

PLANNING COMMITTEE

Minutes of a meeting held on 17th December, 2015.

Present: Councillor F.T. Johnson (Chairman); Councillors: J.C. Bird, Mrs. P. Drake, J. Drysdale, C.P. Franks, H.C. Hamilton, Mrs. V.M. Hartrey, N.P. Hodges, H.J.W. James, A. Parker, R.A. Penrose, Mrs. A.J. Preston, G. Roberts and A.C. Williams.

692 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.”

693 APOLOGIES FOR ABSENCE -

These were received from Councillors Mrs. M.R. Wilkinson (Vice-Chairman), Mrs. M.E.J. Birch, Ms. R. Birch, Ms. B.E. Brooks, E. Hacker, A.G. Powell and M.R. Wilson.

694 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 19th November, 2015 be approved as a correct record.

695 DECLARATIONS OF INTEREST -

Councillor FT. Johnson (Chairman)	Application No. 2015/01030/FUL - Court Farm, Bonvilston - The nature of the interest was that Councillor Johnson had held a charity golf day in his capacity as Vale of Glamorgan Mayor and had received permission from the applicant to hold this on their golf course. Councillor Johnson vacated the room whilst this item was under consideration.
Councillor A. Parker	Application No. 2015/01030/FUL - Court Farm, Bonvilston - The nature of the interest was that Councillor Parker was the architect for the application. Councillor Parker vacated the room whilst this item was under consideration.

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	Application No. 2015/01163/FUL and 2015/01164/LBC Keeperes Cottage, Lower Porthkerry Road, Porthkerry Road, Rhose- The nature of the interest was that Councillor Parker was the architect for these applications, however as they were both withdrawn at the Committee and therefore not considered by the Committee, Councillor Parker remained in the room.
Councillor R.A. Penrose	Application No. 2015/01030/FUL - Court Farm. Bonvilston - The nature of the interest was that the applicant was known personally to Councillor Penrose. Councillor Penrose vacated the room whilst this item was under consideration.
Mrs. V. Robinson – Operational Manager – Development Management	Agenda Item No. 12 – Enforcement Action – Land and Buildings at 42 Stanwell Road, Penarth. The nature of the interest was that the owner of the property was known to her. Mrs. Robinson vacated the room whilst this item was under consideration.

696 ELECTION OF CHAIRMAN FOR APPLICATION NUMBER: 2015/01030/FUL - COURT FARM, BONVILSTON -

Due to the Chairman declaring an interest in this item, and the absence of the Vice-Chairman following a vote it was

RESOLVED - T H A T Councillor J. Drysdale be appointed Chairman during consideration of Application Number: 2015/01030/FUL - Court Farm, Bonvilston.

697 REVISION OF PLANNING POLICY WALES CHAPTER 10 RETAIL CENTRE DEVELOPMENT AND TECHNICAL ADVICE NOTE 4: RETAIL CENTER DEVELOPMENT (REF) -

Cabinet was apprised of the Welsh Government's consultation and proposed revision of national planning policy in relation to retailing and retail centres. The draft policy documents and consultation had resulted from research work undertaken on behalf of the Welsh Government in 2014 which made 15 recommendations for the revision of planning policy in Wales on retail and town centres.

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The Welsh Government was committed to ensuring that retail centres continued to thrive despite challenging economic circumstances. Across Government there were a number of ongoing initiatives which sought to make retail centres the focal point for retailing, commercial, business and social activities. The planning system could play a significant role in supporting retail centres through their promotion as a sustainable location for retail development and by resisting inappropriate development which would draw trade and foot fall away from those centres making them vulnerable to decline.

The Welsh Government consultation sought views on a revision of Planning Policy Wales (PPW) Chapter 10 Planning for Retail and Town Centres which set out national planning policy in respect of retailing and retail centres and on a new version of Technical Advice Note (TAN) 4: Retailing and Town Centres which supported PPW. Together the proposed revisions would ensure that Wales' national retail planning policies remained fit for purpose. The consultation documents were issued on 3 September, 2015 and responses were required by 26 November, 2015. The consultation documents could be viewed on the Welsh Government website via the following link: <http://gov.wales/consultations/planning/proposed-changes-to-ppw-and-tan-4/?lang=en>

The Vale of Glamorgan Council welcomed the revisions to the Welsh Government's guidance on retail development and supported the objective to increase diversity and reduce vacancies through the proposed changes. Notwithstanding this support, in response to the specific consultation questions, the Council had made a number of comments which it hoped would assist the Welsh Government in developing a robust policy framework in respect of retail development. Full details of these comments were set out in Appendix 1 as attached to the report, and were summarised in the report.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

(1) T H A T the report and the completed consultation response form attached at Appendix 1 to the report be endorsed as the Council's formal response to the Welsh Government consultation on Planning Policy Wales Chapter 10 Retail Centre Development and Technical Advice Note 4: Retail Centre Development.

(2) T H A T the report be referred to Planning Committee for information.

Reasons for decisions

To submit the Council's response to the Welsh Government consultation on Planning Policy Wales Chapter 10 Retail Centre Development and Technical Advice Note 4: Retail Centre Development.

(2) To advise Planning Committee of the public consultation.

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Following consideration of the decisions of Cabinet, it was

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

Reason for decision

Having regard to the decisions of Cabinet

698 NEW DRAFT SUPPLEMENTARY PLANNING GUIDANCE – AFFORDABLE HOUSING AND PLANNING OBLIGATIONS (REF) -

Approval was sought for the new Draft Affordable Housing Supplementary Planning Guidance (SPG) which was attached at Appendix 1 to the report and new Draft Planning Obligations SPG which was attached at Appendix 2 to the report, to be submitted as evidence to the Planning Inspectorate as an examination document to the Deposit Local Development Plan (LDP). A further report would be brought to Cabinet on the status of the SPGs following the receipt of the Inspector's Report.

On 24 July, 2015 the Council formally submitted its LDP and associated supporting documents to the Planning Inspectorate for Examination in Public (E.I.P). This coincided with a 6 week public consultation on proposed Focused Changes arising from the previous Deposit LDP consultation.

In the interim period since submission of the LDP, the Council had produced a new Local Housing Market Assessment (LHMA 2015) which provided an updated picture with respect to housing across the Vale of Glamorgan. In light of the new evidence of affordable housing need, the Council had also updated the LDP affordable housing viability evidence to take account of the findings of the LHMA in respect of affordable housing tenures.

In response to the Focused Changes Consultation, the Welsh Government had submitted representations in respect of the Council's proposed changes to the LDP, including Policy MG4, which proposed a three tier affordable housing requirement. Within the representations the Welsh Government had requested further clarification on the status of the Council's Draft Affordable Housing SPG, which the Council had referred to in the written justification of the Deposit LDP.

In order to address the Welsh Government's representation, officers wished to submit as evidence in support of the LDP the draft affordable housing SPG (attached at Appendix 1 to the report) which clarified how the Council proposed to implement the affordable housing policies set out in the LDP.

The Council benefited from an adopted SPG on Planning Obligations which assisted officers when negotiating the terms of legal agreements on these topics and in particular, the likely contributions required for new major development proposals. Since the last update in July 2012 (Cabinet meeting 23/07/12 Minute No. C1785

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referred), there had been substantial changes in legislation, the Deposit Local Development Plan had been submitted to the Welsh Government and construction costs had increased. The revised Draft SPG took account of these changes and the most up to date evidence that had been used to inform both the LDP and the Draft SPG.

The Draft Planning Obligations SPG was attached at Appendix 2 to the report. The SPG was largely based on the existing SPG which provided a sound basis for seeking planning obligations and was equally applicable to the proposed LDP policies. The main changes to the Planning Obligations SPG were set out in the report.

The Head of Regeneration and Planning commented that these documents were for the inspector to consider and were not final. Should the inspector decide to amend them, they would be coming back to Cabinet for information and consideration.

The Cabinet Member for Housing, Building Maintenance and Community Safety welcomed the report and thanked Officers of the Planning and Housing department for their work on this matter, as she felt the Supplementary Planning Guidance better reflected the varied and diverse rural and urban areas of the Vale of Glamorgan.

This was a matter for Executive decision

Cabinet, having considered the report and all the issues and implications contained therein

RESOLVED –

(1) T H A T the Draft Affordable Housing Supplementary Planning Guidance (SPG) and the Draft Planning Obligations SPG be approved for submission as evidence to the examination in public of the Council's Local Development Plan (LDP).

(2) T H A T the changes to the S106 consultation procedure attached at Appendix 3 to the Draft Planning Obligations SPG be noted and endorsed.

(3) T H A T a further report on any proposed changes to these SPGs be brought back to Cabinet after the Council has received the LDP Inspector's Report.

(4) T H A T the SPGs be approved to be used as material considerations in relevant Development Management decisions with immediate effect.

(5) T H A T the report be referred to Planning Committee for information.

Reasons for decisions

(1) To enable the Council to provide the appointed Planning Inspector additional evidence on how the Council proposes to implement the Affordable Housing and Planning Obligations Policies set out in the Deposit Vale of Glamorgan Local Development Plan.

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- (2) To reflect the recent changes in organisational structure following the creation of the Regeneration and Planning Services within the Resources Directorate.
- (3) To allow Cabinet to amend the SPGs to reflect any changes to the relevant LDP policies following the Inspector's Report in due course.
- (4) To enable the Draft SPGs to be used for Development Management purposes in the current context where the UDP is time-expired.
- (5) To inform Planning Committee of the proposals.

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The Operational Manager for Development Management presented the Cabinet report and and relevant Cabinet Minute, which was tabled at the meeting, following which a discussion took place in relation to the new Draft Supplementary Planning Guidance (SPG) on Affordable Housing and Planning Obligations.

It was confirmed that the new draft SPGs were specific to the Vale, rather than across Wales.

A Member expressed concern that the new Draft Supplementary Planning Guidance for Affordable Housing would stifle economic development and building in the Vale of Glamorgan, and would negatively impact on economic growth in the county. Concern was also expressed that they would be detrimental to small scale developments.

The Operational Manager for Development Management advised that the thresholds within the new draft Affordable Housing SPGs were not unique to the Vale and all Authorities had affordable housing policies, with thresholds being lower in rural Authorities. She commented that she did not feel the new draft SPGs would undermine planning in the Vale.

A Member expressed the view that the Vale had one of the most buoyant housing markets in Wales and the draft SPGs for Affordable Housing may well balance up the housing demand in the county. Furthermore, there was a severe housing shortage in the Vale and there was a need for affordable housing which the draft SPGs might address. Another Member stated that the Authority would need to monitor the SPGs on Affordable Housing to ensure there was no negative impact, however was aware that they were reviewed as a matter of course.

A Member expressed the view that they would like to see further evidence in relation to the thresholds for affordable housing in the draft SPGs and required information on what other Welsh Authorities were doing in regard to affordable housing thresholds.

Following consideration of the decisions of Cabinet, it was

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RESOLVED - T H A T the new draft SPGs for Affordable Housing be referred back to Cabinet for further consideration, with further information being provided in relation to affordable housing thresholds with particular regard to what other Welsh Councils' policies are on Affordable Housing thresholds and that Planning Committee be informed of the decision of Cabinet in due course.

Reason for decision

To address concerns expressed by the Planning Committee in relation to the new draft SPGs on Affordable Housing.

699 PLANNING SUB-COMMITTEE (PUBLIC RIGHTS OF WAY) -

The following report of a meeting held on 18th November, 2015 were submitted:

Present: Councillors Mrs. V.M. Hartrey, H.J.W. James, F.T. Johnson, R.A. Penrose and Mrs. M.R. Wilkinson.

Public Speaker -

<i>Name of Speaker</i>	<i>Application</i>	<i>Reason for Speaking</i>
<i>Mrs. K. Gallimore</i>	<i>Proposed Public Path Diversion Order Footpath Nos. 21 and 22 Wenvoe</i>	<i>Objector to the application</i>

(a) Appointment of Chairman -

RESOLVED - T H A T Councillor F.T. Johnson be appointed Chairman of the Sub-Committee for the ensuing municipal year.

Councillor Johnson took the Chair,

(b) Appointment of Vice-Chairman -

RESOLVED - T H A T Councillor Mrs. M.R. Wilkinson be appointed Vice-Chairman of the Sub-Committee for the ensuing municipal year.

(c) Minutes -

RESOLVED - T H A T the minutes of the meeting held on 24th November, 2014 be approved as a correct record.

(d) Declarations of Interest -

No declarations were received.

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(e) Town and Country Planning Act 1990 S257 Proposed Public Path Diversion Order Footpaths Nos. 21 and 22 Wenvoe (HRP) -

Committee were requested to consider an application made by Redrow Homes South Wales to divert Footpaths Nos. 21 and 22 Wenvoe.

Late Representations relating to the application had been distributed to the Members of the Sub-Committee by electronic means the previous day and copies were distributed at the meeting.

The Chairman read the contents of an e-mail received from the Head of Legal Services, the contents of which were as follows:

“Having regard to correspondence with Mrs. Gallimore, my advice in summary and comments are as follows:

- *Mrs. Gallimore’s 16 November email is to be treated as her late representations and considered by Members of the PROW Committee.*
- *Given the IT ‘glitch’ Mrs. Gallimore has been advised that she may speak at Committee in line with her application.*
- *The relevant resolution regarding the extension of the terms of reference to the PROW Committee is the Council meeting dated 29 September 2014 which incidentally was reflected in the Council Constitution agreed by Council in September 2015.*

Accordingly, it is within the terms of reference of the PROW Committee to deal with the application before the Committee today.

- *The Public Rights of Way Officer will address the Committee regarding the application before the Committee. It is my understanding that it is Redrow’s third proposal which is due to be considered not the second. Although Redrow caveated the third proposal with the removal of objections (in part) they have since decided to proceed.*

Should it assist, I am happy for this email to be read out in whole or part at Committee today”.

Footpath No. 21 commenced on the unadopted lane leading to Burdon’s Hill. The Footpath proceeds northwards over a field with good views across the Channel. The Footpath descends to the northern corner of the field and enters a second field, the Footpath turns north-eastwards to run parallel to the northern boundary of the field. The Footpath terminates at its junction with an adopted path which runs behind No. 14 Clos Llanfair.

The effect of the Order would be to divert Footpath No. 21 as it crossed the housing development, the proposed alignment would follow the new road layout to exit directly onto Clos Llanfair, terminating at this point.

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Footpath No. 22 commenced on the adopted highway (Port Road) and proceeded north-north-westwards over the housing development to exit onto Clos Llanfair terminating at this point.

The effect of the Order would be to divert Footpath No. 22 to start on the adopted highway (Port Road) approximately 64 meters north of its current position. The path proceeds north-westwards for approximately 130 meters before continuing to follow close to its original alignment. The path would exit directly onto Clos Llanfair terminating at this point.

The Order Plan and Schedule were attached to the report.

Initially the applicant proposed a more substantial diversion of Footpath No. 21, but consultation upon this first proposal raised a number of objections and concerns. The applicant's second proposal again generated a number of objections. The report before the Sub-Committee related to the applicant's third proposal, revised in light of a site meeting with local residents.

Prior to making an Order to stop up or divert a footpath or bridleway under the Town and Country Planning Act 1990, S257 the Council must be satisfied that it is necessary to do so in order to enable development to be carried out in accordance with the grant of planning permission. It should not, however, be assumed that an order should be made simply because planning permission has been granted.

The necessity test entails examining the activities authorised by the planning permission (both operational development and changes of use) to see whether they are or are not compatible with the retention of highway rights. An activity which would involve obstruction of the highway would be incompatible with the highway and enable necessity to be established.

In addition to establishing necessity, the Council was also able to decide whether or not it would exercise its discretion to make an Order. Having arrived at a conclusion that it was right for the planning permission to be granted however, there needed to be good reasons for deciding that an Order, which would permit implementation of that permission, should not be made or confirmed. In determining this, it was suggested to Committee that the following may be taken into account:

- the interest of the general public*
- the particular effect on some members of the public such as occupiers of property adjoining the highway noting this may have more importance than even that of the general public*
- any potential financial loss to members of the public.*

These factors should be matters which were not taken into consideration at the time of the grant of the original planning permission and it was not open to question the merits of the original planning application. Loss of amenity of the general public did not necessarily have to be subsidiary to any benefit to the developer.

No.

Having considered the contents of the report, the late representations, the advice of the Head of Legal Services, the comments of the public speaker and the discussions at the meeting, it was

RESOLVED - T H A T the Council, being the relevant highway authority for the affected Footpaths, proceed with the making of an Order to divert Footpath No. 21 Wenvoe and Footpath No. 22 Wenvoe, as described in the Order Plan and Schedule attached to the report (Appendix 1).

Reason for decision

The Footpaths are affected by a residential development, consent references 2013/00884/OUT and 2014/00452/RES. It was necessary to make an Order to enable development to be carried out in accordance with the grant of planning permission.

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

Reason for decision

Having regard to the decisions of the Planning Sub-Committee (Public Rights of Way)

700 SITE INSPECTIONS (MD) -

RESOLVED - T H A T the attendance of the following Councillors at the sites indicated below on 19th November, 2015 be noted:

Apologies for absence were received from Councillors Mrs. P. Drake, C.P. Franks, E. Hacker, H.J.W. James, Mrs. M.R. Wilkinson and M.R. Wilson.

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| (a) Land at Pentre Meyrick, Pentre Meyrick | Councillor F.T. Johnson (Chairman);
Councillors J.C. Bird, J. Drysdale,
Mrs. V. Hartrey, A. Parker, R.A. Penrose
and G. Roberts. |
| (b) The Farm, Lane South East from St. Hilary to Llancafán Boundary, St. Hilary | Councillor F.T. Johnson (Chairman);
Councillors J.C. Bird, J. Drysdale,
Mrs. V. Hartrey, A. Parker, R.A. Penrose
and G. Roberts. |

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

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.
- (3) T H A T officers' intentions to implement Section 32 Building Act, 1984 be noted.

702 PLANNING APPLICATIONS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS (HRP) -

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

Decision Codes

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

2014/00440/FUL	R	Land at Atlantic Trading Estate, Barry	The erection of a single wind turbine along with associated works.
2015/00163/FUL	A	1, Rectory Road, Penarth	Partial demolition and rebuild of coach house to form residential unit.
2015/00183/FUL	A	Llansannor Court, Llansannor	Rear conservatory.

No.

2015/00206/CAC	A	1, Rectory Road, Penarth	Partial demolition and rebuild of coach house to form residential unit.
2015/00621/FUL	A	Min Y Traeth, 28, Craig yr Eos Road, Ogmore by Sea	Proposed extension and alterations to provide full first floor accommodation, comprising 4 bedrooms and living space.
2015/00643/HH	A	Brynhill Golf Club, Port Road, Barry	High hedge.
2015/00668/FUL	A	Building 2, Plot 3B, Atlantic Trading Estate, Barry	Development of warehouse and associated office building.
2015/00773/ADV	R	59, High Street, Cowbridge	Panel Sign to side elevation and hanging sign at first floor level.
2015/00781/FUL	A	Rhose Lifeguards Club, (Access via/to Fontygary Caravan Park), Rhose	To form a view terrace and access ramp to the roof of the existing Lifeguard Clubhouse.
2015/00797/FUL	A	11, Solent Road, Barry	New dwelling house on vacant land.
2015/00808/FUL	A	13, Illtyd Avenue, Llantwit Major	Construction of new two storey attached domestic dwelling to side garden of no. 13, Illtyd Avenue including the creation of off street parking for the new dwelling and a new access and driveway for off street parking to the existing property.
2015/00812/FUL	A	Land to the rear of Curload House, The Old Post Office, Factory Road, Llanblethian	Proposed stone field building in the land to the rear of Curload House.

No.

2015/00846/OUT	R	62, Heol Y Frenhines, Dinas Powys	Outline application to demolish garage and build a four bedroom detached house in part of the existing garden.
2015/00861/FUL	A	50, Holton Road, Barry	Renewal and replacement of shop fronts.
2015/00909/FUL	R	3, East Walk, Barry	First floor extension.
2015/00926/FUL	A	Ty Maen Farm Buildings, Ogmore By Sea	Change of use of existing single storey barn to a Café / Deli / Restaurant and erection of fume extraction equipment.
2015/00968/LBC	A	Bryn Sion Chapel House, Penylan Road, St. Brides Major	Installation of log burning stove in the chapel to improve the heating in the winter months.
2015/00972/LBC	A	Ty Maen Farm Buildings, Ogmore By Sea	Change of use of existing single storey barn to a Café / Deli / Restaurant and erection of fume extraction equipment.
2015/00996/FUL	R	St. Y Nyll Farm, St Brides-Super-Ely	Change of use and conversion of existing barns to provide a residential dwelling and associated works.

No.

2015/00998/FUL	A	9, St. Ambrose Close, Dinas Powys	The erection of a two storey side extension consisting of two roof lights and new windows (Planning permission approved 2014/00540/FUL) and a second storey extension over existing garage. Existing garage to be converted to living accommodation to include installation of two roof lights, new windows. New bi-folding doors to rear elevation.
2015/01017/LBC	A	Tudor Tavern, Church Street, Llantwit Major	Proposed builder's maintenance work to the existing pitched flat roofs.
2015/01021/FUL	A	Pencarreg, Bonvilston	Redesign of replacement dwelling consented ref: 2011/00278/FUL, including changes to fenestration, materials and enlarged basement.
2015/01027/OUT	A	Orchard Rise, 6, Penlan Road, Llandough	Demolish existing dwelling and construct two new dwellings with associated parking.
2015/01037/LBC	R	Springbank Nursing Home, College Road, Barry	Replacement of existing first floor conservatory with two storey infill to east side of front elevation. Construction of matching infill on west side of front elevation.
2015/01043/FUL	A	Shangri La, Barry Road, Dinas Powys	Demolition of existing dwelling and construction of new dwelling in line with former extant planning approval 2010/00521/FUL.

No.

2015/01049/FUL	A	Plot 13, The Grange, Port Road, Wenvoe	Proposed alteration of approved dwelling to include rear conservatory extension.
2015/01074/FUL	A	Plot 84, Reflections at the Quays, Barry	Proposed alteration of approved dwelling to include rear conservatory extension.
2015/01076/FUL	A	19 and 20, Boverton Court, Boverton, Llantwit Major	Joint application for 2 storey rear extension to no. 19, and 2 storey extension to no. 20, with shared party wall.
2015/01089/FUL	R	Field South of Bonvilston Reading Room, Bonvilston	Proposed agricultural shed.
2015/01090/FUL	A	2, Heol Pentrer Felin, Llantwit Major	Proposed front dormer and sub division of existing bedroom into bedroom and study.
2015/01094/ADV	A	Tymaen Farm, B4524 Ogmored Road, Ogmored by Sea	The proposed sign will be of circular shape with dimensions of 700mm diameter. The sign will be double sided and of aluminium material. It will be black background displaying the Company logo in white.
2015/01096/FUL	A	98, Fontygary Road, Rhoose	New dormer to front elevation.
2015/01097/FUL	A	16, Porth Y Castell, Barry	Demolish existing garage and link, construct new single storey car port and extension.
2015/01098/FUL	A	60, Trebeferad, Boverton	Single storey mono pitch extension to rear of property.
2015/01100/FUL	A	Mill Court, Windmill Close, Wick	Single storey extension to rear of property.

No.

2015/01103/FUL	A	5, Hickman Road, Penarth	New side/rear ground floor extension for family dayroom with roof terrace over.
2015/01108/FUL	A	Pinfold, 1, Broadway Green, St. Nicholas	Two storey side and single storey side extension.
2015/01110/FUL	A	Premier Inn (Cardiff West), Nant Isaf, Port Road, Wenvoe	Two storey extension to hotel bedroom block and additional parking, plus extension to lobby and associated works.
2015/01111/FUL	A	Hillcrest, Tredodridge	Demolition of conservatory and construction of two storey extension including balcony to rear (minor alterations to previously approved scheme 2011/00385/FUL).
2015/01112/FUL	A	21, Dyserth Road, Penarth	Loft conversion with dormer to rear.
2015/01115/FUL	A	Carpe Diem, 42, Fontygary Road, Rhoose	Detached garage.
2015/01117/FUL	A	Maes Y Ward Farm, Bonvilston	Construction of a new agricultural building.
2015/01124/FUL	A	13, St. Michaels Close, St. Athan	Erect a flag pole in back garden.
2015/01125/FUL	A	8, Min Y Mor, Barry	Roof extension to provide first floor accommodation and alterations to ground floor windows.
2015/01128/FUL	A	Ridgebrook, Colwinston	Removal of Condition 2 of Planning Permission 1983/00837/FUL for the erection of one dwelling.
2015/01134/FUL	A	The Old Bakehouse, Greenfield Way, Llanblethian, Cowbridge	New dwelling and garage at plot adjacent to The Old Bakehouse.

No.

2015/01135/FUL	A	7, Lower Cwrt Y Vil Road, Penarth	Demolition of existing detached garage and bunker to rear of garden and construction of new detached garage.
2015/01137/FUL	A	70, Lavernock Road, Penarth	Ground floor single storey side and rear extension.
2015/01138/FUL	A	30, Victoria Road, Penarth	Extension to rear of property to create single storey kitchen/diner.
2015/01141/FUL	A	41, Holton Road, Barry	Change of use to D1 - Education training facility.
2015/01149/FUL	A	36, Chandlers Way, Penarth	Proposed balcony to front.
2015/01151/FUL	A	Marionville, 9, Llantwit Major Road, Cowbridge	Refurbishment and extension of existing detached 2-bed bungalow and linked garage to create a 2-storey, 4-bed detached house with integral garage.
2015/01154/LBC	A	Natwest, 2, Plymouth Road, Penarth	Remedial masonry work to front and side elevations.
2015/01162/FUL	A	4, Belle Vue Terrace, Penarth	Loft conversion with dormer extension to rear and roof-lights to front roof plus installing new doors and windows to rear elevation.
2015/01167/FUL	A	65, Port Road East, Barry	Two storey extension to side of dwelling.
2015/01175/FUL	A	Ashtree Farm, 21, Newbarn Holdings, St. Athan Road, Flemingston	Ground floor rear extension and side entrance porch.
2015/01200/FUL	A	8, Gwern y Steeple, Peterston Super Ely	Alterations and single storey extension to rear of property to replace single story lean-to.

No.

2015/01203/FUL	A	Dawson Strange Photography Ltd., 3, Windsor Arcade, Penarth	Change of use from photographic studio to Tattoo Studio.
2015/01206/FUL	A	11, Green Lawns, Barry	Single storey rear extension.
2015/01209/FUL	A	1, Pontypridd Street, Barry	Attached garage.
2015/01219/FUL	A	41, Heol Y Fro, Llantwit Major	Single storey extension to create a garage at ground floor level for storage.
2015/01220/FUL	A	21, Whitcliffe Drive, Penarth	Conversion of existing (attached) storeroom to living accommodation, plus single storey rear/side glazed extension. Oriel window clad grey zinc, to include first floor balcony.
2015/01230/FUL	A	17, St. Cyres Road, Penarth	Single storey and two storey extension to existing property.
2015/01233/FUL	A	147, Plymouth Road, Penarth	Change windows at front of dwelling and provide new balcony, porch and front extension to garage.
2015/01252/FUL	R	6, Croft Terrace, Cowbridge	Demolition of dilapidated ground floor wc, first floor bedroom extension and external enhancement.
2015/01265/FUL	A	Ty Gardd, Tower Hill, Penarth	Single storey extension infilling between garage and house.

703 APPEALS (HRP) -

RESOLVED -

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

(2) T H A T the appeal decisions as detailed in the report be noted.

No.

(3) T H A T the statistics relating to appeals for April 2015 to March 2016 as detailed in the report be noted.

704 TREES (HRP) -

(i) Delegated Powers -

RESOLVED - T H A T the following applications determined by the Head of Regeneration and Planning under delegated powers be noted:

Decision Codes

A - Approved

R - Refused

E Split Decision

2015/01120/TPO	A	15, Hawthorn Close, Dinas Powys	Reduce crown spread by 25-30% and lightly reduce upper crown to Oak tree
2015/01127/TPO	A	8, Sunnycroft Lane, Dinas Powys	Reduce branches by 2.5m to Oak at front of property and reduce branches by up to 2.5m to Oak at rear of property

705 ENFORCEMENT ACTION (HRP) -

(i) Land and Buildings at 42 Stanwell Road, Penarth -

The Local Planning Authority received a complaint on the 10th December 2014 regarding the erection of a dormer extension to the rear elevation of the dwelling house known as 42, Stanwell Road, Penarth. Following further investigation by the Council's Enforcement Section, it was established that planning permission was required for the dormer and the owner was advised to submit an application to retain the works that had been undertaken to the rear of the property. An application to retain the dormer was submitted on the 19th January 2015 and was subsequently refused on the 16th March 2015. An appeal was submitted to the Welsh Government on the 16th April 2015 in respect of the matter and the appointed Inspector dismissed the appeal on 19th August 2015.

The property was a mid-terraced, two storey, Victorian brick property located in a row of similarly designed dwellings in Stanwell Road, Penarth. The dwelling was located within the Penarth Conservation Area and fronts onto Stanwell Road and the Grade II Listed Trinity Methodist Church. The dwelling was also covered by an Article 4 direction and backed onto a rear lane and views of the rear of the dwelling can be seen from Grove Terrace.

No.

The development consisted of the enlargement of the dwelling house consisting of an addition to the roof. The dormer was located on the rear elevation of the dwelling with a side return, and was set off the eaves of the original property. The height of the dormer did not exceed that of the original ridge of the dwelling and measured 5.3 metres wide, 6 metres in depth and to a height of 3.5m. The materials used in the development consisted of horizontal slate cladding with white UPVC windows and black UPVC fascia's and gutters to match the existing dwelling house.

There was provision for the enlargement of a dwelling house consisting of the alteration of the roof under Part 1, Class B of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, subject to conditions. However, development was not permitted where the dwelling house was on Article (1) 5 land. As the development was located within a conservation area, the works required the benefit of formal planning permission.

The owner of the property was advised of the requirement of planning permission for the development, hence the submission of the retrospective application. On refusal of consent and dismissal of the appeal for the development the owner had been advised to remove the development or submit an application for a revised scheme to address the concerns raised by both the Council and the Inspector in his decision.

The appellant had been in discussion with the Local Planning Authority regarding a revised scheme to overcome the Inspector's and the Council's objections. It had been suggested that an application proposing the retention of the larger element of the dormer extension (that sitting on the main rear roof slope) but omitting the dormer extension on the rear annexe roof (i.e. removing bedroom 4 from the scheme) would be considered more favourably. However, to date, no revised scheme had been submitted in a formal planning application and no action had been undertaken on site to remedy the breach of planning control. The appellant had been advised that even if a revised scheme is submitted then formal enforcement action would still be pursued against the existing unauthorised dormer extension that remained in situ, but on submission and consideration of a revised scheme, the appellant had been advised that a generous time period for compliance would be given to allow for the revised scheme to be considered.

RESOLVED -

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

- (i) The removal of the dormer extension from the rear roof slopes of the property.
- (ii) The reinstatement of the roof planes on both the main roof and the rear annexe to their profile prior to the construction of the unauthorised dormer extensions.

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

No.

Reason for decisions

(1) The scale, design and detailing of the dormer additions are detrimental to the character and appearance of the host dwelling, being an unsympathetic addition and an incongruous feature within the street scene. Accordingly, the dormer extension fails to preserve or enhance the character and appearance of the Penarth Conservation Area. The development is considered to be contrary to policies ENV17 Protection of Built and Historic Environment, ENV20 Development in Conservation Areas and ENV27 Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as the adopted Penarth Conservation Area Appraisal and Management Plan 2011 and national guidance for development in conservation areas including Welsh Office Circular 61/96. 'Planning and the Historic Environment: Historic Buildings and Conservation Areas' and Planning Policy Wales (edition 7). The development also conflicts with the duty imposed by Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

(2) Notwithstanding the reasons given above, and in accordance with the guidance given in Technical Advice Note (TAN9) the recipient is advised that if a revised application is submitted to retain the larger part of the dormer extension occupying the main rear roof slope, but omitting the dormer extension on the rear annexe roof, such an application is more likely to receive a favourable recommendation.

706 PLANNING APPLICATIONS (HRP) -

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

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

2015/00543/OUT Received on 26 June 2015
(p34)

Ms. Paula Bailey, Church Farm, Cowbridge Road, Ystradowen, Vale of Glamorgan, CF71 7SY
DLP Planning Ltd. 1, Blenheim Court, Woodlands, Beaufort Office Park, Bradley Stoke, Bristol, BS32 4NE

Church Farm, Cowbridge Road, Ystradowen

Residential development comprising the erection of up to 25 dwellings together with associated access, services and landscaping (outline)

RESOLVED -

(1) T H A T Members of the Planning Committee noted the conclusions within the report and agreed that these form the basis of the Council's case in the current non-determination appeal and that the application would have been refused for the reasons set out below:

1. The proposed residential development is outside the defined settlement boundary of Ystradowen and there is no overriding justification or material consideration to outweigh the in principle policy presumption against such development. As such the development would be contrary to Policies ENV1 - Development in the Open Countryside and HOUS2 – Additional Residential Development of the adopted Vale of Glamorgan Development Plan 1996, as well as Planning Policy Wales (Edition 7) July 2014.

2. The residential development would be a visually prominent and discordant feature that would be unacceptably harmful to the character of the countryside. As such the development of this sensitive rural area and landscape would be contrary to Policies ENV1 – Development in the Countryside, ENV27 – Design of New Developments and ENV10 Protection of the Countryside of the adopted Vale of Glamorgan Development Plan 1996 – 2011, as well as Planning Policy Wales (Edition 7) July 2014.

3. Given the proximity of the proposed development to the site of medieval buildings and the medieval village of Ystradowen, it is considered likely that the application site may contain features of archaeological significance. Insufficient information has been submitted to demonstrate that the development would adequately preserve any features of archaeological significance. Accordingly, the proposal is not considered to accord with Policy ENV18 - Archaeological Field Evaluation of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, the guidance contained within Planning Policy Wales (edition 7 2014) and the detailed advice in Welsh Office Circular 60/96 Planning and the Historic Environment: Archaeology.

4. The proposed housing development would generate the need for additional school places which cannot be met by existing spare capacity and the development cannot make appropriate provision for education facilities to serve the development through Planning Obligations, without undermining the Council's ability to deliver strategically important development sites within the area. Accordingly, the application is contrary to criterion (vi) of Policy HOUS 8 of the Vale of Glamorgan Adopted Unitary development Plan 1996-2011, the Council's approved Planning Obligations SPG and the advice in paragraph 12.1.1 of Planning Policy Wales (7th Edition) July 2014.

5. Given the details contained within the submitted Flood Consequences Assessment and details provided within the application, it is considered that the submitted drainage details are not adequate to fully assess the impacts of surface water discharge and exceedance flows across the site and it has not therefore, been demonstrated that the development would not result in an increase in flood risk

No.

within and off the site. As a consequence the development is contrary to Policies ENV7 – Water Resources and ENV27 - Design of new developments of the Vale of Glamorgan Adopted Unitary development Plan 1996-2011 and the guidance contained within Planning Policy Wales (edition 7 2014) and Technical Advice Note 15: Development and Flood Risk.

(2) T H A T, in the event that the appeal decision for the residential development site on land to the south west of Weycock Cross is received prior to the consideration of the appeal subject of this report, Members agreed that the Council's evidence when prepared takes account of that appeal decision and that officers be given delegated authority to amend the Council's stance in respect of the above listed reputed reasons for refusal.

Reason for Decision

(2) To ensure the Council's officers take account of all material considerations relevant to the appeal at the time of preparing and giving evidence, that are relevant to the appeal.

2015/00689/OUT Received on 18 June 2015

(p82)

Trehill Homes Limited, C/o Agent

Asbri Planning Limited, Unit 9, Oak Tree Court,, Cardiff Gate Business Park,, Cardiff., CF23 8RS

Land south of A48 and west of Old Rectory Drive, St. Nicholas

Outline application for residential development and associated works

RESOLVED -

(1) T H A T Members of the Planning Committee noted the conclusions within the report and agreed that these form the basis of the Council's case in the current non-determination appeal and that the application would have been refused for the reasons set out below:

1. The proposed residential development is outside the defined settlement boundary of St. Nicholas and there is no overriding justification or material consideration to outweigh the in principle policy presumption against such development. As such the development would be contrary to Policies ENV1 - Development in the Open Countryside and HOUS2 – Additional Residential Development of the adopted Vale of Glamorgan Development Plan 1996, as well as Planning Policy Wales (Edition 7) July 2014.
2. The residential development would have an unacceptable visual impact on the character and amenity of this undeveloped rural landscape and would be harmful to the special qualities of the Duffryn Basin and Ridge Slopes Special Landscape Area in this location. As such the development of this sensitive rural area and landscape would be contrary to Policies ENV4

No.

Special Landscape Areas, ENV27 – Design of New Developments and ENV10 Protection of the Countryside of the adopted Vale of Glamorgan Development Plan 1996 – 2011, as well as Planning Policy Wales (Edition 7) July 2014.

3. The residential development would result in the loss of an area of open countryside that plays an important role in providing a strong rural character and setting to the St Nicholas Conservation Area in this location, over which there are currently significant views from the Conservation Area towards the Severn Estuary. Accordingly, the development is considered to neither preserve nor enhance the setting of the Conservation Area, in conflict with the Council's Adopted Conservation Area Appraisal and Management Plan, policies ENV17 – Protection of the Built and Historic Environment and ENV20 - Development in Conservation Areas of the adopted Vale of Glamorgan Development Plan 1996 – 2011, as well as Planning Policy Wales (Edition 7) July 2014 and W/O Circular 61/96. The development will also conflict with the duty imposed by Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.
4. The development would overload the public waste water treatment works for which no improvements are planned at present and the developer has failed to provide any information that indicates that the development will not adversely affect or overload the public sewerage system and as a consequence the development is contrary to Policies ENV27 Design of new developments and ENV29 Protection of Environmental Quality of the Vale of Glamorgan Adopted Unitary development Plan 1996-2011.
5. In the event that the evidence establishes that the grade of the agricultural land is grade 2 or 3a, the development would result in the unnecessary loss of the best and most versatile agricultural land, contrary to policy ENV2 – Agricultural Land of the Vale of Glamorgan Adopted Unitary development Plan 1996-2011, Planning Policy Wales (Edition 7) July 2014 and Technical Advice Note 6 on Planning for Sustainable Rural Communities.
6. The proposed housing development would generate the need for additional school places which cannot be met by existing spare capacity and the development cannot make appropriate provision for education facilities to serve the development through Planning Obligations, without undermining the Council's ability to deliver strategically important development sites within the area. Accordingly, the application is contrary to criterion (vi) of Policy HOUS8 of the Vale of Glamorgan Adopted Unitary development Plan 1996-2011, the Council's approved Planning Obligations SPG and the advice in paragraph 12.1.1 of Planning Policy Wales (7th Edition) July 2014.

(2) T H A T, in the event that the appeal decision for the residential development site on land to the south west of Weycock Cross is received prior to the consideration of the appeal subject of this report, Members agreed that the Council's evidence when prepared takes account of that appeal decision and that officers be given delegated authority to amend the Council's stance in respect of the above listed reputed reasons for refusal.

No.

Reason for decision

(2) To ensure the Council's officers take account of all material considerations relevant to the appeal at the time of preparing and giving evidence, that are relevant to the appeal.

2015/00703/FUL Received on 7 September 2015

(p122)

Mr. B Mead, C/o Agent.

Planr Limited, 39, Merthyr Mawr Road, Bridgend, CF31 3NN

Tyn Y Tranch Farm, Lane - Cottage Road - Jct Tyn Y Pant to Jct New Forest Reservoir, Ystradowen

Barn conversion to holiday chalet

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. Other than the proposed external entrance door, the development shall be carried out in accordance with the following approved plans and documents:-

- Location plans, 1:2500, 1:500 Existing Plan and 1:500 Proposed Plan, all received 19 June 2015;

- Existing and Proposed Plan Views and section, received 19 June 2015;

- Drwg. Nos. Sheet 1 of 2 and 2 of 2, amended plans received 20 August 2015;

- Design and Access Statement, amended plans received 20 August 2015;

- Structural Report, amended plans received 7 September 2015; and

- Protected Species Survey, received 19 June 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.

No.

3. The barn conversion hereby approved shall only be used or occupied as holiday accommodation and shall not be occupied as a person's sole or main residence or for any other use falling within Class C3 of the Town and Country Planning (Use Classes Order) 1987 as amended.

Reason:

In order that the Local Planning Authority can retain control over the scale and form of the development as the site is not located in an area where new build, permanent residential accommodation would be approved, and in accordance with Policies ENV1-Development in the Countryside, ENV8-Small Scale Rural Conversions, HOUS3-Dwellings in the Countryside and EMP7-Farm Diversification of the Unitary Development Plan.

4. A register of the names and addresses of all occupiers, including the dates of occupancy, of the holiday accommodation hereby approved shall be maintained and made available for inspection by the Local Planning Authority within two weeks of the Local Planning Authority making a request in writing to view the register.

Reason:

To enable the Local Planning Authority to control the nature of the use in accordance with Policies ENV1-Development in the Countryside, ENV8-Small Scale Rural Conversions, HOUS3-Dwellings in the Countryside and EMP7-Farm Diversification of the Unitary Development Plan.

5. No person or persons shall occupy the holiday accommodation hereby approved for a period longer than 8 weeks at any one time, and they shall not return to occupy the holiday accommodation within 6 weeks of that occupancy period ceasing.

Reason:

To enable the Local Planning Authority to retain control over the scale and form of development as the accommodation has been approved as holiday accommodation only in accordance with Policies ENV1-Development in the Countryside, ENV8-Small Scale Rural Conversions, HOUS3-Dwellings in the Countryside and EMP7-Farm Diversification of the Unitary Development Plan.

6. Notwithstanding the submitted plans this consent shall not relate to the proposed external entrance door to the hall as shown on Drwg. No., Sheet 2 of 2, amended plans received 20 August 2015. Before its installation on site, further details shall be submitted to and agreed in writing by the Local Planning Authority of an external door that more appropriately reflects the rural nature of the building. The development shall be implemented thereafter in accordance with the approved details.

No.

Reason:

In the interests of the character of the barn and surrounding rural landscape in accordance with Policies ENV8-Small Scale Rural Conversions, and ENV27-Design of New Developments of the Unitary Development Plan, plus Supplementary Planning Guidance on The Conversion of Rural Buildings.

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

Reason:

To enable the Local Planning Authority to control the scale of development in the interests of the character of the barn and surrounding rural landscape in accordance with Policies ENV8-Small Scale Rural Conversions, and ENV27-Design of New Developments of the Unitary Development Plan, plus Supplementary Planning Guidance on The Conversion of Rural Buildings.

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

Reason:

To enable the Local Planning Authority to control the scale of development in the interests of the character of the barn and surrounding rural landscape in accordance with Policies ENV8-Small Scale Rural Conversions, and ENV27-Design of New Developments of the Unitary Development Plan, plus Supplementary Planning Guidance on The Conversion of Rural Buildings.

9. 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 as part of this permission) shall be erected, constructed or placed on the application site without the prior written consent of the Local Planning Authority.

No.

Reason:

In the interests of the character of the barn and surrounding rural landscape in accordance with Policies ENV8-Small Scale Rural Conversions, and ENV27-Design of New Developments of the Unitary Development Plan, plus Supplementary Planning Guidance on The Conversion of Rural Buildings.

10. Notwithstanding the submitted plans, before the commencement of development, full details of the extent and means of enclosure of the site, which shall include elevational plans and details of the surfacing of the access and parking, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented thereafter in accordance with the approved details.

Reason:

In the interests of the character of the barn and surrounding rural landscape in accordance with Policies ENV8-Small Scale Rural Conversions, and ENV27-Design of New Developments of the Unitary Development Plan, plus Supplementary Planning Guidance on The Conversion of Rural Buildings.

11. The car parking, access and manoeuvring space agreed to serve the development shall be fully implemented before the first beneficial occupation of the holiday let hereby permitted, and shall be retained and maintained at all times for the use of the associated holiday accommodation.

Reason:

To ensure the provision and maintenance of adequate on-site parking and manoeuvring space to serve the holiday let in the interests of highway and pedestrian safety in accordance with Policies ENV8-Small Scale Rural Conversions, ENV27-Design of New Developments and TRAN10-Parking of the Unitary Development Plan, plus Supplementary Planning Guidance on The Conversion of Rural Buildings.

12. Before the commencement of development, further details of proposals for the enhancement of biodiversity on the site, which shall provide for the erection of two swallow nests or a house sparrow terrace within the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented thereafter in accordance with the agreed plans and the recommendations set out in Chapter 12 of the Protected Species Survey, prepared by Spectrum Ecology and received on 19 June 2015.

Reason:

In the interests of protected species and the enhancement of biodiversity in accordance with Policy ENV16-Protected Species of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development,

No.

and national guidance contained in Planning Policy Wales and TAN5-Nature Conservation and Planning.

13. Before its installation on site full details of the foul drainage of the site, which shall include calculations of the ground conditions for the septic tank, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented thereafter in accordance with the agreed details.

Reason:

In the interests of the adequate drainage of the site in accordance with Policies ENV27-Design of New Developments and ENV29-Protection of Environmental Quality of the Unitary Development Plan.

2015/00744/FUL Received on 3 July 2015

(p142)

Alexander Building Maintenance Limited, 4, The Glades, Penarth, Vale of Glamorgan, CF64 3AY

Alexander Building Maintenance Limited, 4, The Glades, Penarth, Vale of Glamorgan, CF64 3AY

Bassett Road, Sully

Two detached houses

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 following schedule of plans and documents:-
 - Existing/Site Location Plan 011/PL01/R1 received 27 June 2015
 - House 1 Plans/Elevations 011/PL03/R3 received 16 November 2015
 - House 2 Plans/Elevations 011/PL04/R2 received 3 July 2015
 - Proposed Site Layout 011/PL02/R4 received 14 December 2015
 - Proposed Plans 52/L(00)220 Rev A received 11 August 2015
 - Preliminary Ecological Appraisal received on 27 June 2015
 - Design and Access Statement received on 27 June 2015

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

No.

Reason:

In the interests of the character and appearance of the area, neighbouring amenity and highway safety in accordance with Policies ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan.

3. Prior to the commencement of any works on site (including vegetation / site clearance), a scheme for the proposed clearance of the site shall be submitted to and agreed in writing with the Local Planning Authority. The site clearance shall thereafter be carried out in full accordance with the agreed details.

Reason:

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

4. Prior to the commencement of development, a scheme for bio diversity conservation and enhancement of the site (post construction) to target Section 42 Priority Species, shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in full accordance with the agreed details and thereafter retained.

Reason :

To fulfil the Councils statutory duties under NERC 2006 and to ensure compliance with Policies ENV16 and 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 and surface water run-off shall not discharge, either directly or indirectly, into the public sewerage system.

Reason:

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

6. Notwithstanding the submitted section drawings, prior to the commencement of development further details of the finished levels of the site and slab levels of the proposed dwellings, gardens and private drive, in relation to existing ground levels and those adjoining the site, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out and at all times maintained in full accordance with the approved details.

No.

Reason:

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

7. Prior to their use on site a full schedule and samples of all external finishes/materials for the dwellings, including hard surfaces, shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be implemented and at all times maintained in accordance with the agreed details.

Reason:

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

8. Notwithstanding the approved plans, and notwithstanding the terms 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) full details of the means of enclosures between the two development plots and around the perimeter of the site (to include full details of any associated structural retaining walls, steps and ramps) shall be submitted to and agreed in writing by the Local Planning Authority prior to their use in the development, and the agreed 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.

9. The first floor windows shown in the north east elevation of House 1 and House 2 shall, at the time of construction, be glazed using obscured glass to a minimum of level 3 of the ` Pilkington ` scale of obscuration and shall be non opening, and fitted prior to the first beneficial use of any of the associate rooms served by these windows 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.

No.

10. The privacy/sun screens located on the first gable ends of House 2, (as shown on plan 011/PL04/R2) screening the windows serving the void areas shall be erected and completed prior to the first beneficial use of the dwelling and shall thereafter be so maintained at all times.

Reason:

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

11. A landscaping scheme detailing proposed lawn areas, hard surfacing, trees, shrubs and boundary planting shall be submitted to and approved 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.

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 dwelling 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 landscaping in the interests of the character and appearance of the area, in accordance with Policies ENV11 - Protection of Landscape Features, ENV27 - Design of New Developments and HOUS8 - Residential Development Criteria of the Unitary Development Plan.

13. Prior to the commencement of construction of any hard surfaces associated with the access and drive, details of the means of construction and surfacing of the access, internal driveway and parking/turning areas shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be brought into beneficial use until such time as the access, internal driveway and parking/turning areas have been constructed and completed in full accordance with the approved details. The access, driveway and parking areas shall be retained to serve the development at all times thereafter.

No.

Reason:

In the interest of highway safety and the visual amenities of the site and to ensure a satisfactory form of access to serve the development, and to ensure compliance with the terms of Policies ENV27 and TRAN10 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 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.

15. 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 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.

16. 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.

17. 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 and details of appropriate screening of scaffolding on site to protect neighbouring amenity. The CEMP will utilise the Considerate Constructors Scheme (www.considerateconstructorscheme.org.uk). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason:

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

Informative:

To protect the amenity of surrounding residential properties, the construction of the development hereby approved should only take place between the hours of 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 on Saturdays and at no other time.

2015/00852/FUL Received on 30 July 2015

(p172)

Cenin Renewables Limited, C/o Agent

Pegasus Planning Group Limited, First Floor South Wing, Equinox North Great Park Road, Almondsbury, Bristol, BS32 4QL

Home Farm, land west of Drope Road, St. Georges Super Ely

Installation of small scale c. 3MW ground mounted photovoltaic solar arrays with inverter houses; switchgear cabin, internal access track, landscaping; fencing; security measures; access gate and ancillary infrastructure

DEFERRED (in order that the comments from Glamorgan Gwent Archaeological Trust can be resolved)

2015/00954/FUL Received on 25 August 2015

(p202)

Portabella, 1, Pontcanna Street, Cardiff, CF11 9HQ

Nigel Arnold Architect, The Studio, 5, Penarth Head Lane, Penarth, Vale of Glamorgan, CF64 1BB

Former Bryneithin Home for the Elderly, St. Andrews Road, Dinas Powys

No.

Construction of small retirement complex of two and three storey linked cottages and flats with communal resident and guest facilities, parking and garden areas

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:

Pay a contribution of **£571,235** towards the provision of affordable housing in the Vale of Glamorgan.

Pay a contribution of **£36,000** towards sustainable transport facilities in the vicinity of the site. 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 local bus stops, access to areas of public open space, bus service provision serving the development and cycle provision in the vicinity of the site.

Pay a contribution to enhancement or provision of Public open space of **£41,040** in the area .

Provide public art on site integral to the development proposal to the value of **£15,012**.

Pay the sum of **£13,265.74** to monitor and implement the legal agreement.

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: site edged red location plan, drawings 39314;AP07A, 16, 19, 20, 21A, 22 and the Tree Information Report and Tree data plan, Design and Access Statement received on 12 August 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. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

No.

Reason:

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

4. 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.

5. A scheme providing for the fencing of the trees protected by a tree preservation order and other trees to be retained and showing details of any excavations, site works, trenches, channels, pipes, services and areas of deposit of soil or waste or areas for storage shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of any works or development. No development, including any site clearance or ground preparation works, shall be commenced on site until the approved protection scheme has been implemented and the scheme of tree protection shall be so retained on site for the duration of development works.

Reason:

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

6. Prior to the commencement of development details of the finished floor levels of the buildings in relation to existing and proposed finished ground levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be built in accordance with the approved levels.

Reason:

In the interests of the visual amenities of the area and the amenity of adjoining occupiers and to meet the requirements of Policies ENV27 and HOUS8 of the Unitary Development Plan.

7. Details of a scheme for traffic calming at the site entrance with the school access, and of give way carriageway markings, paying particular regard to the safety of pedestrians and cyclists accessing the adjoining school site shall be

No.

submitted to and approved in writing by the Local Planning Authority and the scheme shall be implemented on site prior to the first beneficial use of the site for residential purposes.

Reason:

In the interests of highway safety and to meet the requirements of Policies ENV27 and HOUS8 of the Unitary Development Plan.

8. Prior to their construction on site details, including the proposed surfacing, of the passing bay, internal access roads, visitor parking areas and bin and recycling store and details of any buildings or structures for bins or re-cycling shall be submitted to and approved in writing by the Local Planning Authority and the development of these elements of the scheme shall be completed prior to the first beneficial use of the residential units hereby approved.

Reason:

In the interests of sustainable development, visual amenity and to ensure the trees, including trees protected by a tree preservation order, retained on site are not adversely affected to meet the requirements of Policies ENV11 and ENV27 of the Unitary Development Plan.

9. Full details of a scheme for foul and sustainable surface water drainage shall be submitted to and approved in writing by the Local Planning Authority and the approved schemes shall be fully implemented in accordance with the approved details at the time of the development.

Reason:

To ensure the public sewerage system is not adversely affected and a unsustainable form of surface water drainage is implemented to ensure compliance with the terms of Policies ENV29, ENV27 and HOUS8 of the Unitary Development Plan.

10. The communal building shall be completed in accordance with a phasing scheme which scheme shall have been submitted to and approved in writing prior to the commencement of development and the building shall only be used for the purposes specified in the application .

Reason:

To ensure the timely provision of the facilities to serve the development and to control the nature of the uses on site to meet the requirements of Policies ENV27 and Strategic Policy 1 of the Unitary Development Plan.

11. Notwithstanding the submitted details, details of parking on site for disabled parking and on site turning for service vehicles shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme

No.

of parking and on site turning 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 and turning is provided on site to serve the development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

12. Notwithstanding the terms of the Town and Country Planning (General Permitted Development) Order 1995 or any Order amending, revoking or re-enacting that Order no fence, wall or means of enclosure other than as approved under condition 13 below shall be erected, constructed, improved or altered on site without the prior consent of the Local Planning Authority.

Reason:

In the interests of the visual amenities of the area, neighbours' amenity and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

13. Details of the means of enclosure, including any gates, 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.

14. 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, mud and airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated. The CEMP will include details of means of enclosure of the site during construction to ensure adequate measures are in place to protect the safety of children in the adjoining school site. The CEMP will utilise the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

No.

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.

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

Reason:

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

16. Details, including the location of all existing bat boxes on the site and of any additional boxes shall be submitted to and approved in writing by the Local Planning Authority and the existing bat boxes shall not be removed from the site and any additional boxes shall be installed prior to the first beneficial use of the site for residential purposes and shall be so retained on site at all times.

Reason:

In the interests of ecology on site and to safeguard protected species to meet the requirements of Policy ENV16 of the Unitary Development Plan.

17. No development shall take place until there has been submitted to, and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP), which shall provide for wheel washing facilities and details of delivery times and access arrangements (with no large construction or delivery vehicles accessing or egressing the site between the hours of 08:25 – 09:20 and 15:10 – 16:05 Monday to Friday during school term time). The development shall be implemented thereafter in full accordance with the approved Construction Traffic Management Plan.

Reason:

In the interests of highway safety and having regard to the proximity to St. Andrews Major Primary School in accordance with Policy ENV27 of the Unitary Development Plan.

No.

2015/01030/FUL Received on 1 September 2015
(p227)

Mr W.D. Johns-Powell, Court Farm, Bonvilston, Vale of Glamorgan, CF5 6TR
Andrew Parker Architect, The Great Barn, Lillypot, Bonvilston, Vale of Glamorgan,
CF5 6TR

Court Farm, Bonvilston

Proposed four detached dwellings

DEFERRED (site visit)

At this point in the meeting, the Chairman re-entered the room and retook the Chair for the rest of the meeting.

2015/01163/FUL Received on 15 October 2015
(p246)

Mr. & Mrs. G. Davies, Keeperes Cottage, Lower Porthkerry, Porthkerry Road,
Rhoose, Vale of Glamorgan, CF62 3BX
Mr. Andrew Parker, Andrew Parker Associates, The Great Barn, Lillypot, Bonvilston,
Vale of Glamorgan, CF5 6TR

Keeperes Cottage, Lower Porthkerry, Porthkerry Road, Rhoose

Proposed alterations to existing house and outbuildings

WITHDRAWN

2015/01164/LBC Received on 5 October 2015
(p263)

Mr. & Mrs. G. Davies Keeperes Cottage, Lower Porthkerry, Porthkerry Road,
Rhoose, Vale of Glamorgan, CF62 3BX
Mr. Andrew Parker Andrew Parker Associates, The Great Barn, Lillypot, Bonvilston,
Vale of Glamorgan, CF5 6TR

Keeperes Cottage, Lower Porthkerry, Porthkerry Road, Rhoose

Proposed alterations to existing house and outbuildings

WITHDRAWN

No.

2015/01301/FUL Received on 6 November 2015
(p273)

Mr. Anthony Williams 85, Lavernock Road, Penarth, Vale of Glamorgan,
CF64 3NZ

Mr. Anthony Williams 85, Lavernock Road, Penarth, Vale of Glamorgan,
CF64 3NZ

85, Lavernock Road, Penarth

Proposed single storey extension to side & rear & new double garage

REFUSED (written representations)

1. The proposed garage by reason of its scale and siting, in such a prominent location in the street scene, would appear as a visually incongruous form of development, which would adversely impact upon the visual amenity and characteristic openness of the wider street scene. The development would, therefore, be contrary to Policy ENV27 - Design of New Developments and adopted the Supplementary Planning Guidance 'Amenity Standards' of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.