

PLANNING COMMITTEE

Minutes of a meeting held on 13th February, 2014.

Present: Councillor F.T. Johnson (Chairman); Councillors Ms. R. Birch, J.C. Bird, Mrs. P. Drake, J. Drysdale, E. Hacker, H.C. Hamilton, Mrs. V.M. Hartrey, K. Hatton, N.P. Hodges, H.J.W. James, K. Mahoney, A. Parker, R.A. Penrose, A.G. Powell, Mrs. A.J. Preston, Ms. R.F. Probert, G. Roberts, R.P. Thomas, E. Williams and M.R. Wilson.

Also present: Councillors Ll. Burnett, K. Edmunds, C.P.J. Elmore and Dr. I.J. Johnson.

830 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 16th January, 2014 be approved as a correct record, subject to the addition of Councillor C.P.J. Elmore to the list of those present at the meeting.

831 DECLARATIONS OF INTEREST –

Councillor A. Parker declared an interest in Planning Application 2013/00628/FUL as he was the architect for the application. Councillor Parker vacated the room whilst this item was under consideration.

832 FUNDING AND DELIVERY OF GREENLINKS COMMUNITY TRANSPORT SERVICE 1ST APRIL 2014 ONWARDS (REF) –

Approval was sought from Cabinet at its meeting on 27th January 2014 for the future funding of the Greenlinks Community Transport service beyond 1st April 2014.

Greenlinks aimed to provide demand responsive transport to those who were unable or did not have access to public transport. Greenlinks offered a transport service primarily for residents of the Vale of Glamorgan.

Not for Profit organisations, (such as the Council) could obtain permits under Section 19 and 22 of the Transport Act 1985. These permits provided exemption to an organisation to hold a Public Service Vehicle operator's (PSV) licence when providing public transport for a charge.

Greenlinks currently operated three vehicles: a 13 seater accessible bus, a seven seater VW Sharan donated by NPower in January 2011 and a 9 seater accessible bus funded via a South East Wales regional transport services grant. The service operated both Section 19 and Section 22 permits. All three vehicles had a Section 19 permit, whilst the two larger buses also held Section 22 permits. Both buses had been used to deliver local bus routes on both fixed and flexible routes.

No.

The Greenlinks service operated between 8am and 6pm, Monday to Friday using Section 19 permits and provided a door to door service for passengers who had requested transport by 12 noon the day before travel. The requests were considered by officers and the schedules for the vehicles were drawn up the day before travel to accommodate the most passenger requests. Passengers were subsequently called in the afternoon before travel and were advised of their journey travel times. Not all requests could be accommodated all of the time. The vehicles generally carried 2 or 3 people at any one time.

Greenlinks currently had approximately 976 members, 62 group members and provided on average 600 - 650 passenger journeys a month.

The report outlined that there were several options for Cabinet to consider in respect of the future of the Greenlinks bus service:

- Option 1: Stop the Greenlinks service on 31st March 2014 and lose both the Service and also the slippage RDP funding.
- Option 2: Donate the Greenlinks vehicles to other organisations operating within the Rural Vale. The Greenlinks vehicles could be donated to Community Transport organisations such as Dinas Powys Voluntary Concern, VEST or East Vale Community Transport.
- Option 3: A Social Enterprise could be set up. This would require the identification of appropriate people willing to set up and continue to deliver the Greenlinks scheme.
- Option 4: The Council continued to operate Greenlinks using both Section 19 and Section 22 permits, thereby continuing to offer a Bus Service to everyone in the Vale of Glamorgan. This option was preferred. It was proposed in the first instance to run the new G1 flexible bus service (Llantwit Major to Bridgend via Cowbridge as above) and to continue the G4 flexible bus service (Thursday service to Cardiff from the coastal areas) using Section 22 permits.

The remainder of the Greenlinks service would be delivered using Section 19 permits offering a service for Greenlinks members. In time, there was the option of considering other fixed or part fixed routes with Section 22 permits.

Anyone in the Vale of Glamorgan could become a member of Greenlinks. There was however, a need for the Council to find some £60,122 to fund Greenlinks for the financial year 2014/15 as well as an ongoing need to fund the project.

In order to fund the Greenlinks project next year and beyond it was proposed through negotiations with applicants to top slice all the Section 106 financial contributions for Sustainable Transport by 25%. Therefore this would mean that subject to successful negotiation for proposals that result in the payment of a contribution for sustainable transport, 25% of those contributions would be set aside to fund the Greenlinks Community Transport service as well as providing funding to support other bus services as appropriate within the Vale of Glamorgan.

No.

Cabinet had resolved –

- (1) That the Greenlinks Community Transport Service be supported by the Council for the financial year 2014/15 in accordance with the details outlined in the report.
- (2) That a further report be presented to Cabinet in September 2014 providing detailed analysis of usage and costings of the Greenlinks Service as well as customer feedback.
- (3) That with immediate effect all future financial sustainable transport planning obligation contributions (S106) be top sliced through negotiations with developers by 25% to assist in the funding of a Vale-wide Greenlinks community transport service and to provide financial support to other Vale of Glamorgan public transport services unless the Director of Development Services in consultation with Cabinet Member for Regeneration, Innovation, Planning and Transportation determine otherwise.
- (4) That the sustainable transport planning obligation contributions already received for the applications listed in Appendix A attached to the report be top sliced by 25% to fund Greenlinks and other Vale of Glamorgan public transport services.
- (5) That the Planning Obligation Supplementary Planning Guidance document be updated to reflect the approach as outlined in the report.
- (6) That the report be referred to Planning Committee for information.

Reasons for decisions

- (1) To provide a flexible means of community transport for residents of the Vale in a cost effective and reliable manner.
- (2) To evaluate the usage, cost and customer satisfaction of the Greenlinks Service.
- (3) To enable the continuation of the Greenlinks Community Transport Service and to provide financial support to other public transport services and to allow flexibility where site specific and development specific dictates as explained in paragraph 28 of the report.
- (4) To ensure that there was funding available from April 2014 for Greenlinks and other public transport services.
- (5) To enable the Greenlinks Service to operate during 2014/15.
- (6) To advise Planning Committee of the report.

No.

Planning Committee, having considered the views of Cabinet,

RESOLVED – T H A T the report be noted.

Reason for decision

To apprise the Planning Committee on the funding and delivery of the Greenlinks Community Transport Service from 1st April 2014 onwards.

833 THE CONSERVATION AREA ADVISORY GROUP (REF) –

On 27th January 2014 approval had been sought from Cabinet for the cessation of the Conservation Area Advisory Group and the establishment of an alternative mechanism for seeking input into relevant proposals.

Conservation Area Advisory Groups had been meeting in the Vale of Glamorgan for a period in excess of 30 years. The Welsh Office Circular 61/96 entitled Planning and the Historic Environment: Historic Buildings and Conservation Areas, recommended the establishment of such Groups or Committees to assist both in the development of policies and to advise on applications received within Conservation Areas.

Historically, Groups were based on each Conservation Area but a series of reviews led to the current arrangement of a single Conservation Area Advisory Group.

Recently the effectiveness of the Conservation Group arrangements had been considered and an evaluation entitled 'Conservation Area Advisory Group - Review of Effectiveness - January 2014' was attached for information at Appendix A to the report. The review concluded that the Group was only performing with limited success and was adding limited value to the Planning System.

Given the need to consider priorities in the delivery of services across the Council, it was recommended that an alternative mechanism be established whereby any interested party (not just members of the Group) could gain access to all applications, (including those currently not represented on the Group), relating to a conservation area. This was considered a far more appropriate means of circulating and seeking feedback on proposals and the Council would potentially benefit from increased feedback to proposals.

It was envisaged that the consultation mechanism would take the form of a 'weekly list' specific to conservation areas. This was a simple administrative exercise to perform that could be sent to a set mailing list and made available on the Council's website. Current members of the Group and the Amenity Society who form the Core Group would be asked if they would like to be included in the mailing list and this would also be open to any other interested party. Comments would be made directly to the relevant case officer and could be made available to Planning Committee in respect of relevant applications.

No.

Cabinet had resolved –

- (1) That subject to recommendation (2) below the Conservation Advisory Group in its current form ceases and the Director of Development Services, in consultation with the Cabinet Member for Regeneration, Innovation, Planning and Transportation provides an alternative consultation mechanism for those interested parties in the form of a ‘weekly list’ specific to conservation areas.
- (2) That the report be referred to Planning Committee for consultation prior to consideration by Full Council.

Reasons for decisions

- (1) Following the monitoring of the effectiveness of the Conservation Group and the production of the report ‘Conservation Area Advisory Group – Review of Effectiveness’ it has become clear that the members of the group itself were not regularly attending the meetings and the resources required to be supplied by the Council are not justified with regard to the value that the process adds to the planning process.
- (2) To consult Planning Committee on the content of this report.

Planning Committee, having considered the decision of the Cabinet,

RESOLVED –

- (1) T H A T the decision of Cabinet be endorsed.
- (2) T H A T Council be advised accordingly and that having regard to the decision of Cabinet, Council be advised that it was the wish of Planning Committee that the effectiveness of the “alternative consultation mechanism” be reviewed in 12 months’ time.

Reasons for decisions

- (1) Having regard to the decision of Cabinet.
- (2) To advise Council of the wish of Planning Committee.

834 THIRD PARTY INVOLVEMENT AT PLANNING COMMITTEE AND FUTURE WORKING ARRANGEMENTS OF PLANNING COMMITTEE (REF) –

Cabinet, on 27th January 2014, was informed of progress being made to allow third party involvement at Planning Committee and alterations to the future working arrangements of Planning Committee.

No.

In early December, the Welsh Government (WG) published a draft Planning Bill entitled 'Positive Planning for a Better Wales'. An important part of the evidence gathering for the Bill was an Independent Advisory Group (IAG) report published in September 2012.

Amongst its findings, the report recognised the critical role of Planning Committees in the land use planning system and recommended that the workings of Committee be made as efficient and effective as possible.

In response to the IAG report, WG invited the Royal Town Planning Institute in Wales (RTPI Cymru) to draw together expertise to oversee a study into the operation of Planning Committees. The recommendations had been considered by WG and had been incorporated into the consultation paper into the draft Planning Bill. There were elements within the consultation that the Council, had already implemented such as an effective scheme of delegation, customer care initiatives and Member training. A key element that was currently not implemented in this Council related to third party involvement at Planning Committee.

In addition, and also of relevance was the fact that the Council's Corporate Plan also included an action for the development of a protocol for the public to give evidence at Planning Committees (action CL6). Members would be aware that in November 2004 Cabinet resolved that a 'Protocol for Members and Officers in dealing with Planning and related matters' was adopted (Cabinet Minute C1580). The Cabinet report, minute and protocol were attached at Appendix A to the report. The protocol included reference to a host of subject areas involving Members and officers when dealing with planning matters. It was clear that in light of the Planning Bill and the Corporate Plan, this protocol required updating.

On 4th December, 2013 the WG published a draft Planning Bill and supporting documents and consultation papers.

An updated Protocol for Members and Officers in dealing with Planning and related matters was in the process of being prepared. This updated version addressed the following areas:

- **Third Party Involvement / Public Speaking at Planning Committee** -Work was required to implement public speaking rights at Planning Committee.
- **Decisions Contrary to Recommendations** - This area would need updating in light of current thinking as included in the consultation documents associated with the Planning Bill.

Site Visits - An updated procedure was also required for the arrangement and undertaking of site visits and would deal with matters including making requests for site visits, the timing of site visits and limiting of third party participation at site visits.

Committee Procedures - There was also a need to revise the protocol in terms of Committee procedures, in particular with regard to the role of local

No.

Members, Members who were not Members of the Committee and arrangements for voting. There was also a need to consider appropriate methods for voting and recording of votes. Again these were matters that would be included in a revised protocol.

Cabinet had resolved –

- (1) That the work undertaken to update the Protocol for Members and Officers in dealing with Planning and related matters be noted and be referred to the Working Group for the Council Constitution.
- (2) That the issues raised in this report be progressed through the Working Group for the Council's Constitution and reported to Council in due course.
- (3) That the report be referred to Planning Committee for information purposes.

