

**ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT**  
**FOR THE PLANNING COMMITTEE**  
**TO BE HELD ON 25 SEPTEMBER, 2019**

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<b>Page</b>	<b>Application</b>	<b>Location</b>	<b>Item No.</b>	<b>Description</b>
	2018/01330/FUL	Site of public car park adjacent to The Market Place Restaurant, Cowbridge	1.	42 Letters of objection received from local residents
			2.	A 61 named petition has been received
	2019/00247/FUL	10, Stradling Close, Sully	3.	Comments from Councillor Mahoney
	2019/00765/FUL	5, Albert Crescent, Penarth	4.	Letter of support from the Applicant's mother
			5.	Comments from Max Wallis raising procedural and other issues
			6.	Comments from Highway Authority raising no objection
	2019/00917/FUL	29, Clevedon Avenue, Sully	7.	Note relating to Permitted Development Rights in England

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**MATTERS ARISING FOR COMMITTEE**

**COMMITTEE DATE : 25 September 2019**

<b>Application No.:</b> 2018/01330/FUL	<b>Case Officer:</b> Mr. S. D. Butler
<b>Location:</b> Site of public car park adjacent to The Market Place Restaurant, Cowbridge	
<b>Proposal:</b> Proposed community cafe and provide a permanent covered site for the farmers' market and other events	

**From:** Various local residents – 42 letters

**Summary of Comments:**

Letters raise objections to the application on the grounds as set out in the letters of representation summarised in the Committee Report.

**Officer Response:**

The comments are noted

**Action required:**

None

## MATTERS ARISING FOR COMMITTEE

**COMMITTEE DATE : 25 September 2019**

<b>Application No.:</b> 2018/01330/FUL	<b>Case Officer:</b> Mr. S. D. Butler
<b>Location:</b> Site of public car park adjacent to The Market Place Restaurant, Cowbridge	
<b>Proposal:</b> Proposed community cafe and provide a permanent covered site for the farmers' market and other events	

**From:** M J Clay (lead name on petition) enclosing 61 signed objection letters.

**Summary of Comments:**

Strong objections are raised on the following grounds :

1. It will take up badly needed car parking spaces
2. Proposed Exchange will not be in keeping with neighbouring historic buildings
3. It will cause further congestion on a narrow road junction

**Officer Response:**

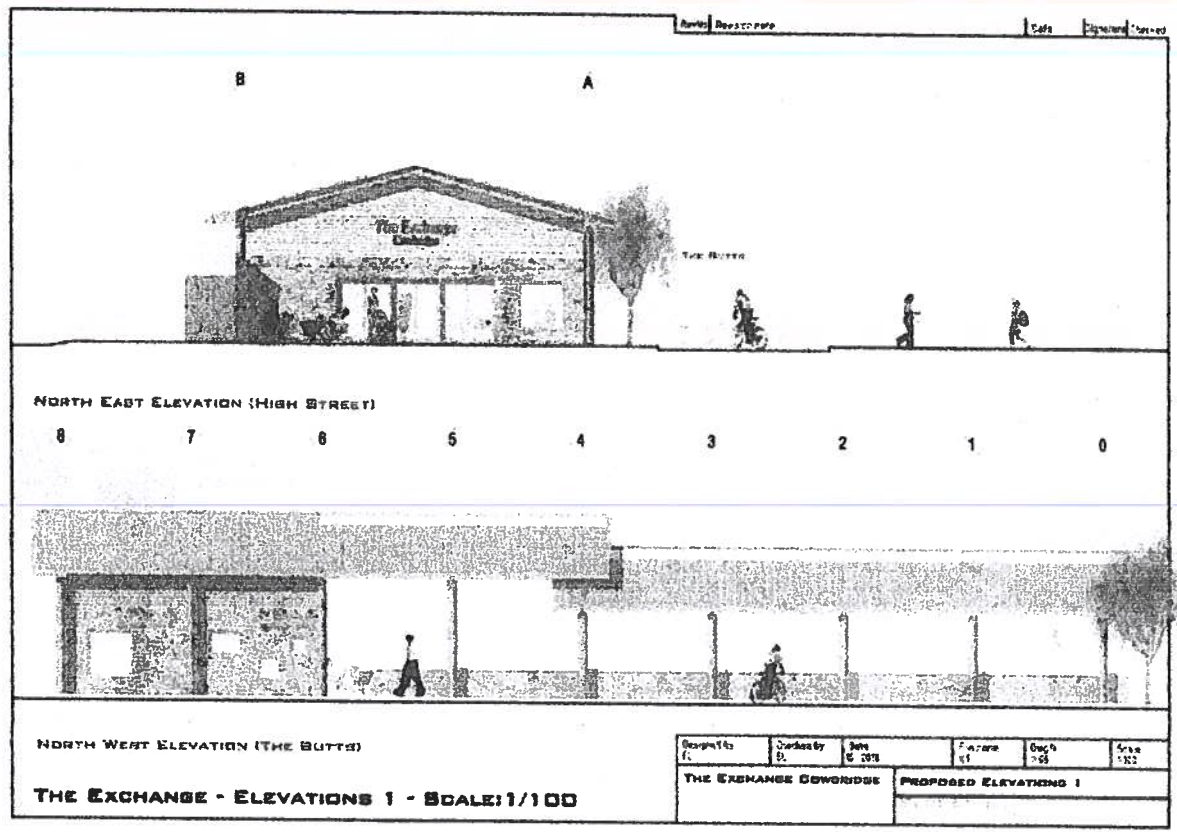
The comments are noted and are the same issues that have already been raised as set out in the Committee Report.

