

## PLANNING COMMITTEE

Minutes of a meeting held on 6<sup>th</sup> June, 2013.

Present: Councillor F.T. Johnson (Chairman); Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors Ms. R. Birch, Ms. B.E. Brooks, Mrs. P. Drake, E. Hacker, Mrs. V.M. Hartrey, K. Hatton, N.P. Hodges, H.J.W. James, Mrs. M. Kelly Owen, A. Parker, R.A. Penrose, A.G. Powell and M.R. Wilson.

Also present: Councillors L. Burnett, K.P. Mahoney and J.W. Thomas

### 64 APOLOGIES FOR ABSENCE -

These were received from Councillors Mrs. M.E.J. Birch, J. Drysdale and Mrs. A.J. Preston.

### 65 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 2<sup>nd</sup> May, 2013 be approved as a correct record.

### 66 DECLARATIONS OF INTEREST -

Councillor Ms. R. Birch declared an interest in Agenda Item No. 12, Scheme Reference 2013/00026/FUL in that she was a Member of Penarth Town Council who had made observations on the application. Councillor Birch vacated the room whilst this item was under consideration.

Councillor A. Parker declared an interest in Agenda Item No. 12, Scheme Reference 2013/00132/FUL and vacated the room whilst this item was under consideration.

Councillor M.R. Wilson declared an interest in Agenda Item No. 12, Scheme Reference 2013/00026/FUL in that he was a Member of Penarth Town Council who had made observations on the application. Councillor Wilson vacated the room whilst this item was under consideration.

### 67 COMMUNITY INFRASTRUCTURE LEVY REGULATIONS 2010 – CONSULTATION ON PROPOSED AMENDMENTS (REF) –

Approval was sought from Cabinet on the 20<sup>th</sup> May for the consultation response attached at Appendix A to the report, and Cabinet were informed of the proposed amendments to the Community Infrastructure Levy Regulations 2010.

Currently, the Council had entered into legal agreements with developers under Section 106 of the Town and Country Planning Act 1990 to seek contributions from developers to provide facilities such as transport, open space and education to serve new developments. On 6<sup>th</sup> April 2010, the Community Infrastructure Regulations 2010 came into force, which changed the way in which planning obligations could be sought through Section 106 Agreements, meaning these could now in part be replaced with the Community Infrastructure Levy (CIL). CIL was a new charging system that could be applied to most forms of development to fund infrastructure improvements that supported the development of the authority area in accordance with the Local Development Plan (LDP).

On 21<sup>st</sup> February 2011, Cabinet resolved to commence work on preparing a CIL for the Vale of Glamorgan. This work was undertaken in tandem with the preparation of the LDP.

The current Department for Communities and Local Government consultation sought views on further regulatory reforms to the CIL. Comments on the proposals were required by 28<sup>th</sup> May 2013. The consultation covered a range of amendments to the regulations related particularly to rate setting and the operation of the levy in practice.

These included:

- Requiring a charging authority to demonstrate that it has struck an appropriate balance between the desirability of funding infrastructure from the levy and the potential effects of the levy on economic viability of development across its area (see question 1);
- Amending the provisions on setting differential rates (see question 2);
- Extending the consultation period on the draft charging schedule (see question 3);
- The role of the list of infrastructure and procedures for reviewing it (see questions 4 and 5);
- Extending the transition period for further limitations on the use of pooled planning obligations from April 2014 to April 2015 to allow charging authorities more time to take into account the reforms we have already introduced and those proposed in this consultation (see question 6);
- Amending the relationship between the levy and section 278 agreements (see question 7);
- Allowing charging authorities the choice to accept payments in kind through provision of both land and infrastructure either on-site or off-site for the whole or part of the levy payable on a development (see questions 8 to 10);
- Extending the provisions for phasing of levy payments to all types of planning permission to deal fairly with more complex developments (see questions 11 to 14);
- Allowing existing floorspace to be credited against the levy liability provided the use has not been abandoned (see question 15);

- Ensuring multiple liability provisions work effectively so that new applications that bring forward changes but do not increase floorspace on permitted, but not completed, schemes will not trigger an additional liability (see question 16);
- Giving charging authorities the discretion to apply social housing relief to discounted market sales in their areas and ensuring that ancillary and communal areas are reflected (see questions 17 to 19);
- Making it easier to apply exceptional circumstances relief provisions (see question 20);
- Introducing relief from the levy for self-build homes (see questions 21 and 22);
- Modifying the appeals procedures and allowing appeals in certain cases after development has commenced (see questions 23 and 24);
- Introducing transitional measures so that changes related to the charge setting process should not apply to authorities who have already published a draft charging schedule (question 25).

The Council was still in the early stages of preparing a CIL for the Vale of Glamorgan and many of the changes did not have significant or immediate implications for the Council, but would need to be complied with in the future adoption and implementation of CIL if they were carried forward into final amended regulations.

Therefore, for the Council, the key amendment proposed was to extend the transition period for further limitations on the use of pooled planning obligations from April 2014 to April 2015 to allow charging authorities more time to take into account the shift from Section 106 agreements towards CIL for larger infrastructure projects.

Cabinet had welcomed this amendment as there was no prospect of the Council adopting CIL before April 2014 as it was reliant on the prior adoption of the LDP for the area. However, the consultation response at Appendix A to the report called for a further delay to take account of situations such as ours where an approved Development Plan was not in place for the area.

Cabinet had resolved –

- (1) That the consultation response attached at Appendix A to the report be approved.
- (2) That the report be referred to Planning Committee for information.

Having considered the decision of Cabinet, Planning Committee

**RESOLVED – T H A T** the contents of the report be noted.

#### Reason for decision

Having regard to the decision of Cabinet.

## 68 SITE INSPECTIONS (MD) –

RESOLVED – T H A T the attendance of the following Councillors at the sites indicated below on 2<sup>nd</sup> May 2013 be noted:

Apologies for absence were received from Councillors Mrs. P. Drake, J. Drysdale, Mrs. V.M. Hartrey, H.J.W. James (site (a)), A. Parker, A. Powell, E. Williams and M.R. Wilson.