Reasons for decisions

- (1) To ensure fairness, transparency and consistency in the consideration of all planning and related matters and to ensure that planning related issues are adequately addressed in the Council's Constitution.
- (2) In order for the Council to adopt an up to date protocol and revised procedures for Planning Committee matters and involvement of third parties.
- (3) For information purposes.

Following consideration of the report, the Planning Committee

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

Reason for decision

Having regard to the decision of Cabinet.

835 VALE OF GLAMORGAN CONSERVATION AREA ADVISORY GROUP –

The following report of a meeting held on 23rd January 2014 was submitted:

Minutes of a meeting held on 23rd January 2014.

Present: Councillor Mrs. M.R. Wilkinson (Chairman); Councillor T. Fowler; (Llanmaes Community Council); Councillor Mrs. P. Lancaster (Llantwit Major Town Council); and Mrs. H. March (Llantwit Major History Society).

Also present: Mr. P. Thomas and Mr. I. Robinson.

No.

(a) Apologies for Absence:

None.

(b) Minutes -

AGREED – T H A T the minutes of the meeting held on the 12th December 2013 be noted.

(c) Feedback

It was agreed that feedback would be provided to the next meeting of the Group.

(d) Applications in Conservation Areas

(i) Cowbridge

2013/01247/FUL Received on 16 December 2013

St. Brides Ltd, The Old Coach House, 32, Glanogwr Road, Bridgend. CF31 3PF
CWArchitects Ltd, Grosvenor House, 8 Park Grove, Cardiff, Cardiff, CF10 3BN

Site at North Road, Cowbridge

Five new dwellings with associated gardens, landscaping, access, garages and car parking at land adjacent to Vale Forge, North Road.

There being no representative for Cowbridge with Llanblethian, the application was not discussed.

(ii) Llanmaes

2013/01239/FUL Received on 16 December 2013

Mrs. Mair Morgan, Garden House, The Broadshoard, Cowbridge, Vale of Glamorgan. CF71 7DB
Anderson and Associates, 39, High Street, Cowbridge, Vale of Glamorgan.
CF71 7AE

Plot of land in front of Castlebrook, Llanmaes

Erection of one house and double garage at land in front of Castlebrook, Llanmaes
(Renewal of 2008/01477/FUL

RECOMMENDED: REFUSAL on the grounds of an inappropriate development which will neither preserve nor enhance the character or appearance of the conservation area.

No.

(iii) *Llantwit Major*

2013/01184/FUL Received on 16 December 2013

*Kent Property Services, 2, The Drive, Windy Ridge, Dinas Powys. CF64 4AX
EPT Partnership, Ty Cefn, Rectory Road, Cardiff. CF5 1QL*

Downcross, Turkey Street, Llantwit Major

Renovation and extension to listed cottage to rear of Downcross House to form new 4 bed dwelling.

RECOMMENDED: APPROVAL.

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

Reason for decision

Having regard to the views of the Vale of Glamorgan Conservation Area Advisory Group.

836 SITE INSPECTIONS (MD) –

RESOLVED – T H A T the attendance of the following Councillors at the sites indicated below on 16th January 2014 be noted:

Apologies for absence were received from Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors Mrs. M.E.J. Birch, Ms. R. Birch, J.C. Bird, E. Hacker, K. Hatton, Mrs. M. Kelly Owen, A. Powell and M.R. Wilson; Councillors Mrs. P. Drake (site (a)), J. Drysdale (sites (d), (e) and (f)), Mrs. V.M. Hartrey (site (a)) and E. Williams (sites (c), (d), (e) and (f)).

(a) Treguff Farm, St. Mary Church,
Cowbridge

Councillor F.T. Johnson (Chairman);
Councillors J. Drysdale, H.J.W. James,
K.P. Mahoney, A. Parker, R.A. Penrose
and E. Williams.

(b) Land at West Hall Farm,
Aberthaw, St. Athan

Councillor F.T. Johnson (Chairman);
Councillors Mrs. P. Drake, J. Drysdale,
Mrs. V.M. Hartrey, K.P. Mahoney,
A. Parker, R.A. Penrose and E. Williams.

(c) Land adjacent to Sutton Mawr
Farm, Barry

Councillor F.T. Johnson (Chairman);
Councillors Mrs. P. Drake, J. Drysdale,
Mrs. V.M. Hartrey, K.P. Mahoney,
A. Parker and R.A. Penrose.

No.

- | | |
|---|---|
| (d) Land North West of Bendrick Road, Barry | Councillor F.T. Johnson (Chairman);
Councillors Mrs. P. Drake, C.P.J. Elmore,
Mrs. V.M. Hartrey, K.P. Mahoney,
A. Parker, R.A. Penrose and
Mrs. A.J. Preston. |
| (e) Old Mill Cottage, Mill Road, Dinas Powys | Councillor F.T. Johnson (Chairman);
Councillors Mrs. P. Drake,
Mrs. V.M. Hartrey, K.P. Mahoney,
A. Parker, R.A. Penrose and
Mrs. A.J. Preston. |
| (f) Site adjacent to Pwll-y-Myn Farm, Peterston-Super-Ely | Councillor F.T. Johnson (Chairman);
Councillors Mrs. P. Drake, K.P. Mahoney,
A. Parker, R.A. Penrose and
R.L. Traherne. |

837 VACANCY ON PUBLIC RIGHTS OF WAY SUB-COMMITTEE (MD) –

The Committee received a report to appoint a Member to the Public Rights of Way Sub-Committee following the resignation of Councillor Mrs. M.R. Wilkinson from the Planning Committee. The Public Rights of Way Sub-Committee was appointed by the Planning Committee on 6th June 2013 comprising five Members (2 Labour, 1 Conservative, 1 Plaid Cymru and 1 Llantwit Major First Independents).

Councillor Mrs. M.R. Wilkinson had resigned her membership of the Planning Committee which meant that a vacancy now existed on the Public Rights of Way Sub-Committee.

Following consideration of the matter, the Planning Committee

RESOLVED – T H A T the Chairman be authorised to inform the Managing Director of the nominated Member.

Reason for decision

To facilitate decision making.

838 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.

No.

839 PLANNING APPLICATIONS DETERMINED BY THE DIRECTOR UNDER DELEGATED POWERS (DDS) –

RESOLVED – T H A T the report on the following application 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

2013/00969/FUL	A	Penmark Place, Kenson Hill, Penmark	Cattle finishing building.
2013/01004/FUL	A	59/60, Broad Street, Barry	Demolition of 59 Broad Street, Barry. New office unit/commercial unit and car park. Conversion of 60 Broad Street into new plumbing showroom, new roof, works to facades.
2013/01065/FUL	A	67, Broadway, Llanblethian, Cowbridge	Retrospective change of use of land to be included in curtilage of garden and used for a tennis court.
2013/01078/FUL	A	Oakways Farm, Peterston Super Ely	Additional usage of stud farm to provide for livery use and schooling and training of horses and riders.

No.

2013/01085/FUL	A	12, Cardiff Road, Dinas Powys	Two storey side extension.
2013/01091/FUL	A	51, Stanwell Road, Penarth	Demolition of outhouse to rear and proposed single storey rear extension.
2013/01106/FUL	A	59, The Parade, Barry	Construct a new orangery building to the South Elevation (The Parade); demolish chimney stack and make good roof in matching finish.
2013/01110/FUL	R	34, Coleridge Avenue, Penarth	Hip to gable roof extension, two storey side and rear extensions, single storey side extension, alteration works including alterations to existing conservatory roof.
2013/01113/FUL	A	Brynawel, 1, Pen Y Lan Road, Aberthin	Demolition of existing dilapidated garage to allow for construction of proposed eco friendly carport and improved vehicular access.
2013/01125/FUL	A	Greenfield, Sigingstone	Demolition of existing side car port and lobby together with rear conservatory. Construction of new first floor/dormer style accommodation over existing bungalow together with rear single storey lean-to extension. Alteration to existing vehicle entrance way together with external works.
2013/01138/FUL	A	2, Cambrian Avenue, Llantwit Major	Single storey side extension.

No.

2013/01143/FUL	A	Ty'r Ardd, Llandough, Nr. Cowbridge	Two storey extension providing bathroom and additional kitchen area.
2013/01153/FUL	A	2, Orchard Drive, Barry	Storage building with personal car and caravan storage on yard to rear of 2 Orchard Drive.
2013/01069/FUL	A	53a, Plymouth Road, Penarth	Amendments to approved planning application 1990/00162/FUL and lawful development certificate 2013/00545/LAW for the alteration/extension of the existing dwelling.
2013/01101/FUL	A	63, Lavernock Road, Penarth	Bedroom extension over existing garage.
2013/01114/ADV	A	Loch Fyne Restaurant, Stalling Down, Cowbridge	Replacement external signage as the business will transfer from Loch Fyne to Old English Inns within Greene King PLC.
2013/01115/FUL	A	Ty Hafan, Hayes Road, Sully	Proposed accessible playground.
2013/01122/PNT	A	Main Road, R/o 56, West Farm Road, Ogmore by Sea	Openreach Broadband Cabinet (PCP003).
2013/01123/FUL	A	12, Fonmon Road, Rhoose	Dormer (to front) loft conversion. Amendment to 2011/00286/FUL.
2013/01127/FUL	A	Newton Lodge, Newton, Cowbridge	Proposed rear and roof extension.
2013/01132/FUL	A	Glanville House, (Plot 21), Town Mill Road, Cowbridge	Single storey conservatory.

No.

2013/01134/FUL	A	Y Llain, Dimlands Road, Llantwit Major	Proposed alterations and extensions to existing property. Internal re-vamp of layout adding en-suites and bathrooms.
2013/01145/FUL	A	38, Longmeadow Drive, Dinas Powys	Single storey rear extension and internal remodelling.
2013/01186/FUL	R	Lloyds TSB Bank Plc, 1, Windsor Road, Penarth	Alterations to existing stepped entrance into bank branch to form a level platform at finished floor level, with the installation of a DDA compliant low rise platform lift for wheelchair users.
2013/01187/LBC	R	Lloyds TSB Bank Plc, 1, Windsor Road, Penarth	Alterations to existing stepped entrance into bank branch to form a level platform at finished floor level, with the installation of a DDA compliant low rise platform lift for wheelchair users.
2013/01250/OBS	B	Land adjacent to Coed Bychan Farm, Llanharan, Pontyclun CF72 9NG	Erection of 1 no. wind turbine and associated works (resubmission).
2013/01263/OBS	P	Hare Grove Farm, Laleston	One wind turbine with maximum blade height of 45m and capacity of 250kw, with associated works.
2014/00001/OBS	B	Land at Treguff	New `H Pole` under Section 37 of the Electricity Act 1989.

No.

2010/00949/LBC	A	Fonmon Castle, Fonmon, Nr. Barry	Proposed work will involve emergency repair to the building's fabric. This includes timber truss and beam repairs, repair and replacement of stone casement windows, replacement of timber lintels, localised consolidation of loose sections of masonry and repair of the south elevation stonework and rainwater goods.
2013/00941/FUL	A	5, Pwll Y Myn Crescent, Peterston Super Ely	Replace failing concrete render, maintaining original appearance of property. Apply exterior grade paint in a shade of white in keeping (retrospective). New front gate and metal archway, plus pebbled area to replace front lawn.
2013/00942/LBC	A	5, Pwll Y Myn Crescent, Peterston Super Ely	Replace failing concrete render, maintaining original appearance of property. Apply exterior grade paint in a shade of white in keeping (retrospective). New front gate and metal archway, plus pebbled area to replace front lawn.
2013/01126/FUL	A	Gweld y Mor, Old Barry Road, Penarth	Proposed ground and mezzanine extension to provide additional kitchen/ dining and bedroom accommodation with associated internal alterations.

No.

2013/01133/FUL	A	Briscombe Cleaning Services, Cardiff Road, Barry	Construction of new single storey retail unit (Use Class A1 to be operated by Greggs The Bakers) adjacent to Briscombe Cleaning Services.
2013/01135/FUL	A	Llanmihangel Barn, Llanmihangel, Cowbridge	Conversion and repair to barn to holiday let accommodation.
2013/01136/FUL	A	Bonvilston House, Heol y March, Bonvilston	Variation of Condition 4 attached to planning permission 2004/00465/FUL for alterations and additions including conversion of roof space and replacement garage.
2013/01137/FUL	R	Dray Cottage, Pen Onn, Llancarfan	Single storey extension.
2013/01140/FUL	A	24, Forrest Road, Penarth	Construction of new 2 storey rear extension. New dormer bedroom window to front elevation. Demolition of existing single storey flat roof extension.
2013/01144/FUL	A	Cerdd y Don, Ewenny Road, St. Brides Major	Attached garage and single storey annexe extension.
2013/01154/FUL	A	Chapel View Barn, Clawdd Coch, Nr. Cowbridge	Completion of conversion of garage to habitable space-specifically a laundry room. Conversion of other two bays of garage undertaken in 2007 as a result of planning permission granted to previous owner.
2013/01155/FUL	A	21, St. Garmon Road, Penarth	Proposed rear single storey extension/adaptation.

