

PLANNING COMMITTEE

Minutes of a meeting held on 16th April, 2015.

Present: Councillor F.T. Johnson (Chairman); Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors J.C. Bird, J. Drysdale, C.P. Franks, E. Hacker, Mrs. V.M. Hartrey, 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 and M.R. Wilson.

1105 ANNOUNCEMENT -

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

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

1106 APOLOGIES FOR ABSENCE -

These were received from Councillor Mrs. M.E.J. Birch, Ms. R. Birch, Mrs. P. Drake and E. Williams.

1107 MINUTES -

RESOLVED - T H A T the minutes of the meeting held 12th March, 2015 be approved as a correct record.

1108 DECLARATIONS OF INTEREST -

The following declared an interest:

Councillor G. Roberts	Agenda Item No. 10 - Application No. 2014/01354/FUL - 1 Hastings Avenue, Penarth - Councillor Roberts stated that he had expressed an opinion on this application at Penarth Town Council, however he stated that he would treat the matter afresh on evidence provided at this meeting.
Councillor M.R. Wilson	Agenda Item No. 10 - Application No. 2014/01354/FUL - 1 Hastings Avenue, Penarth - Councillor Wilson stated that he had expressed an opinion on this application at Penarth Town Council, however he stated that he would treat the matter afresh on evidence provided at this meeting.

(Note: Councillors G. Roberts and M.R. Wilson did not vacate the room whilst this item was under consideration).

1109 SITE INSPECTIONS (MD) -

RESOLVED - T H A T the attendance of the following Councillors at the site indicated on the 12th March, 2015 be noted:

An apology for absence was received from Councillor E. Hacker.

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| <p>(a) 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).</p> | <p>Councillor F.T. Johnson (Chairman);
Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors J.C. Bird, Mrs. P. Drake, J. Drysdale, Mrs. V.M. Hartrey, K. Hatton, H.J.W. James, K.P. Mahoney, A. Parker, R.A. Penrose, Mrs. A.J. Preston and G. Roberts.</p> |
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1110 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.

1111 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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| <p>A - Approved
C - Unclear if permitted (PN)
EB EIA (Scoping) Further information required
EN EIA (Screening) Not Required
F - Prior approval required (PN)
H - Allowed : Agricultural Condition Imposed : Appeals
J - Determined by NAFW</p> | <p>O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement)
B - No observations (OBS)
E Split Decision
G - Approved the further information following "F" above (PN)
N - Non permittal (OBS - objections)
NMA – Non Material Amendments
Q - Referred to Secretary of State for Wales</p> |
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L	-	Approved <u>AND</u> refused (LAW)	(HAZ)
P	-	Permittal (OBS - no objections)	S - Special observations (OBS)
R	-	Refused	U - Undetermined
			RE - Refused (Enforcement Unit Attention)
			V - Variation of condition(s) approved

2013/00933/FUL	A	Land off Dinas Road, Caversham Park, Penarth	Erection of two 3 bedroom bungalow with dormer roof, providing landscaping and ancillary works at land off Dinas Road, Caversham Park, Penarth.
2014/00894/FUL	A	Rear of Unit 7, Redrup Limited, Cardiff Road, Barry	Proposed installation of a liquid bypass separator.
2014/00924/FUL	A	6, Badgers Brook Rise, Ystradowen	Two storey and Single Storey Extensions.
2014/00942/FUL	A	Rear of 22, Romilly Road, Barry	Proposed two storey retail unit.
2014/01053/LAW	A	63(a), Main Road, Ogmore By Sea	Continued use of granny flat as self-contained bungalow.
2014/01054/FUL	A	63(a), Main Road, Ogmore By Sea	Removal of conditions 1 and 2 within planning permission 1986/01469.
2014/01057/FUL	A	Clerk to the Justices, Vale of Glamorgan Magistrates Court, Thompson Street, Barry	Change of use of Unit 1 from A3 to A1 and change of use of Unit 2 (approved under planning ref: 2012/01114/FUL) from A1 to A3, and associated works.
2014/01079/RES	A	Former ITV Studios, Culverhouse Cross	Proposed residential development for 224 new dwellings, associated highways and landscaping.
2014/01106/OUT	A	Land at the rear of Amberley House, Llantwit Road, Wick	Erection of 1 no. two storey detached dwelling and detached double garage.

1970

2014/01134/FUL	A	Wallace Fach Cottage, Ewenny Road, Ewenny	Change of use of redundant stables to self- contained holiday let.
2014/01170/FUL	A	The Old Vicarage, Wick Road, St. Brides Major	Renovation/replacement of windows in Grade II listed building.
2014/01171/LBC	A	The Old Vicarage, Wick Road, St. Brides Major	Renovation/replacement of windows in Grade II listed building.
2014/01189/ADV	A	Former site of Broad Street Motors, Broad Street, Barry	Car wash facility (attended hand wash).
2014/01285/FUL	A	24, Nelson Road, Barry	Proposed extension and roof conversion.
2014/01346/LAW	A	Penllyn Estate Farm, Llwynhelig, Cowbridge	Certificate of Lawfulness for proposed solar PV system.
2014/01415/FUL	R	Old Lime Works, St. Athan Road, Aberthaw	Proposed steel framed storage barn to store plant and feed.
2014/01421/FUL	A	Penrhos, Llysworney	Two storey side extension.
2014/01431/LAW	A	Shangri La, Drope Road, St. Georges Super Ely	Proposed change of use from dwelling house (C3) to Care Home (C2).
2014/01460/FUL	R	5, Coed Criafol, Barry	Proposed kitchen, living room, and bedroom extension.
2014/01465/FUL	A	Cwm Talwg Community Centre, Plas Cleddau, Barry	Erection of a glazed canopy to protect a safe play area and associated ground works.
2014/01471/FUL	A	33, Pontypridd Road, Barry	Proposed single storey side and rear domestic extension.
2014/01484/ADV	E	Waterfront Retail Park, Heol Ceiniog, Barry	New retail signage.
2014/01494/FUL	R	32, Somerset View, Ogmore By Sea	Add a balcony to the front of the house.

