

PLANNING COMMITTEE

Minutes of a meeting held on 4th September, 2014.

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

Also present: Councillor Dr. I. Johnson.

338 ANNOUNCEMENT -

Prior to the commencement of the business of the Committee the Chairman read the following statement:

“May I inform everyone present that this particular meeting will not be broadcast live via the Internet, but will be recorded for training purposes and the record may be archived for future viewing if considered appropriate by the Monitoring Officer.

339 APOLOGIES FOR ABSENCE -

These were received from Councillors E. Hacker, K. Hatton and A.G. Powell.

340 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 31st July, 2014 be approved as a correct record.

341 DECLARATIONS OF INTEREST -

Councillor A. Parker declared an interest in the following items:

Agenda Item No. 9 2014/00269/FUL - 2 Stanwell Road, Penarth	Architect for the property
Agenda Item No. 9 2014/00529/FUL - Plot 1 Mill Lay Lane, Llantwit Major	Architect for the Property
2014/00530/FUL - Plot 2 Mill Lay Lane, Llantwit Major	Architect for the Property
2014/00429/FUL - Tudor Lodge, Bonvilston	Knows the Applicant
2014/00430/FUL - Tudor Lodge, Bonvilston	Knows the Applicant

Councillor Parker vacated the meeting whilst each application was considered.

342 SITE INSPECTIONS -

RESOLVED - T H A T the attendance of the following Councillors at the sites indicated below on 31st July, 2014 be noted:

Apologies for absence were received from Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors J. Drysdale, A. Parker, A.G. Powell, Mrs. A.J. Preston and R.P. Thomas.

(a) Stanwell School - construction of new synthetic turf pitch, including lighting and new internal pedestrian access path arrangements	Councillor F.T. Johnson (Chairman); Councillors J.C. Bird, Mrs. P. Drake, Mrs. V.M. Hartrey, K. Hatton, H.J.W. James, K.P. Mahoney, R.A. Penrose, G. Roberts, A.C. Williams, E. Williams and M.R. Wilson.
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343 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 Building (Approved Inspectors Etc.) Regulations 2000 as listed in the report be noted.

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

RESOLVED - T H A T the report on the following applications determined under delegated powers be noted:

Decision Codes

- | | |
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| 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 | |

2014/00596/FUL	A	28, West Farm Road, Ogmore By Sea	Renovation extension of existing detached dwelling new garden room.
2014/00597/FUL	A	153, Redlands Road, Penarth	Proposed ground floor garden room and sitting room extension.
2014/00605/FUL	A	24, John Street, Barry	Single storey extension to back of property.
2014/00620/FUL	A	Land adjacent Old Port Road, Wenvoe	Retention of rear storage area and extension to form 2 no. new stables.
2014/00632/FUL	A	Beechwood College, Beechwood House, Hayes Road, Sully	New Vocational Learning Centre for Beechwood College including change of use from agricultural land. Facilities proposed include a new Vocational Centre (2-year temporary consent), workshops, paddock, stables and polytunnel.
2014/00649/FUL	A	32, West Farm Road, Ogmore By Sea	Remove complete roof, raise pitch and install a new roof configuration, balcony and ancillary works.
2014/00651/FUL	A	Pentre Beili, Colwinston	Installation of wood burning appliance and chimney.
2014/00653/LAW	A	19, Baron Road, Penarth	The construction of a 3 metre, single story extension at the rear of 19 Baron Road Penarth which consists of a living and storage area.
2014/00660/FUL	A	3, Frampton Lane, Llantwit Major	First floor extension above double garage.
2014/00661/FUL	A	23, Seaview Drive, Ogmore By Sea	Single storey rear extension with roof terrace and dormer roof extension.

2014/00680/FUL	A	49, Castle Drive, Dinas Powys	Single storey side extension.
2014/00691/FUL	A	Plot 7, Showhome, former Ogmore Residential Centre, Ogmore by Sea	Proposed alteration of approved dwelling to include rear conservatory extension.
2014/00699/FUL	A	17, Elm Grove, Barry	Erect a single storey extension to the rear of the property.
2014/00707/LAW	A	29, Ael y Coed, Barry	Extension.
2014/00735/FUL	A	The Sycamores, Higher End, St. Athan	Single storey rear extension to include the installation of bi-folding doors and 3 x roof windows.
2014/00750/FUL	A	16, Greys Drive, Boverton, Llantwit Major	Conservatory extension to rear.
2014/00349/OBS	B	Hirwaun Power Station	Order granting development consent.
2014/00373/FUL	A	Cardiff and Glamorgan Memorial Park and Crematorium, Port Road East, Barry	Change of use of land to be utilised as burial ground on the land within the curtilage of Cardiff and Glamorgan Memorial Park and Crematorium.
2014/00417/FUL	A	99, Westbourne Road, Penarth	Single storey extension to side and rear; roof dormer with balcony to rear; single garage with new access to the highway.
2014/00475/FUL	A	5, Hensol Villas, Hensol	Erection of single storey rear extension.

2014/00484/RES	A	Site known as West Pond, Barry Waterfront, Barry	Development of site known as West Pond for residential development and associated infrastructure works, parking, servicing and landscaping (Amendment to layout as permitted by applications 2009/00946/OUT and 2012/00733/EAR including changes in house type, alteration to affordable housing provision and increase in number of dwellings up to 139).
2014/00568/FUL	R	Tudor Lodge, Bonvilston	Erection of external sheep shed for water and feed storage.
2014/00616/FUL	A	31, Smithies Avenue, Sully	Proposed rear single storey bedroom extension.
2014/00624/FUL	A	Marsyd, St. Lythans	Retention of ménage and perimeter fencing.
2014/00625/RES	A	West Pond, land at Barry Waterfront, Barry	Amendment to layout as permitted by applications 2009/00946/OUT and 2012/00732/EAR - repositioning of plots 54, 55, 56, 57, 58, 72, 73, 74 and 75.
2014/00628/FUL	A	Green Meadow, Penllyn, Cowbridge	Renewal of planning permission 2009/00423/FUL for the demolition of single storey residential dwelling house with double garage annexe and replacement with 2 no. 4-bedroom detached houses with associated amenity space.
2014/00648/FUL	A	65, Penlan Road, Llandough	Dormer loft conversion (Resubmission).

2014/00658/FUL	A	1, Seaview Cottages, Twyn Yr Odyn	Kitchen extension single storey.
2014/00663/FUL	A	2, Manorbier Close, Dinas Powys	Proposed rear extension to full width of dwelling and the conversion of integral garage to an additional bathroom.
2014/00676/FUL	A	Springbank Nursing Home, College Road, Barry	Alterations to existing East Wing first floor conservatory and construction of new West Wing first floor conservatory.
2014/00677/LBC	A	Springbank Nursing Home, College Road, Barry	Alterations to existing East wing first floor conservatory and construction of new West wing first floor conservatory.
2014/00679/FUL	A	28, Duffryn Crescent, Peterston Super Ely	First floor extension above existing garage.
2014/00693/FUL	A	4, West Terrace, Penarth	Single storey rear extension and material alterations.
2014/00702/LAW	A	5, St. Martins Close, Penarth	Single storey rear extension.
2014/00711/FUL	A	78, Althorpe Drive, Penarth	Single storey extension to rear and side of property to provide additional kitchen space, sitting area and downstairs toilet provision.
2014/00736/FUL	A	The Keep, Llandough, Cowbridge	Erection of new boundary wall and retention of garden extension to rear of property.
2014/00749/FUL	A	Dingle View, Heol Y Cawl, Dinas Powys	Dormer extension.
2014/00789/OBS	B	Between Hinkley Point and Seabank	Proposed Hinkley Point C Connection Project.

