

**PLANNING COMMITTEE**

Minutes of a meeting held on 3<sup>rd</sup> September, 2015.

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

Also present: Councillors L. Burnett and K.P. Mahoney

List of Public Speakers

<b>Name of Speaker</b>	<b>Planning Application Number and Location</b>	<b>Reason for Speaking</b>
Mrs. Z. Aubrey	2014/00460/FUL - Land Adjacent to St. Joseph's School, Sully Road, Penarth	Applicant or their representative
Mrs. Z. Aubrey	2014/01424/FUL - Land off St. Brides Road, Wick	Applicant or their representative
Mr. T. Cooke	2014/01424/FUL - Land off St. Brides Road, Wick	Objectors to the application or their representative
Dr. C. Brown	2014/01424/FUL - Land off St. Brides Road, Wick	Objectors to the application or their representative
Mr. S. Bowley	2015/00360/FUL - Wimborne Road, Barry,	Applicant or their representative
Mr. S. Cole	2015/00360/FUL - Wimborne Road, Barry	Applicant or their representative
Dr. A. Arcache	2015/00632/FUL - Cwm Derwyn Farm, Weycock Road, Barry	Applicant or their representative

## 338 ANNOUNCEMENT -

Prior to the commencement of 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.”

No.

339 APOLOGY FOR ABSENCE -

This was received from Councillor A.C. Williams.

340 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 30<sup>th</sup> July, 2015 be approved as a correct record.

341 DECLARATIONS OF INTEREST -

Councillor Mrs. M.E.J. Birch	Application No. 2014/00460/FUL - Land adjacent to St. Joseph's School, Sully, Road, Penarth - The nature of the interest was that the proposed S106 Legal Agreement included contributions to provide or enhance one of the community facilities in respect of one or more of a list of facilities which included the enhancement of existing community halls. Councillor Mrs M.E.J. Birch is a Trustee of the nearest community hall, Glyndwr Hall, Glyndwr Road, Penarth. Councillor Birch withdrew from the meeting during consideration of this item.
Councillor Ms. R. Birch	Application No. 2014/00460/FUL - Land adjacent to St. Joseph's School, Sully, Road, Penarth. Councillor Ms R. Birch is a Councillor on Penarth Town Council and had spoken and voted on the matter at a meeting of Penarth Town Council, however would look at the application afresh at the Vale of Glamorgan Council Planning Committee meeting. Councillor Ms R. Birch remained in the room whilst this application was under consideration.
Councillor J.C. Bird	Application No. 2014/01424/FUL - Land off St. Brides Road, Wick. The nature of the interest was that Councillor J. Bird's tenant and neighbour is the land owner for the application. Councillor Bird withdrew from the meeting during consideration of this item

No.

Councillor A. Parker	Application No. 2015/00549/FUL - Former Leisure Centre Complex, Beach Road, Sully. The nature of the interest was that Councillor A. Parker is the Architect for the application. Councillor Parker withdrew from the meeting during consideration of this item
Councillor G. Roberts	Application No. 2014/00460/FUL - Land adjacent to St. Joseph's School, Sully, Road, Penarth. Councillor G. Roberts was a Councillor on Penarth Town Council and had spoken and voted on the matter at a meeting of Penarth Town Council, however would look at the application afresh at the Vale of Glamorgan Council Planning Committee meeting. Councillor Roberts remained in the room whilst this application was under consideration.
Councillor M.R. Wilson	Application No. 2014/00460/FUL - Land adjacent to St. Joseph's School, Sully, Road, Penarth. Councillor M. Wilson stated that he is a Councillor on Penarth Town Council and had spoken and voted on the matter at a meeting of Penarth Town Council, however would look at the application afresh at the Vale of Glamorgan Council Planning Committee meeting. Councillor M. Wilson later advised that he had an interest in the application in that he is Secretary of Glyndwr Hall, Glyndwr Road, Penarth. Councillor Wilson withdrew from the meeting during consideration of this item

342 SITE INSPECTIONS (MD) -

RESOLVED - T H A T the attendance of the following Councillors at the sites indicated below on 30<sup>th</sup> July, 2015 be noted:

Apologies for Site (a) were received from Councillors Mrs. M.E.J. Birch, Ms. R.F. Birch, J.C. Bird, E. Hacker, H.J.W. James, A. Parker, Mrs. M.R. Wilkinson and M.R. Wilson and K. Hatton (Local Member).

Apologies for Site (b) were received from Councillors Mrs. M.E.J. Birch, Ms. R.F. Birch, J.C. Bird, E. Hacker, H.J.W. James, Mrs. M.R. Wilkinson and M.R. Wilson and K. Hatton (Local Member).

No.

Apologies for Site (c) were received from Councillors Mrs. M.E.J. Birch, Ms. R.F. Birch, J.C. Bird, E. Hacker, Mrs. M.R. Wilkinson and M.R. Wilson.

(a) The Coppice, Park Road, Dinas Powys	Councillor F.T. Johnson (Chairman); Councillors J. Drysdale, C.P. Franks, H.C. Hamilton, Mrs. V.M. Hartrey, N.P. Hodges, R.A. Penrose and G. Roberts
(b) Ardwyn, Pen Y Turnpike Road, Dinas Powys (Site was also viewed from 24 Millbrook Heights, Dinas Powys)	Councillor F.T. Johnson (Chairman); Councillors J. Drysdale, C.P. Franks, H.C. Hamilton, Mrs. V.M. Hartrey, N.P. Hodges, A. Parker, R.A. Penrose and G. Roberts  Also present - Councillor C.J. Williams
(c) David Davies Road, Woodham Road, Barry (Site was also viewed from Dock View Road, Barry)	Councillor F.T. Johnson (Chairman); Councillors Mrs. P. Drake, J. Drysdale, C.P. Franks, H.C. Hamilton, Mrs. V.M. Hartrey, N.P. Hodges, H.J.W. James, A. Parker and R.A. Penrose  Also present - Councillor C.P.J. Elmore

343 BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE DIRECTOR UNDER DELEGATED POWERS (DDS) -

RESOLVED -

- (1) T H A T the Building Regulation Applications as listed in the report be noted.
- (2) T H A T the service of Notices under Building (Approved Inspectors Etc.) Regulations 2000 as listed in the report be noted.

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

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

No.

### **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

2014/00978/FUL	A	Little Pen Onn, Llancarfan	Proposed demolition of existing and construction of a new build house.
2014/01498/FUL	A	Southerndown Farm, Southerndown	Proposed change of use of existing barn to house and new garages.
2014/01520/FUL	A	Primrose Cottage, Turkey Street, Llantwit Major	Single storey and two storey extensions to existing cottage and alterations to existing fenestration. Creation of new vehicular/pedestrian access.

No.

2015/00171/LBC	A	Dyffryn Gardens, Duffryn Lane, Dyffryn	<p>Please see schedule of works, as well as the list below: Pompeii Garden - Remove cement pointing to walls, re-point in lime. Reinststate a tiled surface to the lookout seats. Remove cement render and re-plaster in lime the curved wall behind the seat, install weep holes. Repair/rebuild/re-plaster the Pompeii temple front, reinststate lead flashings, reinststate cast iron gutters. Paved court - Lift and relay broken flagstones in lime mortar, Remove cement pointing, re point in lime mortar area by the dripping pool, remove section of wall and lattice work and rebuild in lime, remove cement plaster in dripping pond and plaster in lime. Reflecting pool. Remove and rebuild steps to right hand side of pool, rebuild the stone planters, Remove planting section to top of steps and relay pavings, replace handrails, remove cement pointing to walls and replace with lime mortar, lift and relay broken flagstones.</p>
2015/00229/OUT	R	53, Laura Street, Barry	<p>Demolition of existing bungalow and erection of seven houses.</p>
2015/00259/LBC	A	Springbank Nursing Home, College Road, Barry	<p>Renovation and upgrading of existing windows, to include installation of slimlite double glazing.</p>

No.

2015/00295/FUL	A	Woodlands Farm, Pont Sarn Lane, Peterston Super Ely	Retrospective application to convert a four car garage into disabled accommodation for son who is in a wheelchair.
2015/00345/FUL	A	200B, Holton Road, Barry	Convert existing office accommodation to shop (A1).
2015/00396/FUL	A	Sunnycroft, College Street, Llantwit Major	Retention of double garage.
2015/00417/FUL	R	Land adjacent to Parkside, Bonvilston	Proposed erection of a single agricultural building to provide shelter and housing for sheep together with a feed store, secure storage area and machinery covered area and access track.
2015/00438/FUL	R	Meadow View Farm, Crossways, Cowbridge	Two storey extension - use of extension as holiday lets.
2015/00491/FUL	A	Adjacent to 2, Fairford Street, Barry	Change of use from garage to Dojo (Martial Art Training Centre).
2015/00494/FUL	A	17, Oyster Bend, Sully	Construction of a single storey orangery to the rear of property.
2015/00521/FUL	A	Stable Cottage, Court Farm, Llansannor	Extension to form utility room.
2015/00525/LBC	A	Tymaen Barns, Nr Ewenny	Alterations to facade and erection of toilet building.
2015/00527/FUL	A	Site adjacent Lyndon Scaffolding. Atlantic Trading Estate, Barry	Industrial development for B1, B8 and part A3 use with car parking, service yard and new access from Bendrick Road.

No.

2015/00532/FUL	A	90, Plymouth Road, Penarth	1) Remove existing timber box sash windows. Replace with new UPVC wood effect box sash windows in white. 2) Clean and make good to existing bath stone areas to the front of the property around bay area. 3) Refurbish/replace where necessary existing wood fascia and soffits at front of house.
2015/00564/FUL	A	Warren Mill Farm, Pendoylan	Proposed extension to form day room and utility room.
2015/00578/LBC	A	The Sages, Colwinston	Construction of new porch and replacement of fenestration.
2015/00579/FUL	A	The Sages, Colwinston	Construction of new garage.
2015/00583/FUL	A	32, Stanwell Road, Penarth	Provision of ten photovoltaic panels to the rear of the property.
2015/00584/FUL	A	15, Augusta Crescent, Penarth	Proposed dormers to side and rear and alterations.
2015/00590/FUL	A	The Chantry, Flemingston	Demolition of existing poor flat roof extensions. Construction of new extension with pitched roof elevation.
2015/00591/FUL	A	4, Vale View Close, Llandough, Penarth	Single storey rear extension.
2015/00596/FUL	A	48, Victoria Road, Penarth	Replace existing windows.
2015/00604/FUL	A	Pinfold, 1, Broadway Green, St. Nicholas	Two storey and single storey side extensions and first floor balcony.