**Action required:**

None

# PETITION OF OBJECTION TO THE PROPOSED REDEVELOPMENT OF THE CAR PARK ADJACENT TO THE MARKET PLACE

Planning Application Ref 2018/01330/FUL



By courtesy of The Vale Marketing Community Enterprise (VMCE)

I wish to raise the strongest objection to the proposed redevelopment of the car park adjacent to the Market Place Restaurant , Cowbridge, on the following grounds :

1. It will take up badly needed car parking space
2. The proposed Exchange will not be in keeping with neighbouring historic buildings
3. It will cause further congestion in a narrow road junction

Signed:

Full Name:

Address:

**MATTERS ARISING FOR COMMITTEE****COMMITTEE DATE: 25 September 2019**

<b>Application No.:</b> 2019/00247/FUL	<b>Case Officer:</b> Miss Angharad Hobbs
<b>Location:</b> 10, Stradling Close, Sully	
<b>Proposal:</b> Proposed first floor to existing bungalow, to include heightening of the existing ridge and the addition of a dormer to the south elevation	

**From:** Cllr Kevin Mahoney

**Summary of Comments:**

Email to state that neighbours who approached him initially had withdrawn their objections to the amended proposals and there was no longer a need for him to represent the previous objections.

**Officer Response:**

The application is now on the committee agenda and will be required to be decided by planning committee.

**Action required:**

Members to note.

**MATTERS ARISING FOR COMMITTEE****COMMITTEE DATE : 25 September 2019**

<b>Application No.:</b> 2019/00765/FUL	<b>Case Officer:</b> Miss Jessica King
<b>Location:</b> 5, Albert Crescent, Penarth	
<b>Proposal:</b> Proposed granny apartment extension to rear garden	

**From:** Mrs L Lorimer**Summary of Comments:** Letter supports the application made by daughter for the construction of the annex.**Officer Response:** The comments are noted**Action required:** None

5 Hanover Close

RECEIVED  
Dond, Surrey

TW9 3JD

9<sup>th</sup> Sept. 2019

20 SEP 2019

Regeneration  
and Planning

Ms Jessica King, ~~Asst. Planner~~ Managing Director - Resources  
Development Control, Barry.  
Cwmbran Council,

Dear Ms King

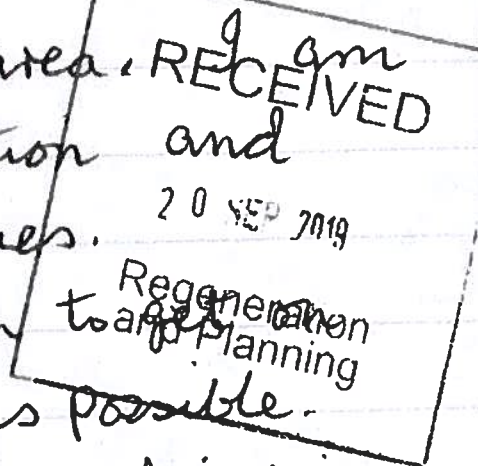
Re. Planning Committee Meeting  
25.9.19 2019/007655 Albert  
Crescent, Penarth

Earlier this year my husband, Jane's father, died in Penarth at Holm Tower. We were fortunate that he spent his last days there which meant that our daughter, who is making the above planning application, was able to be fully involved.

(2)

I cannot now imagine continuing to live so far away and I find it far too daunting a prospect at my age to be seeking a new property. I really need to be as close to Jane as possible whilst maintaining hers and my independence. I feel fortunate and my anxiety will be much reduced if our plan to build a small dwelling in her spacious garden can go ahead and feel the project will enhance what is now a messy & unsightly area. I am sensitive to conservation and energy efficient issues.

