

PLANNING COMMITTEE

Minutes of a meeting held on 20th December, 2012.

Present: Councillor F.T. Johnson (Chairman); Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors J.C. Bird, Mrs. P. Drake, J. Drysdale, Mrs. V.M. Hartrey, K. Hatton, N.P. Hodges, H.J.W. James, A. Parker, R.A. Penrose and A.G. Powell.

Also present: Councillors L. Burnett and S.T. Wiliam.

667 APOLOGIES FOR ABSENCE –

These were received from Councillors Mrs. M.E.J. Birch, Ms. R. Birch, Ms. B.E. Brooks, E. Hacker, Mrs. A.J. Preston and M.R. Wilson.

668 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 22nd November, 2012 be approved as a correct record.

669 DECLARATIONS OF INTEREST –

The following Councillors declared an interest and vacated the room whilst the item in question was under consideration:

Councillor J.C. Bird

Agenda Item No. 5 - Vale of Glamorgan Local Development Plan 2011 to 2026: Way Forward and Revised Delivery Agreement - interest in LDP Candidate Site.
(NOTE: Councillor Bird advised that he had been granted dispensation to speak and vote during any debate in connection with matters involving the (Draft) Local Development Plan in the ward of Wenvoe but nevertheless chose to vacate the room during the debate).

Councillor N.P. Hodges

Agenda Item No. 15 (ii) - Severn Barrage Consultation - Councillor Hodges had been party of discussion on this matter at Barry Town Council and vacated the room during the debate.

Councillor A. Parker

Agenda Item No. 12 (ii) - Architect for scheme.

Agenda Item No. 13 (ii) - Architect.
Councillor Parker vacated the room whilst each matter was debated.

670 COMMUNITY INFRASTRUCTURE LEVY (REF) –

Cabinet, on 19th November, 2012 received a report about the ongoing preparation of a Community Infrastructure Levy (CIL) for the Vale of Glamorgan and which advised on the establishment of working procedures across the Council's relevant service areas to facilitate the progression of the preparation of a CIL.

On the 6th April, 2010 the Community Infrastructure Levy Regulations 2010 came into force, that changed the way in which planning obligations could be sought through Section 106 Agreements. CIL was a new charging system that would be applied to most forms of development to fund infrastructure improvements such as transport, open space, public art and education to serve new developments that support the development of the authority area in accordance with the Local Development Plan (LDP).

On 21st February, 2011 Cabinet resolved (Minute No C1230) to commence work on preparing a Community Infrastructure Levy for the Vale of Glamorgan.

The work was being undertaken in tandem with the preparation of the Local Development Plan (LDP) and it was envisaged that the LDP and CIL Inquiries could run concurrently. At present it is anticipated this would be during 2014. One of the first tasks was to identify what 'infrastructure' the Council would like to use CIL to fund. The CIL Regulations defined 'Infrastructure' for the purpose of CIL as including:

- Roads and other transport facilities;
- Flood defences;
- Schools and other educational facilities;
- Medical facilities;
- Sporting and recreational facilities; and
- Open spaces.

CIL would differ from Section 106 funding since it could be pooled to deliver an infrastructure project that did not necessarily directly relate to the development from which it was sourced.

The Director of Development Services was in the process of bringing together relevant service areas in a Strategic CIL Working Group which would ensure the necessary inputs into the process to help establish the CIL. The purpose of the proposed CIL Working Group was to drive forward delivery of the CIL process and ensure cooperation from the relevant service areas involved.

Cabinet had resolved –

- (1) That the report be endorsed and referred to the Economy and Environment Scrutiny Committee for consideration and the Planning Committee for information.
- (2) That progress on the preparation of a CIL be noted and endorsed.

Planning Committee

RESOLVED – T H A T the decision of Cabinet be noted.

Reason for decision

Having regard to the comments of Cabinet.

671 VALE OF GLAMORGAN LOCAL DEVELOPMENT PLAN 2011 TO 2026:
WAY FORWARD AND REVISED DELIVERY AGREEMENT (REF) -

Cabinet, on 19th November, 2012 received a report which considered options available to the Council in producing a sound and sustainable Local Development Plan (LDP) for the Vale of Glamorgan.

Work on producing the LDP for the Vale of Glamorgan had been underway for the last 6 years and had passed through several stages. The first stage was to prepare a Delivery Agreement, made up of a timetable for the production of the Plan and a Community Involvement Scheme. The second stage in producing a LDP was to prepare a Vision and in January 2007 the Council agreed to adopt the Vision contained within the Vale of Glamorgan's Community Strategy (2003-13). Between December 2006 and January 2007, all those with an interest in the LDP were invited to submit 'candidate sites' for potential inclusion in the LDP and these candidate sites had since been included in a register.

Stage 3 of the process involved developing and consulting on a Draft Preferred Strategy for the LDP, this was subject to a statutory 6 week public consultation during early 2008 and the Strategy was endorsed as the basis for preparing the Deposit LDP during early 2009.

The Council was at Stage 4 of the LDP process, having produced a Deposit LDP and consulted on the same between 20th February and 2nd April 2012, following the presentation of reports to Cabinet, Planning Committee, Economy and Environment Scrutiny Committee and Council during January 2012.

The report set out the various options open to the Council in producing a LDP. Having reviewed the situation and having regard to legislation, there was three possible options in terms of progressing a LDP for the Vale of Glamorgan.

These were:

Option 1 – Continue with the current Deposit LDP

National Policy indicates that Local Planning Authorities can make changes to the Deposit LDP following the public consultation on it and the Alternative Sites consultation (the next stage). However, these changes should not impact on the overall LDP Strategy and the advice is that such changes should go forward with the submitted Plan for examination rather than supplant it. The Council must explain why any changes are put forward and what new evidence there is for each change since the agreement of the Deposit Plan in early 2012. The introduction of changes should be subject to the same process of publicity as the Deposit LDP to allow interested parties to comment on those changes. The Council would need to carefully consider the impact of the changes on the soundness of the LDP, taking account of its overall consistency and its Strategy as well as of the Sustainability Appraisal. It was highly relevant therefore that the ability exist to make changes to the Plan, to add sites, delete sites, add new policies or change the wording of policies, provided that the changes do not result in a change to the Strategy. Whilst the Deposit Plan included policies and allocations that supported this Strategy, specific allocations and site specific policies could be looked at and where necessary be reviewed, provided the overall Strategy did not change. The guidance on LDPs recommended that any changes at this stage were evidenced by sound reasons for making those changes.

Option 2 – Start the entire process again, including a reconsideration of strategic options

Section 66 of the Planning and Compulsory Purchase Act 2004 allowed the Council to withdraw the LDP at any time before it was submitted to Welsh Government and the Planning Inspectorate for independent examination. After the Plan was withdrawn, Regulation 26 of the Town and Country Planning (Local Development Plan (Wales) Regulations 2005 required the Council to advertise this fact and remove all documents made available for inspection.

Option 3 – Cease work on the Deposit LDP as approved in January 2012 and commence work on a replacement Deposit Local Development Plan.

As a result of discussions with Welsh Government, it had been confirmed that it was possible to produce a replacement Deposit Local Development Plan and consult on it. The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 did not cover this option of issuing a second Deposit LDP as the regulations were written on the assumption or understanding that the LDP continued to progress to the next stage in the process (see Option 1) unless the LDP was withdrawn (see Option 2)'.

The LDP's Preferred Strategy as put forward as a Draft in 2007 and consulted upon during early 2008 was sound and provided the basis from which to develop an Adopted LDP for the Council. It was clear that the legislation regards the Deposit Plan as a very important stage in the process and something that should

flow from the earlier work of generating strategic options and selecting a Preferred Strategy. However, an analysis of the representations to the Deposit Plan had led to serious concerns as to whether the approach to implementing the strategy was sound.

The Welsh Government had expressed concerns and reservations about certain aspects of the Plan (letter attached at Appendix A to the report). One of these was in respect of Minerals and was regarded by them as making the Plan potentially unsound (a category A objection). The Welsh Government also had concerns relating to infrastructure and the need for the LDP to secure the necessary infrastructure to support growth. This was a concern that had also been raised in a significant number of representations, and was a concern that had been acknowledged. These concerns would need to be fully explored.

In addition, the Welsh Government had raised other concerns that needed to be considered, including reference to the spatial distribution of housing, deliverability of growth and employment as well as some site specific issues relating to certain allocations. It was essential that the Council secured the necessary infrastructure to facilitate the development proposed in the Local Development Plan. There was, as a consequence, a concern that the Deposit LDP as approved in January 2012 did not include sufficient detail on the level of infrastructure required to support growth. Representations indicated that there needed to be far more reference to the need to deliver transport improvements, across all modes to adequately mitigate new development as well as dealing with the issue of congestion in the eastern Vale of Glamorgan.

It was noteworthy, that leading on from the above, the Welsh Government in their representations referred to the fact that: "it was imperative that the Council secured the infrastructure necessary to deliver the development proposed in the Local Development Plan." The representations also referred to the fact that the Plan should include further explanation as to how the Community Infrastructure Levy (CIL) would relate to the LDP and vice versa. The need to progress work on a CIL was also reported to this Cabinet. Further information on how a consideration of the options available to the Council in producing a sustainable LDP impact on the Council's ability to progress a Community Infrastructure Levy was set out in paragraph 32 to the report.

The changes to be made to the Deposit Plan as a result of the representations received and the recommendations of the Welsh Government went beyond what was considered the process allowed the Council to do at this stage.

Given the concerns expressed on the Deposit LDP as approved in January 2012, it was considered that any changes required would go well beyond what could reasonably be considered to be 'focussed' or 'minimal'. Even if the Council was to produce "Focussed Changes" there would be no guarantee that the changes would be accepted by an Inspector because they would be submitted with the Deposit Plan for his/her consideration at examination. It would be up to the Inspector to decide whether to incorporate the Changes into the Final Adopted LDP and not the Council. It was considered that this was a significant key risk of such an approach.

The LDP is a very important statutory document that will determine the location of various land uses for the next 15 years. As a consequence it was imperative that the final Adopted LDP contained the right mix of development for the Vale of Glamorgan and that it was fully supported by the necessary infrastructure.

Various options had been considered and taking everything into account it was considered that the production of a replacement Deposit Plan (option 3) was the only option that would allow the delivery of appropriate development and associated infrastructure for the area. Accordingly, it was proposed that the Council commenced immediately on the production of a replacement Deposit Plan that would address and reflect the concerns of consultees as well as attempting to rectify the concerns raised by the Welsh Government on the Deposit LDP. A revised Delivery Agreement had been produced to reflect this position setting out a new timetable for the production of the replacement Deposit LDP and this was attached as Appendix B to the report.