No.

2015/00605/FUL	A	36, Perclose, Dinas Powys	Two storey side extension to existing property, plus detached garage construction with new access.
2015/00606/FUL	A	26, Heol Fioled, Barry	Construct first floor extension above existing garage to enlarge bedrooms. Line of garage to be brought forward to align with existing frontage. New dormer style windows and materials to match existing.
2015/00607/FUL	A	Beech Court, 69, Broadway, Llanblethian	Proposed new garage at front of dwelling.
2015/00608/FUL	A	Flat at 161, Holton Road, Barry	Flat above shop to be reclassified as business premises.
2015/00613/FUL	A	Dyfryn Tawel, Llanharry to Argoed, Llanharry	Extension to the rear of the property to accommodate sunroom/orangery.
2015/00618/FUL	A	7, Maughan Terrace, Penarth	Single storey rear extension.
2015/00619/ADV	A	125-127, Broad Street, Barry	Consent for new signage scheme to front and side elevation, including reinstating three existing windows and one existing door to ground floor on side elevation to match existing styles.
2015/00620/FUL	A	Asda, Powell Duffryn Way, Barry	Retention of hoarding along southern and eastern boundary of the site, to separate the completed Asda development from the adjoining undeveloped land.

No.

2015/00622/FUL	A	88, Windsor Road, Penarth	Demolition of existing lean to extension and replacement with new single storey extension that wraps around south east and south west rear elevations.
2015/00626/FUL	R	Heol Gerrig Farm, St. Mary Hill	Barn conversion, access and curtilage.
2015/00628/FUL	A	16, Wordsworth Avenue, Penarth	Application for permission to build an extension at the rear of the property.
2015/00630/FUL	A	10, Rockrose Way, Cogan, Penarth	Ground and first floor extension.
2015/00631/FUL	A	Land at Westmoor Farm, Llysworney	Construction of new manege adjacent to existing stable.
2015/00633/ADV	A	Land south of Old Port Road/A4050 roundabout, Culverhouse Cross, Cardiff	Retention of two flagpoles and standalone sales board.
2015/00635/FUL	A	100, Stanwell Road, Penarth	Demolish existing ground floor rear annexe and outbuildings. Construct new extended and remodelled single storey rear annexe.
2015/00637/FUL	A	Y Wenallt, 22, Elm Grove Road, Dinas Powys	Demolition of kitchen and conservatory. Proposed kitchen and dining room to ground floor, additional bedroom with en-suite to first floor.
2015/00638/FUL	R	36, Robinswood Crescent, Penarth	Removal of condition 2 of Planning Permission 2014/00954/FUL relating to pedestrian barrier.
2015/00640/FUL	A	The Old Vicarage, Bonvilston	Car Port, Screen Wall and Gate, Garden Shed.

No.

2015/00646/FUL	A	23, White House, The Knap, Barry	Replacement of green house with new garden shed.
2015/00650/FUL	A	Wirral House, Llanbethery	Rear single storey extension.
2015/00652/FUL	A	12, Southesk Place, Barry	Single storey rear extension plus associated works - including the demolition of an existing dilapidated lean-to rear extension.
2015/00658/FUL	A	Glan Y Cwm, The Rhiw, Craig Penllyn	Single storey rear extension.
2015/00661/FUL	A	Goldway House, Llanmihangel	Side/rear glazed extension.
2015/00664/FUL	A	5, Downs View Close, Cowbridge	Erect a single storey extension to the side of the building and erect a new roof over the garage.
2015/00665/FUL	A	2 and 3, John Batchelor Way, Portway Marina, Penarth	Proposed first floor steel balcony.
2015/00667/FUL	A	Ty Melys, St. Andrews Road, Dinas Powys	Single storey extension on the rear and garage conversion into habitable room.
2015/00669/FUL	A	High Winds, Sully Road, Penarth	Provision of first floor bathroom extension over existing garage.
2015/00670/FUL	A	4, Ashby Road, Sully	Single storey rear extension plus conversion of existing garage to habitable accommodation to be used in conjunction with existing dwelling.
2015/00672/FUL	R	96, High Street, Barry	Change of use from A1 to B1(a) office.

No.

2015/00673/FUL	A	Nolton, 20, Craig Yr Eos Road, Ogmore By Sea	Dormer extension to provide bedroom and en suite.
2015/00674/OBS	B	Dunraven Bay Beach access slipway, Southerndown	Repairs to existing slipway at Dunraven Bay.
2015/00676/FUL	A	18, East View, Llandow	Demolish existing single storey annex to build new 2 storey extension to side and rear of dwelling, including new sun lounge, new front entrance porch and relocation of existing bathroom window.
2015/00678/FUL	A	35, Cornerswell Road, Penarth	Re construction of part of the rear of the property, in poor repair.
2015/00680/FUL	A	9, Cardiff Road, Dinas Powys	Proposed single storey rear extension.
2015/00683/LAW	A	19, Rectory Close, Wenvoe	Single storey infill extension to rear of existing dwelling.
2015/00692/FUL	A	14, Greenway Close, Llandough	Single storey porch extension to front elevation.
2015/00694/FUL	A	6, John Batchelor Way, Penarth	Conversion of internal garage to living room.
2015/00696/CAC	A	Glen Cottage, 39, Eastgate, Cowbridge	Proposed demolition of garage to rear garden (volume exceeding 115m <sup>3</sup> ).
2015/00698/FUL	A	76, Plymouth Road, Penarth	Minor alterations including solar panels.
2015/00704/FUL	A	24, Clos Y Fulfran, Barry	Conversion of garage with raised roof to provide new family room above and utility room to rear.

No.

2015/00709/FUL	A	47, Westward Rise, Barry	Proposed two storey extension to rear of existing domestic dwelling to replace existing ground floor extension and conservatory.
2015/00710/FUL	A	British Airways Maintenance (BMAC) Cardiff, Dragonfly Drive, Cardiff International Airport, Rhoose	Erection of temporary three storey Nose-In (NIF2) Aircraft Maintenance Extension to the south west end of the maintenance hangar. (Temporary period operational five years before removal.)
2015/00711/FUL	A	9, Peterswell Road, Barry	New boundary fence.
2015/00712/FUL	A	41, Cog Road, Sully	Single storey rear extension.
2015/00715/LAW	A	Ivy Cottage, 32B, Grove Terrace, Penarth	Loft conversion.
2015/00716/FUL	A	Pen Hill, Colhugh Street, Llantwit Major	Demolition of lean-to and replace with two storey extension for new kitchen and bathroom. Pruning of Bay tree.
2015/00720/FUL	A	40, Brockhill Way, Penarth	Lean to extension to front of property.
2015/00722/FUL	A	149, Fontygary Road, Rhoose	Proposed single storey conservatory to rear.
2015/00727/FUL	A	50, St. Davids Crescent, Penarth	Proposed single storey rear extension to provide additional wash facilities, kitchen and living spaces.
2015/00729/LBC	A	Stable Cottage, Court Farm, Llansannor	Proposed extension to utility room.
2015/00730/FUL	A	15, Portway, Penarth Marina, Penarth	Proposed balcony extension to front.

No.

2015/00731/FUL	A	27, Robins Lane, Barry	Proposed single storey rear kitchen extension.
2015/00738/FUL	A	88, Windsor Road, Penarth	The removal of the existing antenna mounted on a flagpole, the installation of two panel antennas, the swap out on a like for like basis of the existing face mounted antenna, the installation of a samo cabinet, measuring 750 X 600 X 1980 mm, located at ground level and associated development.
2015/00743/FUL	A	Ty Rhos, Grants Field, The Downs, St. Nicholas	Existing entrance porch extended with existing balcony continued above, new doors in place of window to lounge.
2015/00759/FUL	A	Krasnia, Romilly Park Road, Barry	Two and single storey extension.
2015/00764/FUL	A	13, Nurston Close, Rhoose	Side extension.
2015/00768/FUL	A	Ashleigh, 64, Broadway, Llanblethian, Cowbridge	Two storey side extension, rear single storey lean to extension and alterations to front porch.
2015/00771/FUL	A	Vicarage Lawns, St. Brides Major	Variation of Condition 1 - To extend time period for implementation of 2009 consent - 2009/01280/FUL - Conversion of garage to provide accommodation for parents.
2015/00772/FUL	A	268, Barry Road, Barry	Edwardian Style Porch to front of property in white UPVC.
2015/00776/FUL	A	27, Vincent Close, Barry	Proposed Conservatory (with w.c. facilities) at rear of existing premises.

No.

2015/00785/FUL	A	104, Cornerswell Road, Penarth	Demolition of two single storey flat roofed extensions and erection of new single storey extension on approximately the same footprint of the previous extensions. Removal of existing shed and erection of garden room with green roof.
2015/00790/FUL	A	21, Gibbonsdown Rise, Barry	Demolition of existing games room, proposed two storey extension.

345 APPEALS (DDS) -

RESOLVED -

- (1) T H A T the list of appeals received arising from the refusal of the Council to grant planning permission as detailed in the report be noted.
- (2) T H A T appeal decisions as detailed in the report be noted.
- (3) T H A T the statistics relating to the appeals for April 2015 to March 2016 as detailed in the report be noted.

346 TREES (DDS) -

(i) Delegated Powers -

RESOLVED - T H A T the following applications determined by the Director under delegated powers be noted:

**Decision Codes**

A - Approved

R - Refused

E Split Decision

2015/00659/TPO	A	Marks and Spencer Plc., Culverhouse Cross	Remove three Rowans and crown lift over road and to clear lighting columns four Ash trees (G14). [Minor dead wood Whitebeam, Alder and Cherry (G12)- Maintenance/EXEMPT ].
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No.

