys	To fell 1 Elm.
06/00207/TCA	A	Yew Tree Farmhouse, Colwinston, Cowbridge	To fell 2 Cotoneaster trees.
06/00208/TPO	R	St. Quentins, Ash Grove, Llantwit Major	To fell 1 Ash tree.

1016 ENFORCEMENT ACTION (DEER) -

(i) 9 Tan Y Fron, Barry: Unauthorised outbuilding and boundary wall

Approval was sought for the service of an Enforcement Notice in respect of the construction of an outbuilding and boundary wall without the benefit of planning permission at the above property.

By virtue of its uncompleted form and appearance, and unfinished external elevations, the outbuilding and boundary wall represented an incongruous feature within the street scene which was considered to be detrimental to the local visual amenities and to the character of the Barry Garden Suburb Conservation Area.

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

- (a) the rendering and painting of the external elevations of the outbuilding and boundary wall; and
- (b) the erection of a roof on the outbuilding, to a specification which will be specified in the Enforcement Notice.

Reason for decision

To ensure that the visual amenities of the area were protected.

- (ii) Land adjacent to Treboeth, Beach Road, Swanbridge: Unauthorised use of stables as a dog kennels

RESOLVED - T H A T the matter be deferred to enable a site visit to be undertaken and a further detailed report to be submitted to the next meeting.

- (iii) Unauthorised laying of hardcore to create 2 no.hardstandings at O.S. 5382, Heol Shwllac, St. Brides Major and the siting of a steel storage container on the land

Approval was sought to serve an Enforcement Notice in respect of the unauthorised works and the siting of a steel storage container at the above property.

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

- (a) the removal from the land of the larger hardstanding which was marked on the plans attached to the report; and
- (b) the removal from the land of the steel container which had been sited in conjunction with the construction of the dwelling known as Heol Shwllac and which was now considered unnecessary.

Reason for decision

- (a) The large hardstanding was harmful and detrimental to the character and appearance of the countryside and was not justified as reasonably necessary for agriculture or forestry. The works were therefore contrary to Policies ENV1 and ENV10 of the adopted Vale of Glamorgan Unitary Development Plan 2005.
- (b) The steel container was now considered unnecessary and was not needed for agriculture or forestry and had a harmful effect on the appearance of the countryside, contrary to Policies ENV1 and ENV10 of the adopted Vale of Glamorgan Unitary Development Plan 2005.

(iii) 24 Maes Glas, Barry: Unauthorised window opening to the rear elevation of garage

Approval was sought to serve an Enforcement Notice in respect of the creation of an unauthorised window opening to the rear elevation of a garage during its conversion to ancillary residential accommodation at the above property.

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

- (a) the blocking up of the unauthorised window opening, and its finishing in materials to match the external elevations of the garage;

or

- (b) the insertion of obscure glazing in the unauthorised window opening.

Reason for decision

To ensure that the privacy of the neighbouring properties was protected.

(iv) Unauthorised change of use of land to residential gardens at 4 sites off St. Brides Road, Wick (Annwylfan, Tywern, Glyngwy and former Wick Filling Station)

The land encroached upon was located outside the settlement boundary of Wick as identified in the adopted Vale of Glamorgan Unitary Development Plan 2005. As such, there was a strong presumption against any form of residential development, which term would include the use of land for residential gardens. The use of agricultural land for such purposes was therefore considered to represent an unjustified encroachment into the countryside and rural landscape and such abuse, if left unchallenged, would set an unwelcome precedent for this type of development elsewhere.

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

- (a) that the use of the land as a residential garden should cease;
- (b) the removal of any residential trappings from the encroached land; and
- (c) the erection of a satisfactory form of boundary fence to separate the approved residential curtilages from the encroached land.

Reason for decision

To prevent the encroachment and residential use of land outside the settlement boundary into the open countryside contrary to Policies ENV1 and ENV10 of the adopted Vale of Glamorgan Unitary Development Plan 2005, where the unauthorised use was considered detrimental to the character and appearance of the open countryside.

(v) Breach of Condition Nos. 1 and 2 of Application 05/00817/FUL concerning hours of operation and requiring no takeaways at nos. 65/67 Cardiff Road, Dinas Powys

Approval was sought to issue an Enforcement Notice following the service of a Breach of Condition Notice in order to overcome a breach of planning control at the above properties.