It was possible that the Welsh Government might not approve the changes to the LDP Delivery Agreement and could decide to request that the Council continued with the Deposit Plan as it currently stood themselves. Should this occur Cabinet would be advised accordingly.

The Cabinet Member for Regeneration, Innovation, Planning and Transportation, Councillor Lis Burnett, clarified the following before going on to discuss the report:

The Appendices as mentioned in the report were the wrong way round and Appendix A should have been B and vice versa.

An amended version of the LDP timetable to that appended to the report was also circulated.

Councillor Burnett also tabled an additional late item, a letter from the Welsh Government that was received that morning

Councillor Burnett stated that after in depth consideration of all options available, the report recommended a way forward to produce a sustainable alternative Deposit Local Development Plan.

Councillor Burnett emphasised that this was an important statutory document which determined the location of various land uses until 2026. As such it was essential that the final Adopted LDP contained the right mix of development for the Vale of Glamorgan that was fully supported by the necessary infrastructure.

Normally, the next stage of the LDP process would be to consult on the "Alternative" development sites which had been submitted as part of the Deposit Plan statutory consultation process. However, whilst the LDP's Preferred Strategy of 2007 was sound, the representations to the Deposit Plan had led to a significant number of representations questioning the approach to implementing that strategy, which were acknowledged.

In particular, concerns related to the need for the necessary infrastructure to support growth.

Another significant issue that needed to be addressed in the LDP was that of Air Quality within the Vale of Glamorgan. (A later report at this meeting proposed the declaration of an Air Quality Management Area for part of Windsor Road, Penarth).

While minor changes could be made to the existing plan, given the way the regulations within which LDP's were produced, it was likely that in order to address the concerns expressed in the representations, the changes required would go well beyond what would be possible under the legislation. In addition, there would be no guarantee that changes would be accepted as it would be up to an independent Inspector to decide whether to incorporate the changes into the Final Adopted LDP and not the Council. This was considered to be a significant key risk.

Alternatively, the option of starting the entire process again, including a reconsideration of preferred options was considered. However, as the Preferred Strategy was considered sound, to come up with a different strategy would be a costly and a high-risk decision which would mean justifying why a current strategy that focused on national planning policy, sustainable transport, the location of regeneration opportunities and proximity to services was not appropriate.

A further concern with such an approach was that it would result in a substantial delay adopting a LDP and would lead to potential difficulties when assessing new planning applications and defending decisions at appeal. It was also a possibility that the Welsh Government could take over the completion of the LDP and impose that Plan on the Council. This again was a significant risk.

As a result of discussions with Welsh Government officials, it had been confirmed that it was possible to produce a replacement Deposit Local Development Plan and consult on it. On balance, this option was considered to be the most appropriate and reasonable for the Vale of Glamorgan. It meant that, subject to Council approval, work on the Deposit LDP, would not be progressed and that work would start on a replacement Deposit LDP.

Subject to the agreement of the revised timetable by the Welsh Government, it was anticipated that the replacement Deposit LDP would be published for statutory consultation in Autumn 2013.

One of the issues raised during consultation held in February to April, 2012 was the complexity of the process, and future consultation would be as accessible as possible and ensure the widest possible engagement. A series of update sessions would also be held in advance of carrying out the formal consultation exercise on the replacement Deposit LDP and details of these would be made available as work on a replacement plan progressed.

The report would be referred to the Economy and Environment Scrutiny on the 4th December and the Planning Committee on the 20th December before being reported back to Cabinet on the 7th January and presented to Council on the 23rd January 2013.

The Leader stated the report was balanced and gave options. He noted that the letter from the Welsh Government, circulated at the meeting, described "focused changes" as an opportunity to make subtle changes to the plan. His view was that the changes requested would be more significant than subtle would imply

Councillors Elmore, John and Brooks, expressed their support for this decision and that it was the best possible way forward.

Cabinet had resolved –

Subject to the comments from Economy and Environment Scrutiny Committee and the Planning Committee with a report back to Cabinet on 7th January, 2013:

- (1) That Cabinet approve the report and make recommendations to a special Council meeting on the 23rd January 2013 as set out in (2) to (6) below.
- (2) That on balance and further to the consideration of all three options as detailed in this report, the Deposit LDP as approved by Council on 25th January, 2012 and published for public consultation is not progressed and that work commences on a replacement Deposit LDP.
- (3) That a further report is presented to Cabinet in due course in respect of the replacement Deposit LDP.
- (4) That the amendments to the LDP timetable contained within the Council's Delivery Agreement (June 2011) as proposed in the report be approved.
- (5) That approval be sought from the Welsh Government to formally amend the LDP timetable contained within the Council's current Delivery Agreement (June 2011).
- (6) That those individuals and organisations previously consulted on the drafting of the LDP Delivery Agreement be advised of the revisions to that Agreement.

Members expressed support for the contents of the report, and the wish that Planning Committee would be consulted as a stakeholder in the process.

The view was also expressed that the replacement Deposit LDP should consider any impact that a Severn Barrage would have on the Vale of Glamorgan.

Planning Committee

RESOLVED – T H A T the resolutions of Cabinet be noted.

Reason for decision

Having regard to the decision of Cabinet.

(NOTE: Councillors L. Burnett and S.T. Wiliam spoke on this matter with the consent of the Committee.)

672 CARDIFF LOCAL DEVELOPMENT PLAN 2006 - 2026: PUBLIC CONSULTATION ON THE PREFERRED STRATEGY (REF) –

Cabinet was informed on 3rd December, 2012 of the release of Cardiff Council's Local Development Plan (LDP) Preferred Strategy document and Initial Sustainability Appraisal Report that was approved for public consultation purposes in October 2012.

Cardiff Council submitted their previously prepared LDP to the Welsh Government for Examination in November 2009. However, the Inspectors examining the soundness of the Plan raised significant concerns and following agreement from the Welsh Government, Cardiff Council withdrew the LDP from the Examination in April 2010. Cardiff Council had subsequently commenced work on a new LDP covering the period 2006 - 2026 which would replace the existing structure and local plans for Cardiff when adopted.

To date, Cardiff Council had completed the following stages in respect of their new LDP which had contributed to the preparation of the Preferred Strategy document:

submission and assessment of candidate sites;
 consultation / approval of LDP vision and objectives (March 2011);
 consultation on strategic options (May / June 2011);
 regional collaboration exercise (Winter 2011/12).

The Preferred Strategy document and Initial Sustainability Appraisal Report could be viewed on Cardiff Council's web site via the following link:

http://www.cardiff.gov.uk/content.asp?nav=2870,3139,3154,5845,6565&parent_directory_id=2865

The Preferred Strategy document set out a strategy for the future development of Cardiff and reflected its role as the capital city of Wales and economic driver of the wider city region to 2026. The document included the following elements;

- new homes - to provide a range of choice and new housing opportunities,
- employment - to provide a range and choice of new job opportunities and protect existing employment sites,
- sustainable transport solutions - aimed to maximise the use of sustainable transport and improve connectivity between Cardiff and the wider region,

- Sustainable Neighbourhoods - to ensure that new homes and jobs form part of well planned communities which have the appropriate range of facilities.
- Protecting Cardiff's Environment - to minimise its impact on Cardiff's existing built and natural environment.

Councillor Burnett highlighted that the suggested response to not agree with the development of land North of Junction 33 was due to the fact that the development of this site had the potential to cause increased traffic congestion particularly within the rural wards of the Vale.

Cabinet had resolved –

- (1) That the Council's formal response to the public consultation on Cardiff Council's LDP Preferred Strategy attached as appendix A to the report be approved.
- (2) That a copy of the report be submitted to Planning Committee and Economy and Environment Scrutiny Committee for information purposes.

Having considered the report, the view was expressed that the Council's response to the Cardiff Local Development Plan 2006-2026 should make strong representations regarding the severe traffic congestion on the direct links to Cardiff from the Eastern Vale at the Culverhouse Cross and Merrie Harrier junctions, both of which fall within the area of Cardiff Council.

RESOLVED –

- (1) T H A T the Council's formal response to the public consultation on Cardiff Council's LDP Preferred Strategy be noted.
- (2) T H A T Cabinet be requested to consider including representations to Cardiff Council concerning the severe traffic congestion on the direct links to Cardiff from the Eastern Vale at the Culverhouse Cross and Merrie Harrier junctions.

Reasons for decisions

- (1) Having regard to the decision of Cabinet.
- (2) In view of the severe traffic congestion.

(NOTE: Councillor L. Burnett spoke on this matter with the consent of the Committee.)

673 SITE INSPECTIONS (MD) -

RESOLVED - T H A T the attendance of the following Councillors at the sites indicated below on 22nd November, 2012 be noted:

Apologies for absence were received from Councillors J. Drysdale, E. Hacker, H.J.W. James, Mrs. A.J. Preston and Mrs. M.R. Wilkinson.

(a) 12 Royal Buildings, Stanwell Road, Penarth	Councillor F.T. Johnson (Chairman); Councillors Mrs. V.M. Hartrey, K. Hatton, R.A. Penrose and M.R. Wilson.
(b) Land adjacent to 25 Railway Terrace, Dinas Powys	Councillor F.T. Johnson (Chairman); Councillors Mrs. V.M. Hartrey, K. Hatton, A. Parker, R.A. Penrose and A. Powell.
(c) Glebe Cottage, The Common, Mount Road, Dinas Powys	Councillor F.T. Johnson (Chairman); Councillors Mrs. V.M. Hartrey, K. Hatton, A. Parker, R.A. Penrose and A.G. Powell.
(d) 1 Rookery Wood, Sully	Councillor F.T. Johnson (Chairman); Councillors Mrs. V.M. Hartrey, K. Hatton, K.P. Mahoney, A. Parker, R.A. Penrose and A.G. Powell.
(e) Car Park, Rear of Seaview Labour Club on corner of Jewell Street and George Street, Barry	Councillor F.T. Johnson (Chairman); Councillors Mrs. P. Drake, Mrs. V.M. Hartrey, K. Hatton, N.P. Hodges, A. Parker, R.A. Penrose and A.G. Powell.

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

RESOLVED -

(1) T H A T the Building Regulation Applications as listed in the report be noted.

(2) T H A T the service of Notices under the Buildings (Approved Inspectors Etc.) Regulations 2000 as listed in the report be noted.