2014/01506/FUL	A	43, Millbrook Road, Dinas Powys	Single storey side extension.
2014/01517/FUL	A	Land at Twchwyn Garth, Llangan	Amendment to Consent 2010/01073/FUL – change of location of arena in connection with stables at Twchwyn Garth, Llangan.
2014/01521/FUL	A	Penybryn, Pen y Lan Road, Aberthin	Covered double garage set within garden topography with green roof.
2015/00019/FUL	A	Y Berllan Fach, Dimlands Road, Llantwit Major	Proposed extension and internal alterations.
2015/00027/FUL	A	St. Markella, Station Road West, Wenvoe	Retention of boundary fence.
2015/00030/FUL	A	Fron, Wellwood Drive, Dinas Powys	Erection of new rear boundary fencing posts and parking area with steps.
2015/00032/FUL	A	5, Grove Road, Llandow	Two storey side extension.
2015/00035/FUL	A	102, Redlands Road, Penarth	Single storey extension to comprise kitchen and garage.
2015/00037/FUL	A	16, Heol y Frenhines, Dinas Powys	Two storey extension, to provide a family room. extend the kitchen and add a bedroom with en suite to the first floor.
2015/00039/FUL	A	Cabot Carbon Ltd, Sully Moors Road, Sully	Extension of existing plant to increase capacity: - New finishing plant with new tank and equipment - New switchroom - New pipe track - New silica pre-heater - New vent stack - Extension to existing bund - New tank replacement like for like.
2015/00041/FUL	A	The Old Chapel, College Fields Close, Barry	Summerhouse/writing shed and desk area on top of the existing flat roofed garage.

2015/00044/FUL	A	Land adjacent to The Retreat, St. Nicholas	Proposed new low energy dwelling. (Renewal of Planning Permission ref:- 2009/01205/FUL.)
2015/00045/FUL	A	2, Rookery Close, Sully	An extension of existing garage to create a new utility and conservatory.
2015/00053/LAW	A	24, Tyle House Close, Llanmaes	Rear, single storey extension. Front replacement of balcony with pitched roof. New single storey garage to rear of garden.
2015/00055/FUL	R	42, Stanwell Road, Penarth	Dormer loft conversion.
2015/00056/FUL	A	112, South Road, Sully	Loft conversion to existing bungalow comprising hip to gable and dormer to rear.
2015/00059/FUL	A	Trecefn, St. Brides Road, St. Brides Super Ely	Proposed to extend the existing kitchen to the north west and add a porch/utility room to the south west end of the kitchen.
2015/00061/FUL	A	22, Aneurin Road, Barry	Rear single extension.
2015/00062/FUL	A	57, Brockhill Way, Penarth	Existing rear conservatory to be replaced with a single storey extension; new garage door and roof over to side with glazed canopy to rear.
2015/00064/FUL	A	Tyn Y Coed Farm, Bonvilston	Erection of an agricultural building.
2015/00065/FUL	A	22, Daniel Hopkin Close, Llantwit Major	Proposed first floor extension to rear of property.
2015/00066/FUL	A	The Market Place Restaurant, 66, High Street, Cowbridge	Install a retractable awning in rear yard.

1973

2015/00067/LBC	A	The Market Place Restaurant, 66, High Street, Cowbridge	Install a retractable awning in rear yard.
2015/00068/FUL	A	8, Cardiff Road, Cowbridge	Erection of double garage.
2015/00070/FUL	A	Cowbridge Comprehensive School, Aberthin Road, Cowbridge	The construction of a single extension to the existing Art Block, a single storey extension to the existing Dining Hall/Kitchen and a proposed new two storey Reception Building within the grounds of Cowbridge Comprehensive School.
2015/00079/ADV	A	PREZZO , 16, Windsor Road, Penarth	New projecting and fascia signs.
2015/00082/FUL	A	Cadoxton Community Primary School, Victoria Park, Cadoxton, Barry	To extend existing annex building to Cadoxton Community Primary School.
2015/00084/FUL	A	Kenswood, Kingswood Close, Ewenny	Erection of extensions, dormer, porch and detached garage.
2015/00085/FUL	R	Pentre Parc Farm, Llysworney, Cowbridge	Extension to existing bungalow.
2015/00088/FUL	A	Rosemount, Peterston Super Ely	Demolition of existing mono pitch rear single storey extension and replacement with a larger single storey extension with a combination of mono pitch and flat roof.
2015/00090/FUL	A	7, Port Road East, Barry	Two storey side extension.
2015/00091/FUL	A	2, Mill Close, Dinas Powys	External material alterations.
2015/00092/RG3	A	20, Crawshay Court, Boverton, Llantwit Major	New conservatory for storage of access equipment and up accessibility upgrades of external access to building.

1974

2015/00094/FUL	A	Lower Lodge, Ewenny	Double garage and store.
2015/00096/FUL	A	1, Coed Mawr, Barry	Rear extension to provide ground floor disabled bathroom and day lounge.
2015/00099/FUL	A	15, Cae Gwyn, Penarth	Conversion of garage to habitable living space.
2015/00100/FUL	A	103, Murlande Way, Rhose	Raise levels at perimeter of rear boundary in line with existing ground level and construction of boundary wall and new fence.
2015/00101/FUL	A	The Rectory, 8, Ger y Llan, St. Nicholas	Single storey rear extension.
2015/00104/FUL	A	13, Leoline Close, Cowbridge	Retrospective permission for a single storey timber shed erected in rear of garden Nov/Dec 2014. For use ancillary to use of the domestic dwelling house.
2015/00107/FUL	A	18, Darren Close, Cowbridge	Two storey extension to front of property adding extra room to existing fourth small bedroom and patio beneath.
2015/00109/FUL	A	12, Fforest Drive, Barry	Garage conversion; to convert current garage space into living accommodation.
2015/00110/FUL	A	2, Robin Hill, Dinas Powys	Retrospective application for replacement of existing flat roof to garage and entrance lobby with new pitched roof. Roof materials to match that of the existing with ridge and eave heights to be no higher.
2015/00115/FUL	A	27, Illtyd Avenue, Llantwit Major	Construction of rear extension consisting of kitchen area, dining area and cloakroom.

2015/00122/NMA	A	42, Heol Eryr Mor, Barry	Non material amendment to application 2014/00923/FUL Conservatory - white UPVC frame c/w clear glazed doors/windows including red brick dwarf wall and single gable to 1.7m high and boundary to change roof material.
2015/00129/FUL	A	8, John Batchelor Way, Penarth	Extend front balcony and replace frontage of present balcony with glass. Canopy over front door. Replace front ground floor window and widen it by 300mm.
2015/00140/NMA	E	Fron, Wellwood Drive, Dinas Powys	Construction of new two storey rear elevation extension with associated internal and external works to residential property including partial attic conversion and ground works. (Ref:- 2013/00346/FUL).
2015/00142/FUL	A	32, Voss Park Drive, Llantwit Major	Kitchen enlargement, first floor extension and double garage C/W driveway.
2015/00144/FUL	A	Hougomont, 32, Old Port Road, Wenvoe	Construct new porch.
2015/00145/NMA	A	Land at West Hall Farm, West Aberthaw	Installation of ground mounted Photovoltaic (PV) solar arrays. Ref 2013/00724/FUL.
2015/00146/FUL	R	The Coach House, 78, Stanwell Road, Penarth	Removal of condition and change of use to separate dwelling.

