

**ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 17 DECEMBER 2015**

| Application | Location | Item No. | Description |
|--------------------|---|-----------------|--|
| 2015/00744/FUL | Bassett Road, Sully, | 1. | Letter from applicant and amended site layout plan. |
| 2015/00852/FUL | Home Farm, land west of Drope Road, St. Georges Super Ely | 2. | Comments from Highway Development recommending amendment to Condition 3. |
| | | 3. | Comments from Glamorgan Gwent Archaeological Trust recommending the application be deferred for further information. |
| 2015/00954/FUL | Former Bryneithin Home for the elderly, St. Andrews Road, Dinas Powys | 4. | Comments from the Head Teacher of St. Andrew's Primary School and recommending condition. |
| 2015/01030/FUL | Court Farm, Bonvilston | 5. | Letter from agent outlining support for the development and requesting deferral for Committee site visit. |
| | | 6. | Comments of the Council's Conservation Officer and Policy Section. |
| | | 7. | Comments of the Council's Ecologist. |
| 2015/01163/FUL | Keeperes Cottage, Lower Porthkerry Road, Rhoose | 8. | Comments from agent withdrawing application. |
| 2015/01164/LBC | Keeperes Cottage, Lower Porthkerry Road, Rhoose | 9. | Comments from agent withdrawing application. |
| 2015/01301/FUL | 85, Lavernock Road, Penarth | 10. | Letter from neighbour. |
| | | 11. | Amended plan. |

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 17 December 2015

| | |
|--|---------------------------------------|
| Application No.: 2015/00744/FUL | Case Officer: Mr. S. D. Butler |
| Location: Bassett Road, Sully Proposal: Two detached houses | |

From: Applicant – Alexander Design Build Ltd

Summary of Comments:

Amended Proposed Site Layout plan submitted to omit the detached double garage, originally shown to serve Plot 2, at the request of applicant.

Amend Condition 2 to read :

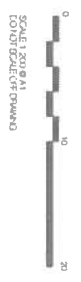
This consent shall only relate to the following schedule of plans and documents:-

- Existing/Site Location Plan 011/PL01/R1 received 27 June 2015
- House 1 Plans/Elevations 011/PL03/R3 received 16 November 2015
- House 2 Plans/Elevations 011/PL04/R2 received 3 July 2015
- Proposed Site Layout 011/PL02/R4 received 14 December 2015
- Proposed Plans 52/L(00)220 Rev A received 11 August 2015
- Preliminary Ecological Appraisal received on 27 June 2015
- Design and Access Statement received on 27 June 2015

and the development shall be carried out strictly in accordance with these details.

Reason:

In the interests of the character and appearance of the area, neighbouring amenity and highway safety in accordance with Policies ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan.



DRAWING 2 - PROPOSED SITE LAYOUT
 LAND AT THE REAR OF 24 BASSETT RD, SULLY, CF64 5HS



ALEXANDER
 DESIGN / BUILD

0121 1095555
 02402 70000
 T: 02402 70000 F: 0121 1095555
 23/03/2015
 24 BASSETT RD, SULLY
 011/PL/02/14

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 17 December 2015

| | |
|---|--|
| Application No.: 2015/00852/FUL | Case Officer: Mrs. Y. J. Prichard |
| Location: Home Farm, land west of Drope Road, St. Georges Super Ely | |
| Proposal: Installation of small scale c. 3MW ground mounted photovoltaic solar arrays with inverter houses; switchgear cabin, internal access track, landscaping; fencing; security measures; access gate and ancillary infrastructure | |

From: Council's Highway Development Team

Summary of Comments:

The additional drawing of the site compound does not show appropriate swept paths. In addition the remaining highway comments dated 24/08/2015 are still to be addressed.

Recommend amended condition 3:

Notwithstanding the submitted plans, further details shall be provided to indicate **details of the site compound to show appropriate provision for HGVs and** temporary improvements to the proposed vehicular access, which shall include widening of the entrance and part of the carriageway, and vision splays in both directions together with details of any hedgerow removal and proposed replacement. The agreed temporary improvements shall be implemented before the commencement of development and shall be retained for the course of the construction works. Following completion of the construction phase the access shall be restored to its original state, including the replacement of any hedgerow removal.

Reason:

In the interests of highway safety and the character and appearance of the rural landscape in accordance with Policies ENV4-Special Landscape Areas, ENV10-Conservation of the Countryside, ENV27-Design of New Developments and COMM8-Other Renewable Energy Schemes.

Prichard, Yvonne J

From: Harrison, Paul D (Agency)
Sent: 14 December 2015 17:02
To: Prichard, Yvonne J
Subject: RE: Ref 2015/00852/FUL Home Farm

Hi Yvonne

The drawing of the site compound does not show appropriate swept paths an articulated vehicle manoeuvring within the site. The swept paths are required to show the full vehicle tracks.

In addition, the remaining highway comments dated 24/08/2015 are still to be addressed.

Regards

Paul

Paul Harrison
Agency Engineer
Planning and Transportation Services
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704721
e-mail / e-bost: pdharrison@valeofglamorgan.gov.uk

Visit our Website at www.valeofglamorgan.gov.uk
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Correspondence is welcomed in Welsh or English/Croesawir Gohebiaeth yn y Gymraeg neu yn Saesneg.

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From: Prichard, Yvonne J
Sent: 01 December 2015 10:58
To: Harrison, Paul D (Agency)
Subject: FW: Ref 2015/00852/FUL Home Farm

Hi Paul,

Amended plan re: compound.

Thanks

Yvonne

Yvonne Prichard
Senior Planner
Regeneration and Planning
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704650
e-mail / e-bost: YJPrichard@valeofglamorgan.gov.uk

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From: Prichard, Yvonne J
Sent: 27 November 2015 14:24
To: Planning & Transportation (Customer Care)
Subject: FW: Ref 2015/00852/FUL Home Farm

Please run of email and attachments (to scale) and book in the mail.

Yvonne Prichard
Senior Planner
Regeneration and Planning
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704650
e-mail / e-bost: YJPrichard@valeofglamorgan.gov.uk

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From: Amy Hickson [<mailto:Amy.Cooper@pegasuspg.co.uk>]
Sent: 27 November 2015 12:48
To: Prichard, Yvonne J
Subject: FW: Ref 2015/00852/FUL Home Farm

Afternoon Yvonne,

Please see attached and below correspondence between our Archaeologist and GGAT. I trust this will provide GGAT with the clarification they are seeking.