No.

2013/01156/FUL	A	42, Golwg y Coed, Barry	The construction of a single storey rear extension.
2013/01167/FUL	A	6, Jenkinsville, Penarth	Erection of rear glazed garden room.
2013/01177/FUL	A	Low Fell, City, Llansannor, Cowbridge	Proposed garage conversion and extension.
2013/01180/FUL	A	15, St. Lythans Road, Barry	Proposed demolition of existing garage, new single storey extension to form elderly/disabled accommodation.
2013/01251/PNA	R	Heol Las, Wick	Agricultural equipment shed.
2013/01270/OBS	P	Site of former water tower, former Stormy Down Aerodrome, Bridgend	Provision of 1 wind turbine on site of former water tower.
2013/01250/OBS	B	Land adjacent to Coed Bychan Farm, Llanharan, Pontyclun	Erection of 1 no. wind turbine and associated works (resubmission).
2013/01263/OBS		Hare Grove Farm, Laleston	One wind turbine with maximum blade height of 45m and capacity of 250kw, with associated works.
2013/01276/SC1	EN	Land at Church Farm, Ystradowen	Residential development comprising 25 dwellings.
2013/01202/SC1	EN	Land to the East of St. Nicholas	Residential development
2014/00010/OBS	P	Land adjacent to Sutton Farm, Barry	Erection of 33kV overhead line and a wooden `H Pole`.

No.

2013/00932/LBC	A	St. Michael's Cottage, Dyffryn, St Nicholas	External Alterations to roofscape and minor internal alterations at St. Michaels Cottage. Minor Internal Alterations at Long Acre Bothy to re- house croquet club store. External landscaping as St. Michaels and U/G Gas Tank.
2013/01084/FUL	A	8, Primrose Close, Cowbridge	Erection of a two storey side extension and replace existing conservatory with new.
2013/01147/LBC	A	Rectory House, Peterston Super Ely	Waterproofing the basement area by placing a waterproof membrane on the walls and floor and placing 2 no. sumps with pumps to pump the water out. The walls will remain unfinished and a T and G woodchip floor will be installed.
2013/01150/FUL	A	Rose Cottage, Llanmaes	Proposed detached garage to store classic cars and to include an external log store and recycling area.
2013/01151/FUL	A	The Coach House, Rear of 5, Railway Terrace, Penarth	Change of use to B1 usage for office administration.
2013/01157/FUL	A	45, Althorp Drive, Penarth	New extension to rear of property, to provide at ground floor, new cloakroom and WC, dining area and lounge and at first floor, new fourth master bedroom and ensuite bathroom.

No.

2013/01158/FUL	A	Maesydd Farm, Llangan	Proposed glazed elongated walkway (forming link between existing buildings).
2013/01159/FUL	A	West Winds, Love Lane, Llanblethian	To replace the existing garage and outbuildings with a new garage and two storey side extension to provide master bedroom/ ensuite with improved living accommodation at ground floor.
2013/01163/LAW	R	Cardiff Boat Sales, Compass House, Penarth Marina, Penarth	Boat sales and coffee shop.
2013/01164/FUL	A	8/9, Glebe Street, Penarth	Extension and refurbishment to provide 2 residential units. Refurbish shop unit/exterior.
2013/01168/FUL	A	70, Lewis Road, Llandough, Penarth	Detached dwelling.
2013/01170/FUL	A	Limefield House, Cross Ways, Cowbridge	Proposed single and 2 storey extensions and conservatory to dwelling; proposed garage - to replace existing outbuilding.
2013/01172/FUL	R	99-100, High Street, Barry	External insulation to the building.
2013/01174/LAW	A	5, Countess Place, Penarth	Single storey rear extension and new garden store.
2013/01175/FUL	A	29, Clevedon Avenue, Sully	Demolition of existing detached property and garage. Construction of new detached dwelling and garage.

No.

2013/01179/FUL	R	17, Clive Place, Penarth	Removal of boundary wall and creation of off road parking for two vehicles.
2013/01183/LAW	A	20, Lakeside, Barry	Certificate of Lawfulness for work on property.
2013/01191/FUL	A	228, Barry Road, Barry	Rear and side extension including loft accommodation to new extension to accommodate care home for four young adults.
2013/01198/FUL	A	Glebe Farm, St. Hilary	Proposed single storey extensions to side, front and rear; proposed garage; erection of polytunnels.
2013/01204/PNT	A	Land at Port Road East, Barry	Installation of a replacement 15.00 metre high streetworks monopole with replacement ground based equipment.
2013/01219/FUL	A	70, Redbrink Crescent, Barry Island	Dormer windows and replacement of flat dormer roof with pitched roof.
2013/01237/LAW	A	Redholme, Llanbethery	Construction of new access drive.

840 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 appeals for April 2013 to March 2014 as detailed in the report be noted.

No.

841 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

R - Refused

E Split Decision

2013/01051/TPO	A	Roxburgh Garden Court, Plymouth Road, Penarth	Chestnut - Re-pollard
2013/01083/TPO	E	14, Victoria Square, Penarth	Prune Beech tree; reduce Weeping Willow tree; reduce two apple trees and 50% crown reduction to Cotoneaster
2013/01092/TPO	A	8, Hawthorn Close, Dinas Powys	Prune Oak off house to give 1.5m clearance, reduce lower branches by 3m, prune to maintain shape and thin by 10%
2013/01097/TPO	A	Kynance House, Mount Road, Dinas Powys	Remove Robinia pseudoacacia Frisia; and replace
2013/01117/TPO	A	Salisbury Close/Cardigan House, Penarth	Various works to trees
2013/01119/TPO	A	7, Cardiff Road, Dinas Powys	Crown thin by 20% and crown raise to 2.5m two Copper Beech in front garden and crown thin by 20% three Copper Beech in rear garden
2013/01212/TCA	A	1, Porth Y Castell, Barry	T1 Cedar - Remove lowest rough limb, reduce extended branches by up to 1m.

No.

2013/01216/TCA	A	Glebe Farm, St. Hilary	G1 - Remove Cypress hedging and G2 - 2 x Ash trees - Prune to Clear telephone wires
2013/01161/TPO	A	Turkey Oak House, Llanmaes	1 X Turkey Oak - Crown reduce by one third to reduce weight on heavy lateral branches and prune to a suitable growing point

842 ENFORCEMENT ACTION (DDS) –

(i) Land and Buildings at No. 33 Romilly Park Road, Barry

A complaint was received by the Local Planning Authority on 14th October 2013, regarding the demolition of a boundary wall and the erection of an alternative means of enclosure of No. 33 Romilly Park Road, Barry.

The character of the area is defined by semi-detached red brick properties within a large open fronted plot, with low level boundary walls. Romilly Park Road dissects the residential area and there is a large open space to the west. The previous means of enclosure was subject to a dangerous structure notice and the owner of the property had submitted a claim that the street tree had caused the damage. This issue had been resolved with the Council accepting partial liability and paid compensation in respect of the matter.

The fence was untreated feather edged timber panel approximately 1.8 to 2m in height and 8m in length and encloses the southern perimeter of the dwelling's curtilage. In addition, on the western perimeter the owner had replaced timber feathered panels and which are contained within the wall pillars with untreated timber replacements. The lower part of the wall was some 1.4m in height and the timber panels some 0.5m. The erection of the fence and panels constituted development and therefore required the benefit of planning permission. Although there was provision in the Town and Country Planning (General Permitted Development) Order 1995 for the erection of means of enclosures, the height of the fence and panels exceeded 1m adjacent to a highway (and exceeded the height of the previous wall) and therefore the works were not permitted development, and planning permission was required.

The owner had been informed of the issues after the complaint had been received and was informed that planning permission was unlikely to be forthcoming, and were also advised of the reasoning relating to the unacceptable nature of the development. Officers requested that the development be removed or that an application for retrospective consent be forthcoming so that the merits of the work could be formally considered. No valid application had been submitted and the development remained in situ. As no voluntary resolution had been achieved the

No.

only course of action open to the Local Planning Authority was to pursue formal action.

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 remove from the land the means of enclosure comprising of untreated, feather edged timber panel fence erected in the approximately location marked green on the plan
- (ii) paint or stain the wooden panel infills dark brown shown in the approximate location marked blue on the plan
- (iii) permanently remove any resultant waste from the above operation from the land.

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

Reason for decisions

(1&2) In view of the scale, design and materials used in construction of the enclosure in this location, the development is considered unacceptable in terms of its impact on the character and appearance of the street scene. The means of enclosure is also considered unacceptable development which fails to complement or enhance the character and appearance of locality. As such, the development is considered to conflict with Policy ENV27 – Design of New Developments, of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011

(ii) Land and Buildings at CABS 64, 20B Glebe Street, Penarth

A complaint had been received by the Local Planning Authority on 12th June 2013 regarding the use of a first floor office at 20b Glebe Street, Penarth being used as a Taxi Booking Office without planning permission. Glebe Street was a one way street and mainly comprised of commercial properties to the ground floor with residential above and is located off Windsor road, the main shopping street within the centre of Penarth. The site was a first floor office within 20 Glebe Street, which is a three storey building with a bookmaker on the ground floor and a hairdresser on the first floor, with residential apartments above. The property was an older building with a rendered finish to the external ground floor with facing brick above and a slate pitched roof.

After an initial site inspection it was noted that the change of use of a part of the first floor from an office to a taxi firm office (Sui Generis) had taken place. An aerial had been installed to the roof in connection with the radio system, with 3-4 staff employed, it was “not envisaged” that taxis would pick up from the office. The site

No.

had previously been used as a hairdressers and residential apartments and the change of use of the property to a taxi office was considered "Sui Generis" under (T&CP) (Use Classes) Order 1987. Therefore, the material change required planning permission and was a breach of planning control.

The business owner had been contacted and asked to cease the use of the taxi office or submit a planning application. A planning application had been submitted, reference 2013/00676/FUL in an effort to regularise the unauthorised use at the site, but had been refused by the Local Planning Authority on 19th December 2013 on the following grounds:

The proposed retention of the taxi office would be detrimental to the amenities of nearby residential occupiers by virtue of unacceptable noise and general disturbance from the operation of the office, adversely impacting upon the living conditions of neighbours, and would also result in additional pressure for on-street parking where there is a current lack of parking provision. The development would therefore be contrary to Policies EMP 2 – New business and industrial development, ENV27 – Design of New Development; ENV29 – Protection of Environmental Quality and TRAN10 – Parking of the Vale of Glamorgan Unitary Development Plan 1996-2011.

In view of the above, the breach of planning control remained unresolved.

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 premises as a taxi call centre.

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

Reason for decisions

(1&2) The proposed retention of the taxi office would be detrimental to the amenities of nearby residential occupiers by virtue of unacceptable noise and general disturbance from the operations of the office, adversely impacting upon the living conditions of nearby neighbours, and would also result in additional pressure for on-street parking where there is a current lack of parking provision. The development would therefore be contrary to Policies EMP2 – New business and industrial development, ENV27 – Design of New Developments; ENV29 – Protection of Environmental Quality and TRAN10 – Parking of the Vale of Glamorgan Unitary Development Plan 1996-2011.

843 GENERAL PLANNING MATTERS (DDS) –

(i) Welsh Government Consultation – The Planning Bill

The Committee received a report and presentation updating Members on the Welsh Government (WG) consultation and to recommend an appropriate response to that consultation.

The Minister for Housing and Regeneration announced the publication of the Draft Planning (Wales) Bill consultation paper entitled “Positive Planning” and the consultation response form on 4th December 2013. A copy of the documents was available on the following link:

<http://wales.gov.uk/consultations/planning/draft-planning-wales-bill/?lang=en>

As could be seen from the link, the Draft Planning Bill was accompanied by a supporting paper entitled “Positive Planning: Proposals to Reform the Planning System in Wales”.