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|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) 10 Park Road, Penarth                                            | Councillor F.T. Johnson (Chairman);<br>Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors K. Hatton, Mrs. M. Kelly Owen and R.A. Penrose.        |
| (b) Land South of the Railway Line, Trem Echni, Rhoose Point, Rhoose | Councillor F.T. Johnson (Chairman);<br>Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors P.J. Clarke, K. Hatton, H.J.W. James and R.A. Penrose. |
| (c) Land to the Rear of Daniel Street, Barry                         | Councillor F.T. Johnson (Chairman);<br>Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors R.J. Bertin, K. Hatton, H.J.W. James and R.A. Penrose. |

## 69 PUBLIC RIGHTS OF WAY SUB-COMMITTEE (MD) –

Agreement was sought to the reappointment of the Public Rights of Way Sub-Committee.

RESOLVED –

- (1) T H A T the Public Rights of Way Sub-Committee, comprising five Members (2 Labour, 1 Conservative, 1 Plaid Cymru and 1 Llantwit Major First Independents) be reappointed with the following Terms of Reference:

To consider and determine under delegated powers applications for Footpath Orders made under Sections 25, 26, 118 and 119 of the Highways Act 1980 and Orders made under Sections 53(3)(b), 53(3)(c) and 54 of the Wildlife and Countryside Act 1981 in respect of modifications to the Definitive Map.

- (2) That the procedural note attached as Appendix B to the report be approved for use at meetings of the Public Rights of Way Sub-Committee.

- (3) T H A T the membership of the Sub-Committee be as follows:

Labour - to be determined  
Conservative - to be determined

Plaid Cymru – to be determined  
Llantwit First Independents - Councillor E. Williams.

Reason for recommendations

(1,2&3) To facilitate decision making.

70 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.

71 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

2012/01262/LAW	A	Tynewydd Farm, Flemingston	The change of use the land and buildings from agriculture to a mixed use for agriculture and the keeping of up to 15 horses.
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2013/00069/ADV	E	Lloyds TSB Bank Plc., 1, Windsor Road, Penarth	3x internally illuminated textbands; 2x internally illuminated projectors; 1x internally illuminated round brand logo; 2x internally illuminated heritage window light strips; 1x externally non illuminated applied vinyl; 2x externally non illuminated aluminium name plate; 2x internally non illuminated applied vinyls
2013/00106/ADV	E	R. S. Bird Ltd., Birds Lane, Cowbridge	One profile sign over entrance to alleyway from High Street to Birds Lane; 2 directional signs facing onto Birds Lane from the gable ends of 10 and 14 High Street; Profile sign and 4 logo profile signs on eastern elevation of block of new non-food retail units.
2013/00159/FUL	A	7, Dryden Road, Penarth	Two storey extension to side and rear. Single storey extension to side and rear. Removal of hip roof, construction of gable and dormer to rear elevation.
2013/00160/FUL	A	Three Bells Inn, Coldbrook Road West, Barry	Change of use from Public House to single residence.
2013/00166/FUL	A	8, Llandaff Close, Penarth	Demolition of double garage and utility and erection of single storey side and front extensions, first floor side extension and rear dormer.
2013/00168/LAW	A	Land at Trehill, St. Nicholas	Digging of a trench which is to contain the foundations, or part of the foundations, of a building.

2013/00177/FUL	A	128, South Road, Sully	Part two storey part single storey rear extension.
2013/00178/FUL	A	Garage and yard, Salop Place, Penarth	Renewal of expired planning permission 2006/01052/FUL for two storey house.
2013/00181/FUL	A	3, Britten Road, Penarth	Single storey extension to bungalow to create additional living space complete with utility room extension; existing vehicular access widened.
2013/00197/LBC	R	Lloyds TSB Bank Plc, 1, Windsor Road, Penarth	Three internally illuminated textbands; two internally illuminated projectors; one internally illuminated round brand logo; two internally illuminated heritage window light strips; one externally non illuminated applied vinyl; two externally non illuminated aluminium name plate; two internally non illuminated applied vinyls.
2013/00199/ADV	A	McDonalds Restaurants Ltd., Ty Verlon Industrial Estate, Cardiff Road, Barry	Various new freestanding signs. Reconfiguration of existing signage to suit new drive thru layout.
2013/00200/FUL	A	McDonalds Restaurants Ltd., Ty Verlon Industrial Estate, Cardiff Road, Barry	Minor alterations to the drive thru lane to provide a side-by-side order point which incorporates a new island for the associated signage. The relocation of the grill bays and the installation of two customer order displays with canopies over.
2013/00202/FUL	A	Pheasant Rise, Cowbridge Road, St. Nicholas	Demolish and reconstruct conservatory to rear.

2013/00210/FUL	A	41, Cardiff Road, Dinas Powys	Erection of rear single storey extension.
2013/00249/FUL	A	94, Lavernock Road, Penarth	Two storey extension and garage.
2013/00269/LAW	A	Byways, Church Close, Ogmore by Sea	Commencement of building work relating to planning application 2008/00019/FUL.
2012/00940/FUL	A	Tymynydd Farm, Welsh St. Donats	Creation of new access and associated works.
2013/00184/FUL	A	Three Horseshoes Inn, Moulton, Barry	Change of use from first floor dining area to four tourist rooms.
2013/00185/OUT	A	Land at the rear 2, Orchard Drive, Barry	Storage building on existing yard to rear of 2 Orchard Drive, Barry.
2013/00188/FUL	A	10, Pwll y Myn Crescent, Peterston Super Ely	Single storey rear extension and internal alterations.
2013/00189/LBC	A	10, Pwll y Myn Crescent, Peterston Super Ely	Single storey rear extension and internal alterations.
2013/00198/FUL	A	112, Stanwell Road, Penarth	Proposed ground floor utility and kitchen extension.
2013/00214/FUL	A	12, Cherwell Road, Penarth	Construction of single storey front porch and cloakroom, construction of single storey rear extension and new roof, overcladding with vertical stained timber boarding to existing stucco on first floor elevations. Replacement of some windows at ground and first floor, minor internal alterations and construction of new chimney stack.