I am very keen to apply with this as soon as possible.



We sort pre-application guidance to ensure there was potential for the proposal, so



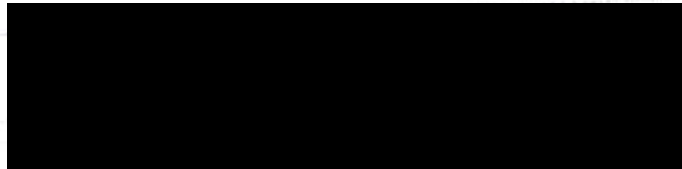
(3)

4(iii)

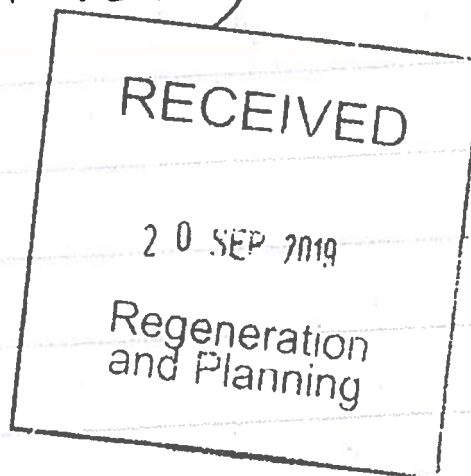
I am most disappointed such a fundamental objection came in at this late stage.

I hope the Committee will be ensured of our good and valid intentions and allow the plan to proceed.

Yours sincerely



(MRS L. LORIMER)



## MATTERS ARISING FOR COMMITTEE

**COMMITTEE DATE : 25 September 2019**

<b>Application No.:</b> 2019/00765/FUL	<b>Case Officer:</b> Miss Jessica King
<b>Location:</b> 5, Albert Crescent, Penarth <b>Proposal:</b> Proposed granny apartment extension to rear garden	

**From:** Max Wallis, 3 Penarth Head Lane, Penarth

### **Summary of Comments:**

Requests that the application is withdrawn from Committee on the grounds that site notices/adverts have not been correctly undertaken, the nature of the annex use serving 5, Albert Crescent, which is a business address and lack of detail of pre-application advice received.

Further letter also makes reference to the lack of assessment on the impacts on Conservation Area and cites another application which the authority had refused. Concern is also raised in respect of highway matters.

### **Officer Response:**

Applications for planning permission (excluding some applications that fall within section 73) must be publicised in accordance with Article 12 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012. Section 8 (Publicity and Consultation) of the Development Management Manual also sets out the statutory obligation for LPAs to undertake publicity and consultation.

The DMPWO makes provision for 4 basic types of publicity:

- Site notice display on or near the land to which the application relates
  - Publication of a notice in a newspaper circulating in the locality
  - Serving notice on any adjoining owner or occupier
  - Publishing information on an LPA website
- 
- The Council has complied with the statutory notification requirement for an application of this type.
  - It is not considered that the description is misleading and the application has been considered in relation to free standing annexed accommodation, which is clearly shown on the submitted plans.
  - There is no requirement to publish the details of the pre-application advice that was sought, with any planning application.

5(i)

- Whilst the Council notes that a reflexology service is recorded at No 5 Albert Crescent, Council records show that the property as being in a residential use.
- The Committee Report fully considers the impacts of the development on the Conservation Area and the nature of the use as an “annex”
- Highway comments have now been received and are reported as a separate Matters Arising note in which the highway engineer raises no objection to the proposal.

**Action required:**

None

5(ii)

**Butler, Stephen**

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**From:** Robinson, Victoria L  
**Sent:** 24 September 2019 02:50  
**To:** King, Jessica  
**Cc:** Butler, Stephen  
**Subject:** FW: Pls withdraw case 2019/00765/FUL 5, Albert Crescent, Penarth from 25 Sept Planning Committee

Steve – are you able to pick this up in Jess' absence as a late rep?

Thanks,

Vicky

**From:** max wallis [REDACTED]  
**Sent:** Monday, September 23, 2019 11:15 PM  
**To:** Robinson, Victoria L [REDACTED]  
**Cc:** Planning <Planning@valeofglamorgan.gov.uk>; Thomas, Neil C (Cllr) [REDACTED]  
**Subject:** Pls withdraw case 2019/00765/FUL 5, Albert Crescent, Penarth from 25 Sept Planning Committee

**V L Robinson,  
Head Development Control**

Planning Committee 25 Sept 2019

I would ask that the case below is withdrawn from the Committee list because the required Public Notices have not been displayed at the site or the application otherwise advertised. The description as an 'extension' is misleading. There is no mention of the residential dwelling being used for business purposes.

