

## PLANNING COMMITTEE

Minutes of a meeting held on 12<sup>th</sup> February, 2015.

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

Also present: Councillor L. Burnett.

Public Speakers:

<u>Name of Speaker</u>	<u>Planning Application Number</u>	<u>Reason for Speaking</u>
Mr. Paul Williams	2014/00550/OUT	Applicant or their representative
Mr. Rob Mitchell	2014/00859/FUL and 2014/00860/LBC	Applicant or their representative

### 882 ANNOUNCEMENT -

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

*'May I remind everyone present that this meeting will be broadcast live via the internet, and the record archived for future viewing.'*

The Chairman informed those present of the procedure to be used for public speaking and introduced officers present at the meeting from the Planning Department, Legal Services and Democratic Services.

### 883 APOLOGIES FOR ABSENCE -

These were received from Councillors Ms. R. Birch, Mrs. V.M. Hartrey, K. Hatton and Mrs. M.R. Wilkinson.

### 884 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 15<sup>th</sup> January, 2015 be approved as a correct record.

### 885 DECLARATIONS OF INTEREST -

No declarations were received

## 886 SECTION 106 LEGAL AGREEMENTS - PROTOCOL FOR CONSULTATION ON IMPLEMENTATION OF SPEND (REF) -

The Committee received a report in relation to Section 106 Legal Agreements and the protocol for consultation on implementation of spend which had been considered by Cabinet at its meeting on 26th January, 2015 and subsequently referred to the Planning Committee.

The Committee was informed that endorsement had been sought from Cabinet for an updated protocol for Member Consultation on the use of financial contributions received from Section 106 obligations.

The Council had the power to enter into legal agreements with developers under Section 106 of the Town and Country Planning Act 1990, seeking contributions from developers to mitigate negative development impacts and facilitated development which might otherwise not have occurred.

The Council's approved Planning Obligations Supplementary Planning Guidance (SPG) set out the Council's policies for seeking Section 106 obligations including financial contributions. This often resulted in financial payments being made to the Council to provide facilities or infrastructure in the vicinity of new developments such as education facilities, sustainable transport or community facilities.

In February 2008 Cabinet and Planning Committee endorsed a protocol for Member Consultation on Section 106 spend following a review by the Ward Member Consultation Task and Finish Group of the Scrutiny Committee (Corporate Resources). This was reviewed by Cabinet in 2012 following concerns that financial contributions were not being spent quickly enough once received from developers.

The 2012 amended protocol set out that when financial contributions were received, the relevant ward and Cabinet members and officers from the relevant service areas were notified at the same time and options for spend were considered and proposed by the relevant service area before further consultation was undertaken with Ward and Cabinet Members and a scheme for implementation was agreed.

Following this consultation the Director of Development Services made the final decision. In the event that the local Member was aggrieved with this decision, the decision was called in to Planning Committee to determine. Since the introduction of this protocol, this had only occurred on one occasion, in respect of an 'Education Facilities' contribution from the development of the Former Lower School site, Cowbridge.

Following the above case, the process had been reviewed and an amended protocol was drafted, to reflect the fact that decisions on capital projects funded by Section 106 contributions were a matter for the Executive and not Planning Committee.

The amended protocol was attached at Appendix A to the report.

At its meeting on 14 November, 2014 the Community Liaison Committee considered the Annual Section 106 Review 2013-14 Report. They recommended: (1) T H A T Cabinet be requested to consider the feasibility of including consultation with Town

and Community Councils in the Section 106 process and report back to the Committee and (2) That the report, referred to in 1 above, also includes details of the differences between Section 106 and the proposed Community Infrastructure Levy.

At their meeting on 15 December, 2014 Cabinet considered this request and resolved as follows:

- (1) T H A T the comments made about consultation with Town and Community Council's be noted, however, it should be for the respective Vale Councillor for the area to liaise with their Community Council in line with the protocol attached as an Appendix A to the report.
- (2) T H A T a further report be presented to Cabinet in due course to consider all aspects of the Section 106 negotiations.
- (3) T H A T a further report be presented to the Community Liaison Committee once it had been considered by the Cabinet.

In this regard, Town and Community Councils could comment on proposals and potential Section 106 agreements at the application stage, particularly as Officers and Members considered the need for mitigation at that stage.

In addition, as Local Ward Members were consulted on proposals for projects once money was received, this provided another mechanism for Town and Community Councils to comment on proposals. This approach was deemed to be an appropriate level of engagement given the need to balance engagement against the timely implementation of Capital schemes to mitigate new development. A letter outlining this process was sent to all Town and Community Council's in 2011, and was attached at Appendix B to the report.

Cabinet had resolved

- (1) T H A T the updated protocol for Member Consultation on the use of financial contributions received from Section 106 obligations as attached at Appendix A to the report, be approved.
- (2) T H A T the report be referred to Planning Committee and Scrutiny Committee (Economy and Environment) for consideration.
- (3) T H A T a further report outlining the differences between the current Section 106 system and the impending Community Infrastructure Levy (CIL) system, including an update on the Council's progress towards adopting CIL, be reported to Cabinet and referred to Community Liaison Committee in due course for information.

Reasons for decisions

- (1) To ensure the effective future implementation of Section 106 obligations, whilst engaging relevant Members in the process.