Any news from Highways? Are they comfortable to condition matters? We have addressed point 4 of their response with the updated compound plan (to correct scale) attached.

Thanks

Amy

Amy Hickson
Senior Planner

Pegasus Group

Planning | Environmental | Retail | Urban Design | Energy | Landscape Design | Graphic Design | Consultation | Sustainability

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From: Richard Massey [REDACTED]
Sent: 27 November 2015 12:38
To: Claudine Gerrard <claudine@ggat.org.uk>
Cc: Amy Hickson <Amy.Cooper@pegasuspg.co.uk>
Subject: Ref 2015/00852/FUL Home Farm

Dear Claudine,

Further to this morning's telephone conversation, and following consultation with the client, it has been established that the current development area red line for the Home Farm solar scheme and the proposed layout of solar arrays remains as assessed in the ES chapter. It is acknowledged that, while part of the southernmost element of the proposed development area intersects with the essential setting of Coedarhydglyn Park, as defined by Cadw, some solar arrays will be situated within this area. The relevant reference to the siting of solar panels will therefore be removed from the ES chapter. However, this does not affect the overall conclusions of our assessment of impact to the wider setting of Coedarhydglyn Park, and I have included an addendum to the ES chapter to clarify this point.

Significantly, Cadw, in their response of 1 September 2015, have stated that they are in agreement with the conclusions of the Archaeology and Heritage chapter, and that "the adverse impact on the registered park and garden, and its setting, is not considered significant".

I hope you are satisfied with these conclusions, and that the recommendation for deferral of the determination can be rescinded.

Kind regards,

Richard

Richard Massey
Senior Heritage Consultant



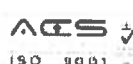
Cotswold
Archaeology

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Major new Neolithic site found in Oxfordshire



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LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 17 December 2015

| | |
|---|--|
| Application No.: 2015/00852/FUL | Case Officer: Mrs. Y. J. Prichard |
| Location: Home Farm, land west of Drope Road, St. Georges Super Ely | |
| Proposal: Installation of small scale c. 3MW ground mounted photovoltaic solar arrays with inverter houses; switchgear cabin, internal access track, landscaping; fencing; security measures; access gate and ancillary infrastructure | |

From: GGAT

Summary of Comments:

Recommend that the application be deferred until a report on the archaeological evaluation has been submitted.

Our ref: A51012/CG

Archaeological Planning

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

7th December 2015

FAO: Y J Prichard

Dear Sir

**Re: Installation of a 3mw ground mounted photovoltaic solar arrays and associated infrastructure: Home Farm, lane west of Drope Road, St Georges Super Ely.
Pl.App.No: 2015/00852/FUL.**

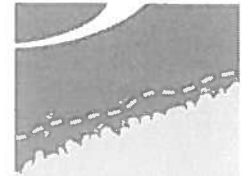
Thank you for notifying us of this application and for forwarding the additional information provided by Cotswold Archaeology.

The supporting information includes a revised Environmental Statement chapter 7 of which considers archaeology and cultural heritage, this assessment was undertaken by Cotswold Archaeology. The assessment provides an understanding of the known archaeological resource within a specified study area. The submitted Environmental Statement included a discussion of the results of a geophysical survey undertaken in support of this application. The geophysical survey identified a series of linear anomalies possibly forming an enclosure within the centre of the proposed development area which it is noted in the submitted Environmental Statement are likely to be of pre-historic or Roman origin. The Environmental Statement makes a series of recommendations in relation to the need for further archaeological mitigation, these include the need to carry out further investigative trial trenching works in respect of those features identified in the results of the geophysical survey. We note that any impact on the registered park of Coedarhydglyn has been dealt with in the design of the proposed development and that any impact of the development in this respect has been the subject of review by Cadw.

As noted above it is likely that archaeological features are present in the area and that they could be revealed during the proposed development.

In cases where important archaeological features are thought to be located inside an application area, Planning Policy Wales 2002 Section 6.5.1 notes that *"the desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application whether that monument is scheduled or unscheduled."* The more detailed advice in Welsh Office Circular 60/96, Section 13, recommends that *"where research indicates that important archaeological remains may exist, the planning authority should request the prospective developer to arrange for an archaeological field evaluation to be carried out before any decision on the planning application is taken."*

It therefore remains our opinion in our role as the professionally retained archaeological advisors to your Members that the applicant should be



Archaeological
Planning



Registered Organisation

Glamorgan-Gwent
Archaeological Trust
Limited

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www.ggat.org.uk
email: curatorial@ggat.org.uk

Registered Office: As above
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requested to commission such archaeological work. **The determination of the planning application therefore should be deferred until a report on the archaeological evaluation has been submitted to your Members.**

We recommend that this work is undertaken to a brief (which we can provide on request) or project design, approved by us, on your behalf.

If you have any questions or require further advice on this matter please do not hesitate to contact us.

Yours faithfully

A handwritten signature in black ink that reads "Claudine Gerrard". The signature is written in a cursive style with a small flourish at the end.

Claudine Gerrard
Archaeological Planning Officer

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 17 December 2015

| | |
|---|--|
| Application No.: 2015/00954/FUL | Case Officer: Mrs. J. M. Crofts |
| Location: Bryneithin Home for the Elderly, St. Andrews Road, Dinas Powys | |
| Proposal: Construction of small retirement complex of two and three storey linked cottages and flats with communal resident and guest facilities, parking and garden areas | |

From: Head Teacher, St. Andrews Major C/W Primary School

Summary of Comments:

Raise concerns about the development both during construction and after:

- **Fencing of the site during construction**
- **The possible effects of pollution, noise etc. on the well-being of pupils and staff**
- **The 'joint' access point to both sites. The peak times are as follows: 8.30 to 9.15 and 3.15 to 4pm. I strongly recommend that some sort of agreement is made with the developers over avoiding these times. There may well be the need to include a zebra or pelican crossing to the entrance both during construction and when residents are in use of the access.**

Response:

The CEMP and other conditions will address these concerns, but for clarification, the following variations are proposed.