2013/00218/FUL	A	7, Charteris Close, Penarth	Extensions and alterations to bungalow and garage.
2013/00220/ADV	A	Land south of the railway line, Trem Echni, Rhoose Point, Rhoose	Signs.
2013/00226/FUL	A	2, Norwood Crescent, Barry	Proposed single storey side extension to form garage, utility and home office.
2013/00228/FUL	A	23, Murch Crescent, Dinas Powys	Single storey rear extension to include granny annexe.
2013/00230/FUL	A	22, Cory Crescent, Peterston Super Ely	Rear extension and reroofing of existing flat roofed garage.
2013/00234/FUL	A	49, Kenilworth Road, Barry	Conversion of house in multiple occupation into four single person flats.
2013/00238/ADV	E	McDonalds Restaurants Ltd., Ty Verlon Industrial Estate, Cardiff Road, Barry	Reconfiguration of existing signage suite to include the retention of 1 No. Height restrictor, 4 No. freestanding signs and 1 No. customer order display. The relocation of 1 No. welcome sign and the installation of 2 No. banners and 1 No. Totem sign.
2013/00239/FUL	A	7, Melyn y Gors, Barry	Single storey extension to side of property.
2013/00242/FUL	A	97, Murlande Way, Rhoose	Two storey extension to side of property. Conversion of existing garage into living room.
2013/00245/FUL	A	Crossenny, Ewenny Road, St Brides Major	Two storey extension to existing dwelling and conservatory.

2013/00257/FUL	A	4, Birch Lane, Penarth	Single storey kitchen extension to rear of property.
2013/00262/FUL	A	13, Cardiff Road, Dinas Powys	Single storey extension to rear.
2013/00271/FUL	A	4, Brookfield Park Road, Cowbridge	Rebuild of existing conservatory with new pitched roof.
2013/00279/FUL	A	165, Plymouth Road, Penarth	Loft dormer to roof of front of property.
2013/00285/FUL	A	25, Chantry Rise, Penarth	Single storey rear extension.
2013/00329/OBS	B	Ortho Clinical Diagnostics, Unit 2, Pencoed Technology Park, Felindre Meadows, Pencoed	Extensions to the current facility to accommodate additional business capacity. The units will be located on the south and west side of the current production building.
2012/00238/FUL	A	Llandough Hospital, Penlan Road, Penarth	Stroke Rehabilitation Centre. Construction of two twin-storey links between wards East 3/4 and East 5/6. Demolition of wards East 3/4 and East 5/6 existing Day Rooms and construction of new 4 bed wards.
2013/00117/FUL	A	Awelon, Pen y Turnpike Road, Dinas Powys	First floor extension over existing flat roof garage to provide bedroom and rear private terrace.
2013/00201/OUT	A	38, Smithies Avenue, Sully	Outline application for 4 bedroom dwelling on existing plot in garden of 38 Smithies Avenue, Sully.
2013/00204/FUL	A	Starlight View, 156, Westward Rise, Barry	The erection of a timber fence.

2013/00209/FUL	A	Land at 103, Penlan Road, Llandough	Development of a detached house with a double garage.
2013/00213/FUL	A	3, Frampton Lane, Llantwit Major	First floor extension above existing garage.
2013/00225/ADV	A	Boverton Post Office, Boverton Road, Boverton	1 no. illuminated hanging sign, internally mounted, static illumination only.
2013/00231/FUL	A	Tesco Stores Ltd., Marconi Avenue, Penarth	Installation of timber cladding situated to the right of the lobby on the front store elevation.
2013/00258/FUL	A	8, Plover Way, Penarth	Single storey side/rear extension, internal alterations, porch infill and canopy and dormer alterations.
2012/01320/FUL	A	Cogan Hotel, Hewell Street, Penarth	Interior fit out and refurbishment of existing Public House to 3 No. Apartments - Private Residential - Plus change of use of former skittle alley to an A1 retail use.
2012/01333/FUL	A	Woodlands Nursing Home, Leckwith, Cardiff	Part change of use of the redundant care home to a Residential Dwelling.
2013/00083/FUL	A	48, Glebe Street, Penarth	Proposed conversion of large dwelling to create one two bedroom house to the front with separate one bed first floor flat to the rear.
2013/00126/FUL	A	Parkside, Bonvilston, Cardiff	Alteration of an existing buildings form. South facing dormers to be replaced by full length glass wall. Roof of existing utility room to be adapted to become a balcony.

2013/00133/FUL	A	27, Somerset View, Ogmore-by-Sea	Erection of a single storey attached garage with patio area above.
2013/00175/ADV	A	Lloyds TSB Bank Plc, High Street, Cowbridge	Two internally illuminated Text Bands; one internally illuminated Projector; one internally illuminated Square; two non-illuminated aluminium nameplates; two non-illuminated, internally applied vinyls; five internally illuminated window light strips.
2013/00179/FUL	A	Former City Inn, City, Nr. Cowbridge	Landscaping works to the front garden including the construction of a retaining wall to the southern elevation which returns along the eastern elevation of the site.
2013/00219/FUL	A	5, St. James Crescent, Barry	Proposed rear orangeries and double storey side extension for domestic use only.
2013/00221/LBC	A	Lloyds TSB Bank Plc, High Street, Cowbridge	To upgrade external signwork to the new trading style of the applicant.
2013/00224/ADV	A	Lloyds TSB Bank Plc, 9, Boverton Road, Llantwit Major	Installation of illuminated and non-illuminated signs.
2013/00229/FUL	A	82-84, Holton Road, Barry	Change of use of upper floors from offices to three self contained residential flats.

2013/00233/LAW	A	The Stables, adjacent to The Old Rectory, St. Brides Super Ely	To establish the continuous use of Flat 1 within the building known as the Stable Block as a single residential dwelling - independent of, and separate to, (i.e. not ancillary to) the use and occupation of the property/residential dwelling known as The Old Rectory and/or related commercial business purposes.
2013/00237/FUL	A	19, Llewellyn Street, Barry	Erection of single storey extension on rear elevation and pitched roof on existing two storey rear elevation.
2013/00240/FUL	A	120, Redlands Road, Penarth	1) A 9.2m x 2.4m ground floor side extension underneath existing first floor side extension; 2) A 6.4m x 4.0m single story ground floor rear extension.
2013/00241/FUL	A	6, Gerddi Margaret, Barry	Garage conversion.
2013/00243/FUL	A	Little Pen Onn, Llancarfan	Proposed two storey extension to existing split level bungalow. Accommodation to provide additional living space and guest suite.
2013/00244/LAW	A	60, Arcot Street, Penarth	The conversion from a single dwelling to three flats - Application for Lawful Development.