- (2) To seek the views of Planning Committee and Scrutiny Committee (Economy and Environment) on the updated protocol.
- (3) To inform Community Liaison Committee about the Section 106 and CIL systems and progress to date.

Having considered the decision of Cabinet, it was

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

Reason for decision

Having regard to the decision of Cabinet.

887 SITE INSPECTIONS -

RESOLVED – T H A T the attendance of the following Councillors at the sites indicated below on 15<sup>th</sup> January 2015 be noted:

Apologies for absence were received from Councillor Mrs. M.R. Wilkinson (Vice-Chairman) (1st site inspection only); Councillors Mrs. M.E.J. Birch, E. Hacker, H.J.W. James, A.G. Powell and E. Williams.

(a) Land to the Rear of St. David's Primary School, Colwinston - Development of 64 residential dwellings, open space, sustainable urban drainage, vehicular and pedestrian accesses, landscaping and related infrastructure and engineering works	Councillor F.T. Johnson (Chairman); Councillors J.C. Bird, J. Drysdale, Mrs. V.M. Hartrey, K. Hatton, K.P. Mahoney, A. Parker, R.A. Penrose, G. Roberts and R.P. Thomas.
(b) Cruiskeen Lawn, Love Lane, Llanblethian - Demolition of attached garage with accommodation above and rebuilt on opposite side of dwelling with erection of detached 4 bed dwelling	Councillor F.T. Johnson (Chairman), Mrs. M.R. Wilkinson (Vice-Chairman); Councillors J.C. Bird, J. Drysdale, Mrs. V.M. Hartrey, K. Hatton, A. Parker, R.A. Penrose, G. Roberts and R.P. Thomas plus G.A. Cox (Local Ward Member).
(c) The Grange, St. Brides Super Ely - Erection of a single wind turbine, with a maximum blade tip height of 77m, along with accompanying access track, crane hardstanding, substation and temporary construction compound.	Councillor F.T. Johnson (Chairman), Mrs. M.R. Wilkinson (Vice-Chairman); Councillors J.C. Bird, J. Drysdale, Mrs. V.M. Hartrey, K. Hatton, A. Parker, R.A. Penrose, G. Roberts and R.P. Thomas

888 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.

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

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

**Decision Codes**

A - Approved	O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement)
C - Unclear if permitted (PN)	B - No observations (OBS)
EB EIA (Scoping) Further information required	E Split Decision
EN EIA (Screening) Not Required	G - Approved the further information following "F" above (PN)
F - Prior approval required (PN)	N - Non permittal (OBS - objections)
H - Allowed : Agricultural Condition Imposed : Appeals	NMA – Non Material Amendments
J - Determined by NAFW	Q - Referred to Secretary of State for Wales (HAZ)
L - Approved <u>AND</u> refused (LAW)	S - Special observations (OBS)
P - Permittal (OBS - no objections)	U - Undetermined
R - Refused	RE - Refused (Enforcement Unit Attention)
	V - Variation of condition(s) approved

2014/00557/FUL	A	87, Main Street, Barry	Conversion of property to form 9 No. self-contained flats with associated elevational changes and external works to rear.
2014/00946/FUL	R	Erwr Delyn Stud Farm, Sully Road, Penarth	Construction of new rural enterprise dwelling
2014/01041/FUL	A	45, Westbourne Road, Penarth	Replacement windows

2014/01068/FUL	A	Ffos y Crydd Farm, Peterston Super Ely	Retention of single storey extension and proposed use of flat roof as balcony
2014/01138/FUL	A	15, Greys Drive, Llantwit Major	Ground floor and first floor extension
2014/01142/FUL	R	Tudor Lodge, Bonvilston	Change of use from current agricultural store to proposed cow shed
2014/01146/FUL	A	Glendale Hotel, 10, Plymouth Road, Penarth	The rear annexe is to be converted into an apartment to accommodate the Hotel Manager. An additional floor will be inserted into the annexe building, accommodating sleeping area upstairs, with living, kitchen and dining spaces below. There will be no change to the main hotel building.
2014/01147/LBC	A	Glendale Hotel, 10, Plymouth Road, Penarth	The rear annexe is to be converted into an apartment to accommodate the Hotel Manager. An additional floor will be inserted into the annexe building, accommodating sleeping area upstairs, with living, kitchen and dining spaces below. There will be no change to the main hotel building.
2014/01172/FUL	A	Ebenezer, Colhugh Street, Llantwit Major	Change of use from UR Church to dwelling house
2014/01191/FUL	R	10, Beach Road, Penarth	Retention of change of use of existing outbuilding to an independent dwelling
2014/01217/LBC	A	The War Memorial, The Twyn, Dinas Powys	An additional small bronze plaque to be replaced underneath the existing first world war plaque

