

PLANNING COMMITTEE

Minutes of a meeting held on 12th May, 2016.

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

Also present: Councillors G. John, Mrs. M. Kelly Owen and K.P. Mahoney.

Councillor K.P. Mahoney spoke on Application No. 2013/01279/OUT in his capacity as the Local Member for the Sully and Lavernock Ward.

List of Public Speakers:

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mr. K. Jones	2013/01279/OUT - Land South of Cog Road, Sully	Objector or their representative
Councillor I. Barlow	2013/01279/OUT - Land South of Cog Road, Sully	Representative of Town or Community Council
Mr. P. Williams	2013/01279/OUT - Land South of Cog Road, Sully	Applicant or their representative
Mr. N. Buckman	2013/01279/OUT - Land South of Cog Road, Sully	Applicant or their representative
Mr. D. Hayman	2014/01033/FUL - Lettons House, Lettons Way, Dinas Powys	Applicant or their representative
Mr. G. Powys-Jones	2015/01157/FUL - Land off Wick Road, St. Brides Major	Objector or their representative
Mr. G. John	2015/01157/FUL - Land off Wick Road, St. Brides Major	Applicant or their representative
Mrs. J. Hopkins	2016/00123/FUL - Ty Broc Parc Farm, St. Donats	Objector or their representative
Councillor G. David	2016/00123/FUL - Ty Broc Parc Farm, St. Donats	Representative of Town or Community Council

Mr. G. John	2016/00123/FUL - Ty Broc Parc Farm, St. Donats	Applicant or their representative
-------------	--	-----------------------------------

13 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.”

The Chairman introduced himself, the Vice-Chairman, the Planning Officers, the Legal Officer and the Democratic Services Officer.

14 APOLOGIES FOR ABSENCE -

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

15 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 14th April, 2016 be approved as a correct record.

16 DECLARATIONS OF INTEREST -

Councillor Ms. B.E. Brooks	Application No. 2015/01157/FUL - Land off Wick Road, St. Brides Major - Councillor Ms. B.E. Brooks informed the Committee that, although she was the Cabinet Member for Housing she had not pre-determined the application and would be looking at the application with fresh eyes.
Councillor Mrs. A.J. Preston	Application No. 2015/01157/FUL - Land off Wick Road, St. Brides Major - The nature of the interest was that Councillor Mrs. Preston was the owner of the paddock, which was the site of the application. Councillor Mrs. Preston withdrew from the meeting during consideration of this item.

Councillor A. Parker	<p>Application No. 2015/01157/FUL - Land off Wick Road, St. Brides Major - Councillor Parker advised that he had a non-prejudicial interest, as in the past he had, acted on behalf of the land owner, Councillor Mrs. Preston.</p> <p>Councillor Parker withdrew from the meeting during consideration of this item.</p>
----------------------	---

17 SITE INSPECTIONS (MD) -

RESOLVED - T H A T the attendance of the following Councillors at the sites indicated below on 14th April, 2016 be noted:

Apologies for absence for Sites (a) and (b) were received from Councillors E. Hacker, Mrs. V.M. Hartrey, R.A. Penrose, G. Roberts and Mrs. M.R. Wilkinson

- | | |
|---|--|
| (a) The Mount, Tredogan Road, Penmark | Councillor F.T. Johnson (Chairman);
Councillors J.C. Bird, J. Drysdale, H.J.W. James and A. Parker. |
| (b) Land at Former Bus Depot Site, Chapel Terrace, Twyn yr Odyn, Wenvoe | Councillor F.T. Johnson (Chairman);
Councillors J.C. Bird, J. Drysdale, H.J.W. James and A. Parker. |

18 PUBLIC RIGHTS OF WAY SUB-COMMITTEE (MD) -

The Committee received a report which sought agreement to re-appoint the Public Rights of Way Sub-Committee and to the appoint the Sub-Committee membership for the Municipal Year 2016/17.