2015/00149/NMA	A	Barn at Pen Y Bryn, Llanmaes,	Amendment to Condition 3 of planning permission ref: 2012/00941/FUL to substitute new method statement ref WWE 110510/MS/NRW.
2015/00151/NMA	A	Former Magistrates Court, Thompson Street, Barry	Vary condition 24 of permission 2012/01114/FUL.
2015/00152/NMA	A	8, Cae Rhedyn, Craig Penllyn	Conversion of existing basement into habitable accommodation Ref:- 2014/00912/FUL.
2015/00155/FUL	A	15, Stanton Way, Penarth	Single storey rear extension.
2015/00161/NMA	A	11, Illtyd Avenue, Llantwit Major	Alteration of internal first floor layout to provide a third bedroom - Amendment to 2014/00781/FUL.
2015/00175/FUL	A	22, Hillside Close, Barry	The erection of a timber granny annexe for an ancillary residential use.
2015/00184/FUL	A	31, Eagle Road, St. Athan	Ground Floor WC with front storm porch.
2015/00251/NMA	A	Stourbridge House, Llysworney	Amendment to Condition 14 of planning permission 2014/01445/FUL.

1112 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 appeal decisions as detailed in the report be noted.
- (3) T H A T the statistics relating to the April 2014 to March 2015 as detailed in the report be noted.

1113 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

2015/00117/TPO	E	Conifers, Old Rectory Drive, St. Nicholas	T1 - Remove Betula Pendula; T3 - Reduce Lime by 2.5m.; T4 - Fell Pinus Nigra
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1114 ENFORCEMENT ACTION (DDS) -

(i) Land and Buildings at Arosfa, Ewenny Road, Wick -

A complaint was received by the Local Planning Authority on 17 November 2014, regarding the use of an approved granny annex was a separate residential unit at Arosfa, Ewenny Road, Wick. The granny annexe is a single story building set within the large curtilage of the dwelling known as Arosfa, which was to the north of the settlement of Wick on Ewenny Road.

Planning permission was granted by virtue of application 2007/01327/FUL for the construction of a granny annexe within the property at Arosfa. Condition No. 2 attached to the permission states as follows:

2. The ancillary residential accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Arosfa, Ewenny Road, Wick, Llancarfan and the internal link to the main dwelling shall be retained at all times.

Reason:

To avoid the creation of a separate unit of residential accommodation and to ensure compliance with Policies ENV1 of the Unitary Development Plan.

It was understood that the annexe was constructed and originally occupied by a family member, however, it had recently been vacated and occupied by a rent paying tenant. Despite that, the owners of Arosfa originally stated that the tenant was a caretaker, it would appear that the tenant had no tie to the property and was living independently of the main dwelling house. In addition, the internal link between the annexe and the main dwelling, shown on the plans approved by virtue of the

2012/01327/FUL permission and mentioned in the above condition, had not been provided. A garden area had also been subdivided from the garden serving the main dwelling, and this now served the annexe building. The annexe building also benefited from its own means of access.

Accordingly, the above condition had been breached by virtue of the use of the annexe as a separate residential dwelling and the internal doorway having not been provided. As a consequence, a material change of use of the annexe had occurred without the benefit of planning permission and a new separate residential unit had been created.

RESOLVED -

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

- (i) The cessation of the use of the annex as a separate dwelling;
- (ii) The cessation of the use of the annexe building in breach of condition 2 of planning permission 2007/01327/FUL; and
- (iii) The construction of the internal doorway link shown on plans approved by virtue of application reference 2007/01327/FUL.

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

Reason for decisions

(1&2) By reason of its location in the open countryside outside the settlement boundary of Wick, the use of the annexe at Arosfa as a separate dwelling in breach of condition 2 of the 2007/01327/FUL represents an unjustified and unsustainable form of development in the open countryside. This unauthorised development is considered to be contrary to Policies ENV1 - Development in the Countryside, HOUS2 - Additional Residential Development, HOUS3 - Dwellings in the Countryside and strategic policies 2 & 8, of the of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as the advice contained within the Council's Supplementary Planning Guidance on Sustainable Development and Government guidance in the form of Planning Policy Wales (Edition 7 2014) Technical Advice Note 6: Planning for Sustainable Rural Communities (2010).

(ii) Land and Buildings at Treguff Farm Holiday Cottages, Treguff Farm, Treguff -

A complaint was received by the Local Planning Authority on 13 November, 2014, regarding the use of the holiday let units at Treguff Farm Holiday Cottages, Treguff Farm, Treguff as permanent residences.

The site was in a rural location and within the Lower Thaw Valley Special Landscape Area. The site was occupied by a complex of single and two storey former agricultural barns (19th Century) forming a 'U' shape around a central courtyard. The complex was known as Treguff Farm Holiday Cottages. The building subject of

the report accommodated several self-contained units of accommodation. All units of accommodation had a kitchen, bathroom and living space.

To the east of the converted barns was the main dwelling which was a large Farmhouse, which was Grade 2* Listed.

The alleged breach of planning control consisted of the use of Holiday Cottages as permanent residential accommodation, in breach of conditions of the planning permissions granted for their construction/conversion.

Planning permission 92/00096/FUL was granted for the conversion of parts of the original barns to 4 holiday let units. Condition 8 of the planning permission restricted the occupation of the units as follows:

The residential unit(s) hereby approved shall be used for holiday accommodation only and for no other purpose whatsoever, including that of a persons primary residence.

Subsequently, planning permission 93/01175/FUL was granted on 24th December, 1993, and 97/00823/FUL was granted 25th September, 1997, for additional holiday accommodation units in the remainder of the barns. The same restrictive occupancy condition as above was imposed on these subsequent permissions.

It was suggested that at least two cottages were being let out as the occupier's permanent residence and that some occupiers were receiving correspondence to the cottages. It was noted that the website for the cottages was offering long term lets.

Whilst the owner of the site was of the view that he was complying with the conditions, a site inspection had revealed that the cottages were being let for periods ranging from a few weeks to a few months to people needing to stay in the area on business or using the cottages as a second home. This type of occupation of the holiday cottages was considered to be in breach of the restrictive occupancy condition and, therefore, in breach of planning control.