2014/01220/ADV	A	Post Office, 57, High Street, Cowbridge	Sign 1) Plywood fascia with pinned of acrylic letters The Co-operative food and Opening Hours with vinyl face. Externally illuminated.
2014/01228/FUL	A	76, Lavernock Road, Penarth	Rebuild of existing garage complete with games room to rear
2014/01233/FUL	A	9, John Batchelor Way, Penarth	Proposed glazed balcony to front and rear with window modifications and glass canopy over front door
2014/01244/FUL	A	Land adjacent to Plymouth House, West Street, Llantwit Major	New Dwelling
2014/01248/FUL	A	149, Fontygary Road, Rhoose	Proposed retention of existing dormer and balcony
2014/01254/FUL	R	88, Salop Street, Penarth	Extension to second floor to form self-contained one bedroom flat
2014/01271/FUL	A	The Friendly Dental Practice, 212, Holton Road, Barry	Proposed change of use from former dentist (D1 use) to part ground floor ancillary use and conversion of upper floors to 3 No apartments with refurbishment of 1 No coach house (C3 use)
2014/01274/FUL	A	West Barn, Moulton, Barry	Addition of new rooflights and new roof windows
2014/01276/FUL	A	7, Lakeside, The Knap, Barry	Proposed single storey extension to front of property creating extended living room

2014/01282/LBC	A	HSBC, 61, High Street, Cowbridge	Proposed new ATM to replace existing ATM in same location, minor adjustments around aperture to allow new model to fit
2014/01287/RG3	A	Ty Robin Goch, Robins Lane, Barry	Minor extension to main hall of building for Children's Services
2014/01288/RG3	A	Colcot Junior and Infant School, Florence Avenue, Barry	Erection of a new prefabricated building for early years teaching including site works
2014/01295/FUL	A	5, Croft Lane, Southerndown	Variation of Condition 1 of planning approval 2009/00426/FUL
2014/01297/FUL	A	HSBC, 1, Herbert Terrace, Penarth	Proposed new ATM to replace existing ATM in same location, minor adjustments around aperture to allow new model to fit
2014/01298/FUL	A	1, Carne Terrace, Llysworney	Single storey rear extension
2014/01318/FUL	A	HSBC, 61, High Street, Cowbridge	Removal and replacement of 1no. external ATM
2014/01339/FUL	R	Land adjacent to Millands Park, Llanmaes	Provision of five licensed affordable mobile homes, including parking and landscaping
2014/01385/FUL	A	Plas Hen, Bonvilston	Change of use to return Plas Hen Bed and Breakfast back to residential use



2014/01390/NMA	A	Former Magistrates Court, Thompson Street, Barry	Non Material amendment to application 2012/01114/FUL comprising of plant room, bollards and changes to elevations at Unit 3 to be occupied by Filco Supermarkets
2014/01408/NMA	A	Croes y Parc Chapel, Peterston Super Ely	Alterations to application 2012/01092/FUL for single storey community building, including temporary caravan
2014/01430/NMA	A	243, Holton Road, Barry	Amendment to application 2014/00300/FUL regarding amendments to front elevation
2014/00744/FUL	A	The Rectory, Llandough	Proposed three car garage & log store
2014/00925/FUL	A	16, Archer Road, Penarth	Replacing wooden window frame in bay window on the upper floor in upvc
2014/01111/FUL	A	71, Queens Road, Penarth	Three storey and single storey rear extension
2014/01257/FUL	A	Rosedew, Bonvilston, Cardiff	Removal of existing front boundary wall and replacing with higher wall to span front boundary of house incorporating pedestrian and driveway wooden gates
2014/01289/FUL	A	Plot 77, Fontygary Road, Rhoose	Proposed detached 4 bedroom dwelling with adjoining double garage to front
2014/01291/FUL	A	63, Heol Y Frenhines, Dinas Powys	Two storey house side extension with a single storey utility room and rear single storey dining room extension

2014/01293/ADV	A	Fox and Hounds Car Park, Ewenny Road, St. Brides Major	Proposed hoarding for the advertisement of 'The Barns' development at Penylan Farm, St. Brides Major
2014/01294/FUL	A	Fox and Hounds Car Park, Ewenny Road, St. Brides Major	Proposed temporary structure to accommodate sales office (12 month period)
2014/01299/FUL	R	11, Highwalls Road, Dinas Powys	Cut back hedges, demolish wall in part and excavate soil to provide a car port for two vehicles. Build a rendered blockwork retaining wall and build a car port with Dutch Barn style roof and timber weatherboard elevations to the back and sides.
2014/01304/FUL	A	113, Redlands Road, Penarth	Proposed single storey rear extension and new garage (previously approved, resubmitted with alterations to roof of garage)
2014/01310/LAW	A	9-9A, Cliff Street, Penarth	A dwelling house used as two flats for more than 10 years
2014/01312/FUL	A	35, Millbrook Heights, Dinas Powys	Demolition of existing entrance hall and utility room and construction of a new entrance porch and play room
2014/01313/FUL	R	45, Hinchsliff Avenue, Barry	Proposed single storey annex to existing domestic dwelling to rear
2014/01317/FUL	A	Island View Residential Home, 8- 12, Friars Road, Barry	Single storey rear extension (sun lounge)