675 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR UNDER DELEGATED POWERS (DDS) -

RESOLVED - T H A T the report on the following applications determined under Delegated Powers be noted:

Decision Codes

- | | |
|---|--|
| A - Approved | O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement) |
| C - Unclear if permitted (PN) | B - No observations (OBS) |
| EB EIA (Scoping) Further information required | E Split Decision |

EN	EIA (Screening) Not Required	G	- Approved the further information following "F" above (PN)
F	- Prior approval required (PN)	N	- Non permittal (OBS - objections)
H	- Allowed : Agricultural Condition Imposed : Appeals	Q	- Referred to Secretary of State for Wales (HAZ)
J	- Determined by NAFW	S	- Special observations (OBS)
L	- Approved <u>AND</u> refused (LAW)	U	- Undetermined
P	- Permittal (OBS - no objections)	RE	- Refused (Enforcement Unit Attention)
R	- Refused	V	- Variation of condition(s) approved

2012/00007/FUL	A	The Gatehouse, Llantwit Major	Minor repair works to the exterior of the building. Car parking spaces to be introduced. Conversion of the first floor to an office / artist's studio.
2012/00745/FUL	A	10, Park Road, Penarth	Alterations and extensions to rear elevations at 10 Park Road. New Car parking created to North side of house to alleviate unsuitable current car parking situation; Associated landscaping works.
2012/00850/FUL	A	23, Bryntyrion, Church Hill Close, Llanblethian	Construction of new garage and garden store with loft storage over.
2012/00969/ADV	R	Fleet Handling Centre, Penarth Road, Cardiff	1 metre x 12.3 metre advert, concreted into the bank with a vinyl design.
2012/01011/FUL	A	10, Rhodfa Mor, Rhoose Point, Nr. Barry	Retrospectively the variation of Condition 5 of planning permission reference 2000/01026/RES to facilitate use of garage for gym and storage.
2012/01012/FUL	A	Brook Farm, Llanmaes, Llantwit Major	Revised ground floor layout plan (Plot 2) from Planning permission approved under 2012/00326/FUL, to form an additional study area/ home office, and external log store and recycling space.
2012/01023/FUL	A	42A, Clive Place, Penarth	Proposed single storey detached studio (in lieu of approved extension).

2012/01026/FUL	A	115, Plymouth Road, Penarth	Proposed garage extension to form new home office and storage space.
2012/01027/FUL	A	6, Eastgate, Cowbridge	Proposed removal of existing bay windows, proposed construction of new bay windows and door canopy and re-rendering of facade.
2012/01032/FUL	A	Seashore Grill and Cafe Bar, Beach Road, Swanbridge, Penarth	Alterations and extensions to provide partially buried chiller/dry store and a flat roofed conservatory.
2012/01033/FUL	A	Crosslands Kennels, Llandow, Cowbridge	Retention and alteration of a permanent gravel car park and associated works in association with Crosslands Kennels.
2012/01037/FUL	A	St. Brides Riding and Trekking Centre, land opposite Cwrt Newydd Farm, St. Brides Major	Retention of six floodlights on wooden poles to light ménage and small detached storeroom.
2012/01038/ADV	A	Petrol Filling Station, Palmerston Road, Barry	Removal of existing Waitrose Forecourt Signage and installation of new Shell Forecourt Signage.
2012/01045/FUL	A	27, Cambourne Close, Barry	Conservatory to rear elevation.
2012/01053/FUL	A	8, Bron y Mor, Barry	Removal of existing conservatory and construction of a single storey kitchen, dining, and lounge extension to rear of dwelling.
2012/01077/FUL	A	Ty Newydd, Ewenny Road, St. Brides Major	Alterations and extensions.
2012/01098/FUL	A	Rachwen, Ewenny Road, St. Brides Major	Raise height of existing garage roof to align with new side extension roof (Ref: 2010/00821/FUL).
2012/00251/FUL	A	Maendy Chapel, Maendy	Amendments to planning application 2008/00335/FUL for conversion of Maendy Chapel to a single dwelling.

2012/00798/FUL	A	23, South Road, Sully	Construction of new two storey side extension, single storey rear extension, re-roofing of existing single storey front porch and minor internal planning alterations.
2012/00929/FUL	A	17, Elm Grove Road, Dinas Powys	Single storey extension to the side and rear of the house.
2012/01025/FUL	R	Briscombe Cleaning Services, Cardiff Road, Barry	Construction of new single storey retail unit (Use Class A1) adjacent to Briscombe Cleaning Services.
2012/01042/FUL	A	Penffordd Court, Welsh St. Donats	New single storey car port to existing garage.
2012/01048/FUL	A	40, Commercial Road, Barry	Erection of one two storey three bed house replacing 3 bed house formerly existing on the site.
2012/01049/FUL	A	Little Orchard, Port Road, Wenvoe	Alterations and extensions to existing dwelling, raised roof to provide first floor accommodation and balcony on south facing elevation.
2012/01050/FUL	A	Shorkot Farm House, Woodlands Lane, Leckwith	First floor extension, balcony and new window to ground floor.
2012/01051/CAC	A	Belgrave House, Factory Road, Llanblethian, Cowbridge	Demolition of existing garage.
2012/01052/FUL	R	Belgrave House, Factory Road, Llanblethian, Cowbridge	Construction of two bedroom detached house with associated car parking.
2012/01055/LBC	A	6 and 7, Church Street, Cowbridge	To erect a commemorative Blue Plaque relating to the history of 6 and 7, Church Street which were originally one house.
2012/01061/FUL	A	Bronwen House, Penylan Road, St. Brides Major	Alterations and extension to existing dwelling.
2012/01062/FUL	A	18, Boverton Brook, Llantwit Major	Proposed porch and garage extension together with internal alterations.

2012/01065/FUL	A	Curwen, Ewenny Road, St. Brides Major	Utility room extension.
2012/01086/FUL	A	10, Dryden Road, Penarth	Demolish current garage and to build a new wooden shed (6m x 3.5m) at the bottom of the garden.
2012/01087/FUL	A	2, Islwyn Way, Barry	Erect a single storey rear extension over existing rear patio area.
2012/01099/FUL	A	23, White House, Barry	To extend to rear of dwelling new sun lounge.
2012/01107/FUL	A	Norwood, 114, South Road, Sully	Proposed demolition of existing conservatory, construction of new single storey bedroom extension plus internal modifications.
2012/01112/FUL	A	28, Brockhill Way, Penarth	Demolition of conservatory and side wall and erection of a single-storey rear extension.
2012/01116/FUL	A	17, Barons Close, Llantwit Major	Porch to side of dwelling, new front door and screen to front of dwelling. New window to bathroom at rear/side.
2012/01120/FUL	A	58, St. Davids Crescent, Penarth	Playroom.
2012/01123/FUL	A	1, Leoline Close, Cowbridge	New glazed conservatory porch to kitchen access.
2012/01141/PND	F	5, School House, St. Cyres Road, Penarth	Demolition of detached house.
2012/01179/LAW	A	6, Robinswood Close, Penarth	Conversion of existing attached single storey garage.
2012/00359/FUL	A	Tudor House, Bonvilston (formerly Tudor Lodge)	Construction of two storey building, consisting of gym and one bedroom granny flat annex.
2012/00584/FUL	A	J P Training, Wimborne Road, Barry	Application for the Change of Use of land off Wimbourne Road, Barry Docks to Industrial Training Site within the D1 use and including 20% B8 storage.

2012/00615/FUL	A	40, Village Farm, Bonvilston	Demolition of existing garage, construction of new garage with residential accommodation above used in conjunction with principal dwelling.
2012/00677/FUL	A	Car Wash, Cardiff Road, Barry	Retrospective planning application for change of use to form a hand car wash with associated advertisement consent.
2012/00678/ADV	A	Car Wash, Cardiff Road, Barry	Signs.
2012/00883/FUL	A	15a, Victoria Square, Penarth	Remove window to bottom bay and replace with double glazed box sash pvcu style.
2012/00910/FUL	A	99A, Plymouth Road, Penarth	Demolish existing three bedroom semi detached residential dwelling and construct a four bedroom sustainable dwelling.
2012/00911/CAC	A	99A, Plymouth Road, Penarth	Demolish existing three bedroom semi detached residential dwelling and construct four bedroom sustainable dwelling.
2012/00935/LAW	A	The Farm, St. Hilary, Cowbridge	Certificate of Lawful Development application for a Dwelling house.
2012/01009/LBC	A	Town Hall, 21, High Street, Cowbridge	Re-alignment of the War Memorial by complete dismantling before re-assembling with new fixings where necessary.
2012/01024/FUL	R	No. 1 New Barn (Happy Jakes Touring Caravan Park), Flemingston	Proposed extension to the existing park to include for 15 caravan and 30 tent additional pitches and toilet block.
2012/01071/FUL	A	24, Cedar Road, Eglwys Brewis, St. Athan	Single storey extension to side of existing domestic dwelling.
2012/01090/FUL	A	22, Barberry Rise, Penarth	Retention of fencing and terracing to rear of property.
2012/01104/FUL	A	18, River Walk, Penarth	Install Velux window in spare room.

2012/01113/FUL	A	5, Paget Road, Penarth	Internal layout alterations. External alterations including changes to dormer; changes to windows and the addition of doors. Raise height of existing rear flat roof and incorporate pyramid rooflight. Rear Garden - Create decking to first floor level on steel frame. Erect shed to rear of garden. Raise height of boundary fence adjoining No 4.
2012/01124/FUL	A	10, Hazel Grove, Dinas Powys	To take down existing dilapidated garage and construct new two storey extension (ground floor to provide granny en suite bedroom - future lounge and cloakroom) - to extend driveway to accommodate two cars.
2012/01126/FUL	A	28, Ceri Road, Rhoose	Conservatory to the rear of property.
2012/01127/FUL	A	The Old Mill, Abbey Road, Ewenny	Converting existing offices into use as an integrated health centre.
2012/01131/OBS	P	Seabank known as Holm Sands, Inner Bristol Channel	Marine licence to extract aggregate.
2012/01132/FUL	A	4, Castle Road, Rhoose	Proposed orangery extension to rear of property.
2012/01137/FUL	A	Pendoylan War Memorial Hall, Pendoylan	Replace and relocate existing heating oil tank with L.P.G. fuel tank.
2012/01143/FUL	A	51, Queens Road, Penarth	Rear dormer loft conversion to provide additional living accommodation (renewal of 2002/00670/FUL).
2012/01181/LAW	A	5, Dyffryn Close, St. Nicholas, Cardiff	Demolition of existing timber conservatory and replacement with new steel framed, slated roof, PVCU conservatory.

676 APPEALS (DDS) -

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 as detailed in the report be noted.

(2) T H A T the statistics relating to Appeals for April 2012 - March 2013 as detailed in the report be noted.