The consultation would close on 26th February and following that date, the response would be considered. It had been indicated that the WG intended to introduce the Planning (Wales) Bill into the National Assembly for Wales during 2014 with a second Planning Bill to follow to restate and consolidate existing legislation, thereby creating a comprehensive planning statute for Wales.

In summary, the Bill proposed a range of measures and reforms with the aim of making the planning process more effective and more inclusive. A suite of measures were put forward, ranging from national or “Wales-wide” measures to more local and day to day measures. The proposals were grouped under four main themes, namely supporting culture change, active stewardship, improving collaboration and improving local delivery.

In terms of the national level, a National Development Framework for Wales would replace the Wales Spatial Plan and would have statutory status. It would also seek to focus on development and investment and would set the framework for strategic plans (see below) and local development plans. In addition, it was proposed to retain Planning Policy Wales and proposed that nationally significant developments would now be determined by Welsh Ministers.

At the regional level, it was proposed to introduce Strategic Development Plans (SDPs) aimed at facilitating sub-regional planning. These plans were envisaged for three areas, namely the Cardiff area, the Swansea area and the A55 corridor. Members noted that insofar as they related to Cardiff and Swansea, there appeared to be a synergy with the City Region concept. SDPs were intended to consider cross-boundary issues such as housing, transport and employment. Key questions related to responsibility for producing SDPs and who monitors their production had not yet been clarified although it appeared that there may be scope for the involvement of a panel of elected Members from the relevant area as well as the

No.

involvement of the business, social and environmental partners. It was suggested that local authority leads on the production of the SDP for their area.

The Planning Bill proposed the retention of the Local Development Plan (LDP). However, a key change would see plans expiring at the end of the Plan period putting a firm emphasis on the timely adoption of new development plans. In addition and where LDPs were in place, the local planning authority could work with Town or Community Councils to prepare “place plans”.

In terms of Development Management, there were a number of proposals, summarised as follows:

- The requirement for mandatory pre-application consultation with neighbours would be included on major applications
- The removal of the requirement to submit design and access statements
- The introduction of a national scheme of delegation to reduce the number of applications to be presented to Planning Committee
- A reduction in the size of Planning Committees and the introduction of mandatory Member training
- Councils can retain the power to determine appeals that had been submitted on grounds of non-delegation
- Front-loading of the appeal system with early submissions of statements of common ground
- The introduction of living decision notices to update and reflect the current position on development sites.

In addition, and in terms of performance, applicants would have the ability to apply directly to Ministers for certain types of development within areas administered by poorly performing authorities. Finally, it was proposed to introduce a Planning Advisory and Improvement Service along with a competency framework for members of the profession.

In terms of timeline, the consultation would close on 26th February, with WG indicating the responses would be analysed during the Spring with the Planning (Wales) Act passing through the National Assembly for Wales during late 2014 and 2015.

The suggested response was attached to the report at Appendix A. In summary, the following comments were relevant to that response:

- In terms of stewardship and leadership the intention to provide for a National Development Framework and SDPs were noted. The current system provided for Planning Policy Wales and the Wales Spatial Plan at the national level with LDPs and associated Supplementary Planning Guidance at local level. The proposal saw the retention of Planning Policy Wales, the move to National Development Frameworks, the provision of National Development Management Policies, at a national level with SDPs at (certain) regional level with LDPs at a local level as well as the provision of Place Plans. The proposal therefore increased the tier of plan ranking rather than simplifying

No.

the process. There were also questions relating to accountability in terms of the production of various plans as well as capacity and resources. It was also unclear as to whether the format of Local Developments would need to be changed in form and format where SDPs existed. There was a suggestion that where SDPs exist, LDPs would be far slimmer documents. This in turn raised the issue of local accountability and ownership of key decisions relating to LDPs. Finally, there were unanswered questions in relation to how the proposed National Development Framework would sit with the Wales Infrastructure Investment Plan and how SDPs would relate to the work of the City Regions Board relating to the Cardiff and Swansea region. There was also a need for consideration to be given to how these proposals related to the recommendations of the Williams Commission.

- In terms of local delivery, there was clearly a move towards “standardising” procedures and processes across Wales, in terms of size of Planning Committee, third party rights and delegation scheme. Whilst this was noted, and could provide clarity and greater understanding, a key question related to local distinctiveness and what may be an appropriate approach in one area of Wales may not necessarily be appropriate elsewhere. Other initiatives, such as front-loading would come with resource implications although the Bill did not clearly address such issues in any detail.

Following the presentation, a discussion ensued in which the following questions and issues were put forward by Members:

Question or Issue	Response
After the introduction of the Planning Bill, what will be the role of the Town and Community Councils in the planning process?	Do not foresee the role of Town and Community Councils changing a great deal. They will still feed into the consultation process on planning applications and development plans and will have speaking rights at Committee in due course. In addition, where LDPs are in place the Local Planning Authority can work with Town and Community Councils to prepare “Place Plans”. This is something that can happen currently e.g. with site development briefs. The main difference would be with major developments, which would be determined by Welsh Government.
There are concerns about the delegation scheme, that the Planning Committee will not have a right to call in items. Will there be a call-in process from the Welsh Government?	There is a suggestion of national delegation and the response makes it clear that local distinctiveness is an issue as there are some schemes that may not be appropriate for delegation. The Welsh Government can already call-in planning applications for determination, however this would not work in reverse

No.

	<p>and the Local Planning Authority will not be able to reclaim applications that be being considered at that level.</p>
<p>If Welsh Government is going to take over, is there going to be any consultation for local residents in applications or representation in the deliberation of applications?</p>	<p>Would expect that the Local Planning Authority would lead on the undertaking of consultations on behalf of Welsh Government but the Local Authority would no longer receive a fee for this. It is expected that a process akin to the current appeal system will be used and the Local Planning Authority will have to carry out the administration of this process, following determination, and pick up the planning conditions of the applications but without receiving a planning fee.</p> <p>The public will be able to make representation but this is likely to be in the form of a formal inquiry procedure. The public could appear at such an inquiry.</p>
<p>A Member raised a concern that the Planning Bill would result in a reduction in democracy, with Members having less influence and less opportunity to represent their communities. There is a clear intention to speed up the planning process, but is this the best way as the Welsh Government have sometimes taken months, if not years, to resolve call-in applications. Welsh Government is looking to centralise Government, rather than devolve it.</p>	<p>Officers referred to the efficient manner in which the Council dealt with the applications at St. Athan as an example of how the Council can evidence efficient working.</p>
<p>A Member raised the issue of Elected Members having to take an exam to sit on Planning Committee and was concerned that the focus would be on questions about fences and hedges, etc., rather than the major issues.</p>	
<p>A Member requested that the Planning Bill presentation be presented to all Council Members.</p>	

No.

Following consideration of the report the Committee

RESOLVED –

- (1) T H A T the content of the report be noted.
- (2) T H A T Cabinet be requested to endorse the response as attached to the report.
- (3) T H A T the content of the report be referred to the Community Liaison Committee for information purposes.
- (4) T H A T it be recommended to Cabinet that the presentation made to the Planning Committee be presented to all Council Members.

Reasons for decisions

- (1) To allow the Planning Committee to respond to the consultation.
- (2) To allow the views of Planning Committee to be taken into consideration by Cabinet when responding to the consultation.
- (3) To keep Community Liaison Committee apprised of the issues contained within this report.
- (4) To apprise all Council Members on the Welsh Government Consultation – The Draft Planning (Wales) Bill.

(ii) Cowbridge Section 106 Education Contribution

The Committee received a report to advise of the background and relevant discussions and consultations with the relevant service areas, Local Cowbridge Members and relevant Cabinet Members in relation to a Section 106 Education Contribution obtained by virtue of planning permission reference 2011/01248/FUL.

The report sought a resolution to approve the use of all of the £81,008 Education Contribution sourced under Planning Permission reference 2011/01248/FUL for the proposals at the Llanfair Primary School to extend a classroom and the adjoining room to form a group or SEN room.

Members of the Committee were aware that when financial obligations are received, the relevant service areas were notified and options for spend were considered before consultation was undertaken in accordance with the Council's Section 106 Protocol for Implementation (2012) attached as Appendix A to the report.

A request had been made by all of the Cowbridge Ward Members, Councillors Cox, Parker and Jarvie, on 29th January 2013, to call-in the decision on identified spend in

No.

relation to the Cowbridge S106 Education Contribution to Planning Committee. This was set out in Appendix B to the report.

The identified scheme related to a Capital Scheme to extend a classroom and the adjoining room to form a group or SEN room at Llanfair Primary School. The scheme required use of all of the £81,008 education contribution sourced from the development of Lower School, Cowbridge, for residential purposes.

In accordance with the Section 106 Protocol for implementation of S106 matters, the final decision was made by the Director of Development Services (after notifying the Cabinet Member for Corporate Resources and Managing Director).

The Cowbridge Ward Members were formally notified on 20th January of the decision made by the Director of Development Services (attached as Appendix C to the report).

The Director of Development Services was notified by the Cowbridge Ward Members on 29th January 2014 that they were aggrieved by the decision and had requested that the matter be determined by the Planning Committee.

Members noted that Local Members aggrieved of any decision had, under the agreed Section 106 Protocol, 14 days in which to request that a decision be called-in by Planning Committee to determine. The request to call-in the decision by the Cowbridge Ward Members had been made within the specified 14 day period and accordingly the purpose of the report was to outline the background to the issue and to recommend a way forward.

Summary of S106 Agreement

S106 obligations were sought for the re-development of the Lower School Cowbridge for the construction of 21 dwellings as approved under planning permission re 2011/02148/FUL. One of the identified obligations was to mitigate the impact of development by releasing an Education Contribution to a value of £81,008.

Of relevance was Clause 2.2 of Schedule 2 of the agreement which stated that:

The Council agreed with the Developer to use the Education Contribution only for the Specified Education Use and for no other purpose.

Clause 2.3 added that:

The Council agreed with the Developer that the Council would repay the Unallocated Education Contribution amount to the Developer within one month of a written request for repayment being made by the Developer to the Council."

The "Specified Education Use" is defined in the agreement as:

"For the provision or enhance of nursery, primary or secondary education facilities in the catchment area of Cowbridge Comprehensive School."

No.

A time line of Diary Events had been set out by the Cowbridge Ward Members (attached as Appendix A to the report) which was agreed as a true and accurate record of events to date and was read in conjunction with the report.

Terms of the Appeal

The three Cowbridge Ward members were aggrieved with the proposed allocation by the Director of Development Services of the £81,008 education S106 contribution on the basis of the following:

1. They could not comment on the appropriateness of the work proposed for Llanfair School, on the basis that they had insufficient information to do so.
2. It was stated that this was not the project that they suggested following their discussions with the school.
3. The consultation with other schools which was promised by Education officers was never undertaken.
4. Expectation was raised in other schools that there would be further discussions.

The objection was made on the basis that colleagues were aware that the Cowbridge Ward Members had discussed the S106 contribution with the headteachers of all primary schools in the area. Members had been assured that they would be contacted on the possible use of this funding.

Concern was raised that the only discussion to have taken place was between the Learning and Skills service area and Llanfair Primary School, which was not in line with the agreement made to contact and consult all the identified primary schools.

It was the opinion of the Director of Development Services that opportunities to spend the £81,008 education contribution had now been fully explored, following consultation with the service area and consultation with the local Cowbridge members, it was agreed that the Learning and Skills service area would contact the above schools to identify capital projects. However, more recently, they had been contacted by the headteacher of Llanfair Primary School who had identified a specific proposal to extend a classroom and the adjoining room to form a much needed group or SEN room, which required use of all of the contribution. The Director of Development Services advised that this specific proposal had the full support of colleagues within Learning and Skills.

After having spoken to colleagues and reviewed the position, it was the view of the Director of Development Services that the allocation for spend was not a matter for individual schools but a matter for the Council. This was on the basis that the responsibility for school planning and maintenance of sites and buildings was a matter for the Council.

No.

However, mindful of the work undertaken by Cowbridge Ward Members identifying areas of spend within potential schools, the Director of Development Services was satisfied that Llanfair Primary School was one of the schools identified on their initial list, where the works were now being considered.