2014/01325/FUL	A	Hillcrest, 40, Broadway, Llanblethian, Cowbridge	Proposed alterations to include new roof dormer windows, porch, and terrace
2014/01326/FUL	A	The Old Farmhouse, Trerhyngyll	Proposed conversion of existing farm house and construction of detached garage
2014/01337/FUL	A	Stanwell School, Salisbury Avenue, Penarth	Engineering works comprising the construction of 41 new parking spaces within the existing school grounds
2014/01347/FUL	A	67, John Batchelor Way, Penarth	Remove rear ground floor sash window and replace with patio door to rear garden
2014/01374/ADV	A	Clerk to the Justices, Vale of Glamorgan Magistrates Court, Thompson Street, Barry	Fascia and projecting sign
2014/01384/FUL	A	Plot 62, The Hedgerows, White Farm, Barry	Proposed alteration of approved dwelling to include rear conservatory extension
2014/01404/FUL	A	Craigwen, Barren Hill, Penmark	Single storey front extension to project in-line with most prominent front wall of building with balcony above
2014/01413/NMA	A	88, Lavernock Road, Penarth	First floor extension over existing garage and two storey extension to rear - Amendment to 2012/01357/FUL
2014/01492/PND	F	The Links, off Pen Y Lan Road, Aberthin	Demolition of bungalow and attached garage

2014/01501/NMA	A	Former ITV Studio, Port Road, Culverhouse Cross	Removal of conditions relating to Code for Sustainable Homes i.e. 17, 18 and 19 of application 2013/01152/OUT
2014/01208/FUL	A	The Village Green, Colwinston	Erection of a War Memorial
2014/01210/FUL	A	143, Port Road West, Barry	Proposed rear dormer extensions and alterations to existing dwelling
2014/01250/FUL	A	Site known as Westpond, Barry Waterfront, Barry	Construction of substation for Phase 1 of the Westpond Barry Redevelopment
2014/01261/FUL	A	5, Trepit Road, Wick	Amendment to approvals 2009/00686/FUL and 2010/00279/FUL - Single storey garage constructed of timber
2014/01280/FUL	R	Tudor Lodge, Bonvilston, Cardiff	Change of use from current agricultural store to proposed chicken shed
2014/01284/FUL	A	6, Clive Place, Penarth	Demolition of existing front elevation and reinstatement of stone facade complete with bay window
2014/01290/FUL	A	Abbey Farm, Abbey Road, Ewenny	Garage
2014/01303/FUL	A	27, South Road, Sully, Penarth	Proposed temporary building on land adjacent to 27 South Road, Sully
2014/01316/ADV	A	Downs Filling Station, Stalling Down, Cowbridge	Replacement shop fascia's and freestanding totem pole signage
2014/01328/FUL	A	13/13A, Arcot Street, Penarth	Change of use of ground floor to offices/counselling rooms and food bank

2014/01332/FUL	A	13, Westward Rise, Barry	Two storey extension to rear ground floor kitchen/lounge first floor bedroom with ensuite. Porch extension to include cloak room and WC
2014/01333/FUL	A	6, Plover Way, Penarth	Single storey front, side and rear extensions
2014/01336/FUL	A	59, North Walk, Barry	Proposed double storey side extension
2014/01341/FUL	A	20, Marine Drive, Barry	Proposed window alterations to front and side elevations
2014/01353/FUL	A	The Paddocks, Colwinston, Cowbridge	Erect porch to rear of dwelling
2014/01361/FUL	A	81, South Road, Sully	Demolition of existing garage and outbuildings. Reroofing of existing rear extension connecting to new side extension
2014/01362/FUL	A	Glade View, St Mary Church	Rear two storey and single storey extension
2014/01366/RG3	A	Nightingale Cottage, Porthkerry Park, Barry	Material change of use from C3 residential to B1 business use and public display area
2014/01369/FUL	A	Crack Hill House, A48, Brocastle, Bridgend	Single Storey Extension
2014/01412/LAW	A	TecMarina, (former KMS House), Terra Nova Way, Penarth	Use of the building as B1 use
2014/01486/NMA	A	McDonalds Restaurant, Valegate Retail Park, Culverhouse Cross, Cardiff	Minor amendment to planning application 2014/01043/FUL to allow the retention of the installation of a goal post height restrictor
2014/01024/FUL	A	152, Port Road East, Barry	Single storey rear extension

2014/01226/FUL	A	56, Redlands Avenue, Penarth	Renewal of planning permission 2010/00075/FUL change of use of single dwelling to two flats with associated works
2014/01255/FUL	A	1, Pembroke Close, Dinas Powys	Two storey side extension
2014/01264/FUL	A	52, High Street, Cowbridge	Change of Use from A1 Shops to A2 Financial and professional services. New fascia advertisement sign and replacement of the existing shopfront to match the existing.
2014/01266/ADV	A	52, High Street, Cowbridge	Change of Use from A1 Shops to A2 Financial and professional services. New fascia advertisement sign and replacement of the existing shopfront to match the existing
2014/01277/FUL	A	The Murch Recreation Ground, off Sunnycroft Lane, Dinas Powys	Siting of storage container to store football club equipment
2014/01281/FUL	R	3, Maes Y Coed, Barry	Division of a plot and the construction of two new two bedroom apartments
2014/01283/FUL	R	74, Stanwell Road, Penarth	Construction of driveway to the front of the property, with access over the pavement to the highway
2014/01307/LBC	A	52, High Street, Cowbridge	Change of use from Class A1 shops to A2 financial and professional services, and for the replacement of the existing shopfront
2014/01319/FUL	R	Ffream Annwfn, Sully Road, Penarth	Conversion of rural building to residential dwelling