677 TREES (DDS) -

(i) Delegated Powers -

RESOLVED - T H A T the following applications determined by the Director under Delegated Powers be noted:

Decision Codes

A - Approved
E Split Decision

R - Refused

2012/01017/TPO	A	25, Pwll Y Min Crescent, Peterston Super Ely	Felling of two mature Yew trees in the front garden and replace with one Betula Jacquemontii (Himalayan Birch) and one Magnolia Soulangiana.
2012/01058/TCA	A	The Paddock, Stallcourt Close, Llanblethian	Remove two rows of Leylandii. Replace both with either Yew or Copper-Beech hedgerow. Remove Horse Chestnut tree and replace.
2012/01060/TCA	A	East Court, Coxen Lane, Primrose Hill, Cowbridge	1. 25-30% canopy reduction of Oak to rear of property. 2. Remove 2 lower large off-set weight branches and reduce canopy to Eucalyptus in rear garden. 3. Light pruning to Magnolia tree.

2012/01063/TCA	A	Ty Canol, Llandow	Reduction to Norway Maple by 30% and LIGHT CROWN LIFT on north side of Cherry in front garden.
2012/01066/TCA	A	The Kymin, Beach Road; West House, Stanwell Road and St. Augustines Triangle, Penarth	To carry out various works to trees.
2012/01074/TCA	A	1, Dros Y Mor, Marine Parade, Penarth	Remove Horse Chestnut tree.
2012/01085/TCA	A	Factory House, Factory Road, Llanblethian	Fell two Cypresses, one of which is a Leylandi variety.
2012/01080/TCA	A	Holly Cottage, Penmark	Remove one stem from multi-stem Ash and reduce height of remaining stems.
2012/01056/TPO	A	18, Laburnum Way, Dinas Powys	1. Reduce Oak over garage by 30%; 2. Reduce Oak near rear of house by 20%.
2012/01059/TPO	A	Trees in field to rear of 15, Colhugh Park, Llantwit Major	1. Fell and remove Poplar tree; 2. Remove off-set weight and reduce canopy by 15 to 20% to Ash tree.
2012/01064/TPO	A	1, The Grange, Earl Road, Penarth	Oak tree situated in rear garden - undertake 2-3m overall crown reduction cutting back to previous pruning points.
2012/01079/TPO	A	Beechwood, Wick Road, Ewenny	Beech tree - Work to top of crown mainly on leeward side and general trim to balance.
2012/01129/TCA	A	2, Church Road, Penarth	Remove Cherry tree.

(ii) General2012/01172/TCA: Outside Green Close, Ffordd yr Eglwys, Peterston Super Ely -

A notification had been received from the Parks and Open Spaces Division of Visible Services Directorate of the intention to pollard a mature Ash.

The tree concerned was growing within the adopted highway called Ffordd yr Eglwys, directly in front of a dwelling called 'Green Close' behind St. Peters Church in the village of Peterston Super Ely and was located within Peterston Super Ely Conservation Area.

The Ash was very mature and needed managing periodically, which explained why it had been pollarded; the last occasion around 15 years ago judging by the size of the regrowth.

The tree contributed to the local visual amenity in a prominent sense now that the mature Ash within the St. Peters Churchyard had been removed, which was directly across the road that was badly decayed so had to be felled to remove the hazard. As a street tree, pollarding was the standard treatment within the Vale, and provided it was carried out professionally with new cuts made beyond the old scars so leaving the latter in place, the tree should recover. Pollarding was a very harsh treatment visually but was often necessary in these types of situations, near a road for example and ultimately was better than losing the tree altogether.

RESOLVED - T H A T no objections be made.

678 ENFORCEMENT ACTION (DDS) -(i) Land and Buildings at the Croft, Llangan -

A complaint had been received by the Local Planning Authority regarding the use of the land and residential property at The Croft, Llangan as a commercial riding school.

The property related to the residential property of The Croft situated centrally within the village of Llangan and the land to the rear. The land to the rear was linear in shape, measuring approximately 0.7 hectares in size with dimensions of 40m x 175m. The land included an existing stable building, which lay directly to the rear of The Croft.

Following an initial site inspection, it was noted that the access to the property and land immediately to the rear was being used for a commercial riding school business. The owner had a licence to operate 16 horses and the horses were mostly stabled at the established stable buildings existing on the land. The owner of the business conducted the riding school classes with one part time worker to help with the day to day running of the operations.

Given the scale of the riding school operation at the site, the riding school use (falling within use Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended)) was considered to be a material change of use from the agricultural use of the land. As no planning permission had been granted and the use had not been carried out for 10 years or more, the unauthorised riding school was considered to be a breach of planning control.

A previous enforcement case had been opened in 2008, when the same complaint was investigated into the unauthorised riding school. The investigation resulted in an application (Ref: 2010/01073/FUL) which proposed the relocation of the riding school to the site to the south of Llangan. The application was approved and it was understood that the owner of the business would relocate to the approved site.

A complaint was received in May 2012 stating that the riding school had not moved and was still operating from the residential property and land to the rear of The Croft, Llangan. Following correspondence with the owner it was found that the relocation of the business was considered to be too expensive and the owner would be unable to supervise the horses. Accordingly, an application had been submitted (Ref: 2012/00551/FUL) to seek to regularise and expand on the existing and unauthorised riding school at the rear of The Croft. This application was subsequently withdrawn by the owner on the understanding that the Council were seeking a refusal at the Planning Committee on 26th July, 2012.

RESOLVED -

(1) T H A T the Head of Legal Services be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:

- (i) permanently cease the use of the land and buildings for the purposes of a riding school (falling within use Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended)).

(2) T H A T in the event of non-compliance with the Notice, authorisation be also granted to take such legal proceedings as may be required.

Reason for decisions

(1&2) By reason of its size of the business operation, location and relationship to residential properties, and the nature and intensity of activities associated with the use, the use of the land as a riding school was considered to adversely impact upon the residential amenities enjoyed by neighbouring properties and highway safety, contrary to the aims of Policies ENV9 - Development Involving Horses, ENV27 - Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996 - 2011.

(i) Land and Buildings at Tudor Lodge, Bonvilston -

Committee received a report which related to two instances of unauthorised development on the land to the north and west of Tudor Lodge, Bonvilston. The first was in respect of engineering works on the land to the north (rear) of the dwelling to create a level plateau. The second was in respect of the laying of a hard surface track to the north and west of the dwelling.

Tudor Lodge itself was a large detached property within the settlement boundary of Bonvilston. The land subject of the report lay to the north and west of the dwelling house and garden and was considered to fall within the open countryside. The land was also within the Boundary of the Bonvilston Conservation Area, although this had now been amended. The Boundary of the Conservation Area now fell along the rear boundary of the residential property at Tudor Lodge and the adjoining properties. Accordingly, the site abutted but was not within the Conservation Area.

As regards the Engineering works authorisation had previously been sought for engineering works that were ongoing on the land to the rear (north) of the dwelling and rear garden of Tudor Lodge.

In 2008 permission had been granted for the construction of a stable building and level yard area on the enclosed paddock to the rear of the residential property and garden at Tudor Lodge. In order to construct this stable and yard area, the land was excavated and the level area was created to construct the approved stable building. Whilst these works had not been completed (the slab of the stable was constructed, and the level yard area was created and laid with a compacted material), works were carried out to engineer the remainder of the land.

The Council's Enforcement Officers had inspected the site prior to any engineering works having been undertaken, and noted that the land gently sloped from east to west and south (from the rear boundary of Tudor Lodge) to north. The works undertaken were, therefore, engineering works that required the benefit of planning permission and, as the necessary permission had not been granted, the engineering works were unauthorised development.

Further engineering works had also been undertaken on land further north within the enclosed paddock to create a large pond. This excavated area had not been backfilled as requested by the Council's Enforcement Officers.

In addition to the above unauthorised work, a hard surfaced track had also been laid on the land from the existing agricultural access off the A48 (adjacent to the car park of the Bonvilston Convenience Store) leading to the yard area and foundations of the approved stable building. The laying of this hard surface was operational development that required the benefit of planning permission. As the necessary permission had not been granted, the development was unauthorised and in breach of planning control.

It was noted that an Enforcement Notice and Stop Notice had been served in respect of the laying of a hard surface track in this location. The Notice was complied with and the hard surface material was removed but the land owner continued to drive over the land, giving the appearance of a track. In the early summer of this year it was noted that hard surface material had been re-laid to form a new track.

The Enforcement Notice referred to above was still in effect on the property and could be enforced in respect of the new hard surface material. However, the previous track only extended from the A48 access to the boundary of the enclosed paddock whereas the new track extended further to the east and into the paddock area. The extant Enforcement Notice could, therefore, only be enforced in respect of the area occupied by the former hard surface track and could not be used to enforce against the extended area of hard surfacing. Accordingly, authorisation was sought to serve a new Enforcement Notice that would relate to the entirety of the new unauthorised hard surfaced track.

With regard to the engineering works, it was accepted that permission had been granted to create a level area for the construction of the stable building and small yard area. The works to level this small yard area had been inspected on site and accepted as being in accordance with the approved scheme. With regard to the remainder of the land, the owner of the land had been asked to remove the retaining wall to an extent and then remove the bank so as to recreate the land (covering the remains of the retaining walls) to replicate the former gradual slope of the land.

Whilst there had been some very minor adjustments to the bank, the retaining walls, bank and level area were still clearly visible and still present on the land. The owner had also carried out an extensive tree planting scheme in an attempt to mitigate the visual impact of the engineering works.

As for the access track, the owner of the land had been reminded of the extant Enforcement Notice, and made fully aware of the need for planning permission for the hard surface track. He had recently submitted two planning applications for the track, but with two alternative finishes to the hard surface material. These were currently being considered together with the proposed construction of a means of enclosure and new entrance gates at the agricultural access of the A48.

RESOLVED -

(1) T H A T the Head of Legal Services be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:

- (i) The removal of the hard surface material that has been laid to form the hard surface track and that the land is top soiled and returned to grass.
- (ii) The removal of the retaining walls.

- (iii) Save for the area occupied by the stable building slab and small yard area to serve the stable building, the remainder of the land be re-graded to return it to a gradient, the levels of which are as close as possible to the levels of the site prior to the carrying out of the engineering works. This may result in the spreading of the material used to create the bund and plateaux across a wider area of land than that affected by the engineering works.

(2) T H A T in the event of non-compliance with the Notice, authorisation be also granted to take such legal proceedings as may be required.

Reason for decisions

(1&2) The works to construct a hard surface track and engineered levelled area are considered to be unjustified forms of development that are an unacceptable encroachment of development associated with the domestic property at Tudor Lodge. The works are considered to be harmful to the character and appearance of this rural location and have a detrimental impact upon the natural setting of the Bonvilston Conservation Area. As such, the development is considered to be contrary to Policies ENV1 - Development in the Countryside, ENV9 - Development Involving Horses, ENV10 - Conservation Countryside, ENV17 - Protection of the Built and Historic Environment, and ENV27 - Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996 - 2011, as well as the Countryside Protection Principles of national guidance contained in Planning Policy Wales (November 2012).