In addition to the above, a site inspection had revealed that there was an additional unit of accommodation within a further agricultural barn, within the same complex, to the north of the 'U' shaped buildings. The accommodation was in first floor of the North Barn and comprised a kitchen, bathroom, living and sleeping accommodation. The accommodation was accessed from within the barn and was provided on an internal mezzanine floor. Planning permission had not been granted for this accommodation and, as such, this was a material change of use of the North Barn from agriculture to a mixed use for agriculture and residential accommodation.

RESOLVED -

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

(i) Compliance with the requirements of condition 8 of planning permission 92/00096/FUL, condition 3 of planning permission 93/01175/FUL and condition 3 of

planning permission 97/00823/FUL to require that the cottages are used for holiday accommodation only.

- (ii) The cessation of the use of the North Barn for residential purposes.
 - (iii) The removal from the North Barn of all kitchen and bathroom facilities, the boiler, radiators, internal walls, and any other items that facilitate the use of this building for residential purposes.
- (2) T H A T in the event of non-compliance with the Notice, authorisation be granted to take such legal proceedings as may be required.

Reasons for decisions

With regard to the breach of the restrictive occupancy condition:

(1) The use of the holiday Cottages in breach of the restrictive occupancy conditions that limit the use of the cottages for holiday accommodation only is considered to result in those cottages providing an unsustainable form of accommodation that fails to provide acceptable amenity space for its occupiers. The development is, therefore, considered to be contrary to ENV1 – Development in the Countryside, ENV8 – Small Scale Rural Conversions, ENV27 - Design of New Developments, and Strategic Policies 2 and 8, as well as the Council's approved Supplementary Planning Guidance on Amenity Standards, Conversion of Rural Buildings and Sustainable Development - A Developer's Guide. The development is also considered contrary to the advice provided in Planning Policy Wales Ed. 7 2014.

With regard to the use of the North barn for residential purposes:

(2) The use of the North barn for residential purposes is considered to be an unjustified and unsustainable form of development within the defined countryside, that provides acceptable amenity space for its occupiers. The development is, therefore, considered to be contrary to Policies ENV1 – Development in the Countryside, ENV8 – Small Scale Rural Conversions, ENV27 - Design of New Developments, HOUS3 – Dwellings in the Countryside, HOUS5 – Agricultural or Forestry Dwellings and Strategic Policies 2 and 8, as well as the Council's approved Supplementary Planning Guidance on Amenity Standards, Conversion of Rural Buildings and Sustainable Development - A Developer's Guide. The development is also considered contrary to the advice provided in Planning Policy Wales Ed. 7 2014 and Technical Advice Note 6 on Planning for Sustainable Rural Communities.

1115 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:

2013/00822/FUL Received on 23 February 2015
(P.36)

Syrus Energy Ltd

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

Penllyn Estate Farm, Llwynhelig, Cowbridge

Construction and use of an anaerobic digestion facility and associated works

DEFERRED (for site visit)

2014/00344/RES Received on 19 March 2014

Persimmon Homes Limited Llantrisant Business Park, Llantrisant, CF72 8YP
Persimmon Homes Limited Persimmon Homes (East Wales), Charles Church (East
Wales), Llantrisant Business Park, Llantrisant, Rhondda Cynon Taff, CF72 8YP,

Land to the North of the railway line off Pentir Y De, Rhoose

Reserved matters for appearance, landscaping, layout and scale for 224 dwellings

APPROVED subject to the following condition(s):

1. The development shall be carried out in full accordance with the levels details shown on the drawing ref 12112-1-400 submitted to the Council and registered on 19 March 2014.

Reason:

To ensure that the amenities of existing neighbouring properties are safeguarded, and to ensure the development accords with Policy ENV27 of the Unitary Development Plan.

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

Reason:

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

3. The Highways street lighting detail shall be carried out in accordance with the specifications submitted on 16 September 2014, with reference to the Street

lighting specification document as well as the layout and contours drawings ref PYDR/CC/01 and PYDR/CC/02, unless otherwise agreed in writing by the Local Planning Authority.

Reason.

In the interests of highway safety and the requirements of Condition 36 of the Outline planning permission ref 2010/00686/EAE.

4. Notwithstanding the submitted plans, further details of the crossover between the green lane cycle/footpath and the primary access road shall be submitted to and approved to the Local Planning Authority. The details should include an amendment to the position of the crossover, giving priority to the primary vehicle access road rather than the cycle/footpath.

Reasons:

For reasons of highway safety and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

5. Notwithstanding the submitted plans, 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.

6. 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 their erection / construction on site, and the means of enclosure shall be implemented in accordance with the approved details prior to the part of the development they relate to being put into beneficial use.

Reason:

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, or any Order revoking or re-enacting that Order, no windows other than those expressly authorised by this permission shall be inserted in any of the dwellings hereby approved without the prior written consent of the Local Planning Authority.

Reason:

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

8. Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order, 2013 (or any Order revoking or re-enacting that Order with or without modification) no dormer extensions shall be constructed on any of the dwellings hereby approved without the prior written consent of the Local Planning Authority.

Reason:

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

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

Reason:

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

10. The windows in the first floor side elevations of Plots 38/39, 44 and 48 shall be glazed using obscured glass to a minimum of level 3 of the `Pilkington` scale of obscuration at the time of the construction of the development hereby approved and prior to the first beneficial use of dwellings and shall thereafter be so maintained at all times.

Reason:

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

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

Reason:

To enable the Local Planning Authority to control the scale of development, to ensure there is satisfactory amenity space to serve the dwellings hereby approved and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

12. The garages hereby approved shall not be physically altered or converted to any other domestic purpose without first obtaining the formal consent of the Local Planning Authority.

Reason:

To ensure that adequate on-site parking is retained in the interests of highway safety in accordance with Policies TRAN10 - Parking, HOUS8 - Residential Development Criteria and ENV27 - Design of New Developments of the Unitary Development Plan.

13. Notwithstanding the submitted plans, prior to the first beneficial occupation of any dwelling hereby approved, full details of the lighting to be provided on the highways, footpaths and public open space areas within the development shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall thereafter be carried out in full accordance with the approved details and prior to the first beneficial occupation of any part of the site to which the lighting relates.

Reason:

To ensure satisfactory lighting is provided throughout the development in the interest of public safety and security and to accord with Policy ENV27 of the Unitary Development Plan.

14. Prior to the beneficial occupation of the development hereby approved, the developer shall ensure that 44m³ of storage volume has been constructed at Porthkerry Sewerage Pumping Station (SPS) in liaison with Dwr Cymru/Welsh Water (DCWW), and in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority.

Reason:

To prevent hydraulic overloading of the public sewerage system to protect health and safety of existing residents and ensure no detriment to the environment.