2014/00416/FUL	A	28, Cog Road, Sully	Proposed extension and alterations to existing dwelling – resubmission.
2014/00595/FUL	A	11, Windsor Terrace, Penarth	Rear garage with first floor storage with dormer.
2014/00608/FUL	A	8, Llwyn Passat, Penarth	Replacing single door and window at the rear of an existing property with a set of bifold doors; enlarging an opening, fitting steel lintels and making good; fitting decking to back garden and balcony to front.
2014/00629/FUL	A	18, Victoria Road, Penarth	The widening of an existing vehicular opening in a boundary wall.
2014/00655/FUL	R	Yewtree Cottage, The Lane, St. Nicholas	Change of use from agricultural use to residential use.
2014/00657/LBC	A	Porthkerry Road Methodist Church, Porthkerry Road, Barry	Subdivision of dwelling 4 (as per 2014/00224/FUL and 2014/00225/LBC) into two dwellings and associated alterations including additional door.
2014/00682/FUL	A	20, Fitzhammon Avenue, Llantwit Major	Balcony with access from first floor bedroom.
2014/00684/FUL	A	Former Ineos Chlor Chemical Works site, Barry.	Application for Full Planning Permission for the construction and operation of a small embedded Short Term Operating Reserve (STOR) generating plant and auxiliary equipment on the Former Ineos Chlor Chemical Works site, Barry.

2014/00685/FUL	A	Llandough Castle, Llandough, Cowbridge	Demolition of shed and replacement with oak framed garage/workshop with attached gym.
2014/00688/FUL	A	Pwll Y Wrach Farm, Colwinston	Part single with part double storey side extension for use by agricultural workers.
2014/00692/FUL	A	Orchard Cottage, Leckwith, Cardiff	New window on the first floor bathroom on the side.
2014/00696/LBC	A	The Market Place Restaurant, 66, High Street, Cowbridge	Construct a frameless glass entrance lobby on front elevation.
2014/00708/FUL	A	West Aberthaw Farm, West Aberthaw	Proposed new stable block within the curtilage of West Aberthaw Farm House.
2014/00725/FUL	A	104, Plymouth Road, Penarth	Extend single storey monopitch extension to rear facade and change windows.
2014/00726/FUL	A	62, Cornwall Rise, Barry	Demolish existing single storey side extension and replace with single storey side extension.
2014/00729/FUL	R	Land south of Llanmaes	Construction of two dormer bungalows, church parking and walkway.
2014/00730/FUL	A	Friendship, Higher End, St. Athan	Proposed rear and side extensions, plus internal alterations to remodel the dwelling.
2014/00733/FUL	A	70, John Batchelor Way, Penarth	Amendment to 2014/00369/FUL - from replacement of garage door to window to window and French doors.
2014/00738/FUL	A	29, Laburnum Close, Barry	Retention of garden fence.

2014/00741/FUL	A	77, Llanmaes Road, Llantwit Major	We propose to install a 17 panel Solar Photovoltaic system; 14 panels to be installed on the flat roof of the dormer window at the rear of the property. These panels will protrude higher than 200mm from the highest point of the roof due to being installed on purpose built A-Frame; 3 panels on the front of the property. These will not protrude higher than the ridge line of the roof.
2014/00743/FUL	A	Fairwinds, The Downs, St. Nicholas	Single storey garage extension, extension of existing single storey lean-to structure to two storey and construction of timber framed workshop in rear garden.
2014/00752/FUL	A	4, Machen Street, Penarth	Erection of a conservatory to the rear elevation.
2014/00780/ADV	A	Boverton Post Office and Village Shop, Boverton Road, Boverton	Replacement of fascia sign and white vinyl signs on main display window.
2014/00796/FUL	A	23, Rhodfa Felin, Barry	Single storey rear extension.
2014/00824/FUL	A	9, Fennel Close, Penarth	Single storey side extension.
2014/00833/FUL	A	24, Whitcliffe Drive, Penarth	Replacement rear single storey garden room and replacement garage with bedroom above.

2014/00533/FUL	A	York Lodge, Llandough Hill, Penarth	Proposed alteration to existing property - incorporation of a dormer roof conversion to rear of property, an extension to house and ensuite to side of property and an overhang to create a covered patio area to the front of property.
2014/00745/FUL	R	Coach House, The Old Rectory, Leckwith Road, Llandough	Proposed alterations and extensions to dwelling.
2014/00747/FUL	A	19, Myrtle Close, Penarth	Single storey / 2 storey rear extension.
2014/00767/FUL	A	18, Victoria Road, Penarth	The demolition of existing lean to extension and the construction of a new flat roofed extension to the rear of the property.
2014/00772/FUL	A	2, Stony Lane, Corntown	Proposed balcony and glazed balustrade.
2014/00773/FUL	A	6, Robinswood Close, Penarth	Proposed dormers to front elevation and rooflight; Extend existing dormer to rear elevation; Proposed porch.
2014/00774/FUL	A	Pembrey Cottage, West Street, Llantwit Major	First floor extension to rear over ground floor flat roof and single storey kitchen extension to rear. Removal of redundant outbuilding and chimney to rear.

345 APPEALS (DDS) -

RESOLVED -

(1) T H A T the list of Appeals received arising from the refusal of the Council to grant planning permission as detailed in the report be noted.

(2) T H A T the statistics relating to the Appeals for April 2014 to March 2015 as detailed in the report be noted.

346 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

2014/00718/TPO	A	The Lindens, Bradford Place, Penarth	Minimal pruning to Cedar tree, crown raise to 6m Horse Chestnut, re-pollard Lime tree and crown raise trees to 6m over highway, as per submitted narrative.
2014/00761/TCA	A	Old Parsonage, Llancarfan	Removal of Leylandi.
2014/00764/TPO	A	Grange Lodge, Grange Avenue, Wenvoe	Remove heavy pendulous limb over slip lane of Lime tree.
2014/00765/TPO	A	Ashgrove Cottage, High Street, Llantwit Major	Crown raise Ash to 5.5m to provide clearance over access drive/re-balance crown. Shorten any heavily end-weighted lateral branches extending towards garage and over access road by 3-3.5m.

347 PLANNING APPLICATIONS (DDS) -

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

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

2014/00104/FUL Received on 29 January 2014

(P31)

Pyke Street Developments, Bedw Arian, School Lane, Gwaelod-y-Garth, Cardiff.,
CF15

Pyke Street Developments, Bedw Arian, School Lane, Gwaelod-y-Garth, Cardiff.,
CF15

**Elim Pentecostal Church, Pyke Street, Barry
CF15 9HN**

Demolition of remaining Church Hall annex and development of four two bedroom and two one bedroom flats with associated access and amenity areas

It was reported that the following had been omitted from the Late Representations that had been circulated prior to the meeting:

'To Whom it May Concern

I support this proposal, subject to a Section 106 Agreement to assist Crossways Methodist Church, opposite the site, in dealing with associated parking problems on Crossways Street and access to their church facilities that may be exacerbated by the 6-flat Elim site development.'

Signed, Councillor Ian Johnson.

'Comments

Other type details: Statutory Consultee.

Comment: The Town Council is acutely aware of the restricted on-street parking arrangements for the area surrounding the site and the increased pressures that the proposal in its current form would have on the area. However, it is also supportive of new residential developments that would increase the housing stock of the area. Subject to the applicant entering into a Section 106 Agreement that would provide a financial contribution to help improve the on-street parking arrangements for the adjacent Crossway Methodist Church during key services, weddings and funerals Barry Town Council has no objection to the proposal.'

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 developer shall pay the sum of thirteen thousand six hundred and eighty pounds (£13,680) to the Council to provide or enhance Public Open Space in the vicinity of the site, to be payable on or before first beneficial occupation of the development.
- 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 Legal Agreement will include the standard clause requiring the payment of an administration fee (£462.00 in this case) and legal fees.