2013/00248/FUL	A	Ewenny Garden Centre, Ewenny Road, Ewenny	Retention of four Log Cabins for Purposes Ancillary to the Existing A1 Use, Retention of a Log Cabin as a Holistic Therapy Room (D1) and Timber Cladding Structure to Principle Elevation. Provision of two Log Cabins for Purposes Ancillary to the Existing A1 Use, a Canopy and Overflow Car Park.
2013/00250/FUL	A	Glan yr Afon, Llancarfan	Barn re roofing, new rooflights, garage doors and windows.
2013/00253/FUL	A	10, Aneurin Road, Barry	Demolition of outhouse and replacement with ground floor kitchen
2013/00255/FUL	A	6, High Meadow, Llantwit Major	Conservatory to the rear elevation.
2013/00259/FUL	A	Highcrest, Coed Masarnen, Colwinston	Proposed single and two storey extension.
2013/00260/FUL	A	Land to the rear of 11, Whitcliffe Drive, Penarth	Proposed dwelling.
2013/00266/FUL	A	6, Heol Eryr Mor, Barry	Rear conservatory.
2013/00270/FUL	A	43, Brenig Close, Barry	Single storey extension on rear elevation.
2013/00277/FUL	A	18, Llandough Trading Estate, Cardiff	Change of use from warehousing/light industrial to plant hire business use (Sui Generis).
2013/00278/ADV	A	18, Llandough Trading Estate, Cardiff	Proposed non illuminated signage.
2013/00283/FUL	A	10, Heol Dewi Sant, Barry	Side extension to provide living accommodation.

2013/00286/FUL	A	21, Cwrt Syr Dafydd, Llantwit Major	Conservatory to rear of property.
2013/00306/FUL	A	48, Heol Corswigen, Parc Rhosyn, Pencoedre Village, Barry	Convert the integrated garage into a playroom and utility room.
2013/00421/PND	A	Cabot Carbon Limited, Sully Moors Road, Barry	Demolition of Hut 4.
2013/00310/SC1	EN	St. Athan Airport, St. Athan	Search and rescue facility.
2013/00355/SC1	EN	MB Jones Farm, Bridgend	Single wind turbine.
2013/00149/LEG	R	Southern part of the site of The Croft, Parc Newydd, Treoes	Application to have legal agreement (ref 96/01123/OUT) rescinded to allow additional dwelling to be constructed on the land.
2013/00158/FUL	A	The Cot, Gileston Farm, Gileston	Application to extend planning approval ref. 2007/01641/FUL for a new two storey dwelling following demolition of run down cottage.
2013/00206/OBS	P	Cambrian Marina and adjoining land, Watkiss Way, Cardiff	Variation of Conditions of Outline Permission 08/02191/C to allow for phasing implementation and other matters where specified in letter.
2013/00207/OBS	P	Cambrian Marina and adjoining land, Watkiss Way, Cardiff	Variation of Conditions of Outline Permission 08/02191/C to allow for phasing implementation and other matters where specified in letter.
2013/00246/FUL	A	137, Westbourne Road, Penarth	Make crossover and dropped kerb adjacent to 137 Westbourne Road, Penarth. A paved driveway will be made with hardstanding for two cars.

2013/00254/FUL	A	Woodlands Cottage, Llandough, Cowbridge	Extension and alterations to dwelling, including a new roof construction and access, plus demolition of existing extensions
2013/00256/FUL	A	Land off Argae Lane, Dinas Powys	Vehicle turning hardstand and the erection of a horse stable on pasture land.
2013/00272/FUL	A	Yr Ysgubor, St. Lythans	Reinstatement of single storey link to connect existing dwelling to existing garage comprising: open plan dining/kitchen space. Conversion of existing fuel store to utility area including replacing current slate roof with low level pitched roof.
2013/00281/FUL	A	14, Plas Pamir, Penarth	Balcony to the front of the house above existing garden, side screens at each end of balcony, steel structure with stainless steel balustrade with glass panels.
2013/00282/FUL	A	13, Plas Pamir, Penarth	Balcony to front of the house above existing garden, side screens at each end of balcony.

2013/00284/OBS	P	Land at ISV and The Cardiff Arena Ice Rink, International Drive, Grangetown, Cardiff	Hybrid application comprising full detail in respect of the demolition of existing temporary ice rink and erection of new Ice Arena and associated temporary parking provision, access and servicing and Outline with consideration of access only in respect of indoor natural snow ski slope, A1 retail, A3 food and drink, B1 off, C3 residential, C1 hotel, D1 non-residential institution, and D2 assembly and leisure uses, access, parking (including a multi-storey car park), servicing and landscaping.
2013/00290/FUL	A	Sycamore House, Llancadle	Rear ground floor extension.
2013/00293/FUL	A	73, Cardiff Road, Dinas Powys	Proposed conversion of loft and replacement of roof hip with gable.
2013/00301/FUL	A	Park Podiatry Centre, 117, Park Crescent, Barry	Change of use from podiatrist (D1) to hairdresser (A1) and new shop front.
2013/00304/FUL	A	Land adjacent to Y Felin Fach, Monkash	Unisex disabled toilet/shower and baby changing facility.
2013/00307/FUL	A	Ty Twyn, Mill Road, Dinas Powys	Orangery style conservatory to rear.
2013/00315/FUL	A	21, Romilly Road, Barry	Convert existing three storey residential dwelling (vacant) into three self contained dwellings (refer to lapsed planning consent 2007/00924/FUL).
2013/00318/FUL	A	16, Usk Way, Barry	Single storey orangery at rear of house.

2013/00320/FUL	A	61, Tynewydd Road, Barry	Proposed alterations at 61 Tynewydd Road, Barry to use Class C2.
2013/00325/FUL	A	12, Colhugh Park, Llantwit Major	Single storey kitchen extension, porch and conversion of garage to habitable room.
2013/00338/FUL	A	Brown Lion House, Llanmaes	Building above an existing ground floor extension, removal of wall between bedroom and extension, removal of sloping slate roof and replacement using a hip into main slate roof. Removal of ground floor casement window and replacement with french window/patio door.
2013/00374/FUL	A	13, Sandringham Close, Barry	Attached garage, extensions to kitchen and dining room.

## 72 APPEALS (DDS) –

### RESOLVED –

- (1) T H A T the list of Appeals received 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 the Appeals for April 2012 to March 2013 as detailed in the report be noted.