RESOLVED -

- (1) T H A T the Public Rights of Way Sub-Committee, comprising five Members (2 Labour, 1 Conservative, 1 Plaid Cymru and 1 Independent), be re-appointed with the following Terms of Reference:

Terms of Reference:

- (1) To consider and determine under delegated powers applications for Footpath Orders made under Sections 25, 26, 118 and 119 of the Highways Act 1980 and Orders made under Sections 53(3)(b), 53(3)(c) and 54 of the Wildlife and Countryside Act 1981 in respect of modifications of the Definitive Map.
- (2) To consider and determine under delegated powers applications for Footpath and Bridleway Orders affected by development under Section 257 of the

Town and Country Planning Act 1990 where opposition which has been raised as a result of pre-order consultation remains unresolved.

(N.B. See also terms of reference of the Planning Committee)

(2) T H A T the Membership of the Public Rights of Way Sub-Committee for the Municipal Year 2016/17 be as follows:

- Labour - Councillor F.T. Johnson and Councillor Mrs. M.R. Wilkinson
- Conservative - Councillor H.J.W. James
- Plaid Cymru - Councillor Mrs. V.M. Hartrey
- Independent - Councillor R.A. Penrose.

Reasons for decisions

(1&2) To facilitate decision making.

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

RESOLVED -

(1) T H A T the Building Applications as listed in the report be noted.

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

20 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

2015/01018/LBC	A	Tudor Tavern, Church Street, Llantwit Major	Add new air conditioning heat pump system with new indoor wall units and external condensers
2015/01442/FUL	A	The Coach House, Beach Lane, Penarth	To install a non opening window in the side elevation of dwelling
2015/01493/FUL	A	39, Plymouth Road, Penarth	Demolition of existing single storey lean-to and flat roof conservatory. Construction of single storey kitchen, living and utility room extension, together with replacement timber windows to front and side elevations
2015/01500/OUT	R	Land rear of 6, Salmons Wood, Graig Penllyn	Erection of two dwellings including access and parking
2016/00021/HH	A	35, Westward Rise, Barry	High hedge
2016/00022/FUL	A	Beeches, 317, Barry Road, Barry	Conversion of 15 bed nursing home to two residential properties
2016/00029/FUL	R	Ty Hensol, Hensol, Pontyclun	Stables in paddock
2016/00030/FUL	R	Land at The Lawns, Cwrt yr Ala, Michaelston le Pit	An agricultural building for the housing of cattle
2016/00045/FUL	A	The Business People Wales Ltd., 12-14, Holton Road, Barry	Replacement windows, installation of new window sills, new render, replacement security shutters, general refurbishment
2016/00046/ADV	A	12-14, Holton Road, Barry	Non illuminated shop fascia sign

2016/00048/FUL	A	Land at rear of 57/59, Station Street, Barry	Retention of vehicle parking area
2016/00050/FUL	A	45, Dinas Road, Penarth	First floor rear extension
2016/00052/LAW	A	Bryn Celyn, 83, Cog Road, Sully	Rear extension
2016/00056/FUL	A	86, Westward Rise, Barry	Construction of a small garden room / studio
2016/00064/FUL	A	45, Fontygary Road, Rhoose	Single storey extension to rear of the property, dormer attic conversion. Removal of existing prefabricated garage and construction of new
2016/00072/FUL	A	Your Space Living, 3a, Commercial Street, Llantwit Major	Revised shopfront design to approved 2014/00039/FUL
2016/00076/FUL	A	23, Heol Ger-Y-Felin, Llantwit Major	Proposed demolition of existing conservatory, construction of single storey rear extension and two storey side extension
2016/00077/FUL	A	7, Southey Street, Barry	Build a new single storey rear extension to accommodate a new kitchen, sun room and shower room
2016/00083/FUL	A	24, Fontygary Road, Rhoose	Side Garage Extension
2016/00085/FUL	A	62, Queens Road, Penarth	Two storey rear extension plus associated works
2016/00093/FUL	A	Faraway, Highlight Lane, Barry	Removal of existing hedge and proposed construction of a new boundary wall
2016/00099/FUL	A	Parc Wern, 6, Romilly Park Road, Barry	Permission to retain ground floor rear extension as constructed