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. This consent shall only relate to the amended plans reference PL01B, PL02C, PL03B, PL05C and PL06C received on the 26 August 2014, and plan PL04A received on the 25 April 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.

4. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to beneficial occupation 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.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed

or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

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

6. Prior to the first beneficial use of the development hereby approved details of the bin storage area and bicycle storage shall be submitted to and approved in writing by the Local Planning Authority and the approved bin store and bicycle storage areas shall be fully installed on site prior to the first beneficial use of the development hereby approved and shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

To safeguard the visual amenities of the area and to ensure the environment is protected in accordance with the requirements of Policies ENV27 and ENV29 of the Unitary Development Plan.

7. 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. 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 ENV27 of the Unitary Development Plan.

8. 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.

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.

9. No development shall commence until a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with has been submitted to and approved in writing by

the Local Planning Authority. The drainage scheme shall be implemented and thereafter maintained at all times in accordance with the approved scheme.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that no adverse impact occurs to the environment or the existing public sewerage system, and to comply with policies ENV 27 and HOUS 8 of the unitary Development Plan.

10. No Development shall take place until there has been submitted to, approved in writing by the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated. The CEMP will utilise the Considerate Constructors Scheme (www.considerateconstructorscheme.org.uk). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason:

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

11. Prior to the commencement of development, details of the finished levels of the site and building in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full accordance with the approved details.

Reason:

To ensure that the amenity space and visual appearance of the area are safeguarded, and to ensure the development accords with Policy ENV27 of the Unitary Development Plan.

12. The area of amenity space shown on the plans hereby approved shall be provided prior to the first beneficial occupation of any of the flats and shall be so retained at all times thereafter as a shared area of amenity space to serve all of the units.

Reason:

In order to ensure adequate amenity space is provided and to ensure compliance with Policy ENV 27 of the Unitary Development Plan.

(Note: Councillor Dr. I.J. Johnson spoke on this application with the consent of the Committee.)

2014/00229/EAO Received on 27 February 2014
(P46)

Taylor Wimpey UK Ltd, Persimmon Homes Ltd and BDW
Nathaniel Lichfield and Partners, Helmont House, Churchill Way, Cardiff., CF10 2HE

Land at Barry Waterfront, adjacent to Dock No. 1, Barry

Variation of Conditions 1, 2 & 3 of 2009/00946/OUT for the development of vacant land at Barry Waterfront for residential (C3), retail (A1), cafes, bars and restaurants (A3), hotel (C1), offices (B1) and community and leisure uses (D1 and D2).

Development of vehicular and pedestrian/cycle access including a new link road, re-grading of site to form new site levels and associated infrastructure works, parking, servicing, landscaping, public realm and public open space provision at Land at Barry Waterfront adjacent to Dock No. 1, Barry

RESOLVED - T H A T subject to the relevant person(s) first entering into a Section 106 Legal Agreement or undertaking to include the planning obligations set out in the Section 106 Legal Agreement associated with planning application 2009/00946/OUT; or subject to the relevant persons entering into a deed of variation of the legal agreement associated with planning application 2009/00946/OUT, to link the legal agreement to this current planning application:

APPROVED, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of one year from the date of this permission.

Reason:

To ensure that the development is implemented and progresses in a timely manner with specific regard to the current economic circumstances and state of the housing market which have been important material considerations in the determination of this application and the related legal agreement and in accordance with Welsh Assembly Government advice contained in Delivering Affordable Housing Using Section 106 Agreements: A Guidance Update (2009).

2. At least 150 dwellings constructed as part of the development hereby approved shall be substantially completed (to a point that would enable beneficial occupation) before 2 March 2018.

Reason:

To ensure that the development is implemented and progresses in a timely manner with specific regard to the current economic circumstances and state of the housing market which have been important material considerations in the determination of this application and the related legal agreement and in accordance with Welsh Assembly Government advice contained in Delivering

Affordable Housing Using Section 106 Agreements: A Guidance Update (2009).

3. Following the first implementation of the development (to be carried out within one year of the date of this planning permission, as required by Condition No. 1 above) each phase of the development shall be commenced within two years of the date of the final approval of the reserved matters in respect of that phase.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

4. Approval of the details of the layout, scale, appearance, access and landscaping of the development (hereinafter called `the reserved matters`) for each phase of the development, shall be submitted to and approved by the Local Planning Authority before the relevant part of that development is commenced.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

5. Application for approval of the reserved matters for each phase of the development (as set out in the application details), hereinbefore referred to must be made not later than the expiration of the following, unless agreed in writing with the Local Planning Authority:

Two years in respect of Phase 1 (District Centre , West Pond Part 1 and Arno Quay).

Four years in respect of Phase 2 (West Pond Part 2).

Six years in respect of Phase 3 (South Quay Parkside).

Eight years in respect of Phase 4 (South Quay Waterside).

Ten years in respect of Phase 5 (East Quay).

All of the above beginning with the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and recognising the phased and longer term nature of the development proposed.

6. Details submitted in compliance with Condition No. 4 above shall be in substantial accordance with the parameter plans (references SK202 Rev F; SK203 Rev F; SK204 Rev F; SK205 Rev G received on 10 June 2011 and 27 June) accompanying the planning application, save in respect of the Arno Quay part of the development.

Reason:

In the interests of clarity and in order to comply with Policy ENV27 of the Adopted Unitary Development Plan. The details submitted in respect of Arno Quay are not considered satisfactory due to the size and scale of the buildings in the context of the wider water front.

7. The approval hereby granted does not relate to the Barry Waterfront Development Brief & Strategic Masterplan submitted with the application.

Reason:

For the avoidance of doubt (this document was not requested and whilst it providing useful information in respect of the context for the master planning process, it conflicts with the submitted Design and Access Statement).

8. With the exception of the site remediation, land surcharging, related utility works, and Barry Island Link Road, as approved under application 2010/00696/FUL, no development shall commence until a phasing plan has been submitted to and approved in writing by the Local Planning Authority, which plan shall fully detail the timescale for implementation of the development. The plan shall have particular regard to the timing of the construction of the Barry Island Link Road and the linkage to Barry Island car park and other highway works, the delivery of public realm and retail units during Phase 1; the development shall thereafter be carried out in accordance with the phasing plan, unless a revised phasing plan is otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure the satisfactory timing of the development of the site and having regard to the principle of sustainable development and the need to limit impact on the surrounding communities, to comply with the requirements of strategic Policies 2 and ENV27 of the Unitary Development Plan and the Vale of Glamorgan Supplementary Planning Guidance on Sustainable Development.

9. Notwithstanding Condition No. 8 above, the link road shall be provided in its entirety, including the required connections to Barry Island, prior to the first beneficial occupation of any dwellings or other buildings within the area defined as South Quay Parkside.

Reason:

To ensure the satisfactory development of the site and having regard to the principle of sustainable development and the need to limit impact on the surrounding communities, to comply with the requirements of strategic Policies 2 and ENV27 of the Unitary Development Plan and the Vale of Glamorgan Supplementary Planning Guidance on Sustainable Development.

10. The development shall be undertaken in substantial accordance with the submitted Sustainability Statement and Carbon Reduction Strategy, and each Reserved Matters Submission required by Condition No. 4, shall be accompanied by a statement demonstrating how each element of the development accords with the approved Sustainability Statement and having regard to the relevant legislative requirements at that time.

Reason:

To ensure that the development represents an exemplar sustainable development, and to accord with the requirements of Strategic Policies 2 and ENV27 of the Adopted Unitary Development Plan.

11. The details required in connection with Condition No. 4 above shall include full details of parking on site for bicycles throughout the development, including facilities within the residential areas, and such approved scheme of bicycle parking shall be fully implemented on site prior to the first beneficial occupation of the part of the development to which that facility relates.