Recommend amended conditions:

7. Details of a scheme for traffic calming at the site entrance with the school access, and of give way carriageway markings, **paying particular regard to the safety of pedestrians and cyclists accessing the adjoining school site** shall be submitted to and approved in writing by the local planning authority and the scheme shall be implemented on site prior to the first beneficial use of the site for residential purposes.

Reason: In the interests of highway safety and to meet the requirements of Policies ENV27 and HOUS8 of the Unitary Development Plan.

14. No Development shall take place until there has been submitted to, approved in writing by the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include details of how noise, lighting, dust, mud and airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated. **The CEMP will include details of means of enclosure of the site during construction to ensure adequate measures are in place to protect the safety of children in the adjoining school site.** The CEMP will utilise the Considerate

Constructors Scheme (www.considerateconstructorsscheme.org.uk). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

Recommend additional condition

17. No development shall take place until there has been submitted to, and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP), which shall provide for wheel washing facilities and details of delivery times and access arrangements (with no large construction or delivery vehicles accessing or egressing the site between the hours of 08:25 – 09:20 and 15:10 – 16:05 Monday to Friday during school term time). The development shall be implemented thereafter in full accordance with the approved Construction Traffic Management Plan.

Reason:

In the interests of highway safety and having regard to the proximity to St. Andrews Major Primary School in accordance with Policy ENV27 of the Unitary Development Plan.

Robinson, Victoria L

From: Hallett, Genevieve
Sent: 16 December 2015 11:52
To: Robinson, Victoria L
Cc: Planning
Subject: Bryneithin Development

Dear planning department,

Myself and my governors met yesterday with the developers Portabella. Following our conversation, I still have some genuine concerns about the development both during construction and after.

These are namely:

- The safety of the pupils is paramount and although within the planning, permanent fencing will no doubt be included for the finished site, I am more concerned about the site during construction and must insist that assurances are given that appropriate fencing and security will be provided by the developers.
- I also have concerns about the possible effects of pollution, noise etc. on the well-being of pupils and staff, especially when the children are outside during PE lessons or break times etc. Can you confirm what measures would be taken to address or monitor this?
- Another real concern is the 'joint' access point to both sites. There are already issues over safety at the entrance to the school with the bus lay-by, staff car park and a road which gets very busy at peak times. With the addition of site machinery and countless deliveries this could cause a real danger to my pupils, parents and staff. The peak times are as follows: 8.30 to 9.15 and 3.15 to 4pm. I strongly recommend that some sort of agreement is made with the developers over avoiding these times. There may well be the need to include a zebra or pelican crossing to the entrance both during construction and when residents are in use of the access.

I cannot emphasise enough that my concerns are all based on ensuring the safety and well-being of everyone at my school, and I am sure you will agree these points must be given careful consideration during the planning process.

Gen Hallett

Mrs Gen Hallett

Head Teacher

St Andrews Major C/W Primary School



5
Rees, Vivien

From: Osian Roberts [REDACTED]
Sent: 16 December 2015 11:37
To: Planning & Transportation (Customer Care)
Cc: Geraint John
Subject: LATE REPRESENTATION - 2015/01030/FUL - Court Farm, Bonvilston
Attachments: Court Farm Bonvilston Late Rep Letter.pdf

Dear Sir / Madam

Please find attached a late representation letter on behalf of the applicant, Mr W. D. Johns-Powell, in respect of the below application due to be reported to Committee tomorrow, 17th December 2015:

Application ref.: 2015/01030/FUL

Site: Court Farm, Bonvilston

Application description: Proposed four detached dwellings.

The letter formally requests that the application be deferred to allow Committee Members to undertake a site visit prior to making a decision.

I trust the attached letter is clear, if there are any questions please do let me know.

Regards,

Osian

Osian Roberts

Principal Planner

Geraint John Planning Ltd

Mob : 07975 758993
Tel : 02920 660244
Fax : 02920 660243
Email: osian@gjplanning.co.uk
Ad : Sophia House, 28 Cathedral Road, Cardiff. CF11 9LJ



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15th December 2015

Head of Planning
Vale of Glamorgan Council
Development Control
Dock Offices
Barry Docks
Barry
CF63 4RT

Dear Members

Application ref.: 2015/01030/FUL

Site: Court Farm, Bonvilston

Application description: Proposed four detached dwellings.

REQUEST FOR DEFERRAL FOR SITE VISIT

With regards to the above Planning Application (2015/01030/FUL), which is scheduled to be heard at Planning Committee on 17th December 2015, we write on behalf of the applicant Mr W. D. Johns-Powell, to formally request the deferral of the determination the application to allow for a Committee site visit.

The application is being reported to committee with two proposed reasons for refusal. The first reason relates to the principle of development and its perceived impact on the character and appearance of the conservation area, and the second to the potential impact on neighbour amenity.

Discussions and dialogue undertaken during the application process have confirmed that the following matters are considered acceptable and/or can be adequately controlled by condition:

- Archaeology;
- Noise Impact;
- Highway safety;
- Drainage; and
- Ecology (in that no comments were received and therefore considered acceptable).

In light of the above, and as confirmed within the Committee Report, the main matters to consider are the principle of development and its visual impact, and neighbour amenity.

The Committee Report confirms that the site is located outside settlement boundary, albeit only 70m away (with direct pedestrian footpaths on both sides of the road) from the settlement of Bonvilston. Furthermore, it confirms that the Council have accepted that this is an acceptable and sustainable

location for development through the work undertaken to evidence and support the allocation of the adjoining and surrounding land for residential development.

The principle of sustainable development underpins every policy in Planning Policy Wales (PPW 7, 2014). In paragraph 4.4.3 of PPW, it is stated that planning policies, decisions and proposals should do the following things (amongst others):

- Promote resource-efficient and “climate change resilient” settlement patterns that minimise land-take (and especially extensions to the area of impermeable surfaces) and urban sprawl, especially through preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites;
- Locate developments so as to minimise the demand for travel, especially by private car.