**2019/00765/FUL** Received on 12 July 2019  
**5, Albert Crescent, Penarth**  
Proposed granny apartment extension to rear garden

**AGENT:** Mr Elio Leo Elio Leo Architects, Old Hall, High Street, Cowbridge, CF71 7AH

This application is for development in the Penarth Conservation Area, in the garden of no.5 Albert Cres. with vehicular access from Jubilee Lane.

On-street Notices should have been displayed, in both streets; the neighbours do not recollect any on Albert Cres., I myself am sure none was posted in Jubilee Lane. The near neighbours at 3 Albert Cres and others from 9 upwards have been omitted from the 'neighbour notification' letters.

It should have been advertised as development within the Conservation area; there is no evidence this was done. Nothing is on file under *Public Notices*.

The description is misleading – it is no *granny apartment "extension"*, but a free-standing and self-contained dwelling, which could be disposed of separately when 'granny' vacates it [REDACTED]. There is no evidence that support for 'granny' is ancillary to occupation of the ground floor dwelling 5 Albert Cres.

The application form lacks *Details of the pre-application advice received*, just giving the ref. P/DC/2019/00079/PRE. This document should be but is not on the public file.

No 5 Albert Cres. is used for business purposes (main clinic for a reflexology service, [HandtoHeal.com](http://HandtoHeal.com), advertised in the front window).

Please therefore withdraw the item from Wednesday's committee pending issue of the Public Notices/adverts and supply of all information

Yours sincerely,

Max Wallis

3 Penarth Head Lane, Penarth Cf 64 1BB.

**From:** max wallis <[REDACTED]>  
**Sent:** 24 September 2019 11:59  
**To:** Planning  
**Subject:** Late rep for Planning Committee 25 Sept. 2019/00765/FUL, 5 Albert Cres. Penarth

2019/00765/FUL  
 5, Albert Crescent, Penarth Proposed granny apartment extension to rear garden

Omission of on-street Notices (both Albert Cres and Jubilee Lane needed them) and advertising as Development in the Conservation Area.

For the 2005 application that was very similar, development in the Conservation Area was taken as potentially significant. The lack of information on impact on the Conservation Area was a reason for rejection. No photos and photomontages are presented, which these days are very common. To judge the application with no such images is poor practice.

### **Precedent of the 2016 decision against backlane development in the Conservation area**

*Planning Inspectorate case [APP/Z6950/E/16/3146695](#)*

Vale of Glamorgan Council had refused planning permission in this very similar case because the scheme *"represents an unacceptable and inappropriate form of "back land" residential development that does not respect the established function of this rear lane location nor the prevailing pattern of surrounding development and therefore would not serve to preserve or enhance the character of this part of the conservation area."*

The Vale Council's decision was upheld by the Planning Inspectorate on appeal in 2016.

The Planning report fails to mention this precedent, it indeed contradicts it. This inconsistency, without any claim to planning law or LDP changes, may reflect the appointment of Peter Thomas as senior planning officer and now giving less regard to Conservation Area policies.

The PI Inspector (Joanne Burston) considered

- the effect of the proposal on the character and appearance of the Penarth Conservation Area,
- residents' living conditions and
- highway safety.

The appeal report (at <http://tinyurl.com/zkkr46>) said

*backland development is not a feature of this part of Penarth and residential development fronting the rear lane would alter the established secondary function of the area.*

*this part of the Conservation Area.. is characterised by modest garages and outbuildings which are ancillary to the dwellings fronting Victoria Road.*

*The development would be poorly related to, and would fail to respect, this tight knit ancillary character of the buildings and spaces, so its siting would... erode the historic character of this part of the Conservation Area.*

The same statements apply to the present case, with Albert Cres replacing Victoria Road. Part of the 'historic character' is the combination of homes with substantial gardens which provide habitat for wildlife. I don't argue the second bullet point (lesser prominence and overlooking in this case) but the third, *Highway safety*, is more serious here.

### **Highway issues**

Seeing there is no report from the highways section, I presume that the planning report's dismissal of highways issues is without technical knowledge and with little if any inspection. It's factually wrong on frequent traffic on the Lane; there is very little use of the lower part of the Lane by vehicles as it's very narrow and used just for rather rare access to garages (in a few cases, once per day out and in). There is scarcely space for a pedestrian or cyclist to pass a vehicle (none for child-buggy or wheelchair).