## 73 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

2013/00163/TCA	A	Burial Ground, St. Cadoc Church, Llancarfan	Remove limb from s/m Ash, take out two Ash offshoots from old laid specimens, removal of three small stemmed saplings (Ash/Syc), recopping of Hazel and selective thinning of stems from multiple stemmed Sycamore along Riverside Walk.
2013/00169/TPO	A	Tyddyn Castan, Dyffryn Crescent, Peterston Super Ely	Reduce longer limbs by 3 metres.
2013/00192/TCA	A	13c, Albert Crescent, Penarth	Removal of Ash tree.
2013/00211/TCA	A	Franklin Court, Llanmaes	Remove five Conifers.
2013/00216/TCA	A	Greystones, Rhoose Road, Rhoose	30% crown reduction to Ash tree; dismantle line of Conifers; 50% crown reduction to Weeping Willow; dismantle Conifer next to pond and dismantle Birch tree.
2013/00222/TPO	A	Hillcot House, Church Road, Llanblethian	Fell two large Conifers.
2013/00252/TCA	A	11, Marine Parade, Penarth	Reduce and reshape Bay tree, pollard by approximately one third three Lime trees, fell one Lime tree and one Holm Oak and reduce and reshape one Holly tree.
2013/00274/TCA	A	Culvery, Llancarfan	Fell Eucalyptus tree.
2013/00276/TCA	A	Ty Twyn, Mill Road, Dinas Powys	Felling of large Eucalyptus tree.
2013/00297/TCA	A	Tuar Gaer, St. Nicholas	Removal of two trees.

## 74 ENFORCEMENT ACTION (DDS) –

(i) Land and Buildings and Tyn-y-Waun Farm, Newton, Cowbridge

This matter had been previously considered by the Planning Committee in December 2009 when Committee were informed of the unauthorised use of the land at Tyn-y-Waun Farm, Newton, Cowbridge for the importation, processing, depositing and exportation of waste and the carrying out of engineering works on the land in order to create a lake.

At the December 2009 meeting, authorisation was granted to serve an Enforcement Notice and a Stop Notice in respect of the unauthorised activity. Part 5 of the Enforcement Notice contained the following requirements:

- (i) Permanently cease the excavation of the land for the purpose of creating a lake or lagoon.
- (ii) Permanently cease the works to construct all enclosing banks, bunds and other related mounds.
- (iii) Permanently cease the use of the land for the processing, stockpiling and exportation off-site of all soils, sub-soils, stone and gravel material resulting from the excavation of the land to create a lake or lagoon.
- (iv) Backfill all areas of excavation undertaken for the purposes of creating the lake or lagoon, by utilising the on-site soil, sub-soil, stone and gravel material only that is currently either stockpiled on the site or forms the banks and bunds that enclose the lake / lagoon.
- (v) Re-grade the backfilled areas back to the approximately levels that existed prior to any works of excavation having been undertaken and seed the land so as to return it to grass.
- (vi) Permanently cease the use of the land as a waste transfer station by ceasing the importation, processing, stockpiling, depositing and exportation of all forms of various wastes and materials that include soils, sub-soils, spoils, stone, concrete, brick, hardcore, rubble, woods, green wastes and miscellaneous other wastes and materials.

Following the service of the Notice, the activity on the site eventually ceased and as such, requirements (i), (ii), (iii) and (vi) of the Notice were being complied with, save for the remaining stockpiles of material resulting from the last of the importation and processing activity on the site. This left requirements (iv) and (v) outstanding.

In July 2010, the Council were notified that the majority of the land subject of the Enforcement Notice had been repossessed by the mortgage company. It was following this that the Environment Agency (now Natural Resources Wales) expressed concern about the stockpiled material on the land the possible risk of some contamination being present in the material given its intended use was to backfill the lake excavation as required by the Enforcement Notice. As a result, the mortgage company commissioned Environ UK Ltd to undertake an analysis of the stockpiled material. The result of the analysis showed that approximately 20% of the stockpiled material was contaminated (for example, woods, plastics, metals, etc. but not any toxins or

chemicals). Accordingly, the results of this analysis had implications for requirement (iv) of the Enforcement Notice in that it required the use of material now known to contain contaminants to backfill the excavated lakes.

Following the auction of the land in question, the current owner of the land took possession in January 2012 in full knowledge of the Enforcement Notice and his responsibility to comply with the outstanding requirements of the Notice. The new owner subsequently commissioned a restoration scheme as a proposed alternative to the outstanding requirements of the Notice.

The new owner had confirmed that he was seeking to resolve the outstanding matters on the site and restore the land in order to comply with the Enforcement Notice and to resume farming activities on the land.

The proposed alternative restoration scheme had been submitted in plan form that was accompanied by a method statement. The plan showed the location of the remaining individual stockpiles on the site, including photographs and the location and area of the unauthorised lake excavation.

The outstanding requirements of the Enforcement Notice required the use of the stockpiled material to backfill the excavated lake, the levelling of the land and the return of the land to grass. As the stockpiled material to be used to backfill the lake had been found to contain contaminants, it was necessary to screen this material so as to remove the contaminants before the uncontaminated material could be used to backfill the excavated area.

The screening of the material (i.e. the processing of the stockpiles) and the necessary removal from the land of the resultant contaminants would, of course, breach requirement (iii) of the Enforcement Notice. It was therefore necessary to relax this requirement so as to allow for the screening of the remaining stockpiles to remove contaminants.

In addition to the above, it was estimated that there would be insufficient clean material following the screening of the stockpiles to backfill the entirety of the excavated lake area. Accordingly, it was proposed to backfill the majority of the excavated area, but to leave a small excavated area creating a smaller pond. The submitted plans showed a remaining excavated area (the proposed pond) of 0.45 hectares following the backfilling of the majority of the unauthorised excavations with screened, clean material. In order to permit the retention of a smaller area of excavation it would be necessary to amend and relax requirement (iv) of the Enforcement Notice.

As a final proposal, the scheme submitted proposed the construction of temporary access tracks across the site, described on the submitted plan as "haul roads". Approximately 560 metres of temporary track were proposed and these were to link to the existing tracks across the site. In order to permit the construction of these temporary tracks and to ensure that these were removed following the completion of the restoration works, part 5 of the Enforcement Notice must be amended with the addition of further

requirements relating to the construction and then ultimate removal of the temporary haul roads.