2015/00682/TPO	A	Trees in front of Rowans and Fron, Wellwood Drive, Dinas Powys	Coppicing or reduction (re-pollarding) of defective trees; Selective thinning of tree stock by removal of hazardous trees (in short term); Safety to be maintained by coppice/re-pollarding on height/maturity/hazard led basis - 10% annually, no more; Roadside = crown lift to 5.2m.
2015/00684/TPO	A	The Old Rectory, Drope Road, Drope	Fell two Beech trees.
2015/00717/TCA	A	9, Hickman Road, Penarth	Work to various trees.

#### 347 GENERAL PLANNING MATTERS (DDS) -

##### (i) The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015 -

The Committee received a report to inform Members of the changes to planning fees from 1<sup>st</sup> October, 2015, as a result of the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015, including a new refund system.

The report also sought authorisation for an increase in the fees payable for pre-application enquires in line with the increase in general planning application fees and an amendment to the scheme for delegation to include all applications that are recommended for refusal of planning permission.

The Welsh Government had informed the Council that from 1<sup>st</sup> October, 2015, the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015 would come into effect, which introduced various changes to the fees payable for planning services. The Minister had stated that higher planning fees must be accompanied by an increased focus by local planning authorities (LPAs) on improving their statutory planning services. Local Development Plans must be prepared and kept up to date and planning decisions made in a timely way.

Members were minded to recall that the Welsh Government consulted on these proposals in October 2014, and the Council objected to the proposals to introduce a refund scheme (Planning Committee Report 15<sup>th</sup> January, 2015 referred). Members were advised that they should also note that the Minister for Natural Resources had written to the Council regarding the fee increase. A copy of this letter was attached to the report at Appendix A.



No.

The Regulations introduced a number of changes to the fees payable for planning services, including the right to a refund if an application was not determined within a specified timeframe. The main changes to the regulations are set out below.

### **Fee Increase**

The Regulations introduce an increase in fees by approximately 15%. To put this into context, in the Vale of Glamorgan planning fees for the last 3 years had been as follows: 2014/15 – £970,682, 2013/14 – £644,319, and 2012/13 – £759,202. Therefore, based on last year's fee income, a 15% increase would equate to £145,602 per annum. The report present to Committee stated that this was welcomed as it was long overdue and was essential to continue to deliver an effective Planning Service for the Vale of Glamorgan.

### **Fee Refund**

The Committee was informed that Planning application fees may be refunded if the LPA failed to determine the application within specified times, namely 8 weeks after the determination date for household applications (i.e. 16 weeks from the validation date), and 16 weeks after the determination date for all other applications (i.e. 24 weeks from the validation date). Refunds were payable where an extended time period had not been agreed by the agent / applicant or where the applicant had not exercised their right to appeal to the Welsh Ministers for non-determination.

Members were advised that this had significant implications for the Council's Development Management function as it was not uncommon for planning applications to exceed the statutory timeframe for determination. The main causes for delay in determining planning applications within the statutory time frames were summarised as:

- Awaiting submission of further details from applicants / planning agents;
- Awaiting internal and external consultee responses;
- Reporting to Planning Committee including deferments for site visits; and
- Negotiating to improve schemes, including design, layout, impact on neighbours, s106 matters etc.

Members were further advised that in light of this new threat to resources, the Council would need to take immediate steps to prevent circumstances where a refund is payable. There were ways in which the Council could address some of these matters which involved changing practices to minimise these delays, examples of which were:

- Officers would need to ensure that requests for the 'Extension of Time' for determining applications were made where necessary in a timely manner. In such circumstances, the determination period was extended and allowed the Council more time to determine the application without the threat of a fee refund.

No.

- To avoid delays awaiting information, where the applicant refuses to agree to a formal extension of time for determination, applications may need to be refused on the grounds of insufficient information to demonstrate the proposal complies with planning policy. It may also be necessary to introduce or renew service level agreements with consultees to ensure timely responses are given.
- It may be necessary for Officers, in discussion with Members, to anticipate site visits for major applications in advance of Planning Committee meetings to avoid deferments.

Negotiations would need to be carried out quickly and efficiently to enable time for the agent / applicant to amend their proposals or agree to the Council's requirements in a timely manner. Matters that would usually be resolved during the life of an application may be controlled by condition if they did not go to the heart of the development.

The report also recommended amending the Council's delegated powers for planning decisions to include all applications that were recommended for refusal, to prevent the need to report to Planning Committee those applications which were, in any event deemed to be unacceptable. This could avoid having to pay a refund where an applicant refuses to extend the time period for determination of the application and the matter would (under the current system of delegation) have to be reported to Planning Committee because of the type of application.

The Committee was advised that, in practice Officers already strived to determine applications within time and it was extremely rare for decisions to exceed the determination period other than in situations that were outside the control of the Council. Therefore, it was disappointing that the Welsh Government had chosen to introduce such punitive measures to impede Local Planning Authorities who were already facing significant financial challenges at a time when expectations on service delivery were higher than ever. Furthermore, given the disproportionate emphasis on 'speed' of decision making, it was unlikely to improve the quality of proposals and could potentially lead to the approval of development that was not 'bad' enough to refuse since negotiations would take too long to achieve a higher standard.

### **Fees for Approval of Condition Details**

The Regulations also introduced fees payable for applications for approval of discharge of conditions, subject to refund if the LPA failed to determine the application within specified times. The fee was payable per application (which may include details for 1 or more planning conditions relevant to an application) at a rate of £95 pounds or £30 for householder applications. The report presented to Committee stated that this was welcomed.

In 2014 the Council approved 1042 planning applications, of which 574 were householder applications. Assuming only 1 submission of conditions details per application this could equate to an annual fee income of £98,990 and £17,220 respectively (the report stated that it should be noted many household applications did not require any discharge of conditions details).

No.

### **Other matters covered by the Regulations**

Fees for deemed applications were to be payable to the LPA rather than half to the LPA and half to the Welsh Ministers.

A fee was now payable for a revised application for approval of reserved matters where those reserved matters had previously been approved. Under the 1989 Regulations, such an application was exempt.

Where applications were made which related to land in the area of two or more LPAs, a fee is payable to each LPA, rather than under the 1989 Regulations where the fee was payable to the LPA in whose area the largest part of the land was situated.

### **Pre-application Fee Increase**

To be consistent with the increase in Planning Fees, it was proposed to increase the fees charged for pre-application advice by 15% from 1<sup>st</sup> October 2015 as follows:

#### Major Developments:

- Written Advice only – increase from £360 to £414 (or 1% of the appropriate planning fee, whichever is greater)
- Written advice with a meeting – increase from £720 to £828 (or 1.5% of the appropriate planning fee, whichever is greater)

#### Minor Developments:

- Written Advice only – increase from £240 to £276
- Written advice with a meeting – increase from £360 to £414

Where the Council did not currently charge for pre-application advice (e.g. householder applications) this was not proposed to change. However, the discretionary charge of £50 for a site visit will increase to £57.50.

In 2014/15 fees for pre-application enquiries raised £28,908, therefore the 15% increase would have accounted for £4336.20 last year.

Following presentation of the report, Members raised concerns which are summarised as follows:

<b>Concern/Query Raised</b>	<b>Response Provided</b>
Members should try to be more proactive in requesting site visits for applications in order to try and prevent the planning process being delayed and therefore the possibility that applications may not be determined within specified times.	

No.

A more thorough pre-application process would be required in order to try and prevent the refund of planning fees.	Requests for the extension of time for the determination of planning applications could be made.
The public interest was not being served and an increase of planning fees by 15% could not be justified.	Welsh Government sets the fee increases and that the last increase was in 2007; this increase was long overdue. The 15% increase would potentially be unpopular with developers; however, Welsh Government did not seem to be able to instigate a yearly increase.
Concerns were expressed in terms of the impact of waiting for responses from statutory consultees which could delay the planning process and potentially lead to fees needing to be refunded.	Statutory consultees are required to provide representations on applications; and waiting on responses could lead to delays in the process. Welsh Government may in the future assume that if a consultee did not respond within the 21 day consultation period there was no objection to the application. The LPA could agree a time extension in order to prevent the need to refund fees.
Council's Planning departments were facing progressively greater challenges as not only did targets need to be met, but there was also the possibility of fees being refunded if certain deadlines weren't met.	The Planning department was looking to put warnings into their systems to flag up deadlines within the process and it was also looking to streamline processes in order to meet targets.
Was there a time limit on the discharge of conditions?	16 weeks.

Following consideration of the report, Planning Committee

RESOLVED -

- (1) T H A T the content of the report be noted.
- (2) T H A T it be recommended that Cabinet increase fees for pre-application advice by 15% in line with the Welsh Government fee increase for planning applications.
- (3) T H A T Cabinet be requested to recommend to Council that the current scheme of delegation be amended to include all applications which are recommended for refusal of planning permission.
- (4) T H A T the report be referred to Cabinet and Full Council for information and approval.

#### Reasons for decisions

- (1) To inform Planning Committee of the changes to Planning Fees and the introduction of a refund penalty for Local Planning Authorities from 1<sup>st</sup> October, 2015.

No.

(2) To ensure the fees payable for pre-application advice are increased in a consistent way with planning application fees, and to ensure the delivery of an effective planning service.

(3) To avoid having to refund a planning fee for an application which is considered to be unacceptable but would exceed the determination date if it were necessary to report to Planning Committee,

(4) To inform Cabinet and Council of the changes to Planning Fees and the introduction of a refund penalty for Local Planning Authorities from 1<sup>st</sup> October, 2015 to seek Cabinet's approval of the fee increase for pre-application enquiries and to seek Council's approval for a change to delegated powers.

### 348 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:

**2014/00460/FUL** Received on 26 May 2015

(p76)

David Wilson Homes Ltd., David Wilson Homes Ltd. C/o Agent

Mrs. Zoe Aubrey, Barton Willmore, Greyfriars House, Greyfriars Road, Cardiff, CF10 3AL

#### **Land adjacent St. Joseph's School, Sully Road, Penarth**

Change of use of agricultural land to residential development (C3) consisting of the demolition of two disused agricultural buildings and the development of residential dwellings, public open space, landscaping, highway improvements and associated engineering works

RESOLVED - T H A T subject to the relevant person(s) first entering into a Section 106 Legal Agreement or undertaking to include the following necessary planning obligations:

- Procure that at least 26 (35%) of the dwellings built pursuant to the planning permission are built and thereafter maintained as affordable housing units in perpetuity, of which at least 80% would be social rented properties, and the remaining 20% would be intermediate properties.
- Pay a contribution of £148,000 sustainable transport facilities in the vicinity of the site which would include:

No.

- Improve access to/from the site by sustainable modes of transport i.e. walking, cycling and public transport. In particular this could be spent in improving cycle parking provision at key sites close to the development, improving cycle/pedestrian routes between the site and the wider area in particular Dinas Powys, Cosmeston Village and Penarth
- Provision of a bus stop along Sully Road;
- Subsidised public transport service serving the site access to areas of public open space;
- New signage;
- Highway safety improvements along Sully Road.

Less the cost of sustainable transport works agreed by the Council and carried out by the developer.

- The developer shall enter into appropriate Agreement(s) to carry out the necessary works to provide the pedestrian footway to link the development to the entrance of St Joseph's Primary School along land to the east of Sully Road as shown on Plan No 10091-101-01 Rev A
- Public open space to be provided on site in the form of at least 1 No. Local Area for Play (LAP), and 1 No. Local Equipped Areas for Play (LEAP) with four types of equipment, which shall be provided in accordance with a scheme to be approved by the Local Planning Authority.
- The developer shall make appropriate provision for the future maintenance of the public open space or if the Developer and Local Authority agree, may transfer the public open space to the Council free of charge and pay commuted sums to cover the costs of future maintenance of the public open space for 20 years.
- Pay a contribution of £73,149 to provide or enhance community facilities in respect of one or more of the following:
  - Enhancement of existing community halls.
  - Enhancement of existing library facilities.
  - Provision of a new community building adjoining Upper Cosmeston Farm or the former St Cyres School Site, as highlighted within the Council's Community Facilities Background Paper.
- Pay a contribution of £686,929 to meet the cost of providing nursery, primary and secondary education services to children arising from the development at the following schools:

No.

- Victoria Primary,
  - St. Joseph's Roman Catholic
  - New School at Upper Cosmeston Farm (LDP Policy MG6 refers).
  - Stanwell Comprehensive School.
- 
- Provide public art on the site to the value of 1% of build costs, in accordance with details to be submitted.
  - The Legal Agreement will include the standard clause requiring the payment of a fee to monitor and implement the legal agreement (£18,161 in this case).

APPROVED subject to the following condition(s):

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

Reason:

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

2. This consent shall relate to the plans and documents registered on the 25<sup>th</sup> April 2014, other than where amended and supplemented by the following plans:
  - Thomson Ecology Reptile Survey received on 10 July 2014.
  - Quad Consult Limited Flood Risk Assessment and Surface Water Drainage Strategy received on 10 July 2014.
  - JDC Finch Agricultural Land Classification received on 10 July 2014.
  - Landscape and Visual Impact Appraisal received on 10 July 2014.
  - Thomson Ecology Ground Based Tree Inspection for Bats and Barn Owls received on 10 July 2014.
  - Great Crested Newt Survey received on 26 May 2015.
  - Drawing No: 105, 179, 180, 181, 182, 183, 184, 185, 186, & 187 received on 26 May 2015.
  - Drawing No: 188, 189, 190, 191, 192, & 194 received on 12 June 2015.
  - Updated Transport Assessment Appendices received on 12 June 2015.
  - Updated Transport Assessment Text Figures and Tables received on 12 June 2015.

No.

-Drwg No: 100 Rev V, 102-01 Rev B, 102-02 Rev C, 10091-003 Rev D, 10091-014 Rev A, 10091-101-01 Rev A, 101 Rev E, 103 Rev G, 104 Rev H, 106 Rev A received on 18 Aug 2015.

-Updated Planning Statement received on 18 Aug 2015.

-Updated Design and Access Statement received on 20 Aug 2015.

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

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

Reason:

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

4. The alterations to the highway as approved under the terms of Condition 3 of this permission shall thereafter be completed in accordance with a schedule of timescales that shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of those works and prior to the commencement of works to create the new access into the site.

Reason:

In the interests of highway safety and to ensure compliance with Policy ENV 27 of the Unitary Development Plan.

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

Reason:

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



No.

6. Prior to the first beneficial occupation of the development hereby approved, a full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, which shall 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 Policies 2, 8 and ENV27 (Design of New Developments) of the Unitary Development Plan.

7. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include details of parking for construction traffic, the proposed routes for heavy construction vehicles, timings of construction traffic, the means of defining and controlling such traffic routes and timings, and wheel washing facilities, shall be submitted to and approved in writing by the Local Planning Authority, and the development shall at all times thereafter be carried out in accordance with the approved details unless the Local Planning Authority gives prior written consent to any variation.

Reason:

To ensure that the parking provision and highway safety in the area are not adversely affected and to meet the requirements of Policies TRAN10 and ENV27 of the Unitary Development Plan.

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

9. Notwithstanding the submitted plans, further details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

No.

Reason:

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

10. 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.

11. The proposed windows in the side elevations of the dwellings at plots and facing towards the dwellings on Sully Road, at first floor level, 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 the respective 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.

12. 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.

13. 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.

No.

Reason:

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

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) the 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. The garages and parking spaces identified on the plans hereby approved shall be retained at all times for the parking of private motor vehicles associated with the dwellings hereby permitted.

Reason:

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

15. Notwithstanding the submitted plans, prior to the first beneficial occupation of any dwelling hereby approved, full details (including timescales) 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, in the interests of ecology and to accord with Policy ENV27 of the Unitary Development Plan.

16. No development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul water, surface water and land drainage will be dealt with, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented prior to the first beneficial occupation of any of the dwellings and so maintained at all times thereafter.

Reason:

To ensure that adequate drainage facilities are in place to serve the development and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

No.

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

18. The information submitted in accordance with the requirements of Condition 16 above shall include full details of the proposed perpetual management and maintenance of the drainage system serving the whole development, and including a written declaration to confirm the responsibility for the future maintenance and repair of the drainage system. The development shall at all times be carried out and maintained in accordance with the approved management and maintenance scheme.

Reason:

To ensure the effective maintenance of the site's drainage system and to ensure compliance with Policies ENV 7 and ENV 27 of the Unitary Development Plan.

19. 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.

20. 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.

No.

Reason:

To ensure the timely provision of the public open space and to ensure compliance with Policies ENV 27 and REC 3 of the Unitary Development Plan.

21. No more than 37 of the dwellings hereby approved shall be brought into beneficial use until the children's play area shown on the approved plans (and approved under the terms of Condition 23 of this planning permission) has 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.

22. 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 SPG.

23. No development shall commence until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP shall be complied with at all times and shall include:
- details of working methodologies to minimise or avoid ecological impacts.
  - where appropriate, identify biodiversity protection zones and measures to protected retained important habitats or create compensatory habitats.- details of biodiversity enhancement measures.
  - aims, objectives and duration of post development management of natural habitats.
  - where appropriate, details for monitoring and remedial measures.
  - details of the body/organisation responsible for the implementation of the plan.

No.

Reason:

In the interests of ecology and to ensure compliance with Policies ENV 16 and ENV 27 of the Unitary Development Plan.

24. Notwithstanding the submitted plan, further details of the proposed hard landscaping materials (including the roads and including details of the proposed location and design of any rumble strips) shall be submitted to and approved in writing by the Local Planning Authority. the development shall at all times thereafter be carried out and maintained in accordance with the approved details.

Reason:

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

25. Prior to the commencement of development, elevations, cross sections and details of means of enclosure of the proposed pumping station shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved plans.

Reason:

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

26. Prior to the first beneficial occupation of any of the dwellings, a scheme for the provision and management of a buffer zone alongside the water stream shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The scheme shall include:

- Plans showing the extent and layout of the buffer zone.
- Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term.
- Details of any footpaths and fencing.

Reason:

Development that encroaches on water stream has a potentially severe impact on their ecological value and to ensure compliance with Policies ENV16 and ENV27 of the Unitary Development Plan.

No.

27. Notwithstanding the submitted plans, further details of landscaping along the boundary with Sully Road and Plots 1, 3, 6 & 7 shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of the location of trees and hedgerows.

Reason:

To safeguard local visual amenities and in the interests of highway safety to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

**2014/01424/FUL** Received on 16 December 2014

(p121)

David Wilson Homes

Barton Willmore, Greyfriars House, Greyfriars Road, Cardiff, CF10 3AJ

### **Land off St. Brides Road, Wick**

Change of use of agricultural land to residential development (C3) including the development of 124 residential dwellings, public open space, landscaping, highway improvements and associated engineering works.

RESOLVED - T H A T subject to the relevant person(s) first entering into a Section 106 Legal Agreement or undertaking to include the following necessary planning obligations:

- Procure that at least 44 (35%) of the dwellings built pursuant to the planning permission are built and thereafter maintained as affordable housing units in perpetuity, of which at least 80% would be social rented properties, and the remaining 20% would be intermediate properties.
- Pay a contribution of £248,000 towards sustainable transport facilities in the vicinity of the site, minus the costs of the provision of a pedestrian footway link between the application site and the bus shelter on St. Brides Road (B4265) (north west of the application site) where the construction costs shall be fully detailed and submitted and approval by the Local Planning Authority. The contribution is to be used on one or more of the following: improving pedestrian routes between the site and the village centre, between the site and the bus stop on the B4265, access to areas of public open space, bus services provision serving the development and cycle provision in the village centre and vicinity of the site.
- The provision of the pedestrian footway (referred to in the bullet point immediately above) to link the new pedestrian footway proposed across the frontage of the application site to the bus shelter on St. Brides Road (B4265) north west of the application site.

No.

- Public open space to be provided on site in the form of at least 1 No. Local Area for Play (LAP), and 1 No. Local Equipped Areas for Play (LEAP) with 6 types of equipment, which shall be provided in accordance with a scheme to be approved by the Local Planning Authority.
- The developer shall make appropriate provision for the future maintenance of the public open space or if the Developer and Local Authority agree, may transfer the public open space to the Council free of charge and pay commuted sums to cover the costs of future maintenance of the public open space for 20 years.
- Pay a contribution of £122,574 to provide or enhance community facilities in respect of one or more of the following: Wick and Monknash Community Hall, St. James' church, mobile library services in the Wick area and the provision of dual use facilities at Wick Primary School.
- Pay a contribution of £1,270,558 to meet the cost of providing nursery, primary and secondary education services to children arising from the development.
- Provide public art on the site to the value of 1% of build costs, in accordance with details to be submitted.
- The Legal Agreement will include the standard clause requiring the payment of a fee to monitor and implement the legal agreement (£32,822 in this case).

APPROVED subject to the following condition(s):

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

Reason:

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

2. This consent shall relate to the plans and documents registered on the 16<sup>th</sup> December 2014, other than where amended and supplemented by the following plans:

- Amended site layout plan 100 Rev L received on 18 June 2015.
- Amended materials layout 104 Rev C received on 22 July 2015.
- Amended movement plan received on 18 June 2015.
- Amended movement plan 105 Rev A received on 18 June 2015.
- Affordable housing plan 107 received on 18 June 2015.
- Kedleston plan HB-WD11 M received on 2015.
- Burghley plan TR-PWD01 received on 2015.
- Herpetofauna survey and report received 18 June 2015.
- Updated planning statement received 18 June 2015.
- Updated Design and Access Statement received 18 June 2015.



No.

Reason:

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

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

Reason:

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

Reason:

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

5. The dwellings hereby approved shall not be brought into beneficial use until such time as the applicant / developer enter into a legal agreement under Section 38/278 of the Highways Act 1980, with the Council to secure the proper implementation of the highway works approved in conjunction with Condition 4 of this planning permission. The alterations to the highway as approved under the terms of Condition 4 of this permission shall thereafter be completed in accordance with a schedule of timescales that shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of those works and prior to the commencement of works to create the new access into the site.

Reason:

In the interests of highway safety and to ensure compliance with Policy ENV 27 of the Unitary Development Plan.

6. The measures contained within the Mayer Brown Residential Travel Plan (November 2014) shall be carried out in full, in accordance with the timescales contained in that document.

No.

Reason:

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

7. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include details of parking for construction traffic, the proposed routes for heavy construction vehicles, timings of construction traffic, the means of defining and controlling such traffic routes and timings, and wheel washing facilities, shall be submitted to and approved in writing by the Local Planning Authority, and the development shall at all times thereafter be carried out in accordance with the approved details unless the Local Planning Authority gives prior written consent to any variation.

Reason:

To ensure that the parking provision and highway safety in the area are not adversely affected and to meet the requirements of Policies TRAN10 and ENV27 of the Unitary Development Plan.

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

9. Notwithstanding the submitted plans, further details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason:

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

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons

No.

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.

11. 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 first 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.

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

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

Reason:

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

No.

14. Any windows in the side elevations of the dwellings at plots 81 and 91 facing towards the dwellings on David Street, at first floor level, 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 the respective 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.

15. Notwithstanding the submitted plans, all means of enclosure associated with the development (to include means of enclosure around the public open space and pond) 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.

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

Reason:

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

17. 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.

No.

Reason:

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

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification) the 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. The garages and parking spaces identified on the plans hereby approved shall be retained at all times for the parking of private motor vehicles associated with the dwellings hereby permitted.

Reason:

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

19. Notwithstanding the submitted plans, prior to the first beneficial occupation of any dwelling hereby approved, full details (including timescales) 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, in the interests of ecology and to accord with Policy ENV27 of the Unitary Development Plan.

20. No development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul water, surface water and land drainage will be dealt with, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented prior to the first beneficial occupation of any of the dwellings and so maintained at all times thereafter.

Reason:

To ensure that adequate drainage facilities are in place to serve the development and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

No.

21. The implemented drainage scheme for the site should ensure that all foul and surface water discharges separately from the site and that land drainage run-off and surface water 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.

22. The information submitted in accordance with the requirements of Condition 20 above shall include full details of the proposed perpetual management and maintenance of the drainage system serving the whole development, and including a written declaration to confirm the responsibility for the future maintenance and repair of the drainage system. The development shall at all times be carried out and maintained in accordance with the approved management and maintenance scheme.

Reason:

To ensure the effective maintenance of the site's drainage system and to ensure compliance with Policies ENV 7 and ENV 27 of the Unitary Development Plan.

23. 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.

24. 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 ENV 27 and REC 3 of the Unitary Development Plan.

No.

25. No more than 62 of the dwellings hereby approved shall be brought into beneficial use until the children's play area shown on the approved plans (and approved under the terms of Condition 24 of this planning permission) has 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.

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 SPG.

27. No development shall commence until an Ecological Management Plan (EMP) has been submitted to and approved in writing by the Local Planning Authority. The EMP shall be complied with at all times and shall include:

- details of working methodologies to minimise or avoid ecological impacts.
- where appropriate, identify biodiversity protection zones and measures to protected retained important habitats or create compensatory habitats.
- details of biodiversity enhancement measures.
- aims, objectives and duration of post development management of natural habitats.
- where appropriate, details for monitoring and remedial measures.
- details of the body/organisation responsible for the implementation of the plan.

Reason:

In the interests of ecology and to ensure compliance with Policies ENV 16 and ENV 27 of the Unitary Development Plan.

28. Notwithstanding the submitted plan, further details of the proposed hard landscaping materials (including the roads and including details of the proposed location and design of any rumble strips) shall be submitted to and approved in writing by the Local Planning Authority. the development shall at all times thereafter be carried out and maintained in accordance with the approved details.

No.

Reason:

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

29. The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground disturbing works in the development area so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards laid down by the Institute of Field Archaeologists. The Local Planning Authority shall be informed in writing at least two weeks prior to the commencement of development on site of the name and address of the said archaeologist and no work shall commence on site until the Local Planning Authority has confirmed in writing that the proposed archaeologist is suitable. A copy of the watching brief shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource, and to ensure compliance with Policies ENV18 and ENV19 of the Unitary Development Plan.

**2015/00016/FUL** Received on 7 January 2015  
(p171)

Waterstone Homes, c/o Agent  
Mr. Andrew Muir, Harmers Limited, 39, Lambourne Crescent, Cardiff Business Park,  
Llanishen, CF14 5GG

### **Land to the South of Craig Yr Eos Avenue, Ogmore by Sea**

Residential development for 20 dwellings

RESOLVED - T H A T subject to the relevant person(s) first entering into a Section 106 Legal Agreement or undertaking to include the following necessary planning obligations:

- Procure that 40% (8) of the dwellings built on the site pursuant to the planning permission are built and thereafter maintained as affordable housing units in perpetuity.
- Pay a contribution of £86,779.56 for the provision or enhancement of education facilities to meet the needs of future occupiers generated at St. Brides Major Primary School
- £19,500 towards school transport costs generated by the development for the first three years.



No.

- Pay a contribution of £45,600 to provide or enhance open space facilities off site in Ogmore by Sea to be spent on one or more of the area of public open space adjacent to Slon Lane, on the Common and/or adjacent to the beach.
- Provide public art on the site to the value of 1% of project costs in accordance with details to be submitted for approval.
- Pay a contribution of £19,770 towards the provision or improvement of Community Facilities within Ogmore by Sea to be spent on the provision of a village hall within Ogmore by Sea.
- Pay a contribution of £40,000 to provide or enhance sustainable transport facilities in the vicinity of the site to be spent on one or more of localised improvements to assist in pedestrian movements along Craig Yr Eos Road, improved footpath links with the Common, junction improvements between Craig Yr Eos Road and Main Road and improvements to bus services and facilities serving Ogmore (including the 303 bus service).
- Pay the Council's standard administration fee for negotiating, monitoring and implementing the terms of the s106 agreement (£4,232.19 in this case).

APPROVED subject to the following condition(s):

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

Reason:

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

2. This consent shall only relate to the amended plans reference:
  - House Type A 2082-200-08 Rev E received 16 June 2015
  - House Type B 2082-200-06 Rev F received 16 June 2015
  - House Type C 2082-200-03 Rev C received 16 June 2015
  - House Type H 2082-200-10 received 16 June 2015
  - Plans and Elevations 1 Bed flats Plots 1-6 2082-200-09 Rev B received 08 April 2015
  - Plans and Elevations House Type D 2082-200-04 Rev C received 08 April 2015
  - Site Layout Plan 2082-101E received 02 July 2015
  - Site levels and sections 2082-110A received 16 June 2015

and the development shall be carried out strictly in accordance with these details.

No.

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 Policy ENV27 of the Unitary Development Plan

4. Notwithstanding the submitted details, full details of a comprehensive scheme for the site shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details prior to the beneficial occupation of any of the dwellings hereby permitted.

Reason:

To ensure adequate drainage facilities at the site, and to ensure compliance with the terms of Policies ENV7 and ENV27 of the Unitary Development Plan.

5. The development hereby permitted shall not be commenced until such time as a scheme to install the underground tank (wet well for foul water temporary storage before being pumped to main sewer) has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall include the full structural details of the installation, including details of: excavation, the tank depth, tank surround, associated pipework, sealing of tank and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.

Reasons

To ensure protection of controlled waters (groundwater) within the Principal Aquifer in accordance with Policy ENV7 of the Development Plan.

6. The implemented drainage scheme for the site should ensure that all foul and surface water discharges separately from the site and that no surface water or land drainage run-off shall discharge, either directly or indirectly, into the public sewerage system.

No.

Reason:

To prevent hydraulic overloading of the public sewerage system and to protect the health and safety of existing residents and ensure no detriment to the environment and to comply with the terms of Policies ENV27 and ENV29 of the Unitary Development Plan.

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

Reason:

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

8. Notwithstanding the submitted plans, full engineering details of the off-site highways works including improvements to the junction of Main Road and Craig Yr Eos Avenue (as shown on drawing 2082/SK550 Rev A), and all footways, new vehicular / pedestrian access to the site and all internal roads within the site, incorporating turning facilities and vision splays, and including sections, street lighting, surface water drainage and the details of the location and design of all rumble strips, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development. The development shall be implemented thereafter in accordance with the approved details.

Reason:

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

9. Notwithstanding the submitted plan, further details of the proposed hard landscaping materials (including the roads and including details of the proposed location and design of all traffic calming features) shall be submitted to and approved in writing by the Local Planning Authority. The development shall at all times thereafter be carried out and maintained in accordance with the approved details.

Reason:

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

10. No Development shall take place until there has been submitted to, approved in writing by the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include details of how noise,

No.

lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated. The CEMP will utilise the Considerate Constructors Scheme ([www.considerateconstructorscheme.org.uk](http://www.considerateconstructorscheme.org.uk)). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason:

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

11. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority, to include details of parking for construction traffic, the proposed routes for heavy construction vehicles, timings of construction traffic and means of defining and controlling such traffic routes and timings, shall be submitted to and approved in writing by the Local Planning Authority, and the development shall at all times thereafter be carried out in accordance with the approved details unless the Local Planning Authority gives prior written consent to any variation.

Reason:

To ensure that the parking provision and highway safety in the area are not adversely affected and to meet the requirements of Policies TRAN10 and ENV27 of the Unitary Development Plan.

12. Notwithstanding the submitted plans, further details of a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason:

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

13. 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

No.

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.

14. 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 ENV27 of the Unitary Development Plan.

15. 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) the dwellings 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.

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

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

No.

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.

18. The first floor windows in the northern side elevation of unit 18, northern side elevation of unit 1-6 and southern side elevation of unit 12 shall be installed as a non-opening window (with the exception of a top light) and 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 the 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 Policy ENV27 of the Unitary Development Plan.

19. Notwithstanding the submitted details of screening, further details of screening to the balconies and details of the external finishes of the proposed balconies shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and completed in accordance with the approved details and the screening shall be erected in accordance with the approved details prior to the first beneficial use of the dwelling they relate to and shall thereafter be so retained at all times.

Reason:

In the interests of the visual amenity of the area and to protect the amenity of occupiers of neighbouring residential properties in accordance with Policy ENV27-Design of New Developments of the Unitary Development Plan.

20. 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.

No.

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.

21. 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 SPG.

22. Prior to the commencement of development, an Ecological Management Plan, to include a scheme for the maintenance and enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The agreed Ecological and Landscape Management Plan shall be implemented in full accordance with its recommendations and details in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure protection for protected species and ecological enhancement, in accordance with policy ENV 16 of the Unitary Development Plan.

23. The development shall be carried out in accordance with the recommendations of the submitted 'Ecological Assessment and Survey for Bats' dated September 2014 and Strategy for Clearance of Common Reptiles dated October 2014 both prepared by David Clements unless the Local Planning Authority agree in writing to any variation.

Reason:

To safeguard protected species, in accordance with Policy ENV16 of the Unitary Development Plan.

No.

**2015/00341/FUL** Received on 26 March 2015  
(p205)

Mr. Paul Donovan, The Bungalow, 7, Rectory Road Lane, Penarth, Vale of Glamorgan, CF64 3AX

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

**The Bungalow, 7, Rectory Road Lane, Penarth**

New pitched roof over existing flat roof to provide first floor accommodation and minor adaptations

APPROVED subject to the following condition(s):

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

Reason:

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

2. This consent shall relate to the following schedule of plans and documents:-
  - Drwg. No. PDR 01, received 26 March 2015;
  - Drwg. No. PDR 02a, amended plans received 2 June 2015;
  - Drwg. No. PDR 03a, amended plans received 2 June 2015;
  - Design and Access Statement received 26 March 2015;and the development shall be carried out strictly in accordance with these details.

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

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:

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



No.

4. Notwithstanding the submitted plans this consent shall not relate to the roof light to the proposed study on the east side elevation of the new roof, as shown on Drwg. Nos. PDR 02a and 03a, amended plans received 2 June 2015.

Reason:

To safeguard the privacy of the neighbouring occupiers in accordance with Policy ENV27-Design of New Developments of the Unitary Development Plan and Supplementary Planning Guidance on Amenity Standards.

5. 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 or other openings, including roof lights, other than those expressly authorised by this permission shall be inserted in any elevation of the roof of the development hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

To safeguard the privacy of adjoining occupiers in accordance with Policy ENV27-Design of New Development of the Unitary Development Plan and Supplementary Planning Guidance on Amenity Standards.

6. The proposed on-site car parking as indicated on Drwg. No. PDR 02a, amended plan received 2 June 2015, shall be implemented before the first beneficial use of the development hereby permitted, and shall thereafter be retained and maintained on site at all times for the parking of vehicles associated with the dwelling house.

Reason:

To ensure the provision and retention of on-site car parking to serve the dwelling in the interests of highway safety in accordance with Policy ENV27-Design of New Developments of the Unitary Development Plan.

**2015/00360/FUL** Received on 31 March 2015  
(p216)

Stephen Bowley Planning Consultancy Ferndale, Tiddington, Thame, Oxfordshire,  
OX9 2LQ

Raymond Brown Minerals & Recycling Ltd A1 Omega Park, Electron Way,  
Chandlers Ford, Hampshire, SO53 4SE

### **Wimborne Road, Barry**

Facility for the recycling of incinerator bottom ash (IBA) to produce aggregates (IBAA) and the recovery of metals

No.

APPROVED subject to the following condition(s):

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

Reason:

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

2. The development shall be carried out in accordance with the following approved plans and documents registered on 31 March 2015 other than the amended Design & Access Statement submitted on 30 April 2015 and the additional documents 'Alternative Sites Assessment' received on 1 June 2015, the 'the additional highways matters document and plans ref B23/RBR/07 Rev C and Drw. No. 004 and 005 (swept path analysis within site) received on 11 June 2015 and the signposted ' Waste Planning Assessment' document received on 9 July 2015

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

3. Prior to their use in the construction of the development hereby approved, sample details of the proposed green colour to be used on the buildings, shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out and maintained 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, including access gates 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.

No.

5. Prior to their construction / installation / use on site, details of all external lighting of the building and site, to include specification, means of operation (whether permanent or sensor/security lights, and hours of operation), and lux plots to prevent / minimise light spillage outside of the site (including atmospheric light pollution) shall be submitted to and approved in writing by the Local Planning Authority. Any lighting shall only be implemented in accordance with such approved scheme, unless otherwise approved in writing by the Local Planning Authority.

Reason:

In the interests of residential and visual amenity, and to ensure compliance with Policies WAST2, EMP2, EMP3, ENV27 and ENV29 of the Unitary Development Plan.

6. The implemented drainage scheme for the site should ensure that all foul and surface water discharges separately from the site and that land drainage run-off shall not discharge, either directly or indirectly, into the public sewerage system without the appropriate consent.

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.

7. Prior to the beneficial use of the site, details of the proposed septic tank to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure appropriate drainage of the domestic foul sewerage from the site and to ensure compliance with Policy WAST2 of the Unitary Development Plan.

8. Notwithstanding the submitted details, no development shall take place until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. The surface water scheme must provide finalised details of discharge rates, flood depths and details of the impermeable wall, along with a full drainage plan for surface water disposal.

No.

Reason:

To prevent hydraulic overloading of the public sewerage system and to ensure no pollution or to the detriment to the environment, in compliance with Policy WAST2 of the adopted UDP 1996-2011

9. The development hereby permitted shall not be brought into beneficial use until the surface water management scheme for the site has been completed in accordance with the approved details, to be agreed in discharge of Condition 8. The surface water management scheme shall be managed and maintained thereafter in accordance with the agreed details.

Reason:

To ensure that the development is serviced by an appropriate Drainage Scheme, and to ensure compliance with the terms of Policies ENV7 and ENV27 of the Unitary Development Plan.

10. The landscaping scheme shall be carried out in accordance with the details indicated on draw ref B23/RBR/22 unless otherwise 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.

11. All planting, seeding or turfing comprised in the approved details of landscaping (referred to in Condition 10), 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. The IBA and IBAA shall only be stockpiled in the areas indicated on the approved site layout plan ref B23/RBR/14 and external stockpiles of any material on site shall not exceed 6m in height.

No.

Reason

In the interests of visual amenity and to comply with Policies WAST2 and ENV27 of the Adopted UDP 1996-2011.

13. There shall be no more than 75,000 tonnes of incinerator bottom ash waste shall be delivered to the site per calendar year. A written record of all tonnage entering the site associated with the permission hereby granted shall be kept onsite and shall be made available to the Local Planning Authority for inspection upon request within 14 days of the request being made.

Reason:

In the interests of highway safety and to ensure compliance with Policies ENV27 and WAT2 of the Unitary Development Plan.

14. Deliveries to the site, and all other operations, shall be restricted to the following hours: - Monday to Friday : 07:00 - 18:00; and Saturday 07:00 - 13:00 and no working on Sundays or recognised Bank Holidays, unless any variation is first agreed to in writing by the Local Planning Authority.

Reason:

In the interests of local residential amenity, and to ensure compliance with Policies WAST2, EMP2, EMP3, ENV27 and ENV29 of the Unitary Development Plan.

15. The development shall be carried out in accordance with the details outlined in the Noise Mitigation Scheme in (Chapter 5, Section 7 of the Environmental Statement received on 31 March 2015). The control and mitigation measures set out in the assessment shall be carried out in conjunction with the approved use and maintained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect residential amenity in accordance with the criteria of Policy WAST2 of the Unitary Development Plan.

16. The development shall be carried out in accordance with the details outlined in the IBA and IBAA Dust Emission Assessment and Control Scheme outlined in Chapter 6, Appendix 1 of the Environmental Statement received on 31 March, 2015 including the effective sheeting of lorries both delivering and removing material from the site. The control and mitigation measures set out in the assessment shall be carried out in conjunction with the approved use and maintained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

No.

Reason:

To protect residential amenity in accordance with the criteria of Policy WAST2 of the Unitary Development Plan.

17. The development shall be carried out in accordance with the details and review outlined in the Odour Management Plan outlined in Chapter 7, Appendix 1 of the Environmental Statement received on 31 March 2015. The control and mitigation measures set out in the management plan shall be carried out in conjunction with the approved use and maintained at all times thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect residential amenity in accordance with the criteria of Policy WAST2 of the Unitary Development Plan.

18. Prior to the beneficial use of the development, details of a water based suppression system to control dust and odour from the site, shall be submitted to and approved in writing by the Local Planning Authority. The development shall at all times be carried out in accordance with the approved details

Reason:

To control the environmental impacts of the proposed development on residential amenity in accordance with the Policy WAST2 of the Unitary Development Plan.

19. The development shall strictly accord with the two routes (A & B) identified within the Transport assessment (Chapter 8 of the ES) for the movement of the IBA from the ERF plant in Cardiff to the application site at Barry Docks unless otherwise agreed by the Local Planning Authority.

Reason

In the interests of Highway Safety and congestion, according with Policies TRAN10 and TRAN11 of the Unitary Development Plan.

20. The access and visibility splays (4.5m x 48m ), in accordance with the parking and access details ref FIG 3 and B23/RBR/09 Rev C received on 31 March 2015 and shall at all times be maintained and shall be constructed from a bound material for a minimum distance of 20.0m from the carriageway boundary. The development shall be carried out in accordance with these details unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interest of Highway Safety and in accordance with WAST2, COMM8 of the Unitary Development Plan.

No.

21. No part of the development hereby approved shall be brought into beneficial use until such time as the parking areas, including all associated access and turning areas, have been laid out in full accordance with the details outlined on draw B23/RBR/09 Rev C 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.

22. Prior to the commencement of development, a site assessment shall be carried out which provides details of the levels of any migrating gas from the nearby landfill site, an assessment of the implications of any migrating gas for the development, measures to be put in place to ensure the safe operation of the development in such conditions and details of proposed monitoring of migrating gas through the operational lifetime of the development (and measures to be put in place if gas levels are found to rise during subsequent monitoring). The assessment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and the development shall at all times be carried out in accordance with the approved details.

Reason:

To ensure compliance with the requirements of Policy WAST3 of the Unitary Development Plan.

23. Details of secure parking on site for six cycles shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme of cycle parking shall be fully implemented on site prior to the first beneficial occupation of the development hereby approved and shall thereafter be so retained at all times.

Reason:

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

24. A noise survey post installation at the nearest residential premises in Dock View Road and Hillary Rise, shall be undertaken when the use hereby approved is initially commissioned and again after six months. The noise survey is to be provided in the same format as in the developer's submitted noise statement. The results of the first noise assessments shall be submitted to the Local Planning Authority, within two months of the date of commissioning the plant and, should either of the surveys indicate that the

No.

noise levels exceed those stated in the application documents, the use shall cease until such time as a scheme of noise mitigation has been submitted to and approved in writing by the Local Planning Authority, and those measures implemented. The development shall at all times be carried out in accordance with any mitigation measures that are identified as being necessary.

Reason:

In the interests of residential amenity and to ensure compliance with Policies ENV27 and COMM7 of the Unitary Development Plan.

**2015/00549/FUL** Received on 15 May 2015  
(p251)

Mr. A. Sinclair, C/o Agent  
Andrew Parker Architect, The Great Barn, Lillypot, Bonvilston, Vale of Glamorgan,  
CF5 6TR

**Former Leisure Complex, Beach Road, Swanbridge, Sully**

Proposed new detached dwelling

DEFERRED (Site Visit)

**2015/00632/FUL** Received on 1 June 2015  
(p270)

KS SPV27 Ltd., C/O Agent.  
Laurence Associates, Lander House, May Court, Threemilestone Business Park,  
Truro, Cornwall., TR4 9LD

**Cwm Derwyn Farm, Weycock Road, Barry**

Construction of solar photovoltaic park with attendant infrastructure

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 registered on 1 June 2015 and supplemented by the plans contained within the Transport Planning Associates technical note (KS SPV 27 Ltd), other than where those plans are superseded by plan SP01 Rev C, received on the 14 August 2015.



No.

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. Within 25 years and six months following completion of construction of the development, or within six months of the cessation of electricity generation by the solar photovoltaic facility, or within six months following a permanent cessation of construction works prior to the solar photovoltaic facility coming into operational use, whichever is the sooner, the solar photovoltaic panels, frames, foundations, and all associated structures and fencing hereby approved shall have been dismantled and removed from the site. The developer shall notify the Local Planning Authority in writing no later than five working days following cessation of power production. The site shall subsequently be restored in accordance with a scheme, the details of which shall be submitted to and approved in writing by the Local Planning Authority no later than three months following the cessation of power production or within 25 years of the completion of construction, whichever is the sooner.

Reason:

In the interests of visual amenity and to ensure compliance with Policies ENV27 and COMM8 of the Unitary Development Plan.

4. Prior to the commencement of development details of measures for wheel washing, road sweeping, dust suppression and temporary road signage shall be submitted to and approved in writing by the Local Planning Authority and the approved measures shall be fully implemented on site prior to the commencement of any works and shall thereafter be so retained for the duration of the construction phase of the development unless the Local Planning Authority gives prior written consent to any variation.

Reason:

To ensure highway safety and that the amenities of the area are not adversely affected and in order to ensure compliance with Policy ENV27 of the Unitary Development Plan.

5. No development shall commence until such time as full details of the proposed site compound - to include details of any site office, parking, manoeuvring areas, enclosures and storage areas - and the precise route and any alterations to facilitate the temporary access to the site, have been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of visual and residential amenity and to ensure compliance with Policies ENV27 and COMM8 of the Unitary Development Plan.

No.

6. Notwithstanding the submitted plans and reports, the construction phase of the development shall at all times be in accordance with a scheme of hours that shall first be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.

Reason:

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

7. No external artificial lighting shall be installed during the operation of the site as a solar photovoltaic facility, unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and the Town and Country Planning (General Permitted Development) Order 1995, (or any Orders revoking or re-enacting those Orders with or without modification), the development shall only be enclosed with 2m high Deer Fencing unless any variation is first agreed to in writing by the Local Planning Authority. Details of the appearance of the fencing shall be submitted to and approved in writing by the Local Planning Authority prior to its erection/construction.

Reason:

In the interests of visual amenity and to ensure compliance with Policies ENV27 and COMM8 of the Unitary Development Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order with or without modification), no fencing or means of enclosure other than those hereby approved, shall be erected within the site unless details of such means of enclosure have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of the character and appearance of the Special Landscape Area and to ensure compliance with Policies ENV27 and COMM8 of the Unitary Development Plan.

10. Prior to the commencement of development, a scheme for the maintenance and enhancement of biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the scheme as

No.

approved shall be carried out in full and the development shall at all times be carried out in accordance with the approved details.

Reason:

In the interests of ecology and to ensure compliance with Policies ENV16 and ENV27 of the Unitary Development Plan.

11. Notwithstanding the submitted plans, a comprehensive landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall also include indications of all existing trees and hedgerows on the land, details of any to be retained, and details of all new hedges and trees, 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.

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

Reason:

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

13. The development shall at all times be carried out in accordance with the construction traffic route contained in the Construction Traffic Management Plan, dated 5th May 2015.

Reason:

In the interests of highway safety and to ensure compliance with Policies ENV27 and COMM8 of the Unitary Development Plan.

14. The proposed site access from the vehicular highway (including widening as shown on TPA plan SK02, passing bays and vision splays) shall be constructed and laid out in accordance with the details shown on plans SK01, SK02 and SP01 REV C, prior to the commencement of any part of the development other than those parts associated with the site access, as required by this condition. The site access shall be re-instated in accordance with details (including timescales) that shall be submitted to and approved in

No.

writing by the Local Planning Authority, prior to the first commissioning of the solar panels.

Reason:

In the interests of highway safety and to ensure compliance with Policy COMM 8 of the UDP.

15. Prior to the commencement of any part of the development other than those parts associated with the site access as required by this condition and condition 14, details of the bound surfacing of the access track for a distance of 20m from the highway, along with details of the construction of the crossover and any gates (to be sited at least 20m into the site from the highway) shall be submitted to and approved in writing by the Local Planning Authority. The crossover and bound surface shall be constructed in accordance with the approved details, prior to the commencement of any part of the development other than those parts associated with the site access, as required by this condition and condition 14.

Reason:

In the interests of highway safety and to ensure compliance with Policies ENV 27 and COMM 8 of the UDP.

16. Prior to any work commencing on site the developer shall appoint an independent highway maintenance consultant to carry out a full and comprehensive condition survey of the local highway network (the relevant scope of which shall be first agreed in writing with the Local Planning Authority) and the survey shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety and to ensure compliance with Policies ENV27 and COMM8 of the Unitary Development Plan.

17. Following the construction of the solar panels and prior to their first commissioning the developer shall appoint an independent maintenance consultant to carry out a full and comprehensive condition survey of the highway network referred to in Condition No. 16 above, so as to identify any difference in the condition of the highway since the commencement of the construction of the solar park, and any repairs required as a consequence. The survey shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety and to ensure compliance with Policies ENV27 and COMM8 of the Unitary Development Plan.

No.

18. Following the construction of the solar panels and prior to their commissioning, the developer shall carry out any repairs to the adopted highway identified in the second survey required by Condition No. 17 above, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety and to ensure compliance with Policies ENV27 and COMM8 of the Unitary Development Plan.

19. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall be submitted by the applicant and approved in writing by the Local Planning Authority and the programme and scheme shall be fully implemented as defined in the approved details.

Reason:

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

**2015/00700/FUL** Received on 25 June 2015  
(p299)

Mr. and Mrs. Pepi Mancuso, 23, Glebe Street, Penarth, Vale of Glamorgan,  
CF64 1EE

Mark Taylor, MT Surveyors,, Heatherton Lodge, Michaelston Y Fedw, Cardiff, CF3  
6XS

**23, Glebe Street, Penarth**

Change of use from retail shop to three bedroom dwelling

**DEFERRED** (Site Visit)

**2015/00441/RG3** Received on 20 April 2015  
(P307)

Ms Jane Wade, Vale of Glamorgan Council, Civic Offices, Holton Road, Barry, Vale  
of Glamorgan, CF63 4RU

Mr Gareth Woodfin, HLM Architects, Level 2, Greyfriars House, Greyfriars Road,  
Cardiff, CF10 3 AL

**Llanilltud Fawr/Llantwit Major Primary and Infant Schools, Ham Lane East,  
Llantwit Major**

No.

Replacing existing 1FE Primary School with a new 2FE Primary School (Inc. Nursery). Providing Secondary School with approximately 5400m<sup>2</sup> of new build accommodation and refurbishing the main existing along Ham Lane. Remaining buildings will be demolished to make way for new 3G Pitch and MUGA along with associated car parking and landscaping

Deemed planning consent be GRANTED subject to the following condition(s):

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

Reason:

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

2. This consent shall only relate to the plans registered on the 20 April 2015, other than where amended or supplemented by the following plans,

- SK003, SK004, SK005 and SK006 (swept paths) received 6 July 2015.

- soft landscape plans 4 and 5, and hard landscape plans 5 and 6, received 24 July 2015.

- Site Boundary and Topography, received 6 July 2015.

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 the first beneficial use of the development hereby approved, further details of the proposed bin stores to serve the schools shall be submitted to and approved in writing by the Local Planning Authority. The bin stores shall thereafter be provided prior to the first beneficial use of the development and so retained at all times.

Reason:

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

4. Prior to the commencement of development, details of the finished levels of the site and buildings in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full accordance with the approved details. The submitted details shall include existing and proposed levels for the areas of open space along the southern boundary of the site.

No.

Reason:

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

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

6. 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.

7. Prior to the first beneficial occupation of the new school or extension to the existing school, a new travel plan for the site as a whole shall be submitted to and approved in writing by the Local Planning Authority. The school shall at all times be operated in accordance with the travel plan as approved.

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 Policies 2, 8 and ENV27 of the Unitary Development Plan.

8. Prior to the first beneficial occupation of the development hereby approved, details of thirty Sheffield type cycle parking stands to be installed within the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the cycle stands shall be provided before first beneficial occupation of the development and maintained and retained at all times for the use of the development.

No.

Reason:

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

9. Prior to the commencement of development, full construction details of the proposed realignment to the existing means of access to the site, the car parking provision, drop off/pick up facilities and manoeuvring areas shall be submitted for approval in writing by the Local Planning Authority. Thereafter, the realignment to the means of access, the car parking provision, drop off/pick up facilities and manoeuvring areas shall be provided before first beneficial occupation of the development, constructed in accordance with the approved details and maintained at all times for the use of the development.

Reason:

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

10. Prior to the first beneficial occupation of the development, the servicing access located to the south of the secondary school shall be increased in width to allow two servicing vehicles to pass side by side at the same time. Full construction details, including appropriate vehicle swept paths shall be submitted to and agreed in writing by the Local Planning Authority prior to the implementation of the works to widen the access.

Reason:

To ensure adequate means of access and egress for servicing vehicles, in the interests of highway safety and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

11. Prior to the first beneficial occupation of the development hereby approved, the proposed Traffic Regulation Orders as detailed within the Addendum to the submitted Transport Assessment shall be implemented in full.

Reason:

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

12. Prior to the first beneficial occupation of the development hereby approved, the existing footway along the southern side of Boverton Road in the vicinity of the existing Pelican crossing shall be widened, in accordance with a scheme which shall have first been submitted to and approved in writing by the Local Planning Authority.



No.

Reason:

To accommodate the increase in pedestrian demand at the excising crossing, in the interests of highway safety and to accord with Policy ENV27 of the Unitary Development Plan.

13. Prior to the first beneficial occupation of the development hereby approved, a Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Car Parking Management Strategy shall detail how the proposed car parks for both schools, the adjacent Leisure Centre and the proposed drop off/pick areas for cars and coaches/buses within the site will be operated. Thereafter, the Car Parking Management Strategy shall be fully implemented at all times in accordance with the approved details.

Reason:

In order to ensure adequate traffic management is provided within the site, in the interests of highway safety, and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

14. Prior to the commencement of development, a Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority which shall provide details in relation to access (vehicular and pedestrian) to the site along Ham Lane East, the parking provision for contracting staff, the delivery of materials, the haul route along the highway network during construction and details of the hours within which deliveries of plant/materials will be carried out.

Reason:

To ensure adequate means of access and parking within the site for construction vehicles, in the interests of highway safety, and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

15. Prior to the commencement of development, an Ecological Design Strategy (EDS) shall be submitted to and approved in writing by the Local Planning Authority, addressing ecological mitigation, compensation and enhancement, to include:

- Details of alternative bat roost(s).
- Details of measures to protect breeding birds, nesting/hibernating hedgehogs.
- Details of replacement habitats/enhancement measures.
- Details of 'newt friendly' drainage.
- Identification of flight lines for bats.
- Details of post development monitoring.

No.

The EDS shall be implemented in accordance with the approved details.

Reason:

In the interests of ecology and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

16. Prior to the commencement of any development that affects the existing bat roost, a copy of the Natural Resources Wales licence (pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010) shall be submitted to the Local Planning Authority.

Reason:

In the interests of ecology and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

17. Prior to the commencement of any works to construct the drainage facilities serving the development, a detailed scheme for the drainage of the site, showing how road and roof / yard water will be dealt with shall be submitted to and approved in writing by the Local Planning Authority; the approved scheme shall thereafter be implemented prior to the first beneficial occupation of the development, and so maintained at all times thereafter.

Reason:

To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased elsewhere, and to ensure compliance with Policies ENV7 and ENV27 of the Unitary Development Plan.

18. Prior to the commencement of any works to construct the drainage facilities serving the development, a SuDS management plan (to include details on future management responsibilities, along with maintenance schedules for all SuDS features and associated pipework) shall be submitted to and approved in writing by the Local Planning Authority. This plan shall detail the strategy that will be followed to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime. The approved SuDS management plan shall be implemented in full in accordance with the agreed terms and conditions for the life of the development.

Reason:

In order to ensure the development is served by adequate and sustainable drainage facilities and to ensure compliance with Policies ENV7 and ENV27 of the Unitary Development Plan.

19. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The scheme shall

No.

include details of strengthened planting along the southern boundary of the site.

Reason:

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

20. 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.

21. Any new external lighting for the site shall be submitted to and approved in writing by the Local Planning Authority, prior to the lighting being constructed / erected / placed on site.

Reason:

In the interests of visual/residential amenity and to ensure compliance with 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 details of hours of operation. The CEMP will utilise the Considerate Constructors Scheme ([www.considerateconstructorscheme.org.uk](http://www.considerateconstructorscheme.org.uk)). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason:

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

No.

349 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 stated beneath the minute heading be considered.

350 GENERAL PLANNING MATTERS (HRP) -

(a) Welsh Government Consultation Secondary Legislation for Development Management -  
**(Urgent by reason of the deadline for comments to be submitted to Welsh Government)** -

The Committee received an urgent report to update Members on the Welsh Government (WG) consultation on Secondary Legislations for Development Management and to recommend an appropriate response to those consultations.

As part of the implementation of the proposed changes to the Planning System in Wales, which will be introduced through The Planning (Wales) Act, a consultation paper had been released seeking the views of interested parties with regard to the above.

The consultation sought the view of the Council on subordinate legislation needed to implement the following sections of the Planning (Wales) Act 2015:

- Non-Validation Appeals (s.29)
- Decision Notices (s.33)
- Notifications (s.34)
- Consultations etc. in Respect of Certain Applications for Approval (s.37)
- s.217 Appeals (s.48)
- Statutory pre-application fees (s.18)

The consultation paper was not seeking opinions in respect of the primary legislation included in the Bill as this had already been approved by the National Assembly for Wales, and received Royal Assent in July.

The consultation paper, a copy of which was attached to the report at Appendix A, included a set of specific questions to which the Welsh Government was requesting views. The closing date for replies was 11th September 2015.

The proposed responses to the consultation papers point out concerns regarding the bureaucratic way in which the proposed changes had been drawn up and possible flaws in the reasoning of Welsh Government in the way in which they envisage the proposals working. It also acknowledges certain improvements to the system such as removing the requirement to appeal to the magistrate's court in respect of notices served with regard to untidy land.

The issues raised were addressed individually in the consultation response attached to the report at Appendix B.

No.

Following presentation of the report, Members expressed the following views:

- It was very difficult to achieve the standardisation of the Planning process in Welsh Councils.
- Concerns were raised in relation to the proposed changes to decision notices, in that they could complicate the Planning process.
- The 21 day consultation period for statutory consultees may be insufficient for them to provide responses on applications, particularly for Town and Community Councils.

Following consideration of the report, Planning Committee

RESOLVED -

(1) T H A T the content of the report be noted and the response to the consultation be agreed and sent to Welsh Government.

(2) T H A T the matter be referred to Cabinet for information and that should Cabinet have any additional issues it wishes to raise that these be forwarded to Welsh Government.

Reasons for decisions

(1) To allow the Council to respond to the consultation.

(2) To inform Cabinet of the views of the Committee when responding to the consultation and to allow any further comments of Cabinet to be forwarded to the Welsh Government.