Members noted that a sum of £40k had been included within the initial draft Capital Programme for 2014/15 to renew the life expired room coverings at Llanfair Primary School. This had not yet been considered or approved by Cabinet but remained a high priority scheme for the Department.

The Director of Development Services and colleagues within Learning and Skills were of the opinion that if S106 funding was agreed for Llanfair Primary School, both schemes could be implemented as a single project, thus providing cost savings for the Authority and reducing disruption for the school from the building works. It was clear the pooling of both elements of funding would also add value to the work at the site and would represent a very effective use of money.

In view of the above, having reviewed the position and had further discussions with colleagues in the Learning and Skills service area, it was concluded that the scheme identified for Llanfair Primary School was the most noteworthy and logical way of spending the money. There was a clear pressing need to provide these improvements, which would assist in the Council's own capital investment for the school.

There were issues that required clarification in moving forward. Firstly, it was acknowledged that the Cowbridge Ward Members were informed incorrectly that they could make the final decision on how the S106 financial contribution could be spent. This was incorrect, as the Protocol required consultation and for the views of Local Ward Members to be considered. In accordance with the Council's Section 106 Protocol for Implementation, the final decision fell to the Director of Development Services or Planning Committee where Local Members disagreed with that decision.

Secondly, it was worth reiterating that in considering proposals for spend, Local Members may clearly wish to canvass local opinion and in this case engage with the schools in the area. However, as stated above, this was not a requirement of the process and it was regrettable that this was not made clear.

In his resolution, the Director of Development Services had communicated his decision with the Cabinet Member for Regeneration, Innovation, Planning and Transportation, the Cabinet Member for Children's Services, the Managing Director and the Cabinet Member for Corporate Resources, under the terms of the S106 Protocol for Implementation of S106.

Following consideration of the report, the Committee

RESOLVED –

(1) T H A T the identified scheme to spend all of the £81,008 Education Contribution sourced under Planning Permission reference 2011/01248/FUL for the

No.

specific proposal at the Llanfair Primary School to extend a classroom and the adjoining room to form a group or SEN room be approved.

(2) T H A T the Section 106 Protocol for Implementation (2012) be reviewed.

Reasons for decisions

(1) In order to resolve the grievance on S106 spend in line with the Council's Section 106 Protocol for Implementation (2012).

(2) To ensure that the protocol is fit for purpose.

(Councillor C.P.J. Elmore spoke on this item with permission from the Planning Committee.)

844 PLANNING APPLICATIONS (DDS) –

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

2013/00628/FUL Received on 8 July 2013

(P. 78)

Mrs. Suzie Morel

Andrew Parker Associates in association with Gerai Sophia House, 28 Cathedral Road, Cardiff, CF11 9LJ

The Stables, adjacent to The Old Rectory, St. Brides Super Ely

Demolition of existing two residential units and adjoining stable block and erection of single replacement dwelling with associated domestic garaging and ancillary external works including modified access

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.

No.

2. This consent shall only relate to the amended plans reference 511/P/49, 511/P/50, 511/P/51, 511/P/52 and 511/P53 received on 15/01/2014 and the development shall be carried out strictly in accordance with these details.

Reason:

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

3. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials of all external finishes (including hard standings) to be used, including samples, 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 ENV1, ENV4 and ENV27 of the Unitary Development Plan.

4. 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.

5. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 or any Order amending, revoking or re-enacting that Order no fence, wall or means of enclosure other than those approved under this permission, shall be erected, constructed, improved or altered on site without the prior consent of the Local Planning Authority.

Reason:

To ensure a satisfactory form of development, to protect the visual amenities of the countryside and Ely Valley and Ridge Slopes Special Landscape Area, to ensure compliance with the terms of Policies ENV1, ENV4 and ENV27 of the Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) the

No.

dwelling(s) 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 Policies ENV1, ENV4 and ENV27 of the Unitary Development Plan.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (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 Policies ENV1, ENV4 and ENV27 of the Unitary Development Plan.

8. 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.

9. 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.

No.

10. 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.

11. 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.

12. Works to the buildings shall be undertaken as recommended in the report 'The Stable Block, St Brides Super-Ely'; Bat Survey August 2013 by Acer ecology with regard to works that may affect roosting bats or nesting birds.

Reason:

To ensure no offences relating to protected species are committed as a result of the works and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

13. Notwithstanding the submitted details, a detailed method statement, including measures to detail how bats will be conserved during the works; a schedule of works; action to be taken in the event bats are found; details of location, quantity and specification of replacement bat roosts to be provided; and dimensions of bat access points; shall be submitted and agreed in writing by the Local Planning Authority prior to the commencement of development. The

No.

works shall thereafter be carried out in accordance with the submitted details and any mitigatory measures maintained in perpetuity.

Reason:

To ensure no offences relating to protected species are committed as a result of the works and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

14. Post development monitoring of the replacement bat roost(s) shall take place one year following implementation of the mitigation measures, to comprise an internal inspection and one (no.) dusk or dawn activity survey of the buildings. The result of the monitoring shall be submitted to the Local Planning Authority within one month of undertaking the monitoring survey.

Reason:

To monitor the status of protected species as a result of the works and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

15. Within 1 month following the completion of development works, five (No.) artificial swallow boxes shall be erected on the buildings in accordance with a scheme which shall be submitted to the Local Planning Authority and agreed and maintained thereafter in perpetuity.

Reason:

In the interests of protected species to ensure compliance with Policy ENV16 of the Unitary Development Plan.

16. Prior to commencement of development, further details of the proposed means of disposal of foul sewage from the site (including details of existing capacity and the requirement for any upgrading works) shall be submitted to and approved by the Local Planning Authority.

Reason:

To ensure adequate sanitation facilities exist on-site and to ensure compliance with the terms of Policies ENV27 and ENV29 of the Unitary Development Plan.

17. Foul water and surface water discharges shall be drained separately from the site, with no surface water or land drainage run-off allowed to connect (either directly or indirectly) into the public sewerage system at any time.

No.

Reason:

To protect the integrity, and prevent hydraulic overloading, of the Public Sewerage System, and to ensure compliance with the terms of Policies ENV27 and ENV29 of the Unitary Development Plan.

18. A landscaping scheme shall be submitted to 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.

Reason:

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

19. 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.

2013/00632/FUL Received on 8 July 2013

(P. 96)

Charles Church (East Wales) Ltd

Asbri Planning Ltd., 1st Floor, Westview House, Oak Tree Court, Cardiff Gate Business Park, Cardiff, Glamorgan, CF23 8RS

Site of former quarry, Leckwith Road, Llandough

Construction of 25 residential units and associated works

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:

- Provide and maintain in perpetuity the affordable housing units as identified in the accompanying report and amended Site Plan: Proposed, Drawing No. LRL/PL/01 Rev F.
- Pay a contribution of £50,000 towards sustainable transport to be used in the vicinity of the site.

No.

- Pay an off-site contribution towards public open space of £19,437 in the vicinity of the site.
- Provide public art on the site to the value of 1% of the project budget. The developer to provide a detailed written estimate of the building costs of the development. Details of the scheme to be submitted to and agreed in writing with the Local Planning Authority, and to incorporate measures for the future maintenance of the works. Alternatively, failing agreement to on site works, a financial contribution to the same value to be added to the Vale of Glamorgan Public Art Fund.
- Meet the Council's standard charge set at 20% of the planning application fee, (subject to a minimum fee of £150), or 2% of the total level of contributions sought whichever is the higher, for monitoring the implementation of the Agreement (£1584) to be agreed.

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 8th July 2013 other than where amended by the following plans and documents:- Site Plan Proposed Drwg. No. LRL/PL/01 Rev F, Landscape Proposals Drwg. No. L.01 Rev B, Site Plan Preliminary External Levels Drwg. No. S.7220-02 Rev B, Site Sections Sheet 1 Drwg. No. S.7720-04, Site Sections Sheet 2 Drwg. No. S.7220-05 received 10th December 2013; Site Edged Red Location Plan received 9th January 2014; amended Ecological Assessment received 30th August 2013; and Archaeological Evaluation received 2nd October 2013.

Reason:

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

3. No development works, including works for site clearance and land fill, shall commence on site until a scheme for traffic calming measures along Leckwith/ Penlan Road has been completed. The scheme shall be in accordance with full details, including engineering details, to be submitted to and agreed in writing with the Local Planning Authority.

Reason:

In the interests of highway safety in accordance with Policies ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan, and TAN18-Transport.

No.

4. No development works, including site clearance and land fill, shall commence until details of the provision of parking for construction traffic and the routes for construction vehicles, and means of defining and controlling such traffic routes, have been submitted to and approved in writing by the Local Planning Authority. The construction works and deliveries shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interest of highway safety and to maintain the effective operation of the local highway network, in accordance with Policies ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan and TAN18-Transport.

5. Notwithstanding the submitted plans, no works whatsoever shall commence on site until full engineering details of the access and road layout with sections, street lighting and surface water drainage, have been 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 proposed access is constructed in accordance with the Highway Authority's standards for adoption in the interests of highway safety and in accordance with Policies ENV27-Design of New Developments; and HOUS8-Residential Development Criteria of the Unitary Development Plan.

6. Further details of the proposed pedestrian access from the western side of the site to the adjacent public open space, including levels and any necessary ramps or retaining work, shall be submitted to and agreed in writing with the Local Planning Authority. The pedestrian access shall be implemented before the first beneficial occupation of any of Plots 16 to 23, and shall be retained and maintained thereafter at all times, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure adequate permeability through the site with the provision of pedestrian access to the adjacent public open space in accordance with Policies ENV27-Design of New Development and HOUS8-Residential Development Criteria of the Unitary Development Plan and TAN12-Design.

7. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials to be used, including samples, 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.

No.

Reason:

In the interests of visual amenity and the character of the area in accordance with Policies HOUS8-Residential Development Criteria; and ENV27-Design of New Developments of the Unitary Development Plan.

8. Notwithstanding the submitted plans further details of the side elevations of Plots 10 and 11, which shall provide for habitable room windows overlooking the communal parking area, shall be submitted to and agreed in writing with the Local Planning Authority. The dwellings shall be implemented thereafter in accordance with the approved details and the windows shall be retained and maintained at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In the interests of the security of the communal parking area in accordance with Policy ENV27-Design of New Developments of the Unitary Development Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) the dwelling(s) 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 in the interests of visual and neighbouring amenity, as the site is a restricted one with levels differences with existing properties, in accordance with Policies ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (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 in the interests of visual and neighbouring amenity, as the site is a restricted one with levels differences with existing properties, in accordance with Policies ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan.

No.

11. Notwithstanding the submitted plans further details of the proposed car parking spaces (including garages), as indicated on the amended Site Plan, Drwg. No. LRL/PL/01 Rev F received 10th December 2013, in particular their allocation to each property, shall be submitted to and agreed in writing with the Local Planning Authority. The parking spaces shall be implemented in accordance with the approved details before the first beneficial occupation of their associated residential unit, and shall thereafter be retained and maintained for use exclusively in connection with those units.

Reason:

To ensure adequate off-street parking in the interests of highway safety in accordance with Policies HOUS8-Residential Development Criteria; ENV27-Design of New Developments; and TRAN10-Parking of the Unitary Development Plan.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) the garaging hereby approved shall not be physically altered or converted to any other domestic purpose without first obtaining the formal consent of the Local Planning Authority. The garage(s) shall be available at all times for the parking of private motor vehicles associated with the dwellinghouses.

Reason:

To ensure that adequate off-street parking and garaging facilities are retained for the associated dwellings in accordance with Policies HOUS8-Residential Development Criteria; ENV27-Design of New Developments; and TRAN10-Parking of the Unitary Development Plan.

13. Notwithstanding the submitted plans further details of the proposed landscaping of the site, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, and of additional tree planting, together with measures for their protection in the course of development, shall be submitted to and agreed in writing with the Local Planning Authority. The landscaping scheme shall pay particular regard to appropriate screening on the boundaries with the existing properties, especially to the south and east where retaining works are proposed. The proposed scheme of tree protection shall be fully implemented on site prior to the commencement of any site clearance or landfill works and shall thereafter be so retained on site for the duration of the development unless the Local Planning Authority gives written consent to any alteration to the timing of such protection scheme's implementation or duration.