RESOLVED –

(1) T H A T the Head of Legal Services be authorised to amend part 5 of the Enforcement Notice issued and served under Section 172 of the Town and Country Planning Act 1990 (as amended) on 16<sup>th</sup> December 2009 as follows:

1. The removal of requirements (i) and (ii).
2. The amendment of requirement (iii) so as to allow for the processing of the existing stockpiles on the site and the removal of the resultant contaminated material from the land, as set out in the plan and method statement submitted to the Council on 6<sup>th</sup> December 2012.
3. The amendment and relaxation of requirement (iv) in order to permit the retention of a smaller area of excavation (the proposed pond) as set out in the plan and method statement submitted to the Council on 6<sup>th</sup> December 2012.
4. The addition to part 5 of the Notice of further requirements to allow for the construction of temporary haul roads and then removal of those haul roads following the completion of the restoration works as set out in the plan and method statement submitted to the Council on 6<sup>th</sup> December 2012.

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

#### Reason for decisions

(1&2) The proposed restoration scheme for the land at Tyn y Waun Farm, submitted to the Council on 6<sup>th</sup> December 2012, was considered to be acceptable and reasonably necessary in order to ensure the resumption of farming activities on the land. As such, the proposed restoration scheme was not considered to conflict with policies ENV1 Development in the Countryside, ENV4 – Special Landscape Areas, ENV7 – Water Resources, ENV10 – Conservation of the Countryside, ENV11 – Protection of Landscape Features, EMP7 – Farm Diversification, EMP8 – Agricultural Enterprise and Associated Development, WAST1 – Provision of Waste Management Facilities, WAST2 – Criterion for Assessing Waste Management Facilities, WAST4 – Waste Disposal on Agricultural Land, Strategic Policy 13 Waste Management of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as guidance contained within Technical Advice Note 6: Planning for Sustainable Rural Communities and Planning Policy Wales (November 2012). Accordingly, the relaxation and addition of certain requirements of part 5 of the extant Enforcement Notice issued on 16<sup>th</sup> December 2009, which are necessary to permit the proposed restoration scheme, are considered to be appropriate in this case.

(ii) Land and Buildings at the Kiosk, Stanwell Road, Penarth

Committee received a report which related to alterations undertaken to the building known as The Kiosk on Stanwell Road. The building was a relatively modest one in scale, located adjacent to the Royal Buildings and bound by the footpath adjacent to the railway line leading to Penarth railway station.

It had been noted that works to the external appearance of the building were being undertaken and it became clear that these works did not amount to the implementation of an extant planning permission on the site. The works undertaken related to the additional painted softwood horizontal cladding. The cladding covered the windows that previously existed in the front, side and rear elevation of the property. A canopy had also been added to the front elevation.

The alterations materially altered the external appearance of the building, and would consequently constitute development requiring the benefit of planning permission. The development did not benefit from planning permission, and as such, was unauthorised.

The owner of the building had been contacted on several occasions but had failed to respond to any previous correspondence. Officers had sought to resolve the matter on a voluntary basis but to no avail and accordingly the only course of action open to the Local Planning Authority was formal action in the form of an Enforcement Notice.

## 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 cladding and canopy additions and restoration of the building to its former condition.

(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 material alteration of the property does not reflect the design, character and appearance of the locality and consequently is considered to have demonstrable and detrimental impact on the character of the street scene and wider conservation area. The alterations are considered to erode the established character of the conservation area, contrary to the principles of Policies ENV17 – Protection of the Building and Historic Environment; ENV20 – Development in Conservation Areas, and ENV27 – Design of New Development of the Vale of Glamorgan Adopted Unitary Development Plan

1996-2011, as well as the principles and guidance set out in the Adopted Penarth Conservation Area Appraisal and Management Plan.

(iii) Land and Buildings at Land Adjacent to The Beeches, St. Nicholas

Committee received a report which related to site clearance, remediation and laying of a bound bitumen material on land adjacent to The Beeches, St. Nicholas.

Following an initial site inspection, it had been noted that the land had been cleared of all vegetation that previously existed on the land and a bound bitumen material had been laid and now covered the land. The bound material covered an area of approximately 1,800m<sup>2</sup>. The land was formally overgrown agricultural land and had the characteristics of a paddock.

The works as carried out were considered to amount to an engineering operation as defined by Section 55 of the Town and Country Planning Act 1990 and as such required the benefit of planning permission. As no such permission had been granted, nor was there any provision under the Town and Country Planning (General Permitted Development) Order 1995 for the works, the operation had been carried out in breach of planning control.

The owner of the land had been contacted on two separate occasions and no response had been forthcoming. The owner's lack of engagement with the Local Planning Authority had failed to result in a voluntary resolution to the matter, and as such formal action was required to expedite a resolution.

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 bound bitumen material;
- (ii) The restoration of the land to its former condition.

(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.

(3) T H A T the Council's Environmental Health Office and Ecology Officer should be notified that Japanese Knotweed may be present on site and any disposal of the material will require the involvement of Natural Resources Wales (NRW).

Reason for decisions

(1&2) The operational development consisting of the laying of bound bitumen material on the land is considered to be an unjustified form of development in the location that had a detrimental effect on the appearance and character of

the open countryside contrary to Policies EVN1, ENV10 and ENV27 of the Vale of Glamorgan Unitary Development Plan and the advice given in Planning Policy Wales (February 2011) and Technical Advice Note 6 (July 2010) on Planning for Sustainable Rural Communities.

(3) In regard to the possible existence of Japanese Knotweed.

(iv) Land and Buildings at The Bowers, Coldbrook Road West, Barry

A complaint had been received by the Local Planning Authority regarding the erection of a new CCTV camera on the side elevation of The Bowers, Coldbrook Road West, Barry facing No. 11 Coldbrook Road West.

An investigation had previously been undertaken with regard to the CCTV cameras on the property in August 2011. It was noted at that time that there were four cameras in total at the property, two on the side elevation of the main gable of the dwelling house facing No. 11 Coldbrook Road West, and one close to the rear elevation of the dwelling. There was also a camera on the side elevation of the detached annex building.

The erection of CCTV cameras on a building was considered to be development. There were certain permitted development rights granted under the Town and Country Planning (General Permitted Development) Order 1995 for the erection of CCTV Cameras. However, in view of the number of cameras on the property, and their location, all of the cameras were considered to be development that required the benefit of planning permission. The owner of the property was contacted regarding this matter, and following further investigation, it was established that the cameras had been erected on the property more than four years prior to the investigation. As such, the cameras were immune from enforcement action and the case was closed.

Following the receipt of the most recent complaint, the site was inspected again and it was noted that one of the cameras on the main side elevation of the property, facing No. 11 Coldbrook Road West, had been removed and replaced with a larger camera. The position of the camera was also slightly higher than that previously observed and was close to the ridge and chimney of the house.