2016/00105/LAW	A	36, Plymouth Road, Barry	Single storey side extension
2016/00106/PNT	A	Land located at Atlantic Gate Industrial Estate, Barry	Erection of new telecommunications tower
2016/00108/RG3	A	91, Salisbury Road, Barry	Removal and replacement of external cladding
2016/00110/LAW	A	14, Countess Place, Penarth	Loft extension to existing two storey semi-detached house
2016/00111/LAW	A	12, Kenson Close, Rhoose	New rear dormer
2016/00114/FUL	A	Tir Abad, Dimlands Road, Llantwit Major	Alterations and extension to existing dwelling, two storeys and single storey
2016/00117/FUL	A	Plot 100, Sutton Chase, Off Somerset View, Ogmore By Sea	Proposed alteration of approved dwelling to include rear conservatory extension
2016/00118/FUL	A	Pen Onn House, Llancarfan	Loft conversion
2016/00124/FUL	A	KFC, Heol Ceiniog, Barry	Bin store and minor alterations
2016/00126/ADV	A	Tourist Information Centre, The Promenade, Paget Road, Barry	4 no. fascia signage
2016/00131/FUL	A	Kyneton, Southerndown Road, St Bride's Major	Proposed demolition of existing single storey flat roof extension, to provide new single storey pitched roof extension
2016/00132/FUL	A	97, Main Street, Barry	New shop front, fascia, shop sign, external security shutter with shutter housing behind fascia

2016/00133/FUL	A	268, Holton Road, Barry	Proposed alterations to front elevation at ground floor level
2016/00134/FUL	A	75, Main Street, Barry	Proposed alterations to front elevation at ground floor level
2016/00138/FUL	R	8, Francis Road, Barry	Two storey side extension and single storey rear extension
2016/00139/FUL	A	2, Rectory Road, Penarth	Proposed garage and hobby room fronting onto rear lane
2016/00140/FUL	A	Ffaldwen, Bonvilston	Planning application for the erection of an agricultural building and the change of use of a domestic garage to a cider production area
2016/00146/FUL	A	9, Hensol Villas, Hensol	Remove storage buildings on the side; build single storey extension on the side and rear; and two storey extension on the rear
2016/00147/ADV	A	Lloyds Pharmacy, The Broad Shoard, Cowbridge	1 x Externally illuminated set of individual flat cut powder coated stainless steel letters
2016/00150/FUL	A	Westwood, 15 Stanwell Road, Penarth	Utility room extension
2016/00151/FUL	A	108, Fontygary Road, Rhoose	Construction of new sun lounge with first floor veranda
2016/00152/ADV	A	KFC, Heol Ceiniog, Barry	Updated signage
2016/00153/FUL	A	261, Holton Road, Barry	Proposed alterations to front elevation at ground floor level
2016/00154/FUL	A	23, Sea View Drive, Ogmore By Sea	Proposed balcony to frontage of dwelling

2016/00155/FUL	A	22, Le Sor Hill, Peterston Super Ely	Proposed 2 storey extension and erection of gabion wall to rear of property
2016/00167/FUL	A	246, Holton Road, Barry	Proposed alterations at ground floor level, conversion of shop to residential 2 bedroom ground floor flat
2016/00172/FUL	A	Llanvithyn House, Llancarfan	Proposed family room and kitchen extension
2016/00173/LBC	A	Llanvithyn House, Llancarfan	Proposed family room and kitchen extension
2016/00174/FUL	A	142, Fontygary Road, Rhoose	Conversion of existing barn to a dwelling
2016/00175/FUL	A	3, Channel View, Ogmore by Sea	Proposed single storey construction adding 16 square metres of floor area
2016/00179/FUL	A	The Bungalow, 20a, Forrest Road, Penarth	Single storey extension to front new dormers to first floor and rebuild garage
2016/00184/OUT	A	12, Laburnum Way, Penarth	Outline consent for a single detached 3 bedroom dwelling
2016/00185/FUL	A	92, Pontypridd Road, Barry	Single storey rear in-fill extension
2016/00197/FUL	A	6, Archer Road, Penarth	1. Renewal of all eight windows to the front elevation of the property 2. Renewal of the front roof skylight with an approved Article 4 conservation unit
2016/00198/FUL	A	Tresaith, High Meadow, Llantwit Major	Single storey rear extension, extension to existing dormer and single storey flat roof entrance porch extension