2014/01321/FUL	A	4, Voss Park Close, Llantwit Major	Existing garage to be changed to habitable space, new window in place of garage door. New extension to side elevation to match existing front projection, to become new garage/store existing garage door utilised here. Existing stone cladding removed to front projection and rendered
2014/01322/FUL	A	20, High Street, Penarth	Proposed alterations to existing dormer window and additional dormer window
2014/01323/FUL	A	The Stables, adjacent The Old Rectory, St. Brides Super Ely	Alterations to previously approved scheme for a replacement dwelling (reference 2014/00705/FUL)
2014/01324/FUL	A	Westgate Lodge, 1 Llantwit Major Road, Cowbridge	Proposed utility room extension to ground floor including disabled shower room
2014/01331/LAW	A	24, Cae Gwyn, Penarth	Single storey rear extension
2014/01343/FUL	A	109, Glebe Street, Penarth	Remove existing glazed aluminium shop front and replace with traditional wooden shop front with glazing
2014/01351/FUL	A	25, Minehead Avenue, Sully	Extension to back of house for dining room
2014/01357/FUL	A	8, Cae Canol, Penarth	Removal of existing lean to conservatory and construction of single storey lean to extension
2014/01360/LAW	A	23, Morningside Walk, Barry	Single storey lean-to type rear extension

2014/01363/ADV	A	PDSA, 6, Windsor Road, Penarth	Replacement fascia, projecting signage and vinyl posters affixed to rear of shop front windows and doors
2014/01364/FUL	A	31, High Street, Barry	Change of use from A1 (shop) to A3 (Micro-Pub)
2014/01365/FUL	A	58, Porthkerry Road, Rhoose	Creation of first floor area and ground floor extensions to existing bungalow
2014/01368/ADV	E	Barry Waterfront, Powell Duffyn Way, Barry	Car park and building signage to a new Asda Store
2014/01373/LEG	R	Pentwyn House, Church Road, Llanblethian	Removal of unilateral undertaking to allow for change (subject to planning) to two dwellings
2014/01381/LAW	A	Unit 2, Heol Ceiniog, Waterfront Retail Park, Barry	Ancillary pet care and treatment facility within an existing A1 retail unit
2014/01383/FUL	A	2, Regency Close, Llantwit Major	Erection of front porch, double storey side extension, detached garage. Demolition of existing garage
2014/01394/FUL	A	9, Parklands, Corntown	Proposed new extension to existing property
2014/01395/FUL	A	144, Plassey Street, Penarth	Proposed single storey rear/side extension
2014/01400/FUL	A	48, Porthkerry Road, Rhoose	To form new front and rear elevation dormers to accommodate two bedrooms
2014/01403/ADV	A	Medical Centre, Hood Road, Barry	Installation of an advertisement fascia for pharmacy on premises



2014/01455/OBS	P	Pant Ruthin Fach Farm, St. Mary's Hill	Divert part of overhead network and replace with new overhead and underground sections, under the Electricity Act 1989
2014/01497/NMA	A	Forty Farm, St. Brides Road, St. Brides Super Ely	Non-Material Amendment to 2014/00897/FUL for replacement dwelling
2014/01504/NMA	A	UWC Atlantic College, St. Donats	Amendments to planning application 2014/01058/FUL
2014/01525/PNA	F	Land between Pop Hill and Cross Common Road, Dinas Powys	To provide a dry track during Autumn/Winter months for tractors and trailers. Land to be used for cattle and may crops
2014/01361/FUL	A	81, South Road, Sully	Demolition of existing garage and outbuildings. Reroofing of existing rear extension connecting to new side extension

#### 890 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.

#### 891 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

2014/01251/TPO	A	Pentre Beili, Colwinston	Repollard and reshape 1 No Sycamore
2014/01273/TPO	A	Tesco Stores Ltd, Culverhouse Cross, Cardiff	T1 Ash - remove 2 lower limbs; T2 Beech - remove 11 small lateral limbs; T3 Ash - crown lift 3 limbs; T4 Beech - remove 2 lower lateral limbs; T5 Oak - reduce from building and crown lift 3 limbs; T6 Willow - remove lower limb and clear lamppost; T7 Hazel - coppice; T8 Willow - remove upper limb; T9 Beech - crown lift
2014/01279/TPO	A	6, Ger Y Llan, St. Nicholas	Reduce and reshape Whitbeam
2014/01342/TCA	A	Wentworth, Bradford Place, Penarth	Removal of one Cypress, two Sycamores and a Whitebeam
2014/01376/TPO	R	39, Cardiff Road, Dinas Powys	Fell Thuja (Western Red Cedar)
2014/01379/TPO	A	1, Manor View, Ham Manor Park, Llantwit Major	Take down two Scot pines and crown raise Silver Birch
2014/01418/TPO	A	Causeway House, The Causeway, Llanblethian	Crown reduce Ash (side boundary) by 30%, crown reduce Ash (adjacent to house) by 25%, remove dead Horse Chestnut, remove Ash (roadside boundary) and remove Eucalyptus

## 892 ENFORCEMENT ACTION (DDS) -

(i) Land and Buildings at Land at Saith Farm, Peterston Super Ely -

Members were minded to recall that authorisation was granted at planning committee on 3 July, 2014, to serve an enforcement notice in respect of a breach of planning control at Saith Farm, Peterston Super Ely. The notice was issued on 11<sup>th</sup> November, 2014 and alleged several breaches of planning control.