Again, in view of the location of the camera and its proximity to the existing cameras on the property, the new camera was not considered to benefit from the permitted development rights granted under the 1995 Order. Accordingly the new camera required the benefit of planning permission and as no such permission had been granted, the camera had been erected in breach of planning control.

The owner of the property had been advised of the breach of planning control and given a period of time to either remove the camera or submit an application for planning permission in an attempt to retain the camera. The

camera is still, however, in situ following the expiry of this period and an application has not been submitted.

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 new CCTV camera and supporting brackets from the side elevation of the dwelling.

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

Reason for decisions

(1&2) In view of the location of the camera and its direction of view, this development is considered to impact to an unacceptable degree on the privacy and, therefore, the amenities of the occupiers of the adjoining property. As such, the camera is considered to conflict with criteria (ii) and (iv) of Policy ENV27 – Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as the residential privacy and amenity principles set out in the Council's adopted Supplementary Planning Guidance on Amenity Standards.

(v) Land and Buildings at Cambrian Residential Park, off Brooklands Terrace, Culverhouse Cross

DEFERRED - for site visit.

(vi) Enforcement – Update and Progress

Committee received a year end report which advised of the Enforcement Team's performance over the financial year April 2012 to March 2013.

RESOLVED – T H A T the contents of the report be noted.

Reason for decision

Having regard to the contents of the report.

75 PLANNING APPLICATIONS (DDS) –

Having considered the applications for planning permission, and where necessary to 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:

**2012/00928/FUL** Received on 29 August 2012

(P. 72)

Mrs. C. Lewis, The Grove, Corntown, Bridgend, Vale of Glamorgan, CF355BG

Spring Design Consultancy, 2, Lower Farm, Tythegston, Bridgend, CF32 0ND

**The Grove, Corntown, Bridgend**

Proposal to construct new 4 bedroom house

**REFUSED** (Written representations)

1. The proposal represents a cramped, over development of the site, which detracts from the setting of nearby properties and the wider area, and creates the impression of the perceived overlooking of the front of the neighbouring dwelling by virtue of the proposals orientation and siting. Furthermore, the cramped and contrived nature of the development results in an unsuitable and unsatisfactory provision of amenity space for the proposed dwelling which is completely overlooked by the existing property to the rear, and unsatisfactory access arrangements. As such, the infilling of the side garden of The Grove would be considered an unsuitable form of infill development. As such the proposals are considered contrary to Policies ENV27 - Design of New Developments; HOUS2 - Additional Residential Development; HOUS8 - Residential Development Criteria; HOUS11 - Residential Privacy and Space; TRAN10 - Parking, of the adopted Vale of Glamorgan Unitary Development Plan 1996-2011; Supplementary Planning Guidance on Amenity Standards; the Council's Supplementary Planning Guidance on Amenity Standards; and national guidance contained in Planning Policy Wales (Edition 5, 2012) and TAN12 - Design.

**2013/00015/FUL** Received on 9 January 2013

(P. 83)

Mr. Nick Roan, 19, Spencer Drive, Llandough, Penarth, Vale of Glamorgan, CF64 2LR

Mr. Greg Tuck, Meridian Building Design, The Rise, 41a, Highwalls Avenue, Dinas Powys, Vale of Glamorgan, CF64 4AQ

**Land at 19, Robin Hill, Dinas Powys**

New dwelling to the side of 19, Robin Hill

**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 9 January 2013 other than where amended by plans reference RHH 01 A received on 28 March 2013.

Reason:

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

3. Each 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. 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.

7. 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), 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 prior to the commencement of development, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use.

Reason:

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

8. No part of the development hereby approved shall be brought into beneficial use until such time as the parking areas/spaces, including all associated access and turning areas, for both the new dwelling (to provide two parking spaces) and No. 19 Robin Hill have been laid out in full accordance with the details shown on plan RHH 01A and the parking and access provisions shall thereafter be so retained at all times to serve the development hereby approved and No. 19 Robin Hill.

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.

9. Prior to the commencement of development, details of foundations (with particular focus on their impact on the adjacent cliff/slope and the impact of any existing trees in or adjoining the site to be retained or removed) of the dwelling hereby approved shall be submitted to and approved in writing by the Local Planning Authority. These details should be in general accordance with the information submitted with the Vale Design Partnership report dated 18 December 2012 and the letter and foundation plan also by the Vale Design Partnership dated 25 February 2013. The development shall thereafter be constructed in accordance with the agreed information unless the Local Planning Authority agrees in writing to any variation.

Reason:

To ensure a satisfactory form of development, which would have no detriment to the integrity of the adjacent slope or neighbouring dwellings, in accordance with Policy ENV27 of the Unitary Development Plan.

10. Notwithstanding the submitted details, full details of a scheme for the treatment of surface water drainage on the site shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details prior to beneficial occupation of the dwelling hereby approved.

Reason:

To ensure surface water does not cause localised flooding or potentially affect the stability of the nearby cliff, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

**2013/00026/FUL** Received on 14 January 2013

Action for Children, Headlands School, 2, St. Augustines Road, Penarth, Vale of Glamorgan, CF64 1YY  
CLC Design, The Design Office, 19 Heol Y Deri, Rhiwbina, Cardiff, CF14 6HA

**2, St. Augustines Crescent, Penarth**

Two storey extension

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 14 January 2013 other than where amended by plans reference 2060-PA-04B and 2060-PA-05B received on the 5 April 2013.

Reason:

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

3. The external finishes of the development hereby approved shall match those of the existing building.

Reason:

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 the windows in the first floor side elevation shall be fitted with obscure glazing at the time of the construction of the development hereby approved and prior to the first beneficial use of extension and shall thereafter be so maintained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the privacy and amenities of adjoining occupiers are safeguarded, and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

(Note: Councillor Lis Burnett spoke on the above application with the consent of the Committee).

**2013/00132/FUL** Received on 18 February 2013

(P. 101)

Sorrento & Mr Griffin c/o Brinson Fairfay, 75, High Street, Cowbridge, Vale of Glamorgan, CF71 7AF

Andrew Parker Architect, The Great Barn, Lillypot, Bonvilston, Vale of Glamorgan, CF5 6TR

**Sorrento, 67, High Street, Cowbridge**

Proposed alterations to form estate agents to part ground floor with remainder as shop sales area first floor to remain sales area as existing

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. Notwithstanding that shown on Drawing No. 545/P/02/B received on 18 February 2013, this consent does not grant consent for the proposed floodlights indicated on the proposed front elevation.