Reason:

To ensure that satisfactory parking for bicycles is provided on site to serve the development, in the interests of encouraging sustainable transport, and to ensure compliance with the terms of Policies ENV27 - Design of New Developments; and TRAN9 - Cycling of the Unitary Development Plan.

12. The retail provision hereby approved shall have a maximum net floorspace of 6,400 square metres. The proposed foodstore shall have a maximum net floorspace of 4,600 square metres and shall not be subdivided, unless agreed in writing with the Local Planning Authority.

Reason:

To control the scale and nature of the use in the interests of safeguarding the vitality and viability of the nearby town and district shopping centres in accordance with Policy SHOP12 - New Retail Development Outside District Shopping Centres and Strategic Policies 9 and 10 - Retailing of the Unitary Development Plan, along with TAN4 - Retailing and Town Centres.

13. The area of the foodstore premises hereby permitted which shall be used for the sale and display of non-food goods shall not exceed 40% of the total net floor area and shall not provide dry cleaning or dispensing pharmacy facilities

unless any variation is agreed in writing with the Local Planning Authority and this restriction shall be maintained in perpetuity.

Reason:

To control the scale and nature of the use in the interests of safeguarding the vitality and viability of the nearby town and district shopping centres in accordance with Policy SHOP12 - New Retail Development Outside District Shopping Centres and Strategic Policies 9 and 10 - Retailing of the Unitary Development Plan, along with TAN4 - Retailing and Town Centres.

14. The area of the foodstore premises hereby permitted which shall be used for the sale and display of clothing and footwear shall not exceed 10% of the total net floor area unless any variation is agreed in writing with the Local Planning Authority and this restriction shall be maintained in perpetuity.

Reason:

To control the scale and nature of the use in the interests of safeguarding the vitality and viability of the nearby town and district shopping centres in accordance with Policy SHOP12 - New Retail Development Outside District Shopping Centres and Strategic Policies 9 and 10 - Retailing of the Unitary Development Plan, along with TAN4 - Retailing and Town Centres.

15. Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 (as amended), the proposed A1 comparison floorspace to be provided outside of the foodstore shall have a maximum net floorspace of 1,800 square metres and shall not be subdivided into more than 2 units, except with the express written permission of the Local Planning Authority.

Reason:

To control the scale and nature of the use in the interests of safeguarding the vitality and viability of the nearby town and district shopping centres in accordance with Policy SHOP12 - New Retail Development Outside District Shopping Centres and Strategic Policies 9 and 10 - Retailing of the Unitary Development Plan, along with TAN4 - Retailing and Town Centres.

16. The Class A1 non-food retail unit(s) hereby permitted shall not be used for the sale of : (a) Clothing or footwear (including sportswear); (b) Fashion accessories; (c) Jewellery; (d) Cosmetics and toiletries; (e) Pharmaceutical products; unless any variation is agreed in writing with the Local Planning Authority.

Reason:

To control the nature of the use in the interests of safeguarding the vitality and viability of the nearby town and district shopping centres in accordance with Policy SHOP12 - New Retail Development Outside District Shopping Centres

and Strategic Policies 9 and 10 - Retailing of the Unitary Development Plan, along with TAN4 - Retailing and Town Centres.

17. The proposed District Centre A3 units hereby permitted shall be built, fitted out to a shell and core specification, to be agreed in writing with the Local Planning Authority, and made available for rent / sale prior to the first occupation of dwellings in the area identified as South Quay Parkside in the Design and Access Statement and these units shall thereafter be marketed for a minimum of two years from such date (or until sold or leased), in accordance with a marketing plan (which will detail tenure, rental levels and types of operator) said plan to first be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To ensure a comprehensive and mixed use development of the site in accordance with Policy HOUS1 and the Barry Waterfront Development Principles Document.

18. Unless otherwise agreed in writing the remainder of the A3 units within South Quay, East Quay and Arno Quay, hereby permitted shall be built, fitted out to a shell and core specification to be agreed in writing with the Local Planning Authority and made available for rent / sale prior to the first occupation of dwellings in the respective relevant character areas identified in the Design and Access Statement and these units shall thereafter be marketed for a minimum of two years from such date (or until sold or leased), in accordance with a marketing plan (which will detail tenure, rental levels and types of operator) said plan to first be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To ensure a comprehensive and mixed use development of the site in accordance with Policy HOUS1 and the Barry Waterfront Development Principles Document.

19. Details of hours of operation and ventilation and extraction equipment for A3 uses shall be submitted to and approved by the Local Planning Authority prior to the first use of any such A3 unit. The premises shall thereafter not be opened outside of the approved hours of operation and the ventilation and extraction equipment shall be installed in accordance with the approved details and thereafter maintained as such.

Reason:

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

20. Prior to or in conjunction with the first submission of Reserved Matters in respect of the residential part of the development hereby approved, a water

use strategy (including an implementation plan) as indicated in the Design and Access Statement, shall be provided and thereafter implemented in full accordance with the agreed strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that a water use strategy is provided as integral part of the development in accordance with Policy ENV27 of the Unitary Development Plan.

21. Prior to or in conjunction with the first submission of Reserved Matters in respect of the residential part of the development hereby approved, a strategy(s) to include full indicative details of the public realm (including soft landscaping) and public art (including an implementation plan) for the whole of the application site, shall be submitted to the Local Planning Authority for written approval, and the approved public realm and public art shall thereafter be provided in full accordance with the agreed implementation plan and the areas of public realm shall thereafter be maintained with open public access in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure a comprehensive public realm and public art strategy(s) is provided for the whole development with public access at all times, in accordance with Policy ENV27 of the Unitary Development Plan and the Public Art Supplementary Planning Guidance and the Barry Waterfront Development Principles.

22. Before the commencement of development a detailed and costed whole-site management plan and monitoring scheme for the biodiversity interests across the site, shall be submitted to and agreed in writing with the Local Planning Authority and this strategy shall be followed by a detailed and costed management plan for each phase of the development, prior to the commencement of any work on that phase. These phased plans shall provide for management responsibilities for a 20 year period and a monitoring scheme to include submission of a monitoring report and management review to the Local Planning Authority in years 2, 5, 10 and 20, and the agreed plans shall be implemented thereafter unless any variations are agreed in writing with the Local Planning Authority.

Reason:

To ensure adequate compensation and mitigation measures for biodiversity across a site that is considered to be of SINC status in accordance with Policy ENV15 - Local Sites of Nature Conservation Significance of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development and TAN5 - Nature Conservation and Planning.

23. Before the commencement of any construction works on the first of any building approved in each phase of the development site, a detailed scheme for the provision of the proposed habitat mitigation / creation relating to that phase, shall be submitted to and approved in writing with the Local Planning Authority and the development shall be implemented thereafter in accordance with the approved scheme

Reason:

To ensure adequate compensation and mitigation measures for biodiversity across a site that is considered to be of SINC status in accordance with Policy ENV15 - Local Sites of Nature Conservation Significance of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development and TAN5 - Nature Conservation and Planning.

24. Before the commencement of works on site full details of a scheme for the provision of artificial bird nesting sites, which shall equate to a minimum of one fifth of the total number of residential units to be developed across South Quay, shall be submitted to and approved in writing with the Local Planning Authority, and the development shall be implemented thereafter in accordance with the approved scheme, unless any variations are agreed in writing with the Local Planning Authority.

Reason:

To ensure adequate compensation and mitigation measures for biodiversity across a site that is considered to be of SINC status in accordance with Policy ENV15 - Local Sites of Nature Conservation Significance of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development and TAN5 - Nature Conservation and Planning.

25. No development shall commence until full details of a clearance methodology and mitigation strategy for terrestrial invertebrates shall be submitted to and approved in writing with the Local Planning Authority and the development shall be implemented thereafter in accordance with the approved scheme, unless any variations are agreed in writing with the Local Planning Authority.