679 GENERAL PLANNING MATTERS (DDS) -

- (i) Planning Application Reference: 2012/00652/FUL: University Hospital, Penlan Road, Llandough, Penarth: Amendment to Conditions -

Planning Committee on 25th October, 2012 resolved to grant planning permission for the proposed Adult Mental Health Unit at Llandough Hospital, (planning reference 2012/00652/FUL), subject to planning conditions and also the applicant's first entering into a Section 106 Agreement.

The applicant had requested the amendment of one of the conditions agreed by the Planning Committee. The condition in question required the replacement car parking areas approved under separate applications (reference 2011/01270/FUL and 2012/00653/FUL) to be constructed and ready for use prior to the existing parking areas being removed to make way for the Adult Mental Health Unit development, together with additional areas of parking to serve the new build development also identified within the submitted plans. The condition in question as reported to the Planning Committee was Condition 14.

The applicant argued that the displaced existing parking spaces would be replaced by the new parking facilities and that the additional 84 spaces were only required once the Adult Mental Health Unit was in operation. Officers considered

that this was a reasonable approach that should have no detrimental impact to parking provision at the hospital or highway safety. As such, it was recommended that the original condition be replaced by two conditions to reflect the phased approach for parking provision.

Having considered the report, it was

RESOLVED - T H A T the original Condition No. 14 be replaced by two conditions, Nos. 14 and 15 to reflect the phased approach for parking provision as detailed below:

14. No part of the development hereby approved shall be brought into beneficial use until such time as the 84 car parking spaces to the east of the site plus the 8 car parking spaces within the 'discreet drop-off area', all identified with submitted drawing ZM XX PL (05) 905, have been constructed and laid out in full accordance with the details of the approved plans, and the parking areas shall thereafter be so retained at all times to serve the hospital development hereby approved, unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policies TRAN 10 and ENV27 of the Unitary Development Plan.

15. Prior to the removal of any of the existing parking areas to facilitate the development hereby approved, the parking facilities and associated works approved with application reference 2011/01270/FUL as amended by application 2012/00653/FUL shall be constructed and laid out in full accordance with the details approved in respect of those schemes and the parking areas shall thereafter be so retained at all times to serve the hospital.

Reason:

To ensure that satisfactory parking provision of vehicles is provided on site to serve the development and the existing hospital uses and to ensure compliance with the terms of Policies ENV27 and TRAN 10 of the Unitary Development Plan.

(ii) Planning Application Reference: 2011/00680/FUL: Llanerch Vineyard, Hensol: Section 106 Update -

Planning Committee on 26th April, 2012 resolved to grant planning permission for the proposed events complex at Llanerch Vineyard subject to the applicants first entering into a Section 106 Agreement to tie the events complex business into the existing vineyard enterprise and also to contain the following necessary Planning Obligations:

- the developer shall pay the sum of £27,440 to the Council to provide or improve sustainable transport facilities in the vicinity of the site

- the developer will provide public art on site to a value of 1% of the build costs of the development or provide a financial contribution to the same value in lieu of on-site provision for the Council's Public Art Fund
- the developer shall provide training (on a recognised training course) for at least two employees or alternatively pay the Council a contribution of £2,400 as an in-lieu contribution
- the Legal Agreement will include the standard clause requiring the payment of a fee to monitor and implement the Legal Agreement (£1,274 in this case).

In the months following the application for the events complex being presented to Planning Committee, the applicant had contacted the Planning Department with the wish to re-negotiate one of the Planning Obligations, being the requirement for the developer to pay the sum of £27,440 to provide for improved sustainable transport within the facility of the site. The applicant had proposed an alternative, which was to provide a mini-bus to provide sustainable transport for staff and guests in lieu of this sum. The mini-bus was proposed for a minimum period of three years, with the costs of running this mini-bus stated to be £12,876 per annum. As such, for the minimum three year period as proposed, the cost of running the mini-bus would be greater than the sustainable transport contribution as originally required.

The report concluded that, as the venue would result in the need for transport for either staff or guests, at often early or late hours of the day, the provision of an on-site mini-bus was considered to be a suitable form of sustainable transport in this particular circumstance. Therefore, the proposal was considered a reasonable alternative to the contribution of a sum towards sustainable transport as originally required. It was recommended that the initial requirement under Planning Obligation for a sum towards sustainable transport be replaced with a requirement to provide a mini-bus service for all events at the complex for a minimum period of three years, as proposed by the applicant. This would be achieved through a signed Legal Agreement, with suitable assurances and checks included in the Agreement to ensure that the mini-bus was continually available for the three year period after the first use of the complex.

RESOLVED - T H A T subject to a Legal Agreement to tie the events complex business into the existing vineyard enterprise to ensure these two aspects of the business would remain fully integrated and also the subject to the relevant person(s) first entering into a Section 106 Legal Agreement or undertaking to include the following necessary Planning Obligations:

- to provide a mini-bus service for guests for a minimum period of three years in lieu of a financial contribution
- the developer will provide public art on site to a value of 1% of the build costs of the development or provide a financial contribution to the same value in lieu of on-site provision for the Council's Public Art Fund
- the developer shall provide training (on a recognised training course) for at least two employees or alternatively pay the Council a contribution of £2,400 as an in-lieu contribution

- the Legal Agreement will include the standard clause requiring the payment of a fee to monitor and implement the Legal Agreement (£1,274) in this case

be approved subject to the conditions listed in the report considered by Committee on 26th April, 2012.

680 PLANNING APPLICATIONS (DDS) -

Having considered the application for planning permission and, where necessary, the observations of interested parties,

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

2012/00234/FUL and 2012/0235/LBC Received on 19 March 2012
(P103)

The Trustees of H.G. Alexander, C/o Mr David Davies FRICS, Grosvenor House, 8, Park Grove, Cardiff, CF10 3BX
Mr. Isaac Benjuya, Anderson & Associates (S Wales) Ltd., 39, High Street, Cowbridge, Vale of Glamorgan, CF71 7AE

West Aberthaw Farm, West Aberthaw

Repair, up-grade and convert to residential use the existing listed barns

In respect of application ref. 2012/00234/FUL:

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.

Reason:

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

2. This consent shall relate to the plans registered on 19 March 2012 other than where amended by plans reference 01C, 02C, 03B, 04B, 05B, 06B, 07A, 08A, 10 and additional drawing 12 received on 18 October 2012.

Reason:

To ensure a satisfactory form of development and for the avoidance of doubt as to the approved plans.

3. Details of a scheme to provide nest boxes, targeted towards hirundines and little owl shall be submitted to and agreed in writing by the Local Planning Authority and the agreed scheme of nest boxes shall be fully implemented prior to the first beneficial occupation of the converted barns hereby approved and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To enhance biodiversity opportunities at the site in line with the Council's adopted Supplementary Planning Guidance on Biodiversity and to demonstrate Local Authority compliance with S40 of the NERC Act 2006.

4. Prior to the commencement of any works on site, a bat method statement detailing reasonable avoidance measures as outlined in the submitted report 'West Aberthaw Farm - Protected Species Survey Report 08 November 2011' and the details and means to provide new bat roosting features shall be submitted to and agreed in writing with the Local Planning Authority and thereafter be fully implemented and retained in accordance with the agreed details.

Reason:

To ensure the conservation of European Protected Species at the site and to ensure compliance with Policies ENV16 and ENV27 of the Unitary Development Plan.

5. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a written programme of archaeological work in accordance with a written scheme of investigation which shall be submitted by the applicant and approved in writing by the Local Planning Authority and the programme and scheme shall be fully implemented as defined in the approved details.

Reason:

In order that archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied and to ensure compliance with Policies ENV18 and ENV19 of the Unitary Development Plan.

6. Notwithstanding the submitted details and prior to their use on site, further details and specifications of all windows, glazing, roof lights, external doors to a scale of 1:10 or 1:20 in line with the agreed specifications as set out in drawing No's 08A and 12, which shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason:

To ensure that the visual amenities of the barn are safeguarded and to ensure compliance with Policies ENV8, ENV17 and ENV27 of the Unitary Development Plan.

7. Prior to their use on site, samples of ridge/hip tiles, slates, rooflights, rainwater goods, glazing bars and all hardsurfacing materials shall be submitted and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved samples.

Reason:

To ensure that the visual amenities of the barn are safeguarded and to ensure compliance with Policies ENV8, ENV17 and ENV27 of the Unitary Development Plan.

8. Prior to its use on site, a sample panel for the replacement of any new stonework and detail of the mortar type and pointing, shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure that the visual amenities of the barn are safeguarded and to ensure compliance with Policies ENV8, ENV17 and ENV27 of the Unitary Development Plan.

9. Notwithstanding the submitted details, full details of the means of construction/surfacing and hard landscaping of all internal circulation spaces, including patios, access and parking areas to serve the development shall be submitted to and approved in writing by the Local Planning Authority;

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policies ENV8, ENV17, ENV27 of the Unitary Development Plan.

10. No part of the development hereby approved shall be brought into beneficial use until such time as the access, parking and turning areas have been laid out in full accordance with the approved details and specifications and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policy ENV27 and TRAN 10 of the Unitary Development Plan.

11. Notwithstanding the submitted plans, full details and specifications of all means of enclosure associated with the development hereby approved (which shall not include the new section of wall adjacent to the public footpath), including full details and specifications of gates (which shall not open out onto the public highway) shall be submitted to and agreed in writing by the Local Planning Authority and all means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use, and thereafter retained as approved unless otherwise approved in writing by the Local Planning Authority.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies ENV8, ENV17 and ENV27 of the Unitary Development Plan.

12. A landscaping scheme shall be submitted and approved in writing by the Local Planning Authority 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 and full details of species mix and size of the hedgerow.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies ENV8 and ENV27 of the Unitary Development Plan.

13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

14. The two detached barns (Barns 1 and 5) shall only be used for ancillary purposes in connection with Barns 2 and 4 respectively and shall not at any time be used as self contained dwellings independent of the use of the respective barns.

Reason:

In order to control the nature of the use at the site as the creation of additional units of residential accommodation within the sustainable location in the countryside which would be contrary to Strategic Policy 2 and Policies ENV1 and ENV8 of the Unitary Development Plan.

15. Prior to the first beneficial use of Barns 1 and 5, full details of the layout and use of the open plan room shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the agreed layout and use.