Reason:

For the avoidance of doubt and to preserve the character of the Conservation Area in accordance with Policy ENV20 of the Unitary Development Plan.

3. Prior to the commencement of development, further details of the proposed new access from the side lane to the 'Sales Area Sorrento' as shown on Drawing No. 545/P/02B shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.

Reason:

To provide suitable access for customers, visitors or employees with mobility difficulties and to ensure compliance with Policy ENV28 - Access for Disabled People of the Unitary Development Plan.

**2013/00205/FUL** Received on 13 March 2013

(P. 108)

Mr. Ivor Tanner, Highdene, Cowbridge Road, St. Nicholas, Vale of Glamorgan, CF5 6SH

Andrew Parker Associates, The Great Barn, Lillypot, Bonvilston, Vale of Glamorgan, CF5 6TR

**Highdene, Cowbridge Road, St. Nicholas**

Proposed new dwelling in garden of Highdene, St. Nicholas

WITHDRAWN

**2013/00215/LBC** Received on 6 March 2013

(P. 119)

Mr. Raymond Thomas, Sutton Newydd, Sutton Road, Llandow, Cowbridge, Vale of Glamorgan, CF71 7PY

Mr. Neil McLean, Rosevine Cottage, Penllyn, Cowbridge, Vale of Glamorgan, CF71 7RQ

**Long range of stone out buildings, North west of Sutton House, Llandow, Cowbridge**

Repair and construction work to gable wall

APPROVED subject to the following condition(s)

1. NO CONDITIONS

**2013/00247/FUL** Received on 22 March 2013

(P. 123)

Nick Boyle, Lightsource Renewable Energy Ltd., Level 5, 20, Old Bailey, London, EC4M 7AN

Brendan Clarke, Lightsource Renewable Energy Ltd., Level 5, 20, Old Bailey, London, EC4M 7AN

**Treguff Farm, St Mary Church, Cowbridge**

Installation and operation of a ground mounted solar photovoltaic facility (generation capacity of approximately 4.9 megawatts)

DEFERRED -

Members are minded to refuse the application and requested a further report is brought back to Committee detailing suggested reasons for refusal on the grounds that the proposal has a detrimental effect on SLA and does not protect one of the best landscapes in the Vale of Glamorgan.

**2013/00173/RG3** Received on 1 March 2013

(P. 155)

Mr. Mark Haynes, Vale of Glamorgan Council, Provincial House, Kendrick Road, Barry, Vale of Glamorgan., CF62 8BF

Mrs. Kelly Williams, Vale of Glamorgan Council, Civic Offices, Holton Road, Barry, Vale of Glamorgan., CF63 4RU

**Ysgol Dewi Sant, Ham Lane East, Llantwit Major**

Double classroom extension to existing school

RESOLVED – T H A T deemed planning consent be GRANTED subject to the following condition(s):

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

Reason:

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

2. Prior to the first beneficial occupation of the extension hereby approved a Traffic Regulation Order shall be sought in respect of normal school peak hours 08:00-09:00 and 15:00-16:00 (Mon-Fri) in accordance with a scheme that shall be first submitted to and agreed by the Local Planning authority and the required restriction shall be put in place prior to the first use of the school extension.

Reason:

To ensure the safe provision of access 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.

3. The existing turning area shall only be used as a parental drop off and pick up area for as long as no children are brought to the school by bus transport and should it become necessary at any time in the future to use buses to bring children to the school, this turning area shall be used solely as a bus drop off point and prior to any bus services starting to bring children to the school, a scheme shall be submitted to and approved in writing by the Local Planning Authority, for an alternative means of dealing with the traffic generated by parents dropping and picking up children at the school, and this scheme shall be implemented prior to the first bus service commencing.

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.

4. The implemented drainage scheme shall ensure that all foul flows from the site shall only connect to the 300mm public foul sewer at manhole ref. SS97685605 and all foul and surface water shall discharge separately from the site and land drainage run-off shall not discharge, either directly or indirectly, into the public sewerage system.

Reason:

To prevent hydraulic overloading of the public combined 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.

5. The external finishes of the development hereby approved shall match those of the existing school.

Reason:

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

6. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall pay particular regard to providing supplementary planting adjacent to the access and around the perimeter of the site, which shall include indications of all existing trees on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason:

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

7. 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.

8. Full details of a cycle parking facility / area shall be submitted to and approved in writing by the Local Planning Authority and the approved cycle parking facility shall be fully implemented on site prior to the first beneficial occupation of the development hereby approved and thereafter kept free of obstruction and available for the parking of

cycles associated with the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that satisfactory parking for cycles is provided on site to serve the development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

9. Prior to the first beneficial occupation of the development hereby approved or within 4 months of the date of this consent (which ever is the sooner) a School Travel Plan shall be prepared to include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use. The Travel Plan shall thereafter be implemented in accordance with the approved details.

Reason:

To ensure the development accords with sustainability principles and that site is accessible by a range of modes of transport in accordance with Unitary Development Plan Policies 2, 8 and ENV27 - Design of New Developments.

**2013/00420/RG3** Received on 9 May 2013  
(P. 169)

Project Management Unit, Docks Offices, Barry Docks, Barry, Vale of Glamorgan, CF63 4RT

Project Management Unit, Docks Offices, Barry Docks, Barry, Vale of Glamorgan, CF63 4RT

**Former Holiday Camp Land, Nells Point, Barry Island, Barry**

Development of the land for a temporary car park and temporary events area following the demolition of concrete foundation structures on the site and their use as base material for the proposed car park

RESOLVED – T H A T deemed planning consent be GRANTED subject to the following condition(s):

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

Reason:

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

2. Any external lighting of the car park and temporary events area hereby approved shall be in accordance with a lighting scheme which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity and residential amenity and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

3. Prior to the beneficial use of the site hereby approved details of a Site Management Plan must be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of the operation of the car park and temporary events area, including hours of operation and management, traffic management, drainage and how noise and dust from the operation of the development will be controlled and mitigated. The operation of the Development shall be undertaken in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason:

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

4. Details of a scheme of landscaping for the area shown green on Plan No. 5117643/TP/GA/006A shall be submitted to the Local Planning Authority for their approval in writing.

Reason:

To protect the amenity of neighbouring properties and to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

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

Reason:

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

(Note: Councillor Lis Burnett spoke on this application with the consent of the Committee).