Reason:

To ensure adequate compensation and mitigation measures for biodiversity across a site that is considered to be of SINC status in accordance with Policy ENV15 - Local Sites of Nature Conservation Significance of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development and TAN5 - Nature Conservation and Planning.

26. No development shall commence, on the relevant phases of development, until full details of a translocation method and management and monitoring scheme for *Oenanthe pimpinelloides* and *Petroselinum segetum* and protection of *Petrorhagia nanteuilim* shall be submitted to and approved in writing with the Local Planning Authority and the development shall be

implemented thereafter in accordance with the approved scheme, unless any variations are agreed in writing with the Local Planning Authority.

Reason:

To ensure adequate compensation and mitigation measures for biodiversity across a site that is considered to be of SINC status in accordance with Policy ENV15-Local Sites of Nature Conservation Significance of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development and TAN5-Nature Conservation and Planning.

27. No development shall commence until a detailed mitigation statement and translocation methodology for protected species of reptiles (including assessment of any proposed receptor site and measures to increase carrying capacity) shall be submitted to and approved in writing with the Local Planning Authority and the development shall be implemented thereafter in accordance with the approved scheme, unless any variations are agreed in writing with the Local Planning Authority.

Reason:

To ensure adequate compensation and mitigation measures for biodiversity across a site that is considered to be of SINC status in accordance with Policy ENV15 - Local Sites of Nature Conservation Significance of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development and TAN5 - Nature Conservation and Planning.

28. Prior to the construction of any buildings on site, full details of a scheme to provide bat roosting locations across the site shall be submitted to and approved in writing with the Local Planning Authority and the development shall be implemented thereafter in accordance with the approved scheme, unless any variations are agreed in writing with the Local Planning Authority.

Reason:

To ensure adequate compensation and mitigation measures for biodiversity across a site that is considered to be of SINC status in accordance with Policy ENV15 - Local Sites of Nature Conservation Significance of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development and TAN5 - Nature Conservation and Planning.

29. Before the commencement of each phase of the development as agreed in regard of Condition No. 8 above, a survey of the site for badgers shall be undertaken and prepared by competent persons with suitable qualifications, licenses and experience, and a report submitted to and approved in writing with the Local Planning Authority. The timing of the survey shall be appropriate to confirm the absence of badgers from the site immediately prior to work commencing and to ensure that it is undertaken using nationally recognised survey guidelines / methods where available and working to best practice standards.

Reason:

To safeguard protected species in accordance with Policy ENV16 - Protected Species of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development and TAN5 - Nature Conservation and Planning.

30. Any vegetation clearance across the site shall be undertaken outside the nesting season, which is generally recognised to be from March to August inclusive, unless it can be demonstrated through submission to the Local Planning Authority of an appropriate survey immediately prior to works commencing that nesting birds are absent or a method statement for works is agreed in writing with the Local Planning Authority and fully implemented prior to works commencing.

Reason:

To ensure adequate compensation and mitigation measures for biodiversity across a site that is considered to be of SINC status in accordance with Policy ENV15 - Local Sites of Nature Conservation Significance of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development and TAN5 - Nature Conservation and Planning.

31. Notwithstanding the submitted details, the following development levels shall apply across the site, unless otherwise agreed in writing by the Local Planning Authority:

- The finished floor levels of buildings and new roads must be set to a minimum level of 8.868 metres AOD.
- Ground levels immediately to the east of the railway viaduct at the western area of West Pond shall be raised to 9.34m AOD.
- Ground levels across East Quay, West Pond and South Quay shall be raised to between 0.5m to 1.0m.
- During construction works temporary flood bunds shall be provided to the dock and the western edge.

Any variation shall be agreed in writing with the Local Planning Authority.

Reason:

To reduce the risk of flooding in accordance with Policy ENV7 - Water Resources of the Unitary Development Plan and TAN15 - Development and Flood Risk.

32. With the exception of the site remediation, land surcharging, related utility works, and Barry Island Link Road, the development hereby permitted shall not be commenced on each phase until such time as a scheme to dispose of foul and surface water for that phase has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reason:

To prevent pollution of the environment in accordance with Policy ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

33. Foul water and surface water discharges shall be drained separately from the site and no surface water (including land drainage discharges) shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment in accordance with Policy ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

34. The developer shall provide a suitable grease trap for non residential uses to prevent entry into the public sewerage system of matter likely to interfere with the free flow of the sewer contents, or which prejudicially affect the treatment and disposal of such contents.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment in accordance with Policy ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

35. Prior to the commencement of the development a comprehensive scheme for the design of new on-site and off-site watermains to service the development shall be submitted to and agreed with the Local Planning Authority. The agreed scheme for each phase shall be implemented prior to the first beneficial occupation of any development in that phase and implemented without detriment to the existing water supply system and any scheme submitted for approval shall include the provision of a booster pumping arrangement unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure a satisfactory water supply system, to protect the health and safety of existing residents and ensure no detriment to the environment in

accordance with Policy ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

36. Foul flows from the proposed development shall connect to the 450mm public foul sewer, or its proposed diversion between Barry Docks Sewage pumping station (asset no. 32944) and manhole ref. ST11672432 as shown on the statutory sewer plan unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To prevent hydraulic overloading of the public combined system, to protect the health and safety of existing residents and ensure no detriment to the environment in accordance with Policy ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

37. Prior to the commencement of each phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), full details of a scheme for the installation of oil and petrol interceptors 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.

Reason:

To prevent pollution of the environment in accordance with Policy ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

38. Prior to the commencement of each phase of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - (a) All previous uses.
 - (b) Potential contaminants associated with those uses.
 - (c) A conceptual model of the site indicating sources, pathways and receptors.
 - (d) Potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving

full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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 protecting controlled waters against pollution in accordance with Policies ENV7 - Water Resources; ENV26 - Contaminated Land and Unstable Land; and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

39. Prior to the first occupation of each phase of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason:

To demonstrate that the remediation criteria has been met in the interests of protecting controlled waters against pollution in accordance with Policies ENV7 - Water Resources; ENV26 - Contaminated Land and Unstable Land; and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

40. Reports relating to monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in the agreed plan. On completion of the monitoring a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that longer term remediation criteria have been met in the interests of protecting controlled waters against pollution in accordance with Policies ENV7 - Water Resources; ENV26 - Contaminated Land and Unstable Land;

and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

41. If, during development of each phase as agreed under condition 8, contamination not previously identified is found to be present at the site then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority, an amendment to the remediation strategy detailing how the previously unidentified contamination shall be dealt with.

Reason:

Given the size / complexity of the site it is considered possible that there may be unidentified areas of contamination and in the interests of protecting controlled waters against pollution in accordance with Policies ENV7 - Water Resources; ENV26 - Contaminated Land and Unstable Land; and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

42. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason:

Inappropriate piling carries an increased risk of pollution and in the interests of protecting controlled waters against pollution in accordance with Policies ENV7 - Water Resources; ENV26 - Contaminated Land and Unstable Land; and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

43. Prior to the commencement of the phase which includes the area defined as West Pond, an odour control Management Plan in relation to the existing sewerage pumping station, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the measures contained within the submitted plan unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of the prevention of pollution and impact on neighbouring amenity in accordance with Policies ENV27 - Design of New Development; ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

44. Prior to any construction works commencing on each phase of the development hereby approved, a Construction Environmental Management Plan (CEMP) for that phase shall have been submitted to and approved in

writing by the Local Planning Authority. The CEMP shall include methods for the control of:

1. Hours of construction.
2. Noise and its mitigation (also where appropriate reference to BS5228), including locations, frequency and methodology of routine noise monitoring which would be required to be undertaken by the developer throughout the construction period.
3. Vibration and its mitigation.
4. Specific requirements for the mitigation of any piling operations.
5. Dust control and list of permitted mobile crushers and screens.
6. Agreed hours for the undertaking of 'noisy' works (the definition of such works to be agreed through the CEMP).
7. Illumination / lighting of development sites during winter months.
8. The parking of vehicles of site operatives and visitors.
9. The erection and maintenance of security hoardings; and
10. Wheel washing facilities.