Reason:

In order to control the nature of the use at the site and in the interest of the amenities of the area and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order) the converted barns hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development and to ensure compliance with the terms of Policies ENV8, ENV17 and ENV27 of the Unitary Development Plan.

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

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with the terms of Policies ENV1, ENV8, ENV17 and ENV27 of the Unitary Development Plan.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure shall be erected, constructed or placed on the application site without the prior written consent of the Local Planning Authority.

Reason:

To safeguard local visual amenities, and to ensure compliance with Policies ENV1, ENV8, ENV17 and ENV27 of the Unitary Development Plan.

In respect of application ref: 2012/0235/LBC

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.

Reason:

To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The Local Planning Authority* shall be notified in writing by the developer or his agent of the proposed commencement date of the works hereby granted consent. The notification shall be provided not less than 14 days prior to the commencement of work on site.

Reason:

To ensure that all conditions relating to this consent are discharged appropriately, and to ensure for the preservation of the special character of this building in this respect.

3. No development approved by this permission shall commence until an appropriate high quality photographic record of all buildings (both internal and external) within the site has been carried out, where a copy of the photographic record shall have first been submitted to and approved in writing by the Local Planning Authority and a copy deposited in the National Monuments Records of Wales (the public archive of the Royal Commission).

Reason:

In order that records are kept of any features of Listed barn.

4. Notwithstanding the submitted details and prior to their use on site, further details and specifications of all windows, glazing, roof lights, internal and

external doors to a scale of 1:10 or 1:20 in line with the agreed specifications as set out in drawing No's 08A and 12, which shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason:

To ensure that the visual amenities of the listed building are safeguarded.

5. Prior to the commencement of development, detail and specifications including a sample panel, of the proposed stonework and mortar type and pointing, shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure that the visual amenities of the listed building are safeguarded.

6. Prior to their use on site, samples of ridge/hip tiles, slates, rooflights, rainwater goods and glazing bars shall be submitted and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved samples.

Reason:

To ensure that the visual amenities of the listed building are safeguarded.

7. Prior to the commencement of any works to the barns, a fully detailed Method Statement shall be submitted setting out a schedule of all works, for the restoration, repair and conversion of the barns including the means of cleaning and protecting existing timbers, which shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved Method Statement.

Reason:

To ensure that the visual amenities of the listed building are safeguarded.

8. Prior to the commencement of any works to the roof structure of any of the barns, a fully detailed survey (by a suitably qualified structural engineer) shall be undertaken for all roof timbers, which shall be submitted to and approved in writing by the Local Planning Authority. The submitted survey shall include a full schedule of all timbers, their condition, means of preservation and where necessary full details of the means of repair/strengthening of any structurally substandard timbers and where necessary the type and specification for any replacement timbers. The

works to roof timbers shall be carried out in full accordance with the agreed survey and scheme for repair/reinstatement.

Reason:

To ensure that the visual amenities of the listed building are safeguarded.

9. Prior to the commencement of any works to the barns, a fully detailed schedule of all internal works and finishes shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved schedule.

Reason:

To ensure that the visual amenities of the listed building are safeguarded.

10. This consent shall relate to the plans registered on 19 March 2012 other than where amended by plans reference 01c, 02C, 03B, 04B, 05B, 06B, 07A, 08A, 10 and additional drawing 2331-012 received on 2 July 2012 and drawing 12 received on 18 October 2012.

Reason:

To ensure a satisfactory form of development and for the avoidance of doubt as to the approved plans.

2012/00582/FUL Received on 11 June 2012

(P128)

Penllyn Estate Farm, Llwynhelig Farm, Cowbridge, Vale of Glamorgan,
CF71 7FF

Cooke & Arkwright, One Central Park, Western Avenue, Bridgend, CF31 3TZ

Llwynhelig Farm, Cowbridge

4 twin bed bunkhouse to provide low cost un-catered hostel style accommodation for tourists

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.

Reason:

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

2. This consent shall relate to the plans and documents registered on 11 June 2012, along with the additional Access Appraisal prepared by Acstro dated September 2012 and received on 21 September 2012.

Reason:

For the avoidance of doubt as to the approved plans and in the interests of the character and appearance of the area and highway safety in accordance with Policies ENV27-Design of New Development, EMP7-Farm Diversification, TOUR4-Caravan, Chalet and Tent Sites of the Unitary Development Plan.

3. The bunkhouse hereby approved shall only be used or occupied as holiday accommodation and shall not be occupied as a person's sole or main residence or for any other use falling within Class C3 of the Town and Country Planning (Use Classes Order) 1987 as amended.

Reason:

In order that the Local Planning Authority can retain control over the scale and form of the development as the site is not located in an area where new build, permanent residential accommodation would be approved, and in accordance with Policies ENV1-Development in the Countryside, HOUS3-Dwellings in the Countryside and EMP7-Farm Diversification of the Unitary Development Plan.

4. A register of the names and addresses of all occupiers, including the dates of occupancy, of the holiday accommodation hereby approved shall be maintained and made available for inspection by the Local Planning Authority within 2 weeks of the Local Planning Authority making a request in writing to view the register.

Reason:

To enable the Local Planning Authority to control the nature of the use in accordance with Policies ENV1-Development in the Countryside, HOUS3-Dwellings in the Countryside and EMP7-Farm Diversification of the Unitary Development Plan.

5. No person or persons shall occupy the holiday accommodation hereby approved for a period longer than 8 weeks at any one time, and they shall not return to occupy the holiday accommodation within 6 weeks of that occupancy period ceasing.

Reason:

To enable the Local Planning Authority to retain control over the scale and form of development as the accommodation has been approved as holiday accommodation only in accordance with Policies ENV1-

Development in the Countryside, HOUS3-Dwellings in the Countryside and EMP7-Farm Diversification of the Unitary Development Plan.

6. Notwithstanding the submitted plans, before the commencement of development, further details of the precise siting of the bunkhouse hereby permitted, along with full details of existing and finished levels across the site, including cross sections, shall be submitted to and approved in writing with the Local Planning Authority. The development shall be implemented thereafter in accordance with the approved plans.

Reason:

In the interests of the character and appearance of the surrounding Upper Thaw Valley Special Landscape Area in accordance with Policies ENV4-Special Landscape Areas, ENV10-Conservation of the Countryside, and ENV27-Design of New Developments of the Unitary Development Plan.

7. No development shall take place until the proposed re-alignment of the existing kerb line at the junction with the A4222, as identified on Plan reference 0481/001/A included within the Acstro Access Appraisal, has been implemented in accordance with further details to be submitted to and agreed in writing with the Local Planning Authority. The further information shall include full engineering details, as well as vehicle track runs for any HGV or large service vehicles entering / exiting to / from the Cowbridge direction.

Reason:

In the interests of improvements to highway safety in accordance with Policies ENV27-Design of New Developments, EMP7-Farm Diversification, and TOUR4-Caravan, Chalet and Tent Sites of the Unitary Development Plan.

8. Notwithstanding the submitted plans, before the commencement of development, further details of the proposed access and parking area to the bunkhouse hereby permitted shall be submitted to and approved in writing with the Local Planning Authority. The proposed material finishes should pay particular regard to the rural landscape setting within the Upper Thaw Valley Special Landscape Area, and the development shall be implemented in accordance with the approved details.

Reason:

In the interests of the character and appearance of the Upper Thaw Valley Special Landscape Area and highway safety in accordance with Policies ENV27-Design of New Developments, EMP7-Farm Diversification and TOUR4-Caravan, Chalet and Tent Sites of the Unitary Development Plan.

9. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials to be used shall be submitted to and

approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

In the interests of the character and appearance of the Upper Thaw Valley Special Landscape Area in accordance with Policies ENV27-Design of New Developments, EMP7-Farm Diversification and TOUR4-Caravan, Chalet and Tent Sites of the Unitary Development Plan.

10. The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground disturbing works in the development area so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards laid down by the Institute of Field Archaeologists. The Local Planning Authority shall be informed in writing at least two weeks prior to the commencement of development on site of the name and address of the said archaeologist and no work shall commence on site until the Local Planning Authority has confirmed in writing that the proposed archaeologist is suitable. A copy of the watching brief shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource, and to ensure compliance with Policies ENV18 and ENV19 of the Unitary Development Plan.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order) the bunkhouse hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to retain control over the scale and form of the development in the interests of the rural character of the Upper Thaw Valley Special Landscape Area and in accordance with Policies ENV27-Design of New Developments, EMP7-Farm Diversification and TOUR4-Caravan, Chalet and Tent Sites of the Unitary Development Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking or re-enacting that Order, no gates, fences, walls or other means of enclosure to the bunkhouse hereby permitted shall be erected, constructed or placed on the application site without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to retain control over the scale and form of the development in the interests of the rural character of the Upper Thaw Valley Special Landscape Area and in accordance with Policies ENV27-Design of New Developments, EMP7-Farm Diversification and TOUR4-Caravan, Chalet and Tent Sites of the Unitary Development Plan.

2012/00952/FUL Received on 4 September 2012
(P144)

Mr. G. Williams, 22, Cog Road, Sully, Vale of Glamorgan, CF64 5TD
Jeremy Peter Associates, 21, Britten Road, Penarth, Vale of Glamorgan,
CF64 3QJ

22, Cog Road, Sully

Erection of new dwelling to the rear of 22 Cog Road, Sully, with access from via private road from Dispenser Road

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.

Reason:

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

2. This consent shall relate to the plans registered on 4 September 2012 other than where amended by plans reference 004 received on 31 October 2012 and 001 REV 004 and 003 REV 004, received on 7 November 2012 and additional drawing reference 005 received 31 October 2012.

Reason:

To ensure a satisfactory form of development and for the avoidance of doubt as to the approved plans.

3. The new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of Code for Sustainable Homes: Technical Guide November 2010. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason:

To ensure the development attains the sustainable building standards required by Planning Policy Wales and TAN22 - Planning for Sustainable Buildings.

4. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide November 2010.

Reason:

To ensure the development attains the sustainable building standards required by Planning Policy Wales and TAN22 - Planning for Sustainable Buildings.

5. Prior to the occupation of the individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide November 2010.

Reason:

To ensure the completed development attains the sustainable building standards required by Planning Policy Wales and TAN22 - Planning for Sustainable Buildings.

6. The implemented drainage scheme for the site should ensure that all foul and surface water discharges separately from the site and that surface water and drainage run-off shall not discharge, either directly or indirectly, into the public sewerage system, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To prevent hydraulic overloading of the public sewerage system, pollution of the environment and to protect the health and safety of existing residents and ensure no detriment to the environment. and to comply with the terms of Policy ENV27 of the Unitary Development Plan.