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

- (a) the cessation of the breach of Condition No. 1, concerning approved opening hours of the property (10:00 and 22.30 hours);
- (b) that the property is not used for the sale of hot food for consumption off the premises; and
- (c) the cessation of the unauthorised use at the first floor of the property as a function room or restaurant.

Reason for decision

In order to protect the amenities of neighbouring residential properties.

1017 GENERAL PLANNING MATTERS (DEER) -

(i) Land to the North of the Railway Line, Rhoose: Draft Development Brief

Approval was sought to undertake a consultation exercise with interested parties and the general public in respect of the above Development Brief

which was attached to the report for consideration. Under the agreed procedure for Briefs, certain planning related issues could only be decided by Cabinet, and where relevant, Council. However, in reaching its position, Cabinet could consult the Planning Committee and the relevant Scrutiny Committee.

The Cabinet had considered the above Development Brief at its meeting held on 29th March, 2006 and agreed that this matter be referred to the Planning Committee and relevant Scrutiny Committee for consultation.

RECOMMENDED -

(1) T H A T the Draft Development Brief be endorsed for public consultation purposes and Cabinet be informed of the Committee's stance in this matter.

(2) T H A T the responses from the public consultation exercise and the proposed final Development Brief be reported to this Committee prior to final endorsement by the Cabinet.

Reasons for decisions

(1) To inform the Cabinet.

(2) To keep this Committee informed about the public response to the Draft Development Brief which will guide the future development of this important site.

1018 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:

04/01131/FUL

Received on 20th December, 2004

P.124

Mr. D. Stephens, Pen-Y-Bryn Farm, Llanmaes, Vale of Glamorgan.
(Phillip Wynne Architect, 51, Eastgate, Cowbridge, Vale of Glamorgan. CF71 7EL)

PEN-Y-BRYN FARM, LLANMAES

Conversion of existing barns into two dwellings

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)201 Revision D, 202 Revision D, 203 Revision A and 204 received by the Local Planning Authority on 20th December, 2004 and 16th May, 2005.
3. No part of the building shall be taken down and rebuilt except where indicated on the approved plan or as otherwise may be agreed in writing by the Local Planning Authority.
4. Details of the materials and colour of the external finishes of the proposed cat-slide kitchen extension shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.
5. The vehicle parking area hereby approved for the barn conversions shall be fully 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 development hereby permitted.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) the barn conversions hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.
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. 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.
9. Where any species listed under Schedule 2 or 4 of the Conservation (Natural Habitats & c.) Regulations 1994 is present on site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned

Regulations and a copy therefore has been produced to the Local Planning Authority.

10. Any demolition of stone walls of any buildings, or works to roof timbers of Buildings E and F must be carried out between September to March inclusive.
11. Demolition of stone built walls with loose fill must be carried out by hand, not by machine, and as far as possible from end to end, rather than from top down.
12. Rendering and/or remortaring of walls must be carried out during the autumn (September - November) or Spring (March to May).
13. Buildings must be checked for bats and breeding birds immediately prior to the commencement of any construction/demolition activities. Immediately prior to can be taken to mean on the same day.
14. Chemical treatment of timbers with insecticide must be with a non-toxic "bat friendly" formulation. (These are widely available and are any brand of Permethrin - water based chemical).

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. For the avoidance of doubt as to the extent of this permission.
4. To safeguard local visual amenities.
5. To retain adequate off street parking.
6. In the interests of privacy and amenity given the restricted nature of the site.
7. To safeguard local visual amenities.
8. To ensure satisfactory drainage of the site.
9. The barns are used by a European Protected Species.
10. The barns are used by a European Protected Species.
11. The barns are used by a European Protected Species.
12. The barns are used by a European Protected Species.
13. The barns are used by a European Protected Species.

14. The barns are used by a European Protected Species.

05/00086/FUL

Received on 18th January, 2005

P.134

Whitbread Group Plc., Enterprise Redevelopment Ltd., C/o Agent.
(Turley Associates (Dr T Rocke) Howard House, Queens Avenue, Bristol.
BS8 1SD)

**LAND ADJACENT TO WEYCOCK ROAD/PORT ROAD WEST, WEYCOCK
CROSS, BARRY**

Erection of public house/restaurant, hotel and petrol filling station:
Construction of long-stay airport parking: Alteration of vehicular access:
Associated landscaping

REFUSED (written representations)

Reason(s):