The CEMP shall be implemented prior to any works commencing in respect of a relevant phase and all development shall be carried out in accordance with the agreed details. The CEMP shall be reviewed on an annual basis (commencing with the date on which the CEMP is formally approved or other such date as may otherwise be agreed in writing by the Local Planning Authority) and a report provided to the Local Planning Authority within one month of the review date, detailing the results of agreed monitoring of construction activities and their impacts, and including recommendations for any amendments to the approved CEMP to reflect changing circumstances arising from the development.

Reason:

In the interests of ensuring the satisfactory development of the site, flood risk, prevention of pollution and impact on neighbouring amenity in accordance with Policies ENV7 - Water Resources; ENV26 - Contaminated Land and Unstable Land; and ENV29 - Protection of Environmental Quality of the Unitary Development Plan, along with TAN11 - Noise and TAN15 - Development and Flood Risk.

45. Prior to the commencement of development a Site Waste Management Plan in relation to the ongoing construction, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken

in accordance with the measures contained within the submitted SWP unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of flood risk, prevention of pollution and impact on neighbouring amenity in accordance with Policies ENV7 - Water Resources; ENV26 - Contaminated Land and Unstable Land; and ENV29 - Protection of Environmental Quality of the Unitary Development Plan, along with TAN11 - Noise and TAN15 - Development and Flood Risk.

46. The Reserved Matters application in respect of the Character Areas known as the District Centre, West Pond, and South Quay Parkside shall include details of the means of providing and maintaining public pedestrian access through the development site from Barry Island. The construction of these Character Areas shall thereafter be carried out in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure that public pedestrian access for the residents of Barry Island is retained and maintained in accordance with Policies REC12, ENV27 and Strategic Policy 2 of the Unitary Development Plan.

47. No development shall take place within each phase agreed in regard of Condition No. 8, until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work for that phase in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason:

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

48. Prior to the first beneficial occupation of any part of the development hereby approved, a Travel Plan (or range of Travel Plans appropriate to each specific development / use) shall be prepared to include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use (this should include, identifying typical journeys to be made to / from the site, suggesting targets based on the number of expected residents / users and outlining the rough number and types of locations for the proposed car share bays). The Travel Plan shall thereafter be implemented in accordance with the approved details.

Reason:

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

49. The construction of each development phase (as agreed via Condition No. 8) shall not commence until details of the provision of parking for construction traffic and the routes for heavy construction vehicles, and means of defining and controlling such traffic routes, have been submitted to and approved in writing by the Local Planning Authority and 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 Policy TRAN11 - Road Freight of the Unitary Development Plan.

50. Full details of the planned junction improvements to connect Barry Island to the new Link Road (as shown on figure 7.13 of the June 2010 Transport Assessment) shall be submitted to and approved in writing by the Local Planning Authority (and be subject to a highway agreement between the developer(s) and the Council as Highway Authority under Section 278 of the Highway Act 1980), and such approved improvement works shall be completed no later than the date of occupation of the first dwelling in Phase 3 (South Quay Parkside).

Reason:

To provide adequate means of access to the site and in the interest of highway safety, in accordance with Policy ENV27 - Design of New Developments of the Unitary Development Plan.

51. A scheme detailing the availability, charging regime and use of the car park to be provided in association with the provision of a superstore in association with Phase 1 of the development by visitors to the waterfront and the associated district centre shall be submitted to and agreed in writing by the Local Planning Authority prior to the beneficial use of the car park. The use of the car park shall thereafter be in full accordance with the agreed scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To provide adequate car parking for visitors to the waterfront and in the interest of highway safety, in accordance with Policies ENV27 and TRAN10 of the Unitary Development Plan.

2014/00269/FUL Received on 11 March 2014
(P79)

Mr. J. D. Blain, Penn Onn, Heol Saint Y Nyll, St Brides Super Ely, Vale of Glamorgan., CF5 6EZ

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

2, Stanwell Road, Penarth

Proposed alterations and extensions to existing building to form 5 No flats

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:

- A contribution of £11,400 towards improvements to off-site public open space.
- The Legal Agreement will include the standard clause requiring the payment of a fee to monitor and implement the Legal Agreement (£330 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:

In the interests of visual amenity and the character and appearance of the building and the wider Penarth Conservation Area in accordance with Policies ENV20 - Development in Conservation Areas and ENV27 - Design of New Developments of the Unitary Development Plan.

3. Prior to their use on site, full details of all new windows, roof lights, doors and balconies (including details of side screens), to a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out thereafter in strict accordance with the approved details unless the Local Planning Authority gives prior written consent to any variation. The approved side screens to the balconies shall be implemented at the time of the construction of the development hereby

approved and shall be retained and maintained as such thereafter, unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To safeguard neighbour amenity and in the interests of the visual amenities of the building and the wider Penarth Conservation Area in accordance with Policies ENV20 - Development in Conservation Areas and ENV27 - Design of New Developments of the Unitary Development Plan.

4. Notwithstanding the submitted plans, before the commencement of development, further details of the proposed access and on-site car parking provision, the positioning of parking bays to ensure the retention/replacement of planting, and bicycle parking, shall be submitted to and approved in writing with the Local Planning Authority. The approved car parking, bicycle parking and access shall be laid out in full before the first beneficial occupation of any one of the residential units hereby permitted, and shall thereafter be retained and maintained for the exclusive use of said development.

Reason:

In the interests of highway safety and the visual amenity of the building and the wider Penarth Conservation Area in accordance with Policies ENV11 - Protection of Landscape Features, ENV20 - Development in Conservation Areas, ENV27 - Design of New Developments and HOUS8 - Residential Development Criteria of the Unitary Development Plan.

5. Notwithstanding the submitted plans, before its installation on site, further details of the boundary treatment, including the new enclosure to the rear and the replacement boundary wall, shall be submitted to and approved in writing with the Local Planning Authority. The replacement boundary wall shall provide for an increased width to the access points; a splay of 45 degrees on the corner with the unadopted lane to provide a 2m x 2m vision splay to the rear of the adopted footway; gates to open into the site; and soft planting within the site. The development shall be implemented thereafter in accordance with the approved details before the first beneficial occupation of any one of the residential units hereby permitted.

Reason:

In the interests of highway safety and the visual amenity of the building and the wider Penarth Conservation Area in accordance with Policies ENV11 - Protection of Landscape Features, ENV20 - Development in Conservation Areas, ENV27 - Design of New Developments and HOUS8 - Residential Development Criteria of the Unitary Development Plan.

6. Notwithstanding the submitted plans, before the commencement of development, further details of the proposed layout, which shall provide for a bin store area (with full details of elevations) and indicate how the occupiers of each of the five flats hereby permitted will access the communal amenity area,

shall be submitted to and approved in writing with the Local Planning Authority. The development shall be implemented thereafter in accordance with the approved plans before the first beneficial occupation of any one of the flats hereby permitted and shall thereafter be so retained at all times.

Reason:

To ensure the provision of adequate waste storage and that all of the future occupiers has adequate access to the communal garden area in the interests of visual and residential amenity in accordance with Policies HOUS8 - Residential Development Criteria, ENV20 - Development in Conservation Areas and ENV27 - Design of New Developments of the Unitary Development Plan, along with the Supplementary Planning Guidance on Amenity Standards.

7. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development 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:

In the interests of visual amenity and the character and appearance of the Penarth Conservation Area in accordance with Policies ENV20 - Development in Conservation Areas and ENV27 - Design of New Developments of the Unitary Development Plan.