15. No beneficial occupation of any dwelling hereby approved on the site shall occur until the necessary off-site improvements to the public sewerage system have been completed either in accordance with the requirements as outlined in Option 4 of Dwr Cymru Hydraulic Modelling Report (Reference number 410/003249-04 RT-CA-740 01) issued in December 2005), or an alternative

scheme of improvements that have been approved, by virtue of a Section 73 application, varying condition 22 of the approved 2010/00686/EAE.

Reason:

To protect the existing community and the environment from the adverse effects of sewage flooding and pollution and to ensure the development is effectually drained and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

16. Prior to the commencement of development, a Construction and Environmental Management Plan to include such matters as the control of noise, vibration, dust and other deposits shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented throughout the course of the construction phase of the development.

Reason:

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

17. No dwelling hereby approved shall be brought into beneficial use until such time as the parking areas, including all associated access and turning areas to serve that dwelling, have been laid out in full accordance with the details shown on the approved plans and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

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

18. 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.

19. The development shall be carried out in full accordance with the Landscape proposals identified in the tree survey and Arboricultural assessment and Planting Plan drawings 392.01, 392.02 and 392.03 submitted on 4 June 2014.

Reason:

To ensure the landscaping and tree protection measures are carried out, to ensure compliance with the terms of Policies ENV11 and ENV27 of the Unitary Development Plan.

20. Prior to any demolition/land clearance/preparation, or bringing onto site materials, equipment, vehicles, machinery, Heras steel mesh panels in concrete feet (or appropriate anchorage) must be placed around trees being retained in line with root protection areas as shown on the Arboricultural Impact Assessment plan and protection dated 4 June 2014, and at no time must the protected area within be breached by storage of vehicles, machinery, equipment, waste or soil deposits, materials or be used for mixing of concrete or lighting of fires. At such time as the protective fencing is in situ, the Planning Department must be contacted to arrange a site visit by the Assistant Planner/Tree Officer to inspect and when agreed the fencing must remain in place until substantial completion of the development.

Reason:

In order to safeguard the trees being retained during development.

21. Prior to the commencement of construction of any of the dwellings, a scheme for the provision and maintenance of the Public Open Space (including the children's play equipment) shall be submitted to and approved in writing by the Local Planning Authority, to include details of the timing of its provision.

Reason:

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

22. No more than 50 of the dwellings hereby approved shall be brought into beneficial use until the children's play areas (NEAP AND LAP) shown on the approved planning layout plan and detailed on plans ref TDRHOOSE have been constructed on site and is capable of use by the future occupiers of the development.

Reason:

To ensure the recreational facilities are delivered in a timely manner to meet the needs of the future occupiers of the development in accordance with Policies REC3 and REC6 of the Unitary Development Plan.

23. The development shall be carried out in full accordance with the measures set out in the Ecological mitigation strategy and management plan, dated 19 March 2014, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In order to ensure that Reptiles and habitats are not adversely impacted as a consequence of the development and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

24. The development shall be carried out in full accordance with the measures set out in the Reptile mitigation strategy, dated 19 March 2014, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In order to ensure that Reptiles and habitats are not adversely impacted as a consequence of the development and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

25. Any vegetation clearance should be done outside the nesting season, which is generally recognised to be from March to August inclusive, unless it can be demonstrated that nesting birds are absent.

Reason:

In order to ensure that no protected species are adversely affected by the development and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

26. Prior to the beneficial occupation of any of the dwellings hereby approved, a scheme of Public Art as well as a detailed timescale and budget shall be provided in accordance with the details submitted as part of the Public Art Strategy received on 19 March 2014 unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure a high quality form of development in accordance with the provisions of Policy ENV27 of the Development Plan.

27. Notwithstanding the submitted plans, prior to the commencement of development, details of a 68th affordable housing unit shall be submitted to and approved in writing by the Local Planning Authority, to include details of the tenure type and means of its delivery. The dwelling shall be retained in perpetuity as an affordable housing unit.

Reason:

In order to comply with the terms of the Section 106 legal agreement attached to application 2010/00686/EAO and to ensure the delivery of adequate affordable housing.

28. This consent shall only relate to the plans reference TDRHOOSE- LAP1 proposed play area, TDRHOOSE- LAP2 proposed play area, TDRHOOSE- LAP3 proposed play area, TDRHOOSE 2- NEAP, TDRHOOSE3 MUGA, E1021902/P/GA/004, E1021902/P/GA/002, 13099/PER/3511 B, 13099/3600 A, 13099/PER/1000 A, 13099/PER/6200B- Community Building, 12112-1-102, 12112-1-212, 12112-1-213, 12112-1-214, 12112-1-215, 12112-1-300 received on 19th March 2014 and 13099/PER/7000 B, 13099/PER/7001 B, 13099/PER/7002 B, 13099/PER/7003 B, 13099/PER/7004 B, 13099/PER/7005 B, 13099/PER/7006 B, 13099/PER/7007 B, 13099/PER/7008 B, 13099/PER/7009 B, 13099/PER/7010 B, 13099/PER/7011 B, 13099/PER/7012 B, 13099/PER/7013 B, 13099/PER/7014 B, 13099/PER/7015 A, 13099/PER/7016 A, 13099/PER/7017 A, received on 18 August 2014 and PYDR/CC/01- Proposed street lighting contours received on 16th September 2014 and 5002 Rev L - Revised Planning Layout Plan, Revised Planting Plans 1, 2, 3, 4 (343.02.01, 343.02.02, 343.02.03, 343.02.04) received on 13th April 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.

29. Notwithstanding the submitted plans ref 12112-1-100 Rev B, 12112-1-101 Rev C, 12112-1-102- Rev A, 12112-1-104 Rev C, 12112-1-400 Rev A the highway and footpath arrangement shall comply in full with the details and layout set out on 5002 Rev L -Revised Planning Layout Plan submitted on 13 April 2015.

Reason

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

2014/00639/RES Received on 4 June 2014
(P102)

Bellway Homes Limited, Alexander House, Excelsior Road, Cardiff., CF14 3AT
Boyer Planning Limited, 1B Oak Tree Court, Mulberry Drive, Cardiff Gate Business Park, Cardiff, CF23 8RS

Land to the north of railway line off Pentir Y De, Rhoose

Reserved Matters for appearance, landscaping, layout and scale for 126 dwellings.

APPROVED subject to the following condition(s):

1. The development shall be carried out in full accordance with the levels details shown on the drawing ref 12112-1-400 submitted to the Council and registered on 4 June 2014, unless any variation is first agreed to in writing by the Local Planning Authority.