The junction with Albert Road suffers from parking up to the corner on both sides; there's no splay and it emerges blind onto the pavement, at the access to the Community Centre in Albert Rd church. Vehicles emerge blind between parked cars onto Albert Rd. A planning report uninformed by any technical assessment of these highways issues is sub-professional.

**Intensified use of the substandard Albert Rd junction and section of Jubilee Lane**

The planning authority cannot assume access and services would be via 5 Albert Road. The route through a high garden gate at the side of No. 5 and across the garden is not practical; it's certain that tradesmen will call via Jubilee Lane [REDACTED].

It appears that visiting vehicles would be unable to turn within the 'yard'; they would reverse into the lane and often reverse back to Albert Road, or, once they know it, drive in reverse up from Albert Road and into the new yard. Any driving in reverse raises safety issues.

For construction, materials and equipment would be brought in via Jubilee Lane. Vehicles would again reverse up or down the Lane. Larger vans and construction vehicles cause particular hazard for pedestrians and cyclists in the narrow Lane.

**Loss of productive and wildlife friendly garden**

Raised beds and bushes would go; the large storage shed currently in place of the old garage would have to move into the garden, of which rather little will remain – detracting from the character of the Conservation Area.

**Business conducted in the main house**

No. 5 Albert Crescent is the main clinic of the reflexology business, according to the website [HandtoHeal.com](http://HandtoHeal.com). This business is advertised in the front window; there is space only for one car (of Jane Lorrimer; none for the occupant of 5A, the larger 2-floor apartment above) customers park at the roadside.

**A granny apartment**

Falsely described as an "extension", as it's a free-standing and self-contained dwelling.

[REDACTED]

In conclusion, this development erodes conservation area principles, it has little personal merit [REDACTED] less than that for the rejected Chris Loyn's rear garden house (2016), and it has significant highway safety issues that are unassessed.

Max Wallis  
3 Penarth Head Lane, Penarth

## MATTERS ARISING FOR COMMITTEE

**COMMITTEE DATE : 25 September 2019**

<b>Application No.:</b> 2019/00765/FUL	<b>Case Officer:</b> Miss Jessica King
<b>Location:</b> 5, Albert Crescent, Penarth	
<b>Proposal:</b> Proposed granny apartment extension to rear garden	

**From:** Councils Highway Engineer

### **Summary of Comments:**

Highway Engineer has confirmed that there are no objections to the proposals, given the existing access.

However due to the reconfiguration of the internal arrangements within the confines of the property, requires that the parking space within the site is accessed in a safe manner and constructed from a bound material from the lane, to prevent loose material being deposited on the adjacent lane.

### **Officer Response:**

The comments are noted and the proposal is not considered to alter the access and would only extend the existing parking area, retaining the existing parking space, as set out in the Committee Report.

### **Action required:**

None





## Vale of Glamorgan Highway Authority Observation Sheet

Planning Application Ref:	2019/00765/FUL
Observations By:	Tony Godsall
Date:	17 September 2019
Location:	5, Albert Crescent, Penarth
Proposal:	Proposed granny apartment extension to rear garden
Case Officer:	Miss Jessica King

Further to a recent site inspection carried out in relation to the above application, the Highway Authority would advise the Local Planning Authority that there are no objections to the proposals as submitted due to there being an existing access. However due to the reconfiguration of the internal arrangements within the confines of the property and the construction of the granny apartment then the Highway Authority would comment as follows:-

1 The Council standard for a car parking space is required to be provided at 2.6m x 4.8m. The dimensions of the parking space provided would appear to be over these standards, but due to the constraints of the existing lane and the reconfiguration of the internal arrangements then a track run is required showing that vehicles can enter and exit the property in a safe manner and park wholly with the property

2 The car parking area within the property shall be constructed from a bound material from the lane to prevent loose material being deposited on the adjacent lane, in the interests of highway safety.

**MATTERS ARISING FOR COMMITTEE****COMMITTEE DATE : 25 September 2019**

<b>Application No.:</b> 2019/00917/FUL	<b>Case Officer:</b> Mr Marc Stephens
<b>Location:</b> 29, Clevedon Avenue, Sully	
<b>Proposal:</b> The proposal is for a garden room with storage to be installed in the place of a static caravan that was being used as a shed/ for storage	

**From:** Councillor Penrose has passed on literature received from a neighbouring resident, which relates to permitted development rights for outbuildings in England.

**Summary of Comments:** As above.

**Officer Response:** The papers are not relevant to the application.

**Action required:** None.