7. Prior to the commencement of development details of the slab levels of the proposed dwellings and finished levels of the site in relation to existing ground levels (including levels of the access road) shall be submitted to and approved in writing by the Local Planning Authority and the

development shall be carried out in full accordance with the approved details.

Reason:

To ensure that the visual amenities of the street scene are safeguarded, and to ensure the development accords with Policy ENV27 of the Unitary Development Plan.

8. Notwithstanding the submitted plans, all means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority, which shall fully detail the means of construction and materials and finishes. The agreed means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use and retained at all times thereafter.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

9. A scheme providing for the fencing of the trees to be retained and showing details of any excavations, site works, trenches, channels, pipes, services and areas of deposit of soil or waste or areas for storage shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development. No development shall be commenced on site until the approved protection scheme has been implemented and the scheme of tree protection shall be so retained on site for the duration of development works.

Reason:

In order to avoid damage to trees on or adjoining the site and to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

10. A landscaping scheme detailing all hard and soft landscaping, which shall include new native tree planting to the front garden, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which

within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

12. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials to be used shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure a satisfactory standard of development and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) the dwellings hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

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

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

15. Demolition or construction works shall not take place outside 0800 hours to 1800 hours Monday to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason:

To ensure that local amenities are protected, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

16. The dwelling hereby approved shall not be occupied until such time as the access and parking spaces have been constructed in accordance with the approved plans and the access and parking spaces (including that within the approved garage) shall thereafter be so retained to serve the development hereby approved.

Reason:

In the interest of highway safety to ensure a satisfactory form of access to serve the development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

2012/00981/FUL Received on 10 September 2012
(P164)

Dr. Raghuram, Kuteera, Peterston Super Ely, Vale of Glamorgan, CF5 6NE
Mr. Richard Clarke, 2, Caldicot Court, Caerphilly, CF83 2TJ

Kuteera, Peterston Super Ely

Retention of previously erected cricket practise nets for a temporary period not exceeding three years

APPROVED subject to the following condition(s):

1. The consent hereby granted shall be for a temporary 2 year period only and on or before the 31st December 2014, all built and constructed elements that comprise the cricket net facility, including the hard surface area, shall be totally removed from the site and the resulting cleared ground shall be top-soiled to a depth of 100mm and seeded so as to return the land to grass.

Reason:

To ensure the removal of the cricket net facility after the expiry of the consent and for the purposes of Policies ENV1, ENV4, ENV10 and ENV27 of the Unitary Development Plan.

2. The cricket net facility hereby approved shall only be used between the 1st April and 31st September in any calendar year.

Reason

In the interests of visual amenity and for the purposes of Policies ENV1, ENV4, ENV10 and ENV27 of the Unitary Development Plan.

2012/01002/FUL Received on 13 September 2012
(P171)

Mr. John Davies, Mr. T. J. Davies and Sons, Garn Farm, St. Hilary, Cowbridge,
Vale of Glamorgan, CF71 7DP

Mr. Paul Watkin, PDW Building Designs, 7, Blackmill Road, Bryncethin,
Bridgend, CF32 9YW

Garn Farm, St. Hilary

Change of use of vacant barn to holiday let, bunkhouse and owners
accommodation

RESOLVED - T H A T subject to the interested person(s) first entering into a
Section 106 Legal Agreement to include the following necessary planning
obligations:

- That all of the buildings and associated land as identified on a plan, which
form the tourism business at the site, shall remain within the same
ownership and no parts of the site shall be separated in ownership.
- The managers' accommodation shall only be occupied by a person(s)
directly involved and employed in the day to day on-site management of
the tourism business.
- The Legal Agreement will include the standard clause requiring the
payment of a fee to monitor and implement the Legal Agreement.

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.

Reason:

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

2. Development works to which this consent applies (including any
demolition and vegetation clearance), shall not take place between 1
March and 31 August, unless it can be demonstrated that nesting birds are
absent in a report prepared by a qualified ecologist (immediately prior to
development commencing) or a method statement for works is submitted
to and approved in writing by the Local Planning Authority and where a
method statement is agreed that it is fully implemented.

Reason:

To comply with Policy ENV16 of the Unitary Development Plan to secure

the long-term protection of the species and to demonstrate Local Authority compliance with S40 of the NERC Act 2006.

3. Details of a scheme to provide nest boxes, targeted towards swallow or house martins and permanent, accessible nesting space for barn owls shall be submitted to and agreed in writing by the Local Planning Authority and the agreed scheme of nest boxes and nesting space shall be fully implemented prior to the first beneficial occupation of the converted barns hereby approved and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To enhance biodiversity opportunities at the site in line with the Council's adopted Supplementary Planning Guidance on Biodiversity and to demonstrate Local Authority compliance with S40 of the NERC Act 2006.

4. No development approved by this permission shall commence until an appropriate programme of building recording and analysis has been implemented. This shall be undertaken by an agreed specialist, in full accordance with a written brief that shall first be submitted to and agreed in writing by the Local Planning Authority. The completed programme of building recording and analysis shall be submitted within 2 months of the survey being completed, to the Local Planning Authority and forwarded to the Historic Environment Record, operated by the Glamorgan Gwent Archaeological Trust (Heathfield House, Heathfield, Swansea SA1 6EL Tel: 01792 655208).

Reason:

As the building is of architectural and cultural significance and to ensure compliance with Policies ENV18 and ENV19 of the Unitary Development Plan.

5. The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground disturbing works in the development area so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards laid down by the Institute of Field Archaeologists. The Local Planning Authority shall be informed in writing at least two weeks prior to the commencement of development on site of the name and address of the said archaeologist and no work shall commence on site until the Local Planning Authority has confirmed in writing that the proposed archaeologist is suitable. A copy of the watching brief shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist.

Reason:

To identify and record any features of archaeological interest discovered

during the works, in order to mitigate the impact of the works on the archaeological resource, and to ensure compliance with Policies ENV18 and ENV19 of the Unitary Development Plan.

6. Notwithstanding the submitted details and prior to their use on site, details of windows, glazing, roof lights, doors and eaves (including cross sections) to a scale of 1:10 or 1:20 as appropriate shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason:

To ensure that the visual amenities of the barn are safeguarded and to ensure compliance with Policies ENV8 and ENV27 of the Unitary Development Plan.

7. Prior to their use on site, samples of ridge tiles, slates and rainwater goods shall be submitted and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved samples.

Reason:

To ensure that the visual amenities of the barn are safeguarded and to ensure compliance with Policies ENV8 and ENV27 of the Unitary Development Plan.

8. Prior to its use on site, a sample panel for the replacement of any new stonework and detail of the mortar type and pointing, shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure that the visual amenities of the barn are safeguarded and to ensure compliance with Policies ENV8 and ENV27 of the Unitary Development Plan.

9. No part of the development hereby approved shall be brought into beneficial use until such time as the access, parking and turning areas have been laid out in full accordance with the approved details and specifications and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance

with the terms of Policies ENV27 and TRAN10 of the Unitary Development Plan.

10. Notwithstanding the submitted the submitted plans, full details and specifications of all means of enclosure associated with the development hereby approved, shall be submitted to and agreed in writing by the Local Planning Authority and all means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use, and thereafter retained as approved unless otherwise approved in writing by the Local Planning Authority.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies ENV8 and ENV27 of the Unitary Development Plan.

11. A landscaping scheme shall be submitted and approved in writing by the Local Planning Authority 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 and full details of species mix and size of the native hedgerow and seeding / soiling of the grass create area.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies ENV8 and ENV27 of the Unitary Development Plan.

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

13. The extent of the managers' accommodation hereby approved shall be strictly limited to that which is labelled as `owners accommodation` on Drawing Ref. 02 Rev A and 03 Rev A.

Reason:

In order to control the scale of the managers' accommodation to ensure

that it remains ancillary to the principal use of the site and to ensure compliance with Strategic Policy 2 and Policies ENV1 and ENV8 of the Unitary Development Plan.

14. The managers' accommodation shall not be occupied until such time as the bunk house and holiday let unit have been fully converted and are ready for occupation, and the Local Planning Authority have confirmed in writing that it is satisfied such tourism use is completed.

Reason:

To prevent the creation of an unjustified and stand alone residential use in the countryside which would be contrary to Strategic Policy 2 and Policies ENV1, ENV8 and HOUS3 of the Unitary Development Plan.

15. The Local Planning Authority shall be notified in writing (within 2 weeks) following the completion of the conversion of the bunk house and holiday let unit.

Reason:

In order to monitor the phasing of the development at the site in line with the requirements of Condition No. 14 and to prevent the creation of an unjustified and stand alone residential use in the countryside which would be contrary to Strategic Policy 2 and Policies ENV1, ENV8 and HOUS3 of the Unitary Development Plan.

16. The managers' accommodation shall only be occupied by a person(s) directly involved and employed in the day to day on-site management and support of the tourism business.

Reason:

The managers' accommodation is only justified to provide on site management of the tourism business. In the absence of such a restriction on occupancy, the accommodation could be occupied by a person with no connection with the site, where due to its unsustainable location would relate to an unjustified and stand alone residential use in the countryside which would be contrary to Strategic Policy 2 and Policies ENV1, ENV8 and HOUS3 of the Unitary Development Plan.

17. A register of the names and addresses of all occupiers, including the dates of occupancy of the accommodation hereby approved shall be made available for inspection by the Local Planning Authority within 2 weeks of the Local Planning Authority making a request in writing to inspect the register.

Reason:

To enable the Local Planning Authority to monitor the use of the converted

barns.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order) the converted barns hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development and to ensure compliance with the terms of Policies ENV8 and ENV27 of the Unitary Development Plan.

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

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with the terms of Policies ENV1, ENV8 and ENV27 of the Unitary Development Plan.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order with or without modification), no gates, fences, walls or other means of enclosure shall be erected, constructed or placed on the application site without the prior written consent of the Local Planning Authority.

Reason:

To safeguard local visual amenities, and to ensure compliance with Policies ENV1, ENV8 and ENV27 of the Unitary Development Plan.

21. This consent shall relate to the plans registered on 13 September 2012 except for plan reference 10 Rev 'A'.

Reason:

To ensure a satisfactory form of development and for the avoidance of doubt as to the approved plans.

2012/01093/FUL Received on 15 October 2012

(P194)

Dr. Jane Sanders, c/o Agent

Brian Griffin P & CC Ltd., The Cottage, Green Bottom, Littledean, Glos,
GL14 3LH

Abernant Cottage, Llancarfan

Provision of a ménage (private use) and flood lights

DEFERRED - For site visit.