1. The application site is located outside the residential settlement boundary of Barry and as such, is located in the countryside. The proposed development of the site therefore represents unjustified new development in the countryside, which is contrary to the aims and objectives of Policies ENV1, TOUR1 and EMP3 of the adopted Vale of Glamorgan Unitary Development Plan 2005, as well as guidance in Planning Policy Wales.
2. The proposed development is located within the Nant Llancarfan Special Landscape Area wherein the large scale, extent and form of development which is proposed on this site would have a significant adverse visual impact on the landscape character of the surrounding area. Accordingly, the development proposals are considered to be contrary to the aims and objectives of Policies ENV XXX (Special Landscape Areas), ENV9, TOUR1 and EMP3 of the adopted Vale of Glamorgan Unitary Development Plan 2005, as well as guidance in Planning Policy Wales.

05/00087/FUL

Received on 18th January, 2005

P.148

J H Leeke & Sons Ltd, Mwyndy Business Park, Pontyclun, CF72 8PN.
(RPS, Park House, Greyfrairs Road, Cardiff, CF10 3AF.)

HENSOL CASTLE, MISKIN, PONTYCLUN

Comprehensive mixed-use redevelopment including conversion and extension of castle as hotel, conversion of ward blocks to residential use, development of timeshare complex, new 2 storey staff accommodation and restoration of walled garden.

DEFERRED for a site visit.

05/00088/LBC

Received on 18th January, 2005

P.172

J H Leeke & Sons Ltd, Mwyndy Business Estate, Pontyclun, CF62 8PN.
(RPS, Park House, Greyfrairs Road, Cardiff, CF10 3AF.)

HENSOL CASTLE, PENDOYLAN, COWBRIDGE

The conversion of a grade I listed castle and associated service courtyards to a spa hotel and construction of additional serviced accommodation for the spa hotel by the addition of an extension to the immediate North of the castle building.

DEFERRED for a site visit.

05/00297/LBC

Received on 23rd February, 2005

P.193

J H Leeke & Sons Ltd, Mwyndy Business Park, Pontyclun, CF72 8PN.
(RPS Group Plc, Park House, Greyfriars Road, Cardiff, CF10 3AF.)

HENSOL CASTLE, PENDOYLAN, COWBRIDGE

Conversion of 6 ward blocks and concert hall to residential use

DEFERRED for a site visit.

05/01047/OUT

Received on 29th June, 2005

P.200

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

LAND EAST OF CHEQUERS, EAST ABERTHAW

Erection of 2 no. dwellings

REFUSED (written representations)

Reason(s):

1. Insufficient details have been submitted to enable the Local Planning Authority to fulfil its statutory duty to assess the implications of the proposal, particularly in terms of the preservation or enhancement of the character of the East Aberthaw Conservation Area, contrary to Policy ENV18 and paragraph 3.4.71 of the Vale of Glamorgan Unitary Development Plan 2005; and National Guidance contained in Planning

Policy Wales March, 2002 and Welsh Office Circular 61/96 "Planning and the Historic Environment : Historic Buildings and Conservation Areas."

2. Notwithstanding the above, in the opinion of the Local Planning Authority, the proposal represents an unacceptable and inappropriate form of development which would adversely affect general residential amenities, highway safety and the character and appearance of the East Aberthaw Conservation Area, contrary to Policies HOUS2, HOUS9, ENV18 and ENV25 of the Vale of Glamorgan Unitary Development Plan 2005; Supplementary Planning Guidance on Amenity Standards and Conservation Areas in the Rural Vale; the East Aberthaw Conservation Area Appraisal; and National Guidance contained in Planning Policy Wales March, 2002 and TAN12 - Design.

05/01639/FUL

Received on 19th October, 2005

P.207

A. G. Developments, Little Haven, Nash Manor Gardens, Vale of Glamorgan.
CF71 7NS

(Don Mitchell Associates, 39, High Street, Cowbridge, Vale of Glamorgan.
CF71 7AE)

CHESTNUT TREE COTTAGE, CRAIG PENLLYN

Construct two new three bedroom detached dwellings. Widen vehicle access to side. Construct new access drive and associated parking for new dwellings and existing cottage

REFUSED (written representations)

Reason(s):

1. In the opinion of the Local Planning Authority, the proposal represents a cramped and contrived over-development of the site that will significantly detract from the character of the surrounding rural landscape, including the Upper Thaw Valley Special Landscape Area and adversely affect the general residential amenities of neighbouring occupiers, including the future occupiers of the existing Chestnut Tree Cottage, all contrary to Policies HOUS2, HOUS9, HOUS12, ENV25 and ENVXXX (Special Landscape Areas) of the adopted Vale of Glamorgan Unitary Development Plan 2005; Supplementary Planning Guidance on Amenity Standards; and National Guidance contained in Planning Policy Wales March, 2002.