No.

Reason:

In the interests of visual and neighbouring amenity in accordance with Policies ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan.

14. 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 in accordance with Policies ENV11-Protection of Landscape Features and ENV27-Design of New Developments of the Unitary Development Plan.

15. Notwithstanding the submitted plans, before the commencement of development, further details of all means of enclosure including retaining walls, and works associated with the development hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. The details shall pay particular regard to the quality of the means of enclosures relating to the proposed retaining work and public aspects of the development. The means of enclosure shall be implemented in accordance with the approved details prior to the first beneficial occupation of the associated residential unit, and thereafter retained and maintained as such unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In the interests of visual and neighbouring amenity, as the site is a restricted one with levels differences with existing properties, in accordance with Policies ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan.

16. The development hereby permitted shall be implemented in accordance with the submitted levels details, including the amended plans Site Plan Preliminary External Levels Drwg. No. S.7220-02 Rev B, Site Sections Sheet 1 Drwg. No. S.7720-04, Site Sections Sheet 2 Drwg. No. S.7220-05 received 10th December 2013, unless otherwise agreed in writing with the Local Planning Authority.

No.

Reason:

In the interests of visual and neighbouring amenity, as the site is a restricted one with levels differences with existing properties, in accordance with Policies ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan.

17. No development shall commence until a scheme for the comprehensive and integrated drainage of the site has been submitted to and agreed in writing with the Local Planning Authority. The scheme shall include details of how full water, surface water and land drainage will be dealt with, along with details of the location of the culverted watercourse that crosses the site, and how the existing flows along this watercourse will be maintained.

Reason:

To ensure the effective drainage of the site in the interests of public health and the environment in accordance with Policy ENV29-Protection of Environmental Quality of the Unitary Development Plan.

18. Before the commencement of development, a scheme for the investigation of the site for ground conditions, soil and groundwater contamination and landfill gas, shall be submitted to and agreed in writing with the Local Planning Authority. From the results of the investigation the Local Planning Authority shall approve any measures deemed necessary to render the development safe, along with a timetable of implementation for said works.

Reason:

In the interests of public health and safety in accordance with Policy ENV26-Contaminated Land and Unstable Land of the Unitary Development Plan.

19. The development hereby permitted shall be implemented in accordance with the amended Ecological Assessment by David Clements Ecology Ltd, including all recommendations, received 30th August 2013, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In the interests of ecology and biodiversity and to ensure adequate mitigation for protected species in accordance with Policy ENV16-Protected Species of the Unitary Development Plan, TAN5-Nature Conservation and Planning, and the Conservation of Habitats and Species Regulations 2010.

20. No works involved in the development hereby permitted, which shall include site clearance and land fill, shall be carried out during the bird nesting season between early March and the end of August, unless otherwise agreed in writing with the Local Planning Authority.

No.

Reason:

In the interests of wildlife protection in accordance with Policy ENV16-Protected Species of the Unitary Development Plan, TAN5-Nature Conservation and Planning, and the Conservation of Habitats and Species Regulations 2010.

21. Before the commencement of development, including site clearance and land fill, a scheme for the protection of reptiles, which shall include but not be limited to a methodology for site clearance and post development monitoring, shall be submitted to and approved in writing with the Local Planning Authority and the development shall be implemented thereafter in accordance with the agreed details, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In the interests of wildlife protection in accordance with Policy ENV16-Protected Species of the Unitary Development Plan, TAN5-Nature Conservation and Planning, and the Conservation of Habitats and Species Regulations 2010.

22. Before the commencement of development full details of a lighting scheme with respect to bats shall be submitted to and approved in writing with the Local Planning Authority. The development shall be implemented thereafter in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In the interests of wildlife protection, in particular the flight corridor for bats, in accordance with Policy ENV16-Protected Species of the Unitary Development Plan, TAN5-Nature Conservation and Planning, and the Conservation of Habitats and Species Regulations 2010.

23. Before the commencement of development, including site clearance and land fill, full details of a scheme to address the issue of Japanese Knotweed and Virginia Creeper, which shall include measures to ensure these species are not propagated or allowed to spread as a result of the development, shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be implemented thereafter in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In the interests of the environment and to address Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

No.

24. Before the commencement of development, including site clearance and land fill, an ecological mitigation plan detailing all on site mitigation shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include, but not be limited to, details of planting, habitat creation, habitat enhancement, habitat retention, species clearance areas and receptor sites and details of biodiversity enhancement on the site.

Reason:

In the interests of ecology and biodiversity and to ensure adequate mitigation for protected species in accordance with Policy ENV16-Protected Species of the Unitary Development Plan, TAN5-Nature Conservation and Planning, and the Conservation of Habitats and Species Regulations 2010.

25. 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.

26. 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.

27. 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.

No.

Reason:

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

(Councillor Ms. K. Edmunds spoke on this matter with the permission of the Planning Committee.)

2013/00702/FUL Received on 4 November 2013

(P. 123)

Mr. Mo Farah, Cafe Nomad Ltd., 3, Blaenclydach Street, Cardiff, CF11 7BB

Mr. Michael Duncan, Social Club, 11, Tin Street, Adamsdown, Cardiff, CF24 0HF

10A, Royal Buildings, Stanwell Road, Penarth

Conversion of premises from A1 (retail) designation to A3 (restaurant/take away).
Creation of a new coffee shop/cafe selling hot and cold beverages and food to eat in and take away. Addition of a fire escape to rear of the property plus shopfront alterations

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 ground floor commercial unit shall be used only for the purpose of a cafe, as specified in the information that accompanied the application (including the email of the 20th November 2013), and for no other purpose whatsoever, including any other purpose in Class A3 of the schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order.

Reason:

To control the precise nature of the use of the site in the interests of neighbouring amenities in accordance with Policies ENV27 - Design of New Developments; and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

No.

3. The use hereby permitted shall not be open to customers outside the following hours of 07.30 hrs to 19.00 hrs on any day Monday to Saturday and 9.00 hrs to 18.00 hrs on Sundays.

Reason:

To safeguard the amenities of adjoining occupiers in accordance with Policies ENV27 - Design of New Developments; and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

4. Notwithstanding the submitted plans and information, within one month of the date of this permission further details of the proposed extraction and ventilation system relating to kitchen odours, along with associated sound levels and insulation, shall be submitted to and agreed in writing with the Local Planning Authority. The agreed details of extraction/ventilation/sound insulation shall be implemented in full within two months of the date of this permission, and thereafter retained and maintained as such, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To safeguard neighbouring amenities and the character and appearance of this part of the Penarth Conservation Area in accordance with Policies ENV20 - Development in Conservation Areas; and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

5. Within one month of the date of this permission a sample of replacement tiles (which should be matching or similar to the original Victorian style ceramic green tiles) for the base of the shopfront shall be submitted to and approved in writing by the Local Planning Authority. The replacement tiles shall be in place within 2 months of the date of this permission.

Reason:

To ensure suitable materials for the shopfront within the Conservation Area, in accordance with Policies ENV17, ENV27 and ENV20 of the Unitary Development Plan.

6. There shall be no use of external areas, including the rear yard, for customers of the cafe hereby approved unless otherwise approved in writing by the Local Planning Authority.

Reason:

In the interests of residential amenity, and to ensure compliance with the terms of Policy ENV27 and ENV29 of the Unitary Development Plan.

No.

It was further 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 reinstatement of the stall riser to the shopfront with traditional Victorian tiles to match the neighbouring shop.
- (2) T H A T in the event of non compliance with the Notice, authorisation is also granted to take such legal proceedings as may be required.

Reasons for decisions

- (1&2) To ensure suitable materials for the shopfront within the Conservation Area, in accordance with Policies ENV17, ENV27 and ENV20 of the Unitary Development Plan.

2013/00745/OUT Received on 6 August 2013
(P. 142)

United Welsh Housing Association Ltd and Charles C
Geraint John Planning Ltd., Sophia House, 28, Cathedral Road, Cardiff, CF11 9LJ

Land South of Primrose Hill, Cowbridge

Residential development comprised of 60% affordable housing and 40% open market family housing, and associated works, including strategic access point

Members were advised that the Council received notice that an appeal had been submitted with regard to this application as it had not been determined within eight weeks and that determination of the application would now take place through the Appeals process. Members were, therefore, advised that they were considering the report in relation to agreeing the Council's stance in respect of the subsequent appeal rather than a determination of the application.

RESOLVED – T H A T Members note the content of the report and that a non-determination appeal had now been submitted by the Applicant. Members agreed that the following reasons should form the basis of the Council's case in resisting the appeal. Committee requested that any appeal is heard as an inquiry.

Reason for decision (Written Representations)

1. The proposed residential development lies outside the defined settlement boundary for Cowbridge, in a Special Landscape Area and there is no overriding justification or material consideration to outweigh the in principle policy presumption against such development. As such the development of this sensitive rural area and landscape would be contrary to Policies ENV1 -

No.

Development in the Open Countryside, ENV10 protection of the Countryside, ENV4 Special Landscape Area and HOUS3 - Dwellings in the Countryside of the adopted Vale of Glamorgan Development Plan 1996 – 2011 and Planning Policy Wales (Edition 5) November 2012.

2. The proposed development would be contrary to the aims and objectives of the Vale of Glamorgan Deposit Local Development Plan, and as such would pre determine decisions about the location, scale and phasing of such new development which ought properly to be taken with the context of the Local Development Plan and the development is therefore considered premature pending the adoption of the Deposit Local Development Plan, and would have a significant detrimental impact on the setting of the historic settlement of Cowbridge contrary to the advice and guidance in Chapter 2 of the Planning Policy Wales (5th Edition 2012).
3. The development would overload the public waste water treatment works for which no improvements are planned at present and the developer has failed to provide any information that indicates that the development will not adversely affect or overload the public sewerage system and as a consequence the development is contrary to Policies ENV27 Design of new developments criteria (iii) and (iv) and ENV29 Protection of Environmental Quality of the Vale of Glamorgan Adopted Unitary development Plan 1996-2011.

It was further

RESOLVED – T H A T it be noted that the word “Barry” in the penultimate line of the first paragraph on page 177 of the report should be replaced by “Cowbridge”.

Reason for decision

To ensure the accuracy of the report for this planning application.

2013/00796/FUL Received on 23 December 2013

(P. 180)

Mr. L. Gibbon, 2, Clos y Nant, Dinas Powys, Vale of Glamorgan, CF64 4JY
Aspects of Construction, 2, Morgan Street, Mountain Ash, CF45 3YN

Holmhurst Cottage, The Common, Dinas Powys

Retrospective application for change of use of large domestic dwelling into two flats

APPROVED subject to the following condition(s):

1. This consent shall relate to the plans registered on 14th October 2013 along with additional plans reference 'Existing Parking' and 'Parking as Proposed' received on the 25th November 2013 and the revised site location plan, dated 23rd December 2013.

No.

Reason:

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

2. Full details of a cycle parking facility/area and designated bin storage shall be submitted to and approved in writing by the Local Planning Authority and the approved cycle parking facility and designated bin storage shall be fully implemented on site within three months of the date of this approval. The cycle parking shall thereafter be 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 and bin storage is provided on site to serve the development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

3. Notwithstanding the submitted details, a plan to show three unobstructed off-street parking spaces to serve the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority; the approved scheme of parking shall be laid out in accordance with the approved details within two months of the date of this permission and 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.

2013/01099/FUL Received on 13 November 2013

(P. 189)

Mr. Tim Leavers

Asbri Planning Ltd., 1st Floor, Westview House, Oak Tree Court, Cardiff Gate Business Park, Cardiff, Glamorgan, CF23 8RS

12, Park Road, Penarth

Proposed demolition of existing dwelling and associated outbuildings and construction of two detached dwellings and associated works

DEFERRED – Site visit.

No.

2013/01100/CAC Received on 13 November 2013

(P. 205)

Mr. Tim Leavers

Asbri Planning Ltd., 1st Floor, Westview House, Oak Tree Court, Cardiff Gate
Business Park, Cardiff, Glamorgan, CF23 8RS

12, Park Road, Penarth

Proposed demolition of existing dwelling and associated outbuildings and
construction of two detached dwellings and associated works

DEFERRED – Site visit.