2012/01155/FUL Received on 29 October 2012

(P202)

Mr. & Mrs. Mike Evans, 11, Whitcliffe Drive, Penarth, South Glamorgan,
CF64 5RY

LeGuilcher Architecture, 1, Powys Road, Penarth, Vale of Glamorgan, CF64 3PB

11, Whitcliffe Drive, Penarth

Extensions to existing property including remodelling of existing accommodation.
New garage

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.

Reason:

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

2. The external finishes of the development hereby approved shall match those of the existing building unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard local visual amenities, as required by Policy ENV27 of the Unitary Development Plan.

681 MATTERS WHICH THE CHAIRMAN HAD DECIDED WERE URGENT -

RESOLVED - T H A T the following matters which the Chairman had decided were urgent for the reasons given beneath the minute heading be considered.

682 PUBLICATION OF PLANNING POLICY WALES EDITION 5 AND PRACTICE GUIDANCE ON ONE PLANET DEVELOPMENTS (REF) – **(Urgent by reason of the need to ensure that Members have the views of Cabinet in a timely manner)**

Cabinet, on 17th December received a report on the recent publication of the Planning Policy Wales Edition 5 (November 2012) and the practice guidance on One Planet Development (October 2012).

Planning Policy Wales (PPW) set the context for sustainable land use planning policy within which Local authorities' statutory Local Development Plans (LDPs).

Since PPW was first issued in March 2002, numerous update editions had been published to reflect changes to facts, law, policies and references to other documents. The most significant of the changes was the introduction of LDPs under the Planning and Compulsory Purchase Act 2004.

In November 2012, the Welsh Government (WG) issued a 5th edition of PPW that could be viewed on the Welsh Government website via the following link: <http://wales.gov.uk/topics/planning/policy/ppw/?lang=en>. The main changes contained in the 5th edition of PPW were set out below and the policy related changes were attached at appendix A to the report:

(i) Presumption in favour of sustainable development

Amendments to chapters 2 (Development Plans) and 4 (Planning for Sustainability) help to strengthen and clarify the presumption in favour of sustainable development.

(ii) Revised Chapter 7 on Economic Development

The revised chapter set out how the planning system would aim to support and promote economic and employment growth alongside social and environmental considerations. In addition, it sought to ensure that local planning authorities planned for the whole economy and required the establishment of an up to date evidence base, including an Employment Land Review and the development of a comprehensive understanding of local economies and wider regional economies.

(iii) The Town and Country Planning (Notification) (Wales) Direction 2012 and accompanying Welsh Government Circular 07/12

Updates had been made to sections 3.12, 9.3 and 10.3 to reflect the introduction of the above consolidated Planning Direction and Circular that replaced the Shopping and Departure Directions and their accompanying Welsh Office Circulars 39/92 and 61/93 in July 2012.

PPW and Technical Advice Note (TAN) 6 Planning for Sustainable Rural Communities set out the policy context for One Planet Development in the open countryside. The recently published practice guidance described the planning requirements for One Planet Developments in rural locations outside existing

settlements. The guidance could be viewed on the WG website via the following link:

<http://wales.gov.uk/topics/planning/policy/guidanceandleaflets/oneplanet/?lang=en>

The guidance acted as a companion to TAN 6, that covered all the requirements for a planning application for One Planet Development. It focused on the Management Plan that accompanied all One Planet Development planning applications and the Ecological Footprint Analysis that sits alongside the Management Plan. The guidance also provided information for applicants putting together proposals for One Planet Development in the countryside and for Local Planning Authorities assessing them.

Paragraph 9.3.11 of the PPW defined One Planet Developments as "development that through its low impact either enhances or does not significantly diminish environmental quality." In addition, it states that "One Planet Developments should initially achieve an ecological footprint of 2.4 global hectares per person or less in terms of consumption and demonstrate clear potential to move towards 1.88 global hectares over time (the global average availability of resources in 2003). They should also be zero carbon in both construction and use"

Cabinet had resolved -

- (1) That the publication of Planning Policy Wales Edition 5 (November 2012) and practice guidance on One Planet Development (October 2012) be noted.
- (2) That a copy of the report be sent to Planning Committee for information purposes.

Having considered the report, it was

RESOLVED – T H A T the decision of Cabinet be noted.

Reason for decision

Having regard to the decision of Cabinet.

(NOTE: Councillor L. Burnett spoke on this matter with the consent of the Committee.)

**683 SEVERN BARRAGE CONSULTATION (REF) –
(Urgent by reason of the need to ensure that Members have the views of
Cabinet in a timely manner)**

Cabinet, on 17th December 2012, received a report which apprised of the Commons Select Committee's recent public consultation on the potential for a privately financed Severn Barrage.

A previous report of the Director of Environmental and Economic Regeneration on the 22nd April 2009 (Minute No C425), advised Cabinet of the Phase One Consultation into the feasibility of tidal power within the Severn Estuary undertaken by the Department of Energy and Climate Change (DECC) in partnership with the Welsh Government (WG) and the South West Regional Development Agency (SWRDA). That report set out the chronology that had led to the Phase One consultation and provided a synopsis of the range of proposals that were being considered by the UK Government to provide renewable energy from the Severn Estuary.

The report outlined the concerns of the Vale of Glamorgan Council with regard to the work of the feasibility study to date, and was forwarded to the Department of Energy and Climate Change as this was Council's response to the Phase One consultation. The government published its response to the consultation on the 15th July 2009 alongside its Renewable Energy Strategy and the UK Low Carbon Transition Plan, two complementary documents that set out how the government propose to deliver 15% of the UK's energy from renewable sources by 2020 and a reduction in carbon emissions by 2020 to meet the first three UK carbon budgets.

In October 2010, the Government published the findings of the feasibility study and consultation into Severn tidal power and concluded that of all the schemes investigated, despite its high capital cost of approximately £34 billion; the Cardiff to Weston barrage scheme offered the best value for money. It was noted that the terminology relating to Cardiff-Weston, is Government terminology, and should more accurately refer to Lavernock.

Recent reports suggested that private financing for a Severn Barrage could now be available but only if it was supported by the proposed Contracts for Difference Mechanism i.e. long-term instruments that provide stable and predictable incentives for companies to invest in low-carbon energy generation schemes.

In response to the privately financed proposals, the UK Government had established a Commons Select Committee to investigate the proposed Cardiff to Weston Barrage. The Committee will examine the potential for the project to deliver low-carbon electricity to the UK and the likely cost to consumers as well as the potential impacts on wildlife and local employment.

In response to the previous consultation exercise, the Council was satisfied that the work undertaken to assess and potentially develop tidal power in the Severn Estuary was thorough and dealt with all of the relevant material considerations and the principle of maximising the opportunity through the promotion of a Cardiff (Lavernock/Penarth) to Weston barrage was generally supported. However there were a number of factors that required more detailed consideration and assessment which were more specific to the Vale of Glamorgan. It was noted that a copy of the report had already been submitted to the Commons Select Committee to meet the deadline of 30th November 2012, with a statement that any additional comments that Cabinet may wish to make would be forwarded separately after the closing date. The specific areas of concern were summarised below:

- The construction phase - concerns are expressed over the need to transport and accommodate materials and the impact upon the local highway network was of concern. The Council would work closely with DECC and the WG to ensure that environmental impact in this area was minimised.
- The economic benefits - the scheme should not be understated given the employment benefits both during construction and beyond during operation. The scheme also had the potential to generate a significant level of tourism and educational interest
- Renewable power by a tidal barrage - The Council welcomed the intention to investigate the potential impact of a tidal power scheme on the energy market, electricity network/grid and in particular the local environment.
- Implications for the port of Barry - In this regard the port of Barry would be the closest port on the seaward side of the barrage and there needed to be a careful assessment of the implications for the port not only during the construction phases of any barrage, but also longer term.
- Tourism benefits - while accepting that this scheme could have tourism benefits in its own right, concerns were expressed as to the impact that such a scheme would have on the wider tourism resource within the Vale of Glamorgan.
- Landfall issues - Welsh side at Lavernock Point in the Vale of Glamorgan and should be referred to in the future as either the Lavernock to Weston barrage or by reference to the closest major town, the Penarth or Barry to Weston barrage not Cardiff as currently the case.
- The ecological impacts - it was acknowledged that considerable work would be required on the impacts on habitats, ecology and biodiversity.
- The visual impact of a project - scale would be significant and extend over a wide area. Issues of detailed design would therefore be critical given the potential impact on this part of the rural Vale of Glamorgan and indeed the wider region.
- Access to the site - is a clear need to improve access arrangements to the site not only in the immediate locality but also from the M4 motorway and other parts of the strategic highway network. Such impacts must be delivered as an integral part of such a scheme.
- In progressing the second phase of the Severn Tidal Power feasibility study this Council considered it essential that full and detailed contact is maintained with those local authorities that might be affected by the development of a Severn Tidal power scheme such as the Cardiff (Lavernock/Penarth) to Weston barrage.

Whilst the delivery mechanism for the provision of a Severn Barrage may have changed, the resultant impacts of a Cardiff (Lavernock/Penarth) to Weston barrage proposal remained the same and it was considered that in the absence of more detailed and scheme specific information that the comments above should be submitted in response to the current Commons Select Committee consultation.

Councillor Burnett commented that the consultation period was too short, however, a draft response was drawn up and circulated as widely as possible in order to gain as many comments as possible.

At the meeting, a letter from Penarth Town Council was also tabled outlining their request to be involved in the consultation process as it developed.

Cabinet had resolved –

(1) That the contents of the report be noted and that it be further noted that a draft response has already been issued to the UK Government with a caveat that further comments might be submitted this meeting.

(2) That the concerns set out in paragraphs 7 and 8 of the report as the Council's formal response to the Commons Select Committee consultation be endorsed.

(3) That in responding, the Select Committee is asked to recognise the need to accurately refer to the project for a Severn Barrage as having potential landfall at Lavernock Point, in the Vale of Glamorgan.

(4) That the report be referred to Planning Committee and Economy and Environment Scrutiny Committee for information.

(5) That a link to the report highlighting the Council's response to the consultation by the UK Government Select Committee be put on the home page of the Council's website.

(6) That the approved report, including all the responses to the consultation undertaken by the Council in responding to the UK Select Committee, be forwarded to the U.K. Government.

Committee were of the view that the Vale of Glamorgan Council needed to take full consideration of the challenges and opportunities that the Severn Barrage could present, and expressed the wish that Cabinet could consider ways in which this process could be carried out.

The wish was also expressed that Planning Committee be involved in any further consultation.

RESOLVED – T H A T the decision of Cabinet be noted.

Reason for decision

Having regard to the decision of Cabinet.

(NOTE: Councillor L. Burnett spoke on this matter with the consent of the Committee.)