2016/00200/FUL	A	The Studio, 34A, Plassey Street, Penarth	Proposed retention of residential use to existing building including alteration works
2016/00212/FUL	A	Awelon, Pen y Turnpike Road, Dinas Powys	Single storey rear extension
2016/00216/FUL	A	5, Nash View, Pentre Meyrick	Part single and part 2 storey rear extension
2016/00217/LAW	A	25, Earl Road, Penarth	Single storey rear extension
2016/00222/LAW	A	53, Westbourne Road, Penarth	Hip to gable loft conversion with dormer on rear with 1 no. UPVC window and 2 no. Velux windows on front roof elevation
2016/00229/FUL	A	87, Cedar Way, Penarth	New single storey and part two storey rear extension to existing dwelling house
2016/00235/LBC	A	Natwest, 2, Plymouth Road, Penarth	Replace existing deteriorating flat roof with a new replacement flat roof
2016/00242/FUL	A	14, Brookside, Dinas Powys	Two storey side extension for new lounge and utility room. First floor bedroom and en suite
2016/00248/FUL	A	12, Cae Gwyn, Penarth	Single storey rear and side extension
2016/00249/FUL	A	3, East Walk, Barry	First floor residential extension over existing ground floor roof extension
2016/00275/ADV	A	Opposite 99, Court Road, Barry	One double advertising unit fully integrated into bus shelter
2016/00276/ADV	A	Outside 92, Port Road East, Barry	One double advertising unit fully integrated into bus shelter

2016/00277/ADV	A	Outside 140, Port Road East, Barry	One double advertising unit fully integrated into bus shelter
2016/00280/ADV	A	Opposite Barry Comprehensive School, Port Road West, Barry	One double advertising unit fully integrated into bus shelter
2016/00281/ADV	A	Opposite 82, Port Road East, Barry	One double advertising unit fully integrated into bus shelter
2016/00285/PNA	A	Land between Pop Hill and Cross Common Road, Dinas Powys	Road to provide a dry track during Autumn/Winter months for tractors and trailers. Land to be used for cattle and hay crops
2016/00301/ADV	A	Your Space Living, 3a, Commercial Street, Llantwit Major	Externally illuminated fascia sign and hanging sign
2016/00308/FUL	A	Former 67-79, Dochdwy Road, Llandough, Penarth	Removal of Condition 6 (Stop up highway land) of planning permission ref. 2013/01257/FUL : Renewal of 2007/00751/FUL; 18 self-contained residential units over three storeys to replace demolished mix use building.

21 APPEALS (HRP) -

- (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 it be noted that there were no appeal decisions to report.
- (3) T H A T it be noted that as there had been no appeal decisions in this financial year so far, there were no statistics to report.

22 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

2016/00143/TPO	A	Tesco Stores Ltd., Culverhouse Cross, Cardiff	Renewal of previous application 2014/01273/TPO - T1 Ash - remove 2 lower limbs; T2 Beech - remove 11 small lateral limbs; T3 Ash - crown lift 3 limbs; T4 Beech - remove 2 lower lateral limbs; T5 Oak - reduce from building and crown lift 3 limbs; T6 Willow - remove lower limb and clear lamppost; T7 Hazel - coppice; T8 Willow - remove upper limb; T9 Beech - crown lift
2016/00202/TPO	A	Waitrose, Palmerston Road, Barry	T1 - Alder, remove to ground level
2016/00204/TPO	A	7, Windyridge, Dinas Powys	Reduce crown to Oak tree by 20% and reduce lowest lateral limb to Beech tree (extending south towards 9 Windyridge)

23 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:

2013/01279/OUT Received on 24 December 2013

(p25)