In paragraph 4.6.3, three priorities for rural areas are identified:

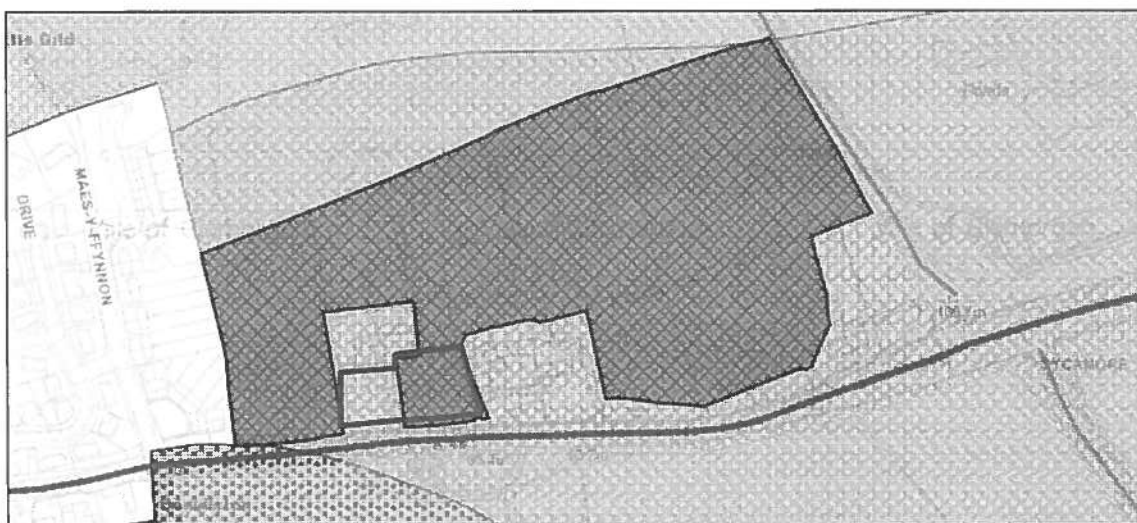
- i. Sustainable rural communities with access to affordable housing and high-quality public services;
- ii. A thriving and diverse local economy; and
- iii. An attractive, ecologically rich and accessible countryside.

Furthermore, paragraphs 9.3.2 and 9.3.3 of Planning Policy Wales provides further guidance and justification, over and above local planning policy, in respect of sites such as this:

9.3.2 Sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, in particular for affordable housing to meet local need, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area.

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

As highlighted, the report concludes that the site is located in a sustainable location which is in proximity to the main settlement of Bonvilston. A key material consideration in the determination of this application is the proposed allocation for 120 units which encompasses the site to the west, north and east. The below extract from the LDP Proposals Map illustrates the extent of the proposed allocation (brown shading) and its relationship with the application site (outlined red):



Planning application 2015/0960/FUL seeks to formally establish the principle of residential development on a significant proportion of the allocated land. The proposed layout plan submitted for the scheme is provided below:



This plan is key in demonstrating the evolving context of the site, both in the wider landscape in the context of the impact on the character and appearance of the Conservation Area but also in demonstrating how the application site will be seen within the new settlement context. The below illustrative plan shows the proposals for the application site superimposed (approximately) onto the above drawing of the proposed layout plan for the allocation:

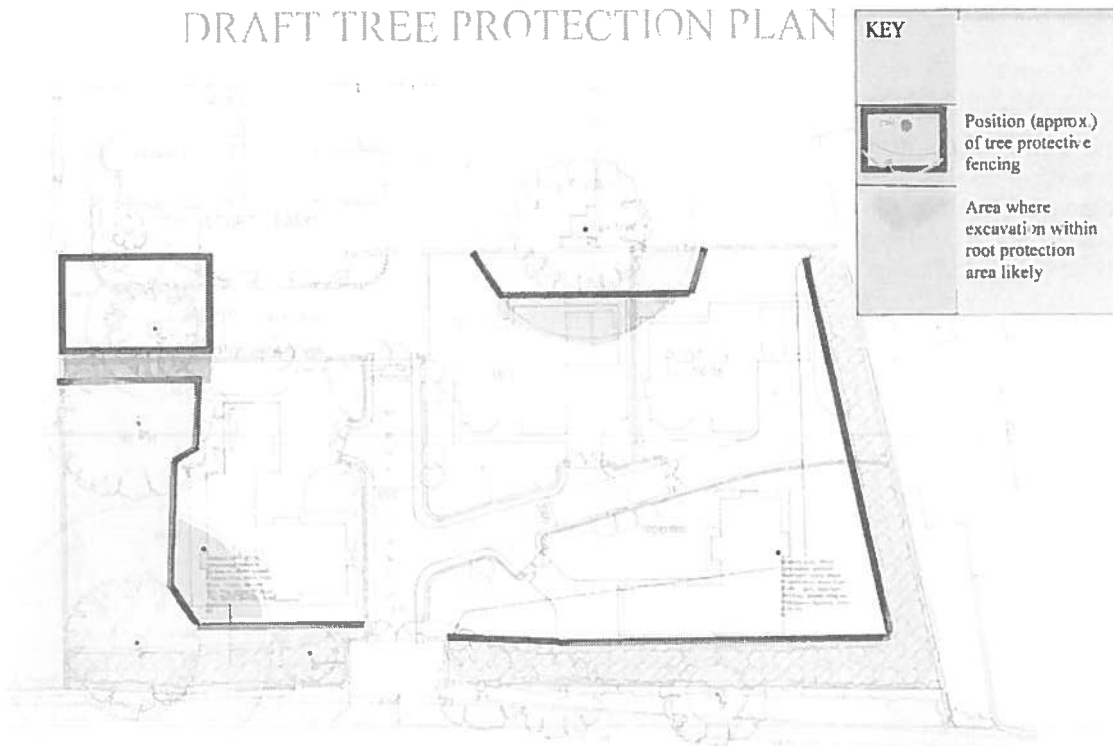


As demonstrated by this illustration, the proposal will sit neatly and appropriately within the surrounding context. With a density of approximately 20 units per hectare, the allocation will have a relatively low density rural character. The proposal for the application site is similarly low density to ensure it is in

keeping with the surrounding context – particularly in respect of the allocated site and the conservation area.

As can be noted from the LDP Proposals Map extract, part of this application site is located within / covered by the proposed allocation, albeit not included within the application red line boundary for the application made for the wider site. The assessments and evidence prepared to support the allocation of part of the application site for residential development has established, to a degree, the acceptability of residential use on this land. Given that the application for the allocated site includes 120 units without all of the land included, it is evident that the allocation, as delineated by the LDP Proposals Map, is capable of accommodating additional units than originally envisaged. The development of this application site would equate to a very minor, circa 3%, increase in the number of units brought forward for Bonvilston - which is considered to be insignificant in the overall context and, accordingly will not have a material impact over and above that which the wider allocation may have on the character and appearance of the Conservation Area.