An appeal was made against the service of the enforcement notice in December, 2014. As such, the enforcement notice had not come into effect and was being held in abeyance pending the determination of the planning appeal. The appeal was to be dealt with by way of a public inquiry which was not scheduled to take place until 5 June, 2015.

In the meantime officers had received a number of complaints regarding the activities at the site that would suggest that the use of the site alleged in the enforcement notice, in particular the storage of skips and builders materials, equipment and machines and vehicles was still occurring.

For the reasons set out in the original authorisation report, the continuation of these activities was considered to generate vehicle movements that were detrimental to the amenity of nearby residential occupiers and a risk to highway safety on the access track and the adjoining highway network. The activities were also considered to have an adverse impact on the rural setting, recognised for its landscape value. Attached as Appendix A was a copy of the original committee report for information.

As the appeal was not likely to be determined until July, 2015, at the earliest, urgent authorisation was sought from the Chair of the Planning Committee to serve an immediate stop notice to require the cessation of the following uses that were alleged in the original enforcement notice:

- (i) the storage of skips;
- (ii) the sorting and storage of waste material;
- (iii) the storage of lorries; and
- (iv) the storage of builder's materials, equipment, machinery and vehicles.

This authorisation was granted by the Chairman on 2nd February, 2015. Members were verbally advised at Committee that the Stop Notice had been served on 5<sup>th</sup> February, 2015.

Following consideration of the report, Committee

RESOLVED -

(1) T H A T it be noted Authorisation had been granted to serve a Stop Notice under Section 183 of the Town and Country Planning Act 1990 (as amended) to require the cessation of the following activities that were alleged in the original enforcement notice issued on 11th November, 2014:

- (i) the storage of skips;
- (ii) the sorting and storage of waste material;
- (iii) the storage of lorries; and
- (iv) the storage of builder's materials, equipment, machinery and vehicles.

(2) T H A T it be noted that in the event of non-compliance authorisation had been granted to take such legal proceedings as may be required.

Reasons for decisions

(1&2) To have regard to the action taken in relation to this site.

893 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 be taken:

**2014/00550/OUT** Received on 29 May 2014  
(P37)

Taylor Wimpey Plc and South Wales Land Development  
Savills 12 Windsor Place, Cardiff, CF10 3BY

**Land north of the railway line (west), Rhoose**

Residential development with associated access and associated works, to include public open space and land for a primary school (including the demolition of 46 Porthkerry Road and its associated outbuildings)

DEFERRED (for site visit)

(Note: Due to the deferral of this application, there was no public speaking on this application.)

**2014/00859/FUL** Received on 18 July 2014  
(P113)

Stavrakis Consultants  
WYG Planning and Environment, 5th Floor, Longcross Court, 47, Newport Road,  
Cardiff, Glamorgan., CF24 0AD

**Former Mortuary building, Hayes Point, Hayes Road, Sully**

Conversion and extension of former mortuary building to residential bungalow

(Note: Mr. R. Mitchell, present at the meeting, withdrew from public speaking on this application prior to consideration by the Committee).

APPROVED subject to the following condition(s):

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

Reason:

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

2. This consent shall only relate to the plans reference A06 received on 17 July 2014, A14, A15, A16 and A17 received 13 October 2014, A04B and A05B received 02 December 2014 and the development shall be carried out strictly in accordance with these details.

Reason:

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

3. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials 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 Policies ENV17 and ENV27 of the Unitary Development Plan.

4. No part of the development shall be commenced until additional details including plans at a scale of 1:20, cross sections, specifications and finishing of all of the proposed windows (including rooflights), rainwater goods and doors have been submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policy ENV17 of the Unitary Development Plan.

5. Prior to their use on site samples of the materials to be used in the hard surfaced external areas, including the parking areas, 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 safeguard the setting and visual amenities of the County Treasure and Listed Building and to meet the requirements of Policies ENV17, ENV27 and HOUS8 of the Unitary Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order) the dwelling hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

Reason:

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for the purpose incidental to the enjoyment of the dwelling-house shall be constructed, erected or placed within the curtilage of the dwelling hereby approved without the prior written consent of the Local Planning Authority.

Reason:

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking, amending or re-enacting that Order) no gates, fences, walls or other means of enclosure other than those approved under the terms of conditions of this application shall be erected, constructed or placed on the application site without the prior written consent of the Local Planning Authority.

Reason:

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

9. Notwithstanding the details shown on the approved plans, all means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. 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 ENV17 and ENV27 of the Unitary Development Plan.

10. Notwithstanding the details shown on the approved plans, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the beneficial occupation of any of the dwellings hereby approved, which shall include details of proposed planting and replacement trees (including species and size), 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.

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

Reason:

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

12. Prior to commencement of any works on-site including clearance, the approved protection scheme shall be implemented in accordance with the Arboricultural report 'Arboricultural Report' and accompanying plan TPP01 received 22 December 2014, and the scheme of tree protection shall be so retained on site for the duration of development works.

Reason:

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

13. Two weeks prior to commencement of land preparation/excavations, details of the Arboricultural consultant to undertake a watching brief at the site, must be provided in writing to the LPA and, following satisfactory erection of protective

fencing as laid out on Drawing No. TPP01 dated 16 December, 2014 (received 22 December, 2014), shall supervise any excavation/trenching within root protection areas of retained trees and following substantial completion, but prior to beneficial occupation, shall supervise the removal of protective fencing.