8. 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, ENV20 - Development in Conservation Areas and ENV27 - Design of New Developments of the Unitary Development Plan.

9. Prior to the commencement of any works on site (including any site clearance and land preparation) a Method Statement (working to BS 5837:2005 - Trees and Construction, and prepared by a qualified arboriculturist) shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall detail how the Yew tree (TPO No. 11, 2004) will be protected during the course of development, and shall include an order of

works; method of tree protection; how tree protection will be retained when preparing and laying out parking spaces; and details of a 'no-dig' method and use of permeable surfacing for parking spaces adjacent to, and under the canopy of, the protected Yew tree. The approved protection scheme shall be implemented prior to any site clearance or works on site and the scheme of tree protection shall be so retained on site for the duration of development works.

Reason:

In order to safeguard the health of the protected Yew tree in the interests of visual amenity and the character and appearance of the Penarth Conservation Area in accordance with Policies ENV11 - Protection of Landscape Features, ENV20 - Development in Conservation Areas and ENV27 - Design of New Developments of the Unitary Development Plan.

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

Reason:

To protect the integrity, and prevent hydraulic overloading, of the Public Sewerage System, and to ensure compliance with the terms of Policies HOUS8 - Residential Development Criteria and ENV27 - Design of New Developments the Unitary Development Plan.

2014/00272/FUL Received on 14 July 2014
(P96)

Paulett Farms, Ty Draw Farm, Llantrithyd, Vale of Glamorgan., CF71 7UB
Mr Philip Griffiths, Phillip Griffiths Architect, 3, St. Johns Close, Cefn Coed, Merthyr Tydfil., CF48 2PE,

Ty Draw Farm, Llantrithyd

Three bedroom agricultural dwelling House

DEFERRED (site visit)

2014/00335/FUL Received on 28 March 2014
(P115)

Mr. Kenneth Holland Hannen, 8, Royal Buildings, Victoria Road, Penarth, Vale of Glamorgan, CF64 3ED
Aspects of Design and Construction Tree Tops, Sully Road, Penarth, Vale of Glamorgan, CF64 2TR

8, Royal Buildings, Victoria Road, Penarth

Change of use from A1 fishmongers and butchers to A3 licenced tea rooms and bistro plus new shopfront

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 shop unit shall be used only for the purpose of a licensed tearoom and bistro, as specified in the application and supporting documentation, and for no other purpose whatsoever, including any form of takeaway, and 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.

3. The use hereby permitted shall not be open to customers outside the hours of 09.00 hrs to 22.30 hrs on any day Monday to Friday, 09:00 to 22:45 on Saturdays, and 09.00 to 22.30 on Sundays, with no staff use of the premises prior to 07:00 (08:00 at weekends) and after 23:00. In addition the proposed central folding/sliding windows to the shop front shall not be open between the hours of 19.00 and 09.00 on any day.

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. All service deliveries related to development hereby permitted shall be made to the front of the premises, with any deliveries to the rear of the premises restricted to the hours of 09:00 to 19:00 on any day.

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.

5. Following the first beneficial use of the development hereby permitted, a sound test of the premises shall be undertaken by a suitably qualified acoustician. The details shall be submitted in writing to the Local Planning Authority within one month of the use of the premises to demonstrate that sufficient noise insulation is in place to account for both airborne and impact noise, in line with the levels specified in BS 8233:1999 `Sound insulation and noise reduction for buildings - Code of Practice`. The Local Planning Authority shall within one month of the receipt of said details confirm in writing that the required levels have been achieved or whether remedial action is necessary to meet the required noise insulation, along with a timetable for their agreement and implementation. Should such remedial measures be deemed to be required and the timetables for their implementation be breached, the use shall cease until such time as it is confirmed that sufficient noise insulation has been provided.

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.

6. The development hereby permitted shall be implemented in accordance with the details of the proposed mechanical extraction system as outlined in the application and supporting information, including the agent's letters of 28 March and 11 July 2014, confirming no use of a deep fat fryer and the provision of a charcoal filter hood over the cooker, and the system shall be 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, ENV27-Design of New Developments and ENV29-Protection of Environmental Quality of the Unitary Development Plan.

7. Notwithstanding the submitted plans, further details of the proposed sun blind to a scale of 1:20, and providing full details of all materials and means of fixing to the building, shall be submitted to and approved in writing by the Local Planning Authority before its installation on site. The development shall be implemented thereafter in accordance with the approved details.

Reason:

In the interest of visual amenity and the character and appearance of this part of the Penarth Conservation Area in accordance with Policies ENV20-Development in Conservation Areas and ENV27-Design of New Developments of the Unitary Development Plan.

8. This permission does not grant or imply any consent for the provision of outside seating areas.

Reason:

For the avoidance of doubt as to the extent of this permission, as no such details have been provided with the application, and, as such, an assessment of the impact on neighbouring amenity has not been undertaken in accordance with Policies ENV27-Design of New Developments and ENV29-Protection of Environmental Quality of the Unitary Development Plan.

9. The premises shall not be used for singing, dancing, or the playing of any kind of music or other forms of public entertainment, other than the playing of background music.

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.

10. Notwithstanding the submitted documents, further details of the proposed drainage of the site, including the capacity of the existing cesspit, shall be submitted to and approved in writing with the Local Planning Authority. The agreed details, including any necessary additional works, shall be fully implemented before the first beneficial use of the development hereby permitted.

Reason:

In the interests of public health and safety in accordance with Policy ENV29-Protection of Environmental Quality of the Unitary Development Plan.

2014/00336/ADV Received on 28 March 2014
(P132)

Mr Kenneth Holland Hannen 8, Royal Buildings, Victoria Road, Penarth, Vale of Glamorgan, CF64 3ED
Aspects of Design and Construction Tree Tops, Sully Road, Penarth, CF64 2TR

8, Royal Buildings, Victoria Road, Penarth

New shop fascia for A3 use

APPROVED subject to the following condition(s):

1. This permission shall remain valid for a period of five years from the date of this consent.

Reason:

To comply with Regulation 13(5) of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

2. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason:

To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.

Reason:

To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

4. Where the advertisement is required under these Regulations to be removed, the removal shall be carried out to the satisfaction of the Local Planning Authority.

Reason:

To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

5. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason:

To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

6. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

Reason:

To comply with the provisions of the Town and Country Planning (Control of Advertisements) Regulations, 1992.

2014/00429/FUL Received on 22 April 2014
(P139)

Mrs. N. Richards, Tudor Lodge, Bonvilston, Vale of Glamorgan., CF5 6TR
Mrs. N. Richards, Tudor Lodge, Bonvilston, Vale of Glamorgan., CF5 6TR

Tudor Lodge, Bonvilston, Cardiff

The extension and improvement of existing wall at access, with a stone faced wall with stone piers at 2.0m crs

RESOLVED -

(1) T H A T in the event of the Committee agree to the following reason for refusal, 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) Ensure that the land outside of the residential curtilage of Tudor Lodge is not used for any garden or residential curtilage purposes.
- (ii) To require the removal of all items associated with the use of the land for domestic or garden/curtilage purposes.
- (iii) To ensure the erection of a suitable boundary between the land and the garden/curtilage of Tudor lodge

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

REFUSED

1. The proposed walls, piers and gate, by reasons of their formal and domestic appearance to serve an agricultural access, combined with its prominence when viewed from the A48 and the approach to the village of Bonvilston and lying on the boundary of the Conservation Area, would have a harmful impact upon the character and appearance of the rural setting of the village of Bonvilston and the Conservation Area. As such, the development is contrary to Policies ENV1 - Development within the Countryside, ENV10 - Conservation of the Countryside, ENV20 - Development in Conservation Areas and ENV27 - Design of New Developments of the adopted Vale of Glamorgan Unitary Development Plan, as well as the Council's Supplementary Planning Guidance on 'Design in the Landscape' and Bonvilston Conservation Area Appraisal and Management Plan. The scheme

of development is also considered to conflict with the principles set out in Planning Policy Wales and Technical Advice Note 6: Planning for Sustainable Rural Communities.