Furthermore the submitted supporting documentation in the form of the arboricultural statement has carefully considered the layout of the proposal in respect of the existing trees on site. The draft tree protection plan included in arboricultural report demonstrates how the existing trees on site can be protected during construction works to ensure their long term health and wellbeing:



It is considered therefore that the proposal can be sympathetically and appropriately incorporated into its surroundings, through the retention of the soft landscaping, along with the potential for additional softening through a landscaping scheme, and particularly in light of the evolving wider context which will engulf the site, and assimilate it into the village of Bonvilston.

Any concern in respect of neighbour amenity could be addressed through reviewing the internal layouts of the proposed units to ensure that no material harm is caused to the existing property at Court Farm as a result of this proposal.

Summary

Given the significant and material consideration of the allocated site which encompasses the application site, and in any event given the prevailing planning policy that relates to small scale development in sustainable rural locations, we would request that Members visit the site to appreciate the context in which the application site sits relative to the allocation and other existing built form and features, and to allow further dialogue with the Council in respect of the perceived impact on the amenity of adjoining residential properties.

Yours sincerely,



Geraint John
Director
Geraint John Planning Ltd

6.

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 17 December 2015

| | |
|--|--|
| Application No.: 2015/01030/FUL | Case Officer: Mrs. Y. J. Prichard |
| Location: Court Farm, Bonvilston Proposal: Proposed four detached dwellings | |

From: Council's Conservation Officer and Policy Section

Summary of Comments:

Objection in principle from Conservation Officer.

Objection on policy grounds noting that the part allocated in LDP should be developed as whole with remainder of larger site to maximise affordable housing contributions.

MEMORANDUM / COFNOD

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



| | | | |
|----------------------|------------------------|-------------------|-------------------------|
| To / I: | Yvonne Prichard | From / Oddi Wrth: | Conservation and Design |
| Dept / Adran: | Development Management | My Ref / Fy Cyf: | |
| Date / Dyddiad: | 4 December 2015 | Tel / Ffôn: | (01446) 704628 |
| Your Ref / Eich Cyf: | 2015/01030/FUL | Fax / Ffacs: | (01446) 421392 |

Subject / Testyn: **Planning Application No. 2015/01030/FUL (YP)**
Location : Court Farm, Bonvilston
Proposal : Proposed four detached dwellings

OBJECTION IN PRINCIPLE

The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) sets out the principal statutory instruments which must be considered in the determination of any application affecting either listed buildings or conservation areas.

Section 69 enables Local Planning Authorities to designate conservation areas. Conservation areas are those areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. Section 72 requires that in the exercise of planning duties special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Recent case law (see particularly *E Northants DC v Secretary of State for Communities and Local Government* [2014] EWCA Civ 137) makes it clear that the duty imposed in the Act means that in considering whether to grant permission for development that may cause harm (substantial or less than substantial) to a designated asset (listed building or conservation area) and its setting, the decision maker should give particular weight to the desirability of avoiding that harm. There is still a requirement for a planning balance, but it must be informed by the need to give weight to the desirability of preserving the asset and its setting.

The Bonvilston Conservation Area Appraisal and Management Plan identifies the qualities of the conservation area. The qualities of the conservation area that may be sensitive to this development are [insert qualities]. Whilst the conservation area is an area of special architectural and/or historic interest, the character or appearance of which it is desirable to preserve or enhance, this does not mean that it is automatically of high sensitivity to all forms or scales of development or that parts of it are uniformly of the same value and sensitivity.

The CAAMP is not prescriptive about which areas may be suitable for development but is guidance on general principles. It provides more detail than the Unitary Development Plan and is the preferred guidance for assessing the impact of the proposed scheme.

It is noted that Court Farm is identified within the CAAMP as a building that makes a positive contribution to the character and appearance of the conservation area. Furthermore, it is noted that Court Farm is also identified as a locally listed County Treasure. You should note there is a drafting error here and the building is not a County Treasure. It is, however, considered to contribute positively to the character and appearance of the conservation area.

The site currently contains a single house set within spacious grounds. This is characteristic of a number of properties on the edges of the conservation area and is a significant characteristic of the conservation area. The proposal seeks to introduce 4 no. houses within the space to the front and side of the existing dwelling which will dilute the spaciousness that contributes to the character of the conservation area.

For these reasons I am of the opinion that the proposal fails to preserve or enhance the character or appearance of the conservation area and I am, therefore, unable to support the proposal and recommend a refusal.

Notwithstanding my strong objections above, if you are minded to approve the application, I am satisfied that the design of the proposed dwellings relates relatively well to the characteristics of the Conservation Area although I would recommend conditions requiring details at an appropriate scale of all windows, doors, rain water goods and samples of materials to be agreed prior to use.

Peter Thomas
Senior Planner (Conservation and Design)

Policy Observations

| | |
|--|-----------------------------------|
| Case Officer: Yvonne Prichard | |
| Pl. App. No: 2015/01030/FUL | Policy Ref: P/Po/JDM/LDP20 |
| Location Court Farm, Bonvilston | |
| Proposal: Proposed four detached dwellings. | |
| Relevant Plans / SPGs: The Vale of Glamorgan Adopted UDP 1996 to 2011 Vale of Glamorgan Deposit Local Development Plan 2011 – 2026 Parking Guidelines Design in the Landscape SPG Affordable Housing SPG Planning Obligations SPG Model Design Guide for Wales SPG Public Art SPG Sustainable Development SPG Trees and Development SPG Biodiversity and Development SPG Conservation Areas in the Rural Vale SPG | |
| Relevant UDP Policies: Part 1 Policy 1 and 2 - The Environment Policy 3 - Housing Policy 7 and 8 Transportation Policy 11 - Sport and Recreation Policy 14 - Community and Utility Services Part 2 Policy ENV 1 - Development in the Countryside Policy ENV 4 - Special Landscape Areas Policy ENV 11 - Protection of Landscape Features Policy ENV 17 - Protection of the Built and Historic Environment Policy ENV 18 - Archaeological Field Evaluation Policy ENV 27 - Design of New Developments Policy HOUS 2 - Additional Residential Development Policy HOUS 3 - Dwellings in the Countryside Policy HOUS 8 - Residential Development Criteria - Policy HOUS 2 Settlements Policy TRAN 10 - Parking | |
| Relevant Deposit LDP Policies Policy SP1 - Delivering the Strategy Policy SP3 - Residential Requirement Policy SP4 - Affordable Housing Provision Policy SP7 (3) - Transportation Policy SP10 - Built and Natural Environment Policy MG1 - Housing Supply in the Vale of Glamorgan Policy MG2 (37) - Housing Allocations Policy MG4 - Affordable Housing Policy MG 16 (16) - Transport Proposals Policy MG17 - Special Landscape Areas Policy MG19 - Sites of Importance for Nature Conservation Policy MG25(8) - Public Open Space Allocations Policy MD2 - Place Making Policy MD3 - Design of new development Policy MD4 - Community infrastructure and planning obligations Policy MD7 - Housing Densities Policy MD9 - Historic Environment Policy MD10 - Promoting Biodiversity | |