Reason:

In the interests of safeguarding protected trees and to ensure compliance with Policies ENV24 and ENV27 of the Development Plan.

14. Prior to any land preparation/excavations/trenching and stockpiling of materials, equipment, machinery, portacabins, a schedule of any tree works for all the retained trees pruning and other remedial, preventative, facilitative work, whether for physiological, hazard abatement, aesthetic or operational reasons must be submitted to the Local Planning Authority for approval in writing. All tree works shall be carried out in accordance with the approved details and with B.S. 3998:2010 - Tree Work – Recommendations.

Reason:

To safeguard the health of protected trees and to ensure compliance with Policies ENV11 and ENV24 of the Development Plan.

15. The Construction Exclusion Zones within the Heras fencing (as required by Conditions 12 and 13 of this consent) shall remain free from any construction-related equipment, vehicles, materials, waste deposit, soil, cement/concrete mixing, mixing of toxic materials, plant, site cabins or lighting of fires, at all times.

Reason:

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

16. Prior to the commencement of development, full details of a Woodland Management Plan to include a schedule of management of the woodland edged green on the plan attached to the email received from the agent on 01 December 2014, shall be submitted to and approved in writing by the Local Planning Authority and thereafter carried out in accordance with the approved details.

Reason:

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

17. The implemented drainage scheme for the site should ensure that all foul and surface water, discharges separately from the site and that surface water and



land drainage run-off shall not discharge, either directly or indirectly into the public sewerage system

Reason:

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

**Informative:**

Dwr Cymru Welsh Water (DCWW) have advised that some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. You should therefore contact DCWW Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Please note that under the Water Industry Act 1991 DCWW has rights of access to its apparatus at all times.

**2014/00860/LBC** Received on 17 July 2014  
(P132)

Stavrakis Consultants

WYG Planning and Environment, 5th Floor, Longcross Court, 47, Newport Road, Cardiff, Glamorgan., CF24 0AD

**Former Mortuary building, Hayes Point,  
Hayes Road, Sully**

Conversion and extension of former mortuary building to residential bungalow

(Note: Mr. R. Mitchell, present at the meeting, withdrew from public speaking on this application prior to consideration by the Committee).

RESOLVED - T H A T subject to CADW approval the following application be

APPROVED subject to the following condition(s)

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

Reason:

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

2. This consent shall only relate to the plans reference A06 received on 17 July 2014, A14, A15, A16 and A17 received 13 October 2014, A04B and A05B

received 02 December 2014 and the development shall be carried out strictly in accordance with these details.

Reason:

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

3. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials 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 safeguard the visual amenities of the Listed Building, as required by Policy ENV17 of the Unitary Development Plan.

4. No part of the development shall be commenced until additional details including plans at a scale of 1:20, cross sections, specifications and finishing of all of the proposed windows (including rooflights), rainwater goods and doors have been submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policy ENV17 of the Unitary Development Plan.

5. Prior to their use on site samples of the materials to be used in the hard surfaced external areas, including the parking areas, 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 safeguard the visual amenities of the Listed Building, as required by Policy ENV17 of the Unitary Development Plan.

6. No part of the development shall be commenced until a method statement for all demolition works have been submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

To safeguard the visual amenities of the Listed Building, as required by Policy ENV17 of the Unitary Development Plan.

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

Reason:

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

**2014/00994/FUL** Received on 8 December 2014  
(P142)

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**

New stable/agricultural block

APPROVED subject to the following condition(s):

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

Reason:

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

2. This consent shall only relate to the amended plans reference 14-08-SB Revision D received on 7 January 2015 and the development shall be carried out strictly in accordance with these details.

Reason:

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

3. The building hereby approved shall only be used the stabling of horses and associated equine storage and shall not be used for any commercial or livery purposes at any time.

Reason:

To safeguard the amenities of neighbours, in accordance with Policies ENV27 and ENV29 of the Unitary Development Plan.

4. The building and all associated materials and slab hereby approved shall be removed from the site within 3 months of the cessation of use of the building

for the purposes hereby approved, as indicated on approved plan 14-08-SB Revision D.

Reason:

To ensure that the approved building is only used for the uses approved and not left as a redundant structure and to ensure compliance with Policies ENV1 and ENV27 of the Unitary Development Plan.

5. Notwithstanding the submitted details and prior to the commencement of development details of the construction and a schedule of materials (including samples) of the stables shall be submitted to and approved in writing by the Local Planning Authority. The stables shall only be constructed in accordance with the method of construction approved and using the materials as so approved and shall be retained as such thereafter.

Reason:

To ensure a suitable construction method and materials for the stables hereby approved, in accordance with Policies ENV1, ENV9 and ENV27 of the Unitary Development Plan.