Reason:

To ensure that the amenities of existing neighbouring properties are safeguarded, and to ensure the development accords with Policy ENV27 of the Unitary Development Plan.

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

Reason:

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

3. Notwithstanding the submitted plans, 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.

4. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to their erection / construction on site, and the means of enclosure shall be implemented in accordance with the approved details prior to the part of the development they relate to being put into beneficial use.

Reason:

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amended) (Wales) Order 1995, or any Order revoking or re-enacting that Order, no windows other than those expressly authorised by this permission shall be inserted in any of the dwellings hereby approved without the prior written consent of the Local Planning Authority.

Reason:

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

6. Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order, 2013 (or any Order revoking and re-enacting that Order with or without modification) no dormer extensions shall be constructed on any of the dwellings hereby approved without the prior written consent of the Local Planning Authority.

Reason:

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

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

Reason:

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

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

Reason:

To enable the Local Planning Authority to control the scale of development, to ensure there is satisfactory amenity space to serve the dwellings hereby approved and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order) the garages hereby approved shall not be physically altered or converted to any other domestic purpose without first obtaining the formal consent of the Local Planning Authority.

Reason:

To ensure that adequate on-site parking is retained in the interests of highway safety in accordance with Policies TRAN10 - Parking, HOUS8 - Residential Development Criteria and ENV27 - Design of New Developments of the Unitary Development Plan.

10. Notwithstanding the submitted plans, prior to the first beneficial occupation of any dwelling hereby approved, full details of the lighting to be provided on the highways, footpaths and public open space areas within the development shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall thereafter be carried out in full accordance with the approved details and prior to the first beneficial occupation of any part of the site to which the lighting relates.

Reason:

To ensure satisfactory lighting is provided throughout the development in the interest of public safety and security and to accord with Policy ENV27 of the Unitary Development Plan.

11. Prior to the beneficial occupation of the development hereby approved, the developer shall ensure that 44m³ of storage volume has been constructed at Porthkerry Sewer Pumping Station (SPS) in liaison with Dwr Cymru/Welsh Water (DCWW), and in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To prevent hydraulic overloading of the public sewerage system to protect health and safety of existing residents and ensure no detriment to the environment.

12. No beneficial occupation of any dwelling hereby approved on the site shall occur until the necessary off-site improvements to the public sewerage system have been completed either in accordance with the requirements as outlined in Option 4 of Dwr Cymru's Hydraulic Modelling Report (Reference number 410/003249-04 RT-CA-740 01) issued in December 2005), or an alternative scheme of improvements that has been approved, by virtue of a Section 73 application, varying condition 22 of the approved 2010/00686/EAE.

Reason:

To protect the existing community and the environment from the adverse effects of sewage flooding and pollution and to ensure the development is effectually drained and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

13. Prior to the commencement of development, a Construction and Environmental Management Plan to include such matters as the control of noise, vibration, dust and other deposits shall be submitted to and approved in

writing by the Local Planning Authority and the approved scheme shall be fully implemented throughout the course of the construction phase of the development.

Reason:

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

14. No dwelling hereby approved shall be brought into beneficial use until such time as the parking areas, including all associated access and turning areas to serve that dwelling, have been laid out in full accordance with the details shown on the approved plans and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

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

15. 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.

16. The development shall be carried out in full accordance with the Landscape proposals identified in the tree survey and Arboricultural assessment and Planting Plan drawings 392.01, 392.02 and 392.03 submitted on 4 June 2014.

Reason:

To ensure the landscaping and tree protection measures are carried out, to ensure compliance with the terms of Policies ENV11 and ENV27 of the Unitary Development Plan.

17. Prior to any demolition/land clearance/preparation, or bringing onto site materials, equipment, vehicles, machinery, Heras steel mesh panels in concrete feet (or appropriate anchorage) must be placed around trees being retained in line with root protection areas as shown on the Arboricultural Impact Assessment plan and protection dated 4 June 2014, and at no time

must the protected area within be breached by storage of vehicles, machinery, equipment, waste or soil deposits, materials or be used for mixing of concrete or lighting of fires. At such time as the protective fencing is in situ, the Planning Department must be contacted to arrange a site visit by the Assistant Planner/Tree Officer to inspect and when agreed the fencing must remain in place until substantial completion of the development.

Reason:

In order to safeguard the trees being retained during development and to comply with Policy ENV27 of the Unitary Development Plan.

18. Prior to the commencement of construction of any of the dwellings, a scheme for the provision and maintenance of the Public Open Space (including the children's play equipment) shall be submitted to and approved in writing by the Local Planning Authority, to include details of the timing of its provision.

Reason:

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

19. No more than 50 of the dwellings hereby approved shall be brought into beneficial use until the children's play areas shown on the approved plan has been constructed on site and are capable of use by the future occupiers of the development.

Reason:

To ensure the recreational facilities are delivered in a timely manner to meet the needs of the future occupiers of the development in accordance with Policies REC3 and REC6 of the Unitary Development Plan.

20. The development shall be carried out in full accordance with the ecological and reptile mitigation measures set out in the ecological and reptile Mitigation Strategy, dated 4 June 2014.

Reason:

In order to ensure that Reptiles and habitats are not adversely impacted as a consequence of the development and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

21. Any vegetation clearance should be done outside the nesting season, which is generally recognised to be from March to August inclusive, unless it can be demonstrated that nesting birds are absent.

Reason:

In order to ensure that no protected species are adversely affected by the development and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

22. Prior to the beneficial occupation of any of the dwellings hereby approved, a scheme of Public Art as well as a detailed timescale and budget shall be provided in accordance with the details within the submitted Public Art Strategy received on 4 June 2014 unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure a high quality form of development in accordance with the provisions of Policy ENV27 of the Unitary Development Plan.