2013/01105/FUL Received on 15 January 2014

(P. 214)

Mr Robert Harry Langcross Farm, Pen-y-Turnpike Road, Dinas Powys, Vale of
Glamorgan, CF64 4HG

Chris J. Morgan, 4A Fontygary Road, Rhoose, Vale of Glamorgan, CF62 3DR

Langcross Farm, Pen-y-Turnpike Road, Dinas Powys

Proposed extension to existing agricultural building

APPROVED subject to the following condition(s):

1. Should the use of the building as extended cease to be used for the purposes of agriculture within the unit and planning permission has not been granted, or has not been deemed to be granted under Part III of the Act, for development for purposes other than agriculture, within three years from the date on which the use of the building for the purposes of agriculture within the unit permanently ceased, then, unless the local planning authority have otherwise agreed in writing, the building shall be demolished and all resultant building materials shall be removed from the land.

Reason:

To ensure the building is used for agricultural purposes and to ensure compliance with Policies ENV1, ENV4 and ENV27 of the Unitary Development Plan.

No.

2013/01108/FUL Received on 12 November 2013

(P. 221)

Windsor Court Investments, 232, Whitchurch Road, Cardiff, South Glamorgan,
CF14 3ND

Ray Baker Arch. Consultant, 22, Cwm Barry Way, Barry, Vale of Glamorgan,
CF62 6LB

9, Porthkerry Road, Barry and 21, Romilly Road, Barry

9, Porthkerry Road - to convert existing house to two apartments.

21 Romilly Road - to convert existing house to three, two bedroom apartments, with a further three, two bedroom new build

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

- The developer shall pay the sum of £12,000 to contribute towards the enhancement of public open space in the area.
- The Legal Agreement will include the standard clause requiring the payment of a fee to monitor and implement the Legal Agreement (£396 in this case).

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. Prior to first beneficial occupation of any of the dwelling units hereby approved, the areas of amenity space shown on Drawing No. 921-10 shall be cleared and improved in accordance with a scheme of soft and hard landscaping, the details of which (to include details/sections of any changes in levels to the rear of either property) shall first have been submitted to and approved in writing by the local planning authority. Such amenity space shall thereafter be retained in accordance with such approved details, and made available at all times to serve the amenity needs of the occupants of each of the units unless otherwise approved in writing by the local planning authority.

Reason:

To ensure that the dwellings are provided with a satisfactory amount and quality of amenity space in perpetuity, as required by Policy ENV27 of the adopted Unitary Development Plan.

No.

3. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials to be used, including samples and colours, 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.

4. Prior to its construction in the development hereby approved, further details (including a section at 1:20) of the construction of the flat roof of the extension to 21 Romilly Road and the means by which the roofing materials and rainwater goods are to be attached to the external elevations shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason:

In the interests of visual amenities and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

5. Prior to its construction and prior to the first beneficial occupation of any of the units hereby approved, further details and elevations of the proposed bin store shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall be provided prior to the first beneficial occupation of any of the units and shall be retained at all times thereafter.

Reason:

In order to provide adequate facilities for the storage of waste, in the interests of visual amenity and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

6. The first floor and second floor windows on the north facing elevation of the extension to 21 Romilly Road shall be obscurely glazed and fixed pane at the time of their insertion/construction and they shall be so maintained at all times thereafter, unless a variation is agreed first agreed to in writing by the Local Planning Authority.

Reason:

In the interests of the privacy of the neighbouring property and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

No.

7. The three new dwelling units hereby permitted in the extension to no. 21 Romilly Road 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.

8. Construction of the three new dwelling units hereby permitted in the extension to no. 21 Romilly Road 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.

9. Prior to the occupation of the three new dwelling units hereby permitted in the extension to no. 21 Romilly Road, 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and the Town and Country Planning (General Permitted Development) Order 1995, (or any Orders revoking or re-enacting those Orders with or without modification), no gates, fences, walls or other means of enclosure (other than those approved under the terms of conditions of this planning permission) shall be erected,

No.

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 Policy ENV27 of the Unitary Development Plan.

11. 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 and the means of enclosure shall be implemented in accordance with the approved details prior to first beneficial occupation of any of the units, and so maintained 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.

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. Foul water and surface water discharges shall be drained separately from the site, with no surface water or land drainage run-off allowed to connect (either directly or indirectly) into the public sewerage system.

Reason:

To protect the integrity, and prevent hydraulic overloading, of the Public Sewerage System, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

14. Prior to the commencement of development, a Construction and Environmental Management Plan to include such matters as the control of noise, vibration, dust and other deposits (and to include proposed hours of working during the development construction phase) shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme

No.

shall be fully implemented throughout the course of the construction phase of the development.

Reason:

To safeguard the amenities of neighbouring properties and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

15. This consent shall relate to the plans registered on the 12th November 2013, other than where amended by plans reference 921-12a, received on the 21st January 2014.

Reason:

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

16. Prior to their use in the development hereby approved, further details of the proposed windows, doors, rainwater goods and balconies shall be submitted to and approved in writing by the Local Planning Authority. The development shall at all times thereafter be carried out and maintained in accordance with the approved details.

Reason:

In the interests of visual amenity and to ensure compliance with Policies ENV 27 and HOUS 8 of the Unitary Development Plan.

17. Prior to the first beneficial occupation of any of the units hereby approved, further details (to include levels and sections) of the

2013/01152/OUT Received on 27 November 2013
(P. 241)

Carlton Communications Ltd, 200, Grey's Inn Road , London, WC1X 8HF
RPS Planning & Development, Park House, Greyfriars Road, Cardiff, CF10 3AF

Land Off Old Port Road, Culverhouse Cross (ITV)

Demolition of existing buildings and redevelopment of site for residential purposes.

DEFERRED –Site visit.

No.

2013/01165/FUL Received on 3 December 2013

(P. 286)

Newydd Housing Association

Geraint John Planning Ltd., Sophia House, 28, Cathedral Road, Cardiff, CF11 9LJ

Old Station Yard, St. Athan

Demolition and redevelopment of former car park to provide 23 affordable dwellings, creation of public open space, access, and associated works

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:

- The dwellings to be built as part of the development built under the planning permission shall be built and thereafter maintained as affordable housing units in perpetuity.
- The developer shall pay the sum of forty six thousand pounds (£46,000) to contribute towards the provision of sustainable transport facilities in the vicinity of the site. The majority of which shall be to provide improvements to the pedestrian crossing over the B4265, an improved bus stop and improved lighting along Gileston Road.
- The Legal Agreement will include the standard clause requiring the payment of a fee set at 20% of the value of the planning application fee (£1,518.00 in this case).

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 2nd December 2013 other than where amended by plans reference 011C received on 23rd January 2014, 012, 013, 014, 015, 016, 017, 018, 019, 020 and 021 received on 3rd January 2014 and 13139-103A, OSY - Existing Finishes and OSY - Proposed Finishes received on 16th January 2014.

Reason:

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

No.

3. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials to be used (including all hard surface areas), including samples, 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.

4. 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.

5. 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.

6. 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.

No.

Reason:

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) the dwelling(s) 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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and the Town and Country Planning (General Permitted Development) Order 1995, (or any Orders revoking or re-enacting those Orders with or without modification), no gates, fences, walls or other means of enclosure other than those approved under the terms of conditions of this application 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 and ENV27 of the Unitary Development Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (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.

10. Notwithstanding the submitted details, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the beneficial occupation of the dwellings hereby approved which shall include

No.

details of any additional planting (including full details of a scheme of public art/landscaping feature and details of indigenous planting within the area of Public Open Space), as well as the 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.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies ENV10, ENV11 and 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 the commencement of construction of any of the dwellings, a detailed scheme for the provision of the Public Open Space (including the Local Area of Play) (to include seating) shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the timely provision of the public open space and to ensure compliance with Policies ENV27 and REC3 of the Unitary Development Plan.

13. 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, unless otherwise agreed in writing by the Local Planning Authority. 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.

No.

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.

14. No development approved by this permission shall commence until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The resulting photographs shall be deposited with the Local Planning Authority prior to first beneficial use of the development hereby approved in order that they may be forwarded to the Historic Environment Record, operated by the Glamorgan Gwent Archaeological Trust (Heathfield House, Heathfield, Swansea SA1 6EL Tel: 01792 655208).

Reason:

In order that records are kept of any features of archaeological interest and to ensure compliance with Policies ENV18 and ENV19 of the Unitary Development Plan.

15. All remediation works shall be carried out in accordance with the 'Geotechnical and Geoenvironmental report' prepared by Terra Firma Wales and received by the Local Planning Authority on 7th January 2014 and should during the works further contamination be encountered which has not previously been identified, then details of the assessment of any additional contamination and an appropriate remediation scheme shall be submitted to and agreed by the Local Planning Authority. Upon completion of works, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the agreed remediation works are complete, quality assurance certificates and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, shall be submitted and approved by the Local Planning Authority. Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason:

In the interests of public safety, and to ensure compliance with Policy ENV7 of the Unitary Development Plan.

16. Any soils or similar material to be imported on to the site shall be assessed for chemical and other potential contaminants in accordance with a scheme of investigation to be submitted to and approved by the Local Planning Authority prior to its importation. Only material approved by the Local Planning Authority shall be imported to the site. All measures specified in the approved

No.

scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Reason:

In the interests of public safety, and to ensure compliance with Policy ENV7 of the Unitary Development Plan.

17. 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. All fences (temporary and permanent) shall include gaps of 100mm minimum underneath to allow the movement of terrestrial species, and to prevent restricted access for species to habitat. The means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use and maintained as such thereafter unless otherwise agreed by the Local Planning Authority.

Reason:

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

18. Notwithstanding the submitted plans, full engineering details of the new vehicular / pedestrian access to the site and all internal roads within the site, incorporating turning facilities and vision splays, and including sections, street lighting, surface water drainage and the details of the location and design of all rumble strips, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development. The development shall be implemented thereafter in accordance with the approved details.

Reason:

In the interests of highway safety in accord with Policy ENV27 of the Unitary Development Plan.

19. Prior to occupation of any of the dwellings, a lighting design strategy for biodiversity for Old Station Yard shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) Identify those areas/features on site that are particularly sensitive for bats and that area likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

No.

- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason:

To maintain biodiversity and in the interests of protected species in accordance with Policy ENV16 of the Unitary Development Plan.

20. The demolition of the building shall not commence unless the local planning authority has been provided with one of the following:

- a) A licence issued by Natural Resources Wales pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 (as amended) authorising the specified activity/development to go ahead; or
- b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

The works and Post development monitoring of the roost shall be carried out following completion of works as detailed in the NRW licence.

Reason:

To maintain biodiversity and in the interests of protected species in accordance with Policy ENV16 of the Unitary Development Plan.

21. No removal of hedgerows, trees, bramble, shrubs, ivy and other climbing plants or works to, or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds interest on site. Any such written confirmation shall be submitted to the local planning authority.

No.

Reason:

To maintain biodiversity and in the interests of protected species in accordance with Policy ENV16 of the Unitary Development Plan.

22. Any vegetation clearance on the site shall be undertaken in accordance with the 'Old Station Yard; Ecological Assessment' received on 2nd December 2013, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To maintain biodiversity and in the interests of protected species in accordance with Policy ENV16 of the Unitary Development Plan.

23. Prior to commencement of development, details of the inclusion bat/bird roosting/nesting sites within five of the units hereby approved which must be the 'built-in' type shall be provided and approved in writing by the Local Planning Authority.

Reason:

To maintain biodiversity and in the interests of protected species in accordance with Policy ENV16 of the Unitary Development Plan.

24. The scheme shall incorporate the use of SUDS newt-friendly positioning of gully pots to protect unrecorded current or future Great Crested Newt populations on site, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To maintain biodiversity and in the interests of protected species in accordance with Policy ENV16 of the Unitary Development Plan.

2013/01169/FUL Received on 2 December 2013

(P. 322)

CTIL and Vodafone

Caip Ltd, 51, Heath Road, Wellington, Telford, Shropshire, TF1 3EQ

Streetworks at Clive Place, Penarth

Removal of the existing Vodafone 3G only MTA 10m mock telegraph pole mast (11.6m to top of antenna shroud) and its replacement in the same location with a 15m (to top of antenna shroud) Hutchinson T-Range mock telegraph pole; removal of 1 No. 3107 equipment cabinet and installation of 2 No Huawei 3900AL equipment cabinets, 1 No. Huawei Duplexor Cabinet and 1 No Alifabs JSC cabinet; to enable the base station to provide sharable 2G, 3G and 4G RF coverage for Vodafone in accordance with Assembly Government policy.