**2014/01186/FUL** Received on 17 October 2014

Mrs. Jane White, Higher End, Llanbethery, Barry, Vale of Glamorgan., CF62 0SB  
Reading Agricultural Consultants, Gate House, Beechwood Court, Long Toll,  
Woodcote, Oxfordshire., RG8 0RR

**Coed y Colwen Barn, Llancarfan**

Conversion of a redundant stone barn to a residential dwelling

**REFUSED** (written representations)

1. By reason of the nature of the alterations to the building and the extent of the proposed domestic curtilage, the proposed development would represent an unjustified and inappropriate new dwelling in the countryside, which would adversely impact upon the simple rural character of the existing building and the character of the wider area. The proposal is contrary to local Policies ENV1 - Development in the Countryside, ENV8 - Small Scale Conversions, ENV10 - Conservation of the Countryside, ENV27 - Design of New Developments, HOUS3 - Dwellings in the Countryside, and Strategic Policies 1 & 2-The Environment and 8-Transportation of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on Sustainable Development; and national guidance contained in Planning Policy Wales, TAN6-Planning for Sustainable Communities and TAN12-Design.
2. By virtue of its isolated position outside of any defined settlement boundary and absence of comprehensive pedestrian/alternative modal links to the nearest settlement, the site is considered to be in an unsustainable and

unsuitable location where the new dwelling would be remote from day to day amenities/services and occupiers would be over-reliant on the private car. The proposal is consequently contrary to strategic Policies 2 and 8, and Policy ENV27 - Design of New Developments of the Vale of Glamorgan Unitary Development Plan (1996-2011) and the national policies regarding sustainable development contained within Planning Policy Wales Ed. 7 2014.

**2014/01334/FUL** Received on 10 December 2014

Mr. Paul Hartman, The Old Farmhouse, Trerhyngyll, Vale of Glamorgan., CF71 7TN  
Andrew Parker Architect, The Great Barn, Lillypot, Bonvilston, Vale of Glamorgan.,  
CF5 6TR

### **The Old Farmhouse, Trerhyngyll**

Proposed new dwelling in grounds of the Old Farm House, Trerhyngyll to be known as Farmhouse Lodge

### **WITHDRAWN**

894 MATTER WHICH THE CHAIRMAN HAD DECIDED WAS URGENT -

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

895 ENFORCEMENT ACTION (DDS) -

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

A complaint was received by the Local Planning Authority on 26 January 2015, regarding the construction of an extension and use of the site at Site Serv Hangers A & B, Llandow Trading Estate, Llandow. The site comprised of two former aircraft hangars located to the south end of Llandow Trading.

Following a site inspection it was noted that works had been carried out to clear a larger area of land to the rear of the site for parking of large vehicles, the erection of a weighbridge and office and for the construction of extension to the rear of the building.

The dimensions and location of the extension were such that it would be considered to be permitted development under the new permitted development rights granted under The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2014.

In addition, the large hardstanding area was not complete but could be considered permitted development if constructed of a porous material or provided the run-off water from the hard surface was directed to a porous or permeable area or surface within the curtilage of the site. The owners have been advised that if these

requirements were adhered to when completed then it would be permitted, however, if not then it would be considered a breach of planning control.

From an internal inspection it would appear that the original hangers were being used for the storage of waste material with some sorting of that material taking place on the site.

The established use of the hangar buildings was for a use falling within Use Class B8 of the Town and Country Planning (Use Classes) Order 1987. The site was not located within an employment site but it was accepted that the hangars had been used for purposes in accordance with the B8 Use class use. This lawful use would permit the storage of certain types of waste material on the site but would not permit the processing of that material. The processing of the material, depending on the type of material being processed, would either fall within use Class B2 of the Order or would be considered to be a *sui generis* use (i.e. a use within its own use class). A material change of use of the buildings to either of these uses from a B8 use would require the benefit of planning permission. As the necessary permission for processing the material had not been granted, the use of the buildings would be unauthorised and in breach of planning control; that breach being the material change of use of the land and buildings from a use for the purposes of Storage & distribution falling within use Class B8 of Order, to a mixed use for storage of plastic, glass and wood waste and the processing of plastic, glass and wood waste material, involving crushing, baling and sorting (falling within use Class B2 of the Order).

A planning application had been submitted for the change of use of the buildings to a waste transfer station including the storage of municipal waste, ancillary offices, erection of a weighbridge and construction of a weighbridge office. The application was not, however, valid and discussions were taking place with the applicant with regard to the information necessary to validate the application. It was, however, unlikely that the required information would be submitted imminently.

In the light of the application it was clear that the occupier of the site intended to operate a waste transfer station and to store municipal waste (household waste) at the site. Taking into account the amount of activity currently underway, it was likely that this use would be fully operational in the near future. Officers were advised that Site Serv staff and the administration offices were currently in the process of being moved to Hangers A & B. Accordingly, it was likely that the processing activity would increase to the levels required for a fully operational waste transfer station in the near future. In view of the stage at which the planning application was currently at, it was not likely that the application would be determined before this use was operational.

RESOLVED -

(1) T H A T the Head of Legal Services be authorised to serve an Enforcement Notice under Section 172 and a Stop Notice under section 183 of the Town and Country Planning Act 1990 (as amended) to require:

(i) The cessation of the use of the site as a waste transfer station and the cessation of the use of the site for the storage and processing of municipal (household) and general waste.

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

Reason for decisions

(1&2) The use of the site as a waste transfer station and for the storage and processing of municipal waste is considered to have a harmful impact upon the amenities, health and safety of the public and neighbouring land and on the safety of highway users contrary to the Policies EMP2- New Business And Industrial Development, WAST1 - Provision of waste management facilities, WAST2 - Criteria for assessing waste management facilities, ENV27 - Design of New Developments and ENV29- Protection of Environmental Quality of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as guidance provided in Planning Policy Wales and Technical Advice Note 21: Waste (2014).