23. This consent shall only relate to the plans reference 12112-1-100, 12112-1-101, 12112-1-102, 12112-1-103, 12112-1-104 , 12112-1-212, 12112-1-213, 12112-1-214, 12112-1-215, 12112-1-300, 12112-1-400 , 12112-1-410, 12112-1-411, TDRHOOSE- LAP1 proposed play area, TDRHOOSE- LAP2 proposed play area, TDRHOOSE- LAP3 proposed play area, TDRHOOSE 2- NEAP, TDRHOOSE3 MUGA, E1021902/P/GA/004, E1021902/P/GA/002, 13099/BEL/3520A, 13099/BEL/1100, 13099/BEL/3521, 13099/3700 received on 4 June 2014 and 13099/BEL/8000.1_A, 13099/BEL/8000.2_A, 13099/BEL/8000.3_B, 13099/BEL/8001.1_A, 13099/BEL/8001.2_A, 13099/BEL/8001.3_B, 13099/BEL/8002.1_A, 13099/BEL/8002.2_A, 13099/BEL/8003.1_A, 13099/BEL/8003.2_A, 13099/BEL/8003.3_B, 13099/BEL/8004.1_A, 13099/BEL/8005.1_A, 13099/BEL/8005.2_A, 13099/BEL/8006.1_A, 13099/BEL/8007.2_A, 13099/BEL/8007.3_A, 13099/BEL/8007.4_A, 13099/BEL/8007.1_A, 13099/BEL/8008.1_A, 13099/BEL/8008.2_A, 13099/BEL/8008.3_A, 13099/BEL/8009.1_B, 13099/BEL/8012.1_A, 13099/BEL/8012.2_A, PYDR/CC/01- Proposed street lighting contours received on 10 September 2014 and 13099/PER/5003/E- Revised Planning Layout Plan received on 9 April 2015 and Revised Planting Plans 1, 2, 3 (395.01.01, 395.01.02, 395.01.03) received on 13 April 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.

24. Notwithstanding the submitted plans ref 12112-1-100, 12112-1-101, 12112-1-102, 12112-1-104, 12112-1-400, the highway and footpath arrangement shall comply in full with the details and layout set out on 13099/PER/5003/ E- Revised Planning Layout Plan submitted on.

Reason

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

25. The Highways street lighting detail shall be carried out in accordance with the specifications submitted on 11 September 2014, with reference to the Street lighting specification document as well as the layout and contours drawings ref PYDR/CC/01 and PYDR/CC/02, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety and the requirements of Condition 36 of the Outline planning permission ref 2010/00686/EAE.

2014/01354/FUL Received on 5 January 2015
(P133)

Mrs. Hayley Clare, 75, Cae Canol, Penarth, Vale of Glamorgan, CF64 5RL
Mrs. Hayley Clare, 75, Cae Canol, Penarth, Vale of Glamorgan, CF64 5RL

1, Hastings Avenue, Penarth

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 Hast-001 Rev A received on the 4 February 2015 and Has-001 Rev C, received 26 February 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. Notwithstanding the submitted details, further details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority, which shall ensure that 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. The approved scheme shall be fully implemented in

accordance with the approved details prior to first beneficial occupation of the dwelling hereby approved.

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.

4. Notwithstanding the submitted plans, and prior to the commencement of development, details of the proposed parking for both the dwelling hereby approved and 1 Hastings Avenue shall first be submitted to and approved in writing by the Local planning Authority and these details shall provide for the parking for both properties to be centralised in a single block of 4 spaces (2 for each property) with only one set of dropped curbs. No part of the development hereby approved shall be brought into beneficial use until such time as the parking areas, including all associated access areas, have been laid out in full accordance with the approved details and shall thereafter be so retained at all times to serve the development hereby approved and also the occupants of 1 Hastings Avenue.

Reason:

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

5. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use.

Reason:

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

6. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the dwelling hereby approved, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained (which shall include the sections of front boundary hedge as shown on plan Has-001 Rev C), together with measures for their protection in the course of development.

Reason:

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

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

Reason:

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

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

Reason:

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

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order) 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for the purpose incidental to the enjoyment of a 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.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, or any Order revoking or re-enacting that Order, no windows shall be inserted in the first

floor side elevations hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

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

2015/00086/FUL Received on 9 February 2015
(P147)

Taylor Wimpey, Eastern Business Park, Building 2 Wern Fawr Lane, St. Mellons, Cardiff, CF3 5EA

Taylor Wimpey, Eastern Business Park, Building 2 Wern Fawr Lane, St. Mellons, Cardiff, CF3 5EA

Land south of the Railway line, Trem Echni, Rhoose Point, Rhoose

Variation of Condition 11 of planning permission ref. 2012/00937/FUL to allow occupation of 20 units, to connect to the public sewerage system, prior to the solution identified in the Hydraulic Modelling Assessment being completed.

APPROVED subject to a Deed of Variation to the originally agreed Section 106 Legal Agreement relating to Application 2012/00937/FUL and subject to the following conditions:

1. This consent shall relate to the plans registered on 28 August 2012 other than where amended by plans reference 0460-103A, 104-1A, 104-2A, 104-3A, 106B, 108A, 109A, 151B, 152A, 302-1B, 302-2, 320A, 460-1000, Housetype booklet Issue 2 A3L received on 2 April 2013 and amended plans reference 0460-102D and 107C (solely in relation to Plot Nos. 52 and 63) received on 24 April 2013.

Reason:

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

2. Prior to the first beneficial occupation of the development hereby approved, a Travel Plan shall be prepared to include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use. The Travel Plan shall thereafter be implemented in accordance with the approved details.

Reason:

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

3. Notwithstanding the submitted details, and prior to the commencement of the construction of any of the dwellings, full details of the finished levels of the site and dwellings, in relation to existing ground levels, features and adjacent existing dwellings, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full accordance with the approved details.

Reason:

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

4. Notwithstanding the submitted drawings and prior to the commencement of any works on site, full engineering drawings of internal road layout and the Trem Echni highway frontage (to include sections, street lighting and surface water) shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the provision on safe access into site to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

5. The dwellings hereby permitted shall not be brought into beneficial use until such time as the roads have been constructed to the satisfactory standard inclusive of street lighting and drainage in accordance with the details agreed under Condition No. 8.

Reason:

In the interests of highway safety and to ensure compliance with the terms of Policies ENV27 and HOUS8 of the Unitary Development Plan.

6. No dwelling hereby approved shall be brought into beneficial use until such time as the parking areas, including all associated access and turning areas to serve that dwelling, have been laid out in full accordance with the details shown on the approved plans and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

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

7. No more than 20 dwellings hereby approved shall be brought into beneficial use or occupied until the necessary improvement works to the public sewerage system, identified in the hydraulic modelling assessment (HMA) undertaken by Welsh Water, has been undertaken and implemented in full,

and written confirmation of the completion of the necessary improvements shall be submitted to and approved by the Local Planning Authority.

Reason:

To protect the integrity of the existing public sewerage system and prevent pollution of the environment and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

8. Notwithstanding the submitted details, none of the 20 dwellings referred to in condition 7 above shall be occupied until such time as Welsh Water have adopted the entire existing sewerage system including the Rhoose Point sewerage pumping station, and this has been confirmed in writing to the Local Planning Authority.