05/01949/FUL

Received on 19th December, 2005

P.213

Copthorne Hotel, Copthorne Way, Culverhouse Cross, Cardiff. CF5 6DH
 (Mrs. Orla Watt, Copthorne Hotel, Copthorne Way, Culverhouse Cross,
 Cardiff. CF5 6DH)

COPTHORNE HOTEL, COPTHORNE WAY, CULVERHOUSE CROSS

Erection of 1.8 metre high timber perimeter fence approximately 210 metres in length

RESOLVED -

(1) T H A T planning permission be determined as follows:

REFUSED (written representations)Reason(s):

1. The development, by virtue of its location, design and materials, forms a visually intrusive and incongruous feature that fails to complement or enhance the local character of buildings and open spaces and would be detrimental to the visual amenity of the area, contrary to the objectives of Policy ENV25 (Design of New Development) of the adopted Vale of Glamorgan Unitary Development Plan 2005.

(2) 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 the removal of the fence and all supporting posts from the site.

06/00032/FUL

Received on 13th January, 2006

P.215

John Guy, Llantwit Major A.F.C., 9, Fairfield Close, Llantwit Major, Vale of Glam. CF61 2XL
 (John Guy, Llantwit Major A.F.C., 9, Fairfield Close, Llantwit Major, Vale of Glam. CF61 2XL)

WINDMILL LANE PLAYING FIELDS, WINDMILL LANE, LLANTWIT MAJOR

Perimeter fencing and stand

DEFERRED for a site visit.

06/00118/OUT

Received on 30th January, 2006

P.220

Mr M.H.R. Reynolds, Beauville Farm, Wenvoe, Vale of Glamorgan. CF5 6BD
 (Philip Griffiths - Architect, 3, St. Johns Close, Cefn Coed, Merthyr Tydfil.
 CF48 2PE)

LAND AT GILBERT LANE, DINAS POWYS

Proposed Farmhouse with garage

REFUSED (written representations)**Reason(s):**

1. The applicant has failed to demonstrate an essential need for the proposed permanent agricultural dwelling and therefore the proposal relates to unjustified residential development in the countryside. The proposal would also cause serious harm due to the prominent and elevated siting of the proposed dwelling and visibility from a public footpath. As such the proposed development is considered contrary to Policies ENV1 (Development in the Countryside), HOUS3 (Dwellings in the Countryside) and HOUS5 (Agriculture or Forestry Dwellings) of the adopted Vale of Glamorgan Unitary Development Plan 2005 and the advice given in Planning Policy Wales (March 2002).

1019 ITEMS WHICH THE CHAIRMAN HAD DECIDED WERE
 URGENT -

RESOLVED - T H A T the following items which the Chairman had decided were urgent for the reason given be considered.

1020 DRAFT SUPPLEMENTARY PLANNING GUIDANCE: PUBLIC
 ART (REF) -

Urgent by reason of the need to allow public consultation exercise to be progressed

The above matter had been considered by the Cabinet at its meeting held on 15th March, 2006 and subsequently referred to the Planning Committee in order to ascertain its stance on the matter.

The above Supplementary Planning Guidance (SPG) had been developed in support of the Council's Public Art Strategy for the Vale of Glamorgan, which the Council had produced in partnership with the Welsh Development Agency and Associated British Ports. Endorsement of the draft SPG was sought subject to a public consultation exercise prior to the SPG being adopted by the Council for development control purposes. This accorded with the Council's approved guidance for the production of SPG and with the Welsh Assembly Government's advice for SPGs to be prepared in consultation with

the general public and interested parties and to be the subject of a Council resolution.

The production of the SPG supported the Council's Percent for Art policy which was adopted by the Council on 30th July, 2003. This policy was adopted to acknowledge the recognition of the role that artists could have in enhancing and improving the quality of the public domain.

The draft SPG would assist Council officers, developers, architects and artists by setting out requirements for the provision of Art in the Public Realm, as well as providing practical advice on:

- the Council's protocol for the Commissioning Public Art;
- the information required to accompany outline and full planning applications;
- guidance on the process for Commissioning Public Art, including best practice advice on the content and scope of artist briefs and artist selection;
- the scope and content of contracts and Section 106 Agreements;
- legal ownership and maintenance issues.