No.

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 telecommunication equipment hereby permitted shall be removed from the land as soon as reasonably practicable after it is no longer required for telecommunication purposes and the land shall at that time be restored to its former condition.

Reason:

In the interests of visual amenity within a Conservation Area, in accordance with Policies, COMM 6, ENV27 and ENV20 of the Unitary Development Plan.

3. Notwithstanding the submitted information, details of an amended colour finish for the cabinets and replacement mast hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The cabinets and mast shall thereafter be finished in the agreed colour and maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity within the Conservation Area, in accordance with Policies ENV27, COMM 6 and ENV20 of the Unitary Development Plan.

4. The existing mast and equipment cabinet, as approved with application 2005/00428/FUL, shall be fully removed from site within two weeks of the erection of any of the cabinets or the mast hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity, in accordance with Policies ENV20 and ENV27 of the Unitary Development Plan.

(Councillor L. Burnett spoke on this item with the permission of the Planning Committee.)

No.

2013/01207/FUL Received on 6 December 2013

(P. 333)

Mr. Peter Hayman, Lettons House, Lettons Way, Dinas Powys, Vale of Glamorgan, CF64 4BY

Mr. Laurence Forse, Harmers Limited, 39, Lambourne Crescent, Cardiff Business Park, Llanishen, Cardiff, CF14 5GG

Lettons House, Lettons Way, Dinas Powys

Removal of condition 1 of approval 2011/00503/FUL - regarding occupancy of the property

REFUSED (Written Representations)

1. Having regard to Policies HOUS5 - Agricultural or Forestry Dwellings; and HOUS6 - Agricultural Occupancy Conditions of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and the guidance contained in Technical Advice Note (Wales) 6 'Planning for Sustainable Rural Communities', in Planning Policy Wales (Edition 5 – 2012) and Welsh Office Circular 35/95 'Use of Conditions in Planning Permissions', the applicant has failed to demonstrate that there is no longer any need for the dwelling to accommodate an agricultural or forestry worker or that there is not a realistic potential that the dwelling could be used to accommodate those eligible for affordable housing. As such Condition No. 1 of planning permissions 2011/0503/FUL, which limits occupation of the dwelling to that of a person employed or last employed in a rural enterprise or for the provision of accommodation for those eligible for affordable housing remains justified and has not outlived its usefulness. Accordingly, the proposal to remove this condition would be contrary to the above defined national and local policies as well as Policies ENV1 - Development in the Countryside and HOUS3 - Dwellings in the Countryside of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, which seek to prevent the erection of dwellings in the countryside without an agricultural or forestry justification.

2013/01249/FUL Received on 13 December 2013

(P. 343)

Newydd Housing Association

Geraint John Planning Ltd, Sophia House, 28, Cathedral Road, Cardiff, CF11 9LJ

Haydock House, 1, Holton Road, Barry

Change of use and conversion of building to provide residential accommodation in the form of 15 affordable dwellings, retail unit (Use Class A1 / Use Class A2 / Use Class A3 Restaurant / Cafe), access arrangements, and associated works

No.

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:

- The dwellings to be built as part of the development built under the planning permission shall be built and thereafter maintained as affordable housing units in perpetuity.
- The developer shall pay the sum of ten thousand pounds (£10,000) to contribute towards the enhancement sustainable transport facilities in the area.
- The developer shall pay the sum of twenty four thousand pounds (£24,000) to contribute towards the enhancement of public open space in the area.
- The Legal Agreement will include the standard clause requiring the payment of a fee set at 20% of the value of the planning application fee (£1,122.00 in this case).

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. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials to be used, including samples, 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.

3. Further details of the windows and roller shutter doors, shall be submitted to and approved in writing by the Local Planning Authority, prior to their use in the development. The development shall be constructed in full accordance with the details as agreed and thereafter so maintained at all times.

Reason:

To ensure a high quality of development in compliance with Policy ENV27 of the Development Plan.

No.

4. Foul water and surface water discharges shall be drained separately from the site, with no surface water or land drainage run-off allowed to connect (either directly or indirectly) into the public sewerage system unless otherwise approved in writing by the Local Planning Authority. The scheme shall include details of a grease trap to prevent entry into the sewerage system of any matter likely to interfere with the free flow of sewer contents.

Reason:

To protect the integrity, and prevent hydraulic overloading, of the Public Sewerage System, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

5. No development shall commence until such time as a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be disposed of, has been submitted to and approved in writing by the Local Planning Authority, and no building shall be occupied until such time as such agreed drainage works have been implemented in accordance with the approved details.

Reason:

To ensure that effective drainage facilities are provided for the development, and that no adverse impact occurs to the environment or existing public sewerage system, and to ensure compliance with the terms of Policies ENV7 and ENV27 of the Unitary Development Plan.

6. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995 or any order amending, revoking or re-enacting that order howsoever the ground floor commercial premises shall be used only for the purpose of a cafe with retail uses (mixed A1/A3 use) as specified and for no other purpose whatsoever, including any other purpose in Class A3 of the schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument amending, revoking or re-enacting that Order.

Reason:

To control the precise nature of the use of the site, noting proximity to residential properties and to ensure compliance with the terms of Policies ENV27 and ENV29 of the Unitary Development Plan.

7. The use in the ground floor commercial unit hereby permitted shall not be open to customers outside the following times:

Monday to Saturday	07.00 - 18.30 hours
Sunday and Bank Holidays	08.00 - 17:30 hours

No.

unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To safeguard the amenities of adjoining occupiers, and to ensure compliance with the terms of Policies ENV27 and ENV29 of the Unitary Development Plan.

8. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995 or any order amending, revoking or re-enacting that order howsoever, no cooking facilities shall be installed at the premises other than those used for the heating of pre-packaged food, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To control the precise nature of the use of the site, noting proximity to residential properties and to ensure compliance with the terms of Policies ENV27 and ENV29 of the Unitary Development Plan.

(Councillor Dr. I.J. Johnson spoke on this item with the permission of the Planning Committee.)

2014/00027/FUL Received on 10 January 2014

(P. 362)

Swanbridge Beach Ltd. Beach Road, Spinney Leisure Park, Sully, CF64 5UG
A J Design Associates, The Studio, Sunnyside Cottages, Beggars Pound, St. Athan, Vale of Glamorgan, CF624PA

Beach Road, Sully

Temporary alterations to sea defence proposals at the foreshore Swanbridge, Sully

APPROVED subject to the following condition(s):

1. This consent shall be for a temporary period of 18 months only and the concrete wall sections shall be removed from the site on or before 13th August 2015.

Reason:

The development is of a temporary design and structure and to ensure compliance with Policy ENV27 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

2. Prior to the erection of the blocks in the location hereby approved, further details of the concrete wall sections, including elevation plans at scale 1:100, shall be submitted to and approved in writing by the Local Planning Authority

No.

and the development shall thereafter be constructed and maintained in accordance with the approved details.

Reason:

In the interests of visual amenity and in order to comply with the provisions of Policy ENV27 of the Vale of Glamorgan adopted Unitary Development Plan 1996-2011.

845 MATTER WHICH THE CHAIRMAN HAD DECIDED WAS URGENT -

RESOLVED - T H A T the following matter which the Chairman had decided was urgent for the reason given beneath the minute heading be considered.

846 PLANNING APPLICATION (DDS) –
(Urgent by reason of the need to make a decision prior to the next Committee)

2010/01267/FUL Received on 3 December 2010

Mr. Idwal Stedman, 18 Turberville Place, Pontcanna, Cardiff, CF11 9NX
Mr. Carey Jones, Brooklands Hall, Brooklands Lane, St. Nicholas, Vale of Glamorgan, CF5 6TB

Brooklands Hall, Brook Lane, St. Nicholas

Retention of barn as leisure and amenity building ancillary to main house

The application had been submitted as a result of an enforcement investigation, and subsequently an appeal which was lodged against a previous refusal and the issuing of an Enforcement Notice.

This was an application under Section 73 of the Town and Country Planning Act 1990 (as amended) for the retention of a leisure and amenity building, ancillary to the main house. The building was a new construction that replaced a former agricultural barn that was claimed had an established use for leisure / recreational and occasional guest accommodation in connection with Brooklands Hall.

Two Enforcement Notices were served on 22nd February 2010. The first related to operational development in the form of the new build Barn. The second related to the material change of use of the land and buildings forming the application site from agriculture to a mixed use for domestic purposes, domestic storage, vehicle storage and for the storage of builder's materials and equipment. Following an appeal being made against both notices and negotiations with the Applicant, an appropriate course of action was agreed with both parties resulting in the submission of this and the 2010/01267/FUL application for the retention of the barn building with amendments. As a result of this progress, both Enforcement Notices were withdrawn on 7th December 2010.

No.

Members noted that this application was approved at Planning Committee on 3rd February 2011 subject to the applicant entering into a S106 agreement not to use the first floor of the building for any other purpose other than domestic storage and the storage and use of gym equipment.

Also not to erect any sub dividing walls or create any separate rooms on the first floor of the building and not to use any part of the building whatsoever as residential accommodation. Since this time, the applicant has failed to enter into the legal agreement. In view of this, it was considered that the planning permission can be granted as the attached conditions are sufficient to protect the future use of the building and required the alterations to be undertaken to the building. Accordingly, the conditions had been amended in order to reflect the current changes on site.

RESOLVED –

(1) THAT the resolution made by the Planning Committee on 3rd February 2011 in respect of this application no. 2010/01267/FUL be rescinded.

(2) T H A T in pursuance of powers delegated to the Committee, the following application be determined as indicated and any other necessary action taken:

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

(i) The completion of the development in accordance with the plans and particulars submitted as part of this application, namely the removal of all internal walls and accommodation from the first floor of the building along with the removal of the internal staircase and lean-to glass roof structure, windows, kitchen units and appliances at ground floor and a small extension to the side of the building.

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

Reason for decisions

(1) The resolution of the Planning Committee on 3rd February 2011 is superseded as a result of the recommendations of this report

(2&3) Having regard to Policies ENV1 – Development in the Countryside; ENV4 – Special Landscape Areas; ENV8 – Small Scale Rural Conversions; ENV10 – Conservation of the Countryside; ENV27 – Design of New Developments; HOUS3 – Dwellings in the Countryside; and Strategic Policies 1 and 2 – The Environment; and 8 – Transportation of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on Sustainable Development and

No.

Design in the Landscape; and national guidance contained in Planning Policy Wales, the development as submitted is considered acceptable subject to the applicant entering into the relevant legal agreement.

In the light of the above decisions, and having considered the application for planning permission, and where necessary, the observations of interested parties, it was

APPROVED subject to the following condition(s):

1. The leisure building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Brooklands Hall.

Reason:

To avoid the creation of a separate unit of residential accommodation, and to ensure compliance with the terms of Policies ENV27 and HOUS11 of the Unitary Development Plan.

2. A landscaping scheme shall be submitted to 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, in particular details to be submitted relating to a landscaping screen to be erected along the south elevation of the building 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.

3. 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 completion of the development in accordance with the approved plans; 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.

4. Within 6 months of the date of this consent the building shall be completed in accordance with the plans hereby approved, including the

No.

removal of all internal walls and accommodation at first floor, the removal of all the relevant windows and permanent blocking up of the relevant window openings, the removal of the internal stair case and associated external structure, the removal of the kitchen units and appliances at ground floor and the removal of the side extension.

Reason:

To ensure the development is completed in a manner which is acceptable given its countryside location, proposed use and to ensure compliance with Policies ENV8 and ENV27 of the Unitary Development Plan.

5. Prior to their use in the development hereby approved, samples of the materials to be used in the construction of the external staircase, blocking up of the window openings, re-cladding of the building and shuttering of the remaining windows, 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 the building retains a rural barn type appearance and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

6. Notwithstanding the submitted plans, the first floor/attic space shall not be subdivided in any way and no separate rooms shall be created and shall only be used for domestic storage and for the storage and use of gym equipment, unless otherwise first agreed in writing with the Local Planning Authority

Reason:

To enable the Local Planning Authority to maintain control over the nature of the use and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.