Reason:

To protect the integrity of the existing public sewerage system and prevent pollution of the environment and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

9. No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage (to include details of oil and petrol separators) will be dealt with shall be submitted to and approved in writing by the Local Planning Authority The approved scheme of drainage shall be fully implemented prior to the occupation of any of the dwellings on site.

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 ensure compliance with the terms of Policies ENV7 and ENV27 of the Unitary Development Plan.

10. The submitted scheme for the drainage of the site shall ensure that all foul and surface water discharge separately from the site and that all land drainage / surface water 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.

11. In connection with Condition No. 9, the detailed scheme for drainage shall identify all existing land drainage ditches within the site and demonstrate that they are still utilised for their intended use, or alternative provisions made.

Reason:

To ensure that the developer of the site is fully aware of the need to accommodate all existing land drainage runs through the site and to comply with the terms of Policy ENV27 of the Unitary Development Plan.

12. In connection with Condition No. 9, the detailed scheme for drainage shall identify the location of the carrier drain which passes near the northern boundary of the site (which takes land drainage / surface water run-off from land to north of railway), and no surface water or any other form of connection shall be made to this carrier drain.

Reason:

To ensure that the developer of the site is fully aware of the need to protect the integrity and operation of the carrier drain and to comply with the terms of Policy ENV27 of the Unitary Development Plan.

13. Prior to any site clearance works, a detailed Method Statement for the protection of reptiles, before and during site works shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include, but not be limited to: methodology for site clearance, identification of receptor site, survey of receptor site and an outline post development monitoring strategy. The site clearance shall be undertaken in strict accordance with the agreed details.

Reason:

To demonstrate Local Authority compliance with S40 of the NERC Act 2006 and to ensure compliance with Policies ENV16 and ENV27 of the Unitary Development Plan.

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

Reason:

To comply with Unitary Development Plan Policy ENV16 to secure the long-term protection of the species and to demonstrate Local Authority compliance with S40 of the NERC Act 2006.

15. Prior to commencement of development, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority, detailing all areas of landscaping, tree planting and the areas of hard and soft landscaping forming part of the Public Open Space, which shall take into

account the elevated coastal position of the site. The landscaping scheme shall also include indications of all existing trees on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason:

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

16. 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 dwellings 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.

17. Prior to the commencement of development, full details of the laying out and means of construction of all areas of open space within the site, including full details, specifications and costings of all play equipment within the area of Public Open Space (including any facilities for seating and other associated features such as lighting) to be sited within these areas shall be submitted to and approved in writing by the Local Planning Authority .

Reason:

In order to fully consider the acceptability of the provision and layout of open space and areas of play and to ensure compliance with Policies ENV27, HOUS8 and REC3 of the Unitary Development Plan.

18. No more than 50 of the dwellings hereby approved shall be brought into beneficial use until the play areas as agreed under Condition No. 17 have been constructed on site and capable of use by the future occupiers of the development.

Reason:

To ensure the recreational facilities are delivered in a timely manner to meet the needs of the future occupiers of the development in accordance with Policies REC3 and REC6 of the Unitary Development Plan.

19. The clearance of the site shall be undertaken in full accordance with the Geo-technical and Geo-environmental report completed by Terra Firma (Wales) Limited January 2012.

Reason:

In order to ensure that risks from land contamination are managed and to protect future users of the land and to ensure compliance with Policies ENV7, ENV26 and ENV27 of the Unitary Development Plan.

20. If during construction / site clearance works, any unforeseen contamination encountered during development, then the Local Planning Authority shall be notified as soon as is practicable, and an appropriate ground investigation and/or remediation strategy shall be undertaken and submitted to the Local Planning Authority for approval, prior to the occupation of any dwelling. On the completion of the development a Completion/Validation Report, confirming the remediation has being carried out shall be submitted to the Local Planning Authority.

Reason:

In order to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with Policies ENV7 and ENV27 of the Unitary Development Plan.

21. No construction work (including any deliveries to the site) associated with the development hereby approved shall take place on the site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Friday	0800 – 1800
Saturday	0800 – 1300

Nor at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority and includes deliveries to site.

Reason:

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

22. 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 and shall include pollution risk on water quality. The CEMP will utilise the Considerate Constructors Scheme (www.considerateconstructorsscheme.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.

23. 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.

24. Notwithstanding the submitted plans, all means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use.

Reason:

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

25. Prior to their erection on site, full details of the proposed sheds / stores in relation to their siting and elevations which are shown to serve the affordable houses as set out on plan ref. 0460-102, shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

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

26. Prior to the first beneficial occupation of any dwelling hereby approved, full details of the public art to be provided on the site, shall be submitted and approved in writing by the Local Planning Authority. The Public Art shall thereafter be implemented on the site in accordance with the approved details no later than 12 months following the substantial completion of the development.

Reason:

To ensure the delivery of Public Art on the site in accordance with the Council's Public Art Supplementary Planning Guidance.

27. The garages hereby approved shall only be used for the parking of private vehicles and for purposes incidental to the enjoyment of the dwelling house as such, and shall not be used for any business or commercial use and shall not physically altered or converted without first obtaining the formal consent of the Local Planning Authority.

Reason:

To ensure the satisfactory development of the site and that adequate off-street parking provision and garaging facilities are retained and in accordance with Policies TRAN 10 and ENV27 of the Vale of Glamorgan Unitary Development Plan.

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

Reason:

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

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

Reason:

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

30. Prior to the sale of any individual plot or conveyance of any area of land identified falling within Plots 9-41 inclusive (as shown on the approved layout plan), or any revised plot numbers that include the land drain shown on the approved drainage strategy plan, the developer shall submit to the Local Planning Authority for approval in writing, an example of the covenant and the steps to be taken to ensure that the plot owners are made fully aware of the responsibilities passed to them in respect of the carrier drain. The

responsibilities to be conveyed shall be not to obstruct the drain, not to tamper with it, not to put permanent structures over it, and to maintain it in good order over their demise. The agreed wording of the covenant shall thereafter be contained in all legal land transfer documents relating to the above identified plots.

Reason:

To ensure that any future homeowners are fully aware of the need to protect the integrity and operation of the carrier drain and to comply with the terms of Policy ENV27 of the Unitary Development Plan.

2015/00260/FUL Received on 12 March 2015

SA Brain and Company Ltd. C/o Agent
Boyer Planning Limited, 1B Oak Tree Court, Mulberry Drive, Cardiff Gate Business Park, Cardiff, CF23 8RS

Tynewydd Inn, 103, Tynewydd Road, Barry

Installation of seven square concrete paved areas in landscaped trading area

APPROVED subject to the following condition(s):

1. NO CONDITIONS