Comments:

The proposal is for the construction of 4 detached dwellings within what would appear to be the garden area of Court Farm, Bonvilston. The application site includes a small element of the LDP allocation MG2 (37) Land to the east of Bonvilston which has been allocated in the Deposit LDP for 120 dwellings on a 7.2 hectare site for which an application is currently under consideration by the Council.

The current statutory development plan for the area is the Adopted Vale of Glamorgan Unitary Development Plan and while this document is time expired, the Plan's policies are considered to remain relevant and valid. The UDP policies therefore provide the policy context for the determination of any planning application that is submitted prior to the adoption of the LDP.

The application site lies to the east of Bonvilston and is situated outside of the existing residential settlement boundary as identified within the Adopted Vale of Glamorgan Unitary Development Plan (UDP). In addition, the site is closely located to two Special Landscape Areas, namely the Ely Valley & Ridge slopes SLA to the east and the Nant Llancarfan SLA to the south. The application site also lies within the identified Bonvilston conservation area.

Policy ENV1 seeks to protect the countryside from inappropriate development and only permits proposals for agricultural, horticultural or other uses for which a rural location is essential or permitted under other policies of the Plan. This development would therefore be contrary to this and other UDP policies, such as HOUS2 which only permits small scale 'rounding off' of settlement boundaries, and policy HOUS3 which restricts new dwellings in the countryside to those that can be justified in the interests of agriculture or forestry. I would not consider the proposal to be infill or rounding off development.

Given the sites proximity to the Bonvilston Conservation area and important elements within that designation, I would suggest that detailed comments are sought from the Council's conservation officer. I would also suggest that detailed comments are sought from the highways officers given the proposed access onto the main A48.

While the current application site forms a part of the larger LDP allocation (comprising approximately plots 2, 3 & 4) it does not form a part of the recent application for 120 dwellings currently under consideration by the Council. In this regard, it is surprising that this application is separate to the larger application and it would be preferable if the LDP allocation site was the subject of one application where such issues as access, open space, affordable housing, layout and visual impact could be considered comprehensively. As a part of an LDP allocation, I would also expect the development to contribute to the affordable housing need and note that the application does not include any affordable housing provision, policy MG4 refers. In this respect, the Affordable Housing SPG seeks to avoid the artificial subdivision of development sites.

Recommendation:

The proposed development is contrary to the Adopted UDP, as the extant statutory development plan. However as the UDP is time expired and the Council cannot demonstrate a 5 year housing land supply, the proposal will need to be justified as a departure from that Plan in terms of all material considerations.

With regard to the LDP, while the principle of development has been accepted on the allocation site, this has yet to be tested and confirmed as part of the Examination into the Plan. The current application site forms a part of the larger MG2 allocation and should preferably be considered as a part of any application on that site and maximise affordable housing contributions.

It is recommended that comments are sought from Highway Development regarding the proposed improvements to Pendoylan Lane (Policy MG16 (18)) and the Council's conservation officer regarding the impact on the Bonvilston conservation area and the positive elements identified.

Signed: J.Marks.
J. Raine

Date: 07/12/15
07/12/15

7.

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 17 December 2015

| | |
|--|--|
| Application No.: 2015/01030/FUL | Case Officer: Mrs. Y. J. Prichard |
| Location: Court Farm, Bonvilston Proposal: Proposed four detached dwellings | |

From: Council's Ecologist

Summary of Comments:

No comments on the application

Prichard, Yvonne J

From: Dixon, Erica
Sent: 15 December 2015 14:14
To: Prichard, Yvonne J
Subject: 2015/01030/FUL Court Farm, Bonvilston - Proposed four detached dwellings

We have no comments to make on the above application

Erica Dixon
Ecologist
Regeneration and Planning
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704855
e-mail / e-bost: edixon@valeofglamorgan.gov.uk

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Ewch i'n gwefan yn www.bromorgannwg.gov.uk

[Find us on Facebook / Cewch ddod o hyd i ni ar Facebook](#)
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Correspondence is welcomed in Welsh or English/Croesawir Gohebiaeth yn y Gymraeg neu yn Saesneg.

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8.

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 17 December 2015

| | |
|--|---|
| Application No.: 2015/01163/FUL | Case Officer: Mr. Ceiri Rowlands |
| Location: Keeperes Cottage, Lower Porthkerry, Porthkerry Road, Rhoose | |
| Proposal: Proposed alterations to existing house and outbuildings | |

From: Cllr Andrew Parker

Summary of Comments:

Email request received to withdraw application.

Rowlands, Ceiri

From: Andrew Parker <andrew@greatbarn.com>
Sent: 14 December 2015 15:09
To: Rowlands, Ceiri
Subject: RE: Keeperes Cottage, Lower Porthkerry Farm

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ceri

I would refer to the above applications for full permission and Listed Building Consent. Following a meeting with my client this morning, I am instructed to withdraw the applications scheduled to go to the planning committee this Thursday.

My client has instructed me to revise the design in line with the recommendations put forward by Peter Thomas.