2014/00430/FUL Received on 22 April 2014

(P151)

Mrs. Nicola Richards. Tudor Lodge, Bonvilston, Vale of Glamorgan., CF5 6TR

Mrs. Nicola Richards. Tudor Lodge, Bonvilston, Vale of Glamorgan., CF5 6TR

Tudor Lodge, A48, Bonvilston

Change of use from agricultural store to domestic vehicle storage on ground floor with office/study space to roof space, plus dormers, roof extension and exterior alterations

REFUSED (written representations)

1. The proposed extension and change of use of the recently approved store would result in a building of excessive size and prominence in this countryside location and is considered to have a detrimental impact upon the character and appearance of the countryside and the rural setting of the village of Bonvilston and the adjoining Conservation Area by virtue of its appearance and the overtly domestic use of the enlarged building. As such, the development is contrary to Policies ENV1 - Development within the Countryside, ENV10 - Conservation of the Countryside, ENV20 - Development in Conservation Areas and ENV27 - Design of New Developments of the adopted Unitary Development Plan, as well as the Council's Supplementary Planning Guidance on 'Design in the Landscape'. The scheme of development is also considered to conflict with the principles set out in Planning Policy Wales and Technical Advice Note 6: Planning for Sustainable Rural Communities.

2014/00529/FUL Received on 16 July 2014

(P162)

Mr. and Mrs. I. Hougham, C/o Agent

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

Plot 1, Mill Lay Lane, Llantwit Major

Proposed new dwelling on land adjacent to Ham Lodge, Llantwit Major

REFUSED (written representations)

1. By reason of its scale, siting and location, relative to the settlement boundary of Llantwit Major, the proposed dwelling represents an unacceptable and unjustified form of residential development in the countryside, which would appear as a visually harmful and arbitrary incursion into the rural setting

surrounding the settlement. The development is therefore considered to be contrary to Policies ENV1 - Development in the Countryside, ENV27- Design of New Developments and HOUS3 - Dwellings in the Countryside, of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, and the advice contained with Planning Policy Wales Edition 7 2014.

2. The application site is rural and undeveloped, and given the nature of ground cover there is significant potential for the site to be used by reptiles and breeding birds. It has not been adequately demonstrated that the proposed development would not have a detrimental impact upon protected species that may use the site. The proposal is therefore contrary ENV16 – Protected Species of the Development Plan and the guidance contained within Planning Policy Wales (Edition 7 2014) and Conservation of Habitats and Species Regulations 2010.

2014/00530/FUL Received on 16 July 2014
(P178)

Mr. and Mrs. S. Barnett, C/o Agent
Andrew Parker Architect, The Great Barn, Lillypot, Bonvilston, Vale of Glamorgan.,
CF5 6TR

Plot 2, Mill Lay Lane, Llantwit Major

Proposed new dwelling on land adjacent to Ham Land, Llantwit Major

REFUSED (written representations)

1. By reason of its scale, siting and location, relative to the settlement boundary of Llantwit Major, the proposed dwelling represents an unacceptable and unjustified form of residential development in the countryside, which would appear as a visually harmful and arbitrary incursion into the rural setting surrounding the settlement. The development is therefore considered to be contrary to Policies ENV1 - Development in the Countryside, ENV27- Design of New Developments and HOUS3 - Dwellings in the Countryside, of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, and the advice contained with Planning Policy Wales Edition 7 2014.
2. The application site is rural and undeveloped, and given the nature of ground cover there is significant potential for the site to be used by reptiles and breeding birds. It has not been adequately demonstrated that the proposed development would not have a detrimental impact upon protected species that may use the site. The proposal is therefore contrary to Policy ENV16 – Protected Species of the Development Plan and the guidance contained within Planning Policy Wales (Edition 7 2014) and Conservation of Habitats and Species Regulations 2010.
3. The proposed dwelling and associated hardstandings lie in close proximity to a number of trees within and outside of the site and it has not been adequately demonstrated that that the development would not have a

detrimental impact upon the health of the trees that contribute positively to the rural setting of the site. The proposal is therefore contrary to Policies ENV1 – Development in the Countryside, ENV10 - Conservation of the Countryside ENV27 – Design of New Development of the Development Plan and the guidance contained within Planning Policy Wales (Edition 7 2014).

4. Given the siting of the dwelling and the topography to the rear of the site, the proposed development would fail to provide future occupiers with an adequate area and quality of useable amenity space and as such would represent a substandard form of living environment. As such it is contrary to Policies ENV27 - Design of New Developments; HOUS2 - Additional Residential Development and HOUS8 - Residential Development Criteria of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and adopted Supplementary Planning Guidance 'Amenity Standards'.

2014/00586/FUL Received on 22 May 2014
(P196)

Mr. John Smith, C/o Agent.

Martin J Plow, 30, Clos Llysfaen, Lisvane, Cardiff., CF14 0UP

Wenvoe Service Station and West Cross, Port Road, Wenvoe

Erection of 3 no. 2 bed dormer bungalows on site currently used for repair of motor vehicles and residential land

WITHDRAWN

348 MATTER WHICH THE CHAIRMAN HAD DECIDED WAS URGENT -

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

349 APPEALS (DDS) -

(Urgent by reason of the need to make a decision prior to the next meeting of the Committee)

(i) **2013/00745/OUT** Received on 6 August 2013

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 aware that a stance report had been presented to Planning Committee on 13 February, 2014 in relation to the above referenced planning application.

The report considered the proposal and recommended a number of reasons for refusal of the application that would have resulted in the event of the Council's determination of the application, had the appeal not been submitted.

Whilst authorisation was sought for officers to defend the appeal on the reasons for refusal set out within that report, authorisation was not sought for officers to negotiate and sign a Legal Agreement, if the Appeal was allowed, in order to secure the necessary Section 106 Planning Obligations.

The Public Inquiry will take place between 23 and 26 September 2014.

The proposed Section 106 Planning Obligations set out within the stance report remain the same (except for the education contributions which have been revised).

Dwr Cymru Welsh Water had confirmed, following a feasibility study commissioned in respect of the Cowbridge Welsh Water Treatment Works, that a solution was available to the developer to fund works the Treatment Works to overcome their concerns. This would form a further financial obligation within the Section 106 Legal Agreement.

Authorisation was sought for Officers to negotiate and subject to the views of the Planning Inspector, agree as far as possible, the obligations summarised below in the event that the Appeal is allowed.

- Affordable Housing – Provide a minimum of 60% on site to equate to provide 24 intermediate and 24 social rented units.
- Education – to provide a contribution of £797,252.84.
- Sustainable Transport – to provide a contribution of £158,000.
- Public Open Space – to provide sufficient open space on-site and / or to provide a financial contribution in lieu of on-site provision.
- Community Facilities – to provide a contribution of £78,091.50.
- Public Art – to provide 1% of the project budget for the commissioning of public art.
- Offsite Drainage – to pay Dwr Cymru Welsh Water the necessary sums in order that Dwr Cymru Welsh Water can undertake the necessary improvements to the Cowbridge Welsh Water Treatment Works.

RESOLVED -

(1) T H A T the revised revised proposed planning obligations be noted.

(2) T H A T Officers be authorised to negotiate, and subject to confirmation by the Planning Inspector, seek to agree and sign a Legal Agreement which shall as far as possible include the above set out planning obligations (in accordance with the adopted SPG) if the Appeal is allowed.

Reasons for Decisions

(1) For information.

(2) In order to ensure any potential negative effect caused by the development if the Appeal were to be allowed are mitigated through a suitable Legal Agreement.