Taylor Wimpey plc

Mr Paul Williams Savills, 12, Windsor Place, Cardiff, CF10 3BY

Land south of Cog Road, Sully

Residential development with associated access and associated works (max 350 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 at least 140 (40%) of the dwellings built pursuant to the planning permission are built and thereafter maintained as affordable housing units in perpetuity, of which at least 70% would be social rented properties, and the remaining 30% would be intermediate properties.
- Pay a contribution of £2000 per residential unit 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 footway in the area of open space immediately to the west of the site (and adjacent to Cog Road) where the construction costs shall be fully detailed and submitted and approval by the Local Planning Authority. The contribution is to be used on items including one or more of the following: improving pedestrian routes between the site and the village centre, between the site bus stops in the village, access to areas of public open space, in respect of bus services and facilities serving the development, cycle provision in the village centre and vicinity of the site, upgrading pedestrian routes in the village centre, improving pedestrian crossings on South Road, signage and lighting of routes.
- The provision of the pedestrian footway (referred to in the bullet point immediately above) to link the new pedestrian footway at the access into the site from Cog Road to the footway in the area of open space immediately to the west of the site (and adjacent to Cog Road)
- Public open space to be provided on site to equate to at least 18.56m² of children's play space per dwelling, of which at least 5.8m² per dwelling will be equipped play space. The public open space is to 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 £3,758,901.28 for education purposes for the provision or enhancement of educational facilities in schools serving the Sully catchment for Nursery, Primary and Secondary school children.
- Pay a contribution of £988.50 per residential unit to provide new community facilities in Sully including one or more of the following: community halls in the village, the sports and social club, the library, provision of mobile library services in the area and/or the provision of dual use facilities at the local primary school.
- The developer shall provide public art on the site to the value of 1% of the build costs or otherwise pay a contribution to the same value to the Council.
- The Legal Agreement will include the standard clause requiring the payment of a fee to monitor and implement the legal agreement.
- Off-site highway works at the junction of South Road and Cog Road, as set out (in principle) on plan W120604_A06 revision A, to increase capacity at the junction for vehicles egressing from Cog Road onto South Road.
- To pay a contribution of £24,000 towards off site highway works at the roundabout junction at Cardiff Road/Sully Moors Road.
- To agree details of financial measures to secure the management of retained habitats for Great Crested Newts and monitoring provisions, and details of management and monitoring of ecological areas.

APPROVED subject to the following conditions(s):

1. Approval of the access, layout, scale, appearance, and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

Reason:

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

2. Application for approval of the reserved matters hereinbefore referred to must be made not later than the expiration of three years beginning with the date of this permission.

Reason:

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

3. The development to which this permission relates must be begun not later than whichever is the later of the following dates:

- (a) The expiration of five years from the date of this permission.
- (b) The expiration of two years from the date of the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matters to be approved.

Reason:

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

- 4. Plans and particulars of the reserved matters referred to in condition 1 above shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason:

The application was made for outline planning permission and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 5. Prior to the first beneficial occupation of any dwelling, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include a package of measures tailored to the needs of the site and its future users to widen travel choices by all modes of transport and encourage sustainable transport.

Reason:

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

- 6. Prior to the commencement of construction of any part of the development a scheme, including details of the timing of such provision, 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, and the public open space shall thereafter be provided in accordance with the agreed details.

Reason:

To ensure the timely provision of open space in the interests of the amenity of future occupiers and the wider area and to ensure compliance with Policies ENV27, REC3 and REC6 of the Unitary Development Plan.

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

Reason:

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

8. Notwithstanding the submitted plans, full engineering details of the new vehicular / pedestrian access points in to the site, any new pedestrian footways within the adopted highway and 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. Prior to the commencement of development and notwithstanding the submitted plans, a detailed scheme of the proposed works at the junction of South Road and Cog Road (to include engineering details and a schedule of timescales for implementation of the works), shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved plans and timescales.

Reason:

To ensure that the surrounding highway network has capacity to accommodate the development and to ensure compliance with Policy ENV 27 of the Unitary Development Plan.

10. 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.

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

Reason:

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

12. The development shall be carried out in accordance with the following approved plans and documents:

Registered 24th December 2013:

- Site location plan.
- Transport Assessment.
- Design and Access Statement.
- Environmental Impact Assessment and Technical Appendices.
- Environmental Impact Assessment Non-Technical Summary.
- Agricultural Assessment.
- Planning Statement.
- Statement of Community Involvement.
- Heritage Desk Based Assessment.