RECOMMENDED -

(1) T H A T the draft SPG relating to Public Art be endorsed for public consultation purposes and that the Cabinet be informed of the Committee's stance in this matter.

(2) T H A T the response from the public consultation exercise and the proposed final SPG in relation to Public Art be reported back to this Committee prior to final endorsement by Cabinet.

Reasons for decisions

(1) To inform the Cabinet.

(2) To keep the Planning Committee informed about the public response to the draft SPG relating to Public Art.

1021 ST. ATHAN PARK - DRAFT DEVELOPMENT BRIEF (REF) -

Urgent by reason of the need to allow public consultation exercise to be progressed

The above matter had been considered by the Cabinet at its meeting held on 15th March, 2006 where it was resolved that the above matter be referred to the Planning Committee for consultation purposes.

The above Brief provided a planning framework for the future development of the St. Athan site. The draft Brief:

- outlined the proposals for the St. Athan site;
- outlined the proposals behind the Defence Training Review (DTR) Bid for new military training facilities which had been submitted by Matrix to the MoD;
- confirmed the relationship of the Training Academy and the Aerospace Wales proposals on the St. Athan site;
- provided a basis for the consideration of any future planning application(s) for the St. Athan site;
- provided an opportunity for the public to be consulted on the proposals for the future of the St. Athan site.

Full details of the key proposals were contained within Section 5 of the draft Brief and these related to the Training Academy and the Aeronautical Business Park. Section 6 of the draft Brief related to impact and mitigation measures of the proposed development in respect of transport, hydrology, flood risk, landscaping including visual impact, ecology, cultural heritage, archaeology, land quality, noise and vibration, air quality and dust, economic and housing impact as well as service infrastructure. Section 7 of the draft Brief detailed the requirements for any future planning applications for the site including issues which would need to be considered in respect of any future planning conditions and obligations.

RESOLVED -

(1) T H A T the draft Development Brief for St. Athan Park be endorsed for the purposes of public consultation and that the Cabinet be informed of the Committee's stance in this matter.

(2) T H A T a summary of the comments received on the draft Development Brief together with the amended Development Brief be reported to this Committee prior to final endorsement by the Cabinet.

Reasons for decisions

(1) To inform the Cabinet.

(2) To keep this Committee informed about the public response to the draft Development Brief which will guide the future development of this important site.

1022 THE VALE OF GLAMORGAN UNITARY DEVELOPMENT PLAN: OUTCOME OF JUDICIAL REVIEW PROCEEDINGS (DEER) -

Urgent by reason of the need to apprise the Committee of the outcome of the Judicial Review

The Committee was advised of the outcome of the Judicial Review proceedings in respect of the Council's Unitary Development Plan.

The challenge had been made on the following grounds:

- (i) The failure of the Council to designate a Green Belt.
- (ii) The failure of the Council to review the position on strategic highway proposals relating to the Airport Access Road and the Barry - Cardiff Waterfront Link and their subsequent deletion from the Plan.
- (iii) The deletion of the Rhoose Housing allocation from the Plan.
- (iv) The deletion of an allocation for mineral working adjacent to the existing Wenvoe Quarry.
- (v) The deletion of the Waste Chapter.

The proceedings took place, following the exchange of substantial written evidence, during February 2006 and the challenge was subsequently dismissed.

The concluding remarks of His Honour Judge Wyn Williams were felt to be particularly interesting given the seriousness of the action brought by the Claimant, namely:

“Conclusion

For the reasons given above, I consider that this claim should be dismissed. I am conscious that even this lengthy judgement may not have done justice to each and every point advanced by Mr. Upton and countered by Ms. Ellis. I do register a mild protest that the Claimant’s grounds of claim seemed to me to have enlarged and contracted at various points during the life of these proceedings not least during the course of argument itself. I believe, however, that I have considered the main points which each party relied.

I should also record that much of the Claimant’s evidence was in reality an attempt to debate the planning merits of the points in issue. I simply record that I consider it essential that I resist the temptation to be drawn into such a debate.”

RESOLVED -

- (1) T H A T the contents of the report be noted.
- (2) T H A T a copy of the report and Judgement be forwarded to the Welsh Assembly Government and the Welsh Local Government Association for information.
- (3) T H A T the Committee's thanks be extended to all officers involved in defending the Council both in the lead-up to and during the legal proceedings.