Please confirm that both applications have been withdrawn by return email, #

With thanks,

Andrew Parker

From: Rowlands, Ceiri [mailto:cerowlands@valeofglamorgan.gov.uk]
Sent: 30 November 2015 17:08
To: 'andrew@greatbarn.com'
Subject: FW: Keeperes Cottage, Lower Porthkerry Farm

Dear Cllr Parker,

Further to the below, I wanted to advise that whilst the full planning permission is due for determination by 12th December, the Listed Building Consent is due today. If you do not wish for the latter to proceed to determination, I'd be grateful if you could confirm by reply by tomorrow morning.

If you would like to discuss beforehand, I am available by telephone for the next half hour, or if you leave a message I can try and call you again in the morning.

Yours sincerely,

Ceiri Rowlands
Assistant Planner
Planning and Transportation Services
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704654
e-mail / e-bost: cerowlands@valeofglamorgan.gov.uk

Visit our Website at www.valeofglamorgan.gov.uk
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From: Rowlands, Ceiri
Sent: 24 November 2015 16:31
To: 'andrew@greatbarn.com'
Subject: Keeperes Cottage, Lower Porthkerry Farm

Dear Cllr Parker,

I write in relation to planning application (2015/01163/FUL) for the renovation of the farmhouse and buildings at Lower Porthkerry Farm as few issues have arisen that would prevent the positive determination of the application as submitted. I'll address the fundamental issues in turn.

Firstly, the Grade II listing would appear to relate to the attached outbuildings as well as Keeperes Cottage itself, and the proposed alterations would cause harm to the special interest of the building. In brief, the raising of the eaves and ridge heights, the dormer roof extension, front extension and the overall amount of original fabric removed by the front extension and new garage door would erode the character of the buildings. I could forward to you the Conservation Officer's comments in this respect, but I'm mindful the proposal would require significant alteration before it could be considered for approval, the test being whether the character is preserved or enhanced. They are also considerations for Policy HOUS7.

Secondly, the buildings appear to have the potential to be a suitable bat habitat. At the very least, an ecological assessment would be required to determine whether the building was indeed a suitable roosting habitat, and if so, a full bat survey may be required. In the case of a full survey, it is my understanding that this would need to take place during the spring/summer. I'd recommend consulting with an ecologist with a view to preparing the necessary reports, especially as a full survey is likely to be required in this instance.

In terms of the planning history, an application to convert the building in the 80's (ref: 80/00527/FUL) was granted, but was subject to an agricultural occupancy condition and this has not been mentioned within the supporting documents. In such circumstances any extensions would be restricted to ensure the dwelling remains affordable for the agricultural worker, the development likely exceeds the acceptable scale of extensions to an agricultural dwelling. I am not aware of the applicant's circumstances and intentions for the property, and further detail may be needed as there is no mention that the dwelling is to be retained for agricultural occupation. The site plan also delineates a large area, including surrounding unused agricultural buildings, which appears to include land outside of the curtilage of the house. If the curtilage is not proposed to extend to the red line I'd like to see it included on the site plan.

In light of the degree of concern and amount additional information required, I'd suggest withdrawing the application at this stage. It could be resubmitted without an additional fee within 12 months of the submission date. If you decide to withdraw it, please confirm in response, but if you would like to discuss the matter in more detail first please get in touch.

Yours sincerely,

Ceiri Rowlands
Assistant Planner
Planning and Transportation Services
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704654
e-mail / e-bost: cerowlands@valeofglamorgan.gov.uk

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9.

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 17 December 2015

| | |
|--|---|
| Application No.: 2015/01164/LBC | Case Officer: Mr. Ceiri Rowlands |
| Location: Keeperes Cottage, Lower Porthkerry, Porthkerry Road, Rhoose | |
| Proposal: Proposed alterations to existing house and outbuildings | |

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Summary of Comments:

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e-mail / e-bost: cerowlands@valeofglamorgan.gov.uk

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Yours sincerely,

Ceiri Rowlands
Assistant Planner
Planning and Transportation Services
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LATE ITEMS FOR COMMITTEE**COMMITTEE DATE : 17 December 2015**

| | |
|--|---|
| Application No.: 2015/01301/FUL | Case Officer: Mr. Shafqut Zahoor |
| Location: 85, Lavernock Road, Penarth | |
| Proposal: Proposed single storey extension to side & rear & new double garage | |

From: Local Resident**Summary of Comments:**

One further letter of objection raising concerns regarding the proposed development which have previously been considered and addressed in the report

Payne, Adrienne J

From: Planning & Transportation (Customer Care)
Sent: 03 December 2015 13:21
To: Planning & Transportation (Customer Care)
Subject: New comments for application 2015/01301/FUL

New comments have been received for application 2015/01301/FUL at site address: 85, Lavernock Road, Penarth
from Miss Joan Phelps [REDACTED]

Address:
22 St Anne's Avenue, Penarth,, CF64 3 PG

Comments:

I object to the proposed siting of the double garage with access at rear of property with access from St Marks Road owing to problems with parking/access/SRS corridor. (Application No. 2014/1018/FUL/SR2 refers.) Proposed extension looks inappropriate for property. Garage could be rebuilt on existing site with continued access from Lavernock Road. I am concerned by siting the double garage at rear of property that in the future permission will be granted for "change of use" which will lead to over-development of the site with associated problems.

Case Officer:
Mr. Shafqut Zahoor

RECEIVED
- 4 DEC 2015
Regeneration
and Planning

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|-------------------|
| D.E.E.R |
| RECEIVED |
| ACTION BY: S2/SMC |
| NO: |
| ACK: |

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 17 December 2015

| | |
|--|---|
| Application No.: 2015/01301/FUL | Case Officer: Mr. Shafqut Zahoor |
| Location: 85, Lavernock Road, Penarth | |
| Proposal: Proposed single storey extension to side & rear & new double garage | |

From: Applicant

Summary of Comments:

Amended plans have been submitted by the applicant reducing the overall height of the building. We are not obliged to consider these plans at such late stage, however whilst the amended plans mitigate the issues raised in the report somewhat, the overall scale of the garage has not been reduced and is still considered to result in a dominant structure within the streetscene.

Payne, Adrienne J

From: Tony [REDACTED]
Sent: 07 December 2015 19:31
To: Planning & Transportation (Customer Care)
Subject: arw1504 - Application No. 2015/01301/FUL, 85, Lavernock Road, Penarth
Attachments: arw1504_sk03a.pdf

PLEASE CONFIRM RECEIPT OF THIS EMAIL

Town and Country Planning Act, 1990 (as amended)
Application No. 2015/01301/FUL
Location : 85, Lavernock Road, Penarth
Proposal : Proposed single storey extension to side & rear & new double garage

For the attention of Shafqut Zahoor,

Please find attached a copy of drawing number arw1504/sk03a which has been uploaded to the planning portal which shows the garage amended.
This shows the roof pitch reduced to 15 degrees therefore reducing the overall height of the garage.

This drawing is to replace drawing number arw1504/sk03 which was submitted with the original application.

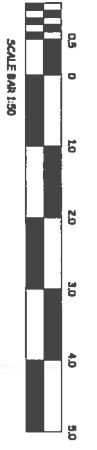
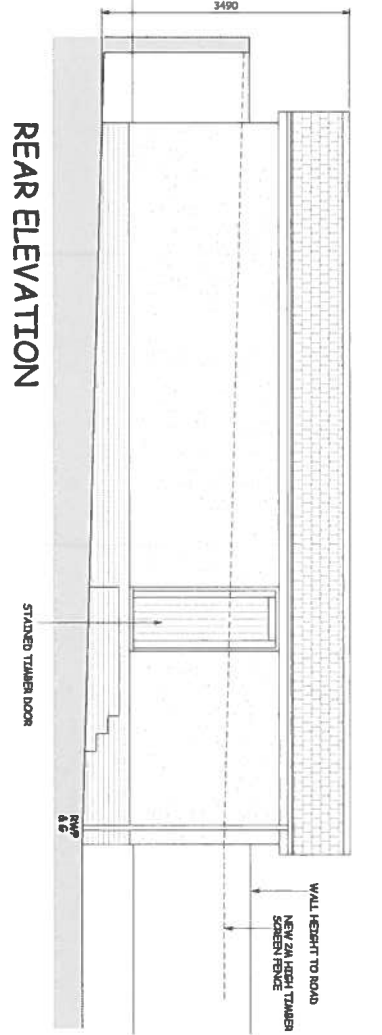
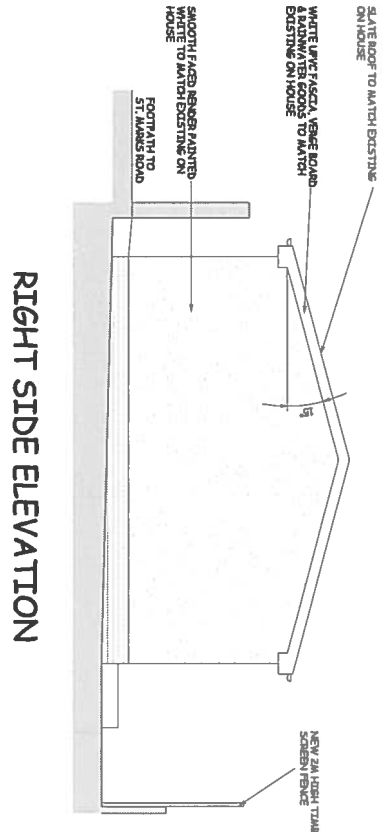
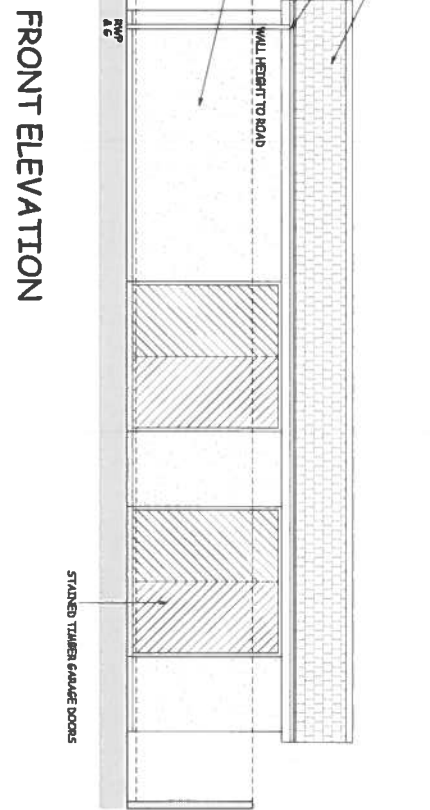
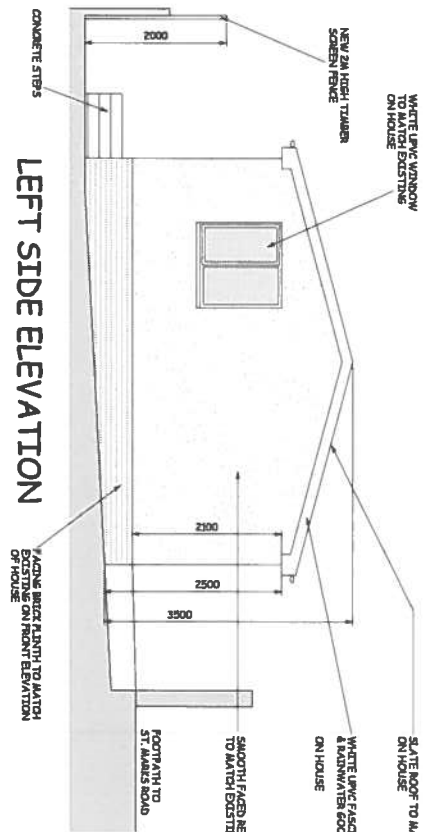
Regards

Tony Williams

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| - 8 DEC 2015 |
| Regeneration and Planning |

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| D.E.E.R |
| RECEIVED |
| ACTION BY: S21JMC |
| NO: 7 |
| ACK: |

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A R WILLIAMS
Building & Planning
Consultancy
85 Lavernock Road, Penarth, CF64 3NZ
Tel: 02920 350187
Email: amy.jhndesign@btinternet.com

Project:
85 Lavernock Road,
Penarth,
Vale of Glamorgan, CF64 3NZ
for: Mr & Mrs A R Williams

Scale: 1:50 @ A2 Title: Garage Elevations As Proposed
Drawn: ARW Date: 05.11.15
Reviewed: Drawing No: ARW1504/SK03 A

1. ROOF PITCH AMENDED TO REDUCE HEIGHT OF ROOF
07.12.15 ARW