19th June 2014

- Hedgerow Compensation Plan
- Supplementary Planning Statement.
- Highways response to VOG Highways comments.

9th July 2015

- Great Crested Newt Mitigation Method Statement.
- Extended Phase 1 Habitat Survey.
- Reptile Mitigation Strategy.
- Bat and Great Crested Newt Survey Report.
- Transport Assessment Addendum.
- Heritage Advice Note.
- Cog Road and Swanbridge Road Access Plans.
- Outline Masterplan Rev B.
- Access strategy Rev B.
- Landscape and open Space Strategy Rev B.
- Phasing Plan Rev B.

15th February 2016

- Highways Sensitivity Analysis

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.

13. Prior to the submission of any reserved matters applications, a programme of archaeological work shall be carried out in accordance with a written scheme of investigation, which shall first be submitted to and approved in writing by the Local Planning Authority. A report to detail the findings of the programme of archaeological work should be submitted to and approved in writing by the Local Planning Authority prior to the submission of any reserved matters application and the programme and scheme shall be fully implemented as defined in the approved details at all times. Any reserved matters subsequently submitted shall thereafter be informed by the results of the submitted and agreed report.

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.

14. Prior to the commencement of development, 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.

15. No Development shall take place until there has been submitted to and 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 construction hours. The CEMP shall utilise the Considerate Constructors Scheme. The CEMP shall include a system for the management of complaints from local residents which shall incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan.

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 Policies ENV27 and ENV29 of the Unitary Development Plan.

16. Prior to the commencement of development, including any site clearance or ground works, a Construction Traffic Management Plan, including details of parking for construction traffic, wheel washing facilities, the proposed routes for heavy construction vehicles and timings of construction traffic to and from the site, shall be submitted to and approved in writing by the local planning authority and the management plan shall be implemented at the commencement of any site clearance or temporary access or development works on the site and shall thereafter be complied with for the duration of the construction and laying out of the development.

Reason:

In the interest of highway / Public Safety and the free flow of traffic along the adopted highway network and means of defining and controlling such traffic routes and timings and to meet the requirement of policies ENV27 and TRAN10 of the Unitary Development Plan.

17. 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 (including highway 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.

18. 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.

19. The information submitted in accordance with the requirements of Condition No. 17 of this consent shall include full details of the proposed perpetual management and maintenance of the drainage system serving the whole development, including provisions to be put in place in respect of individual dwelling houses and including a written declaration and plan 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 ENV7 and ENV29 of the Unitary Development Plan.

20. Prior to the commencement of development, a hydraulic modelling assessment (HMA) shall be undertaken in liaison with Dwr Cymru Welsh Water, in order to assess the effect the proposed development on the existing water supply network and the need for any associated infrastructure works. None of the dwellings hereby approved shall be occupied until such time that any necessary water infrastructure works, as required by the HMA, have been completed and approved in writing by Dwr Cymru Welsh Water and the Local Planning Authority has been informed in writing of their completion (and Dwr Cymru Welsh Water's approval).

Reason:

In order to ensure that the development is served by an adequate water supply, to ensure that the development does not adversely impact on existing water supply, and to ensure compliance with policies ENV 27 and HOUS 8 of the UDP.

21. Notwithstanding the submitted plans, prior to the first beneficial occupation of any of the dwellings, full details of the lighting to be provided on the highways, footpaths and public open space areas within the 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.

22. Any vegetation clearance must be undertaken 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.

23. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to their use in the development, and the means of enclosure shall be implemented in accordance with the approved details prior to that part of 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.

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking, amending or re-enacting that Order) no gates, fences, walls or other means of enclosure (other than approved by conditions of this 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 the terms of Policy ENV27 of the Unitary Development Plan.

25. Prior to the commencement of development, the local planning authority shall be provided with a copy of the licence (for Great Crested Newts) issued by Natural Resources Wales pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 (as amended) authorising the specified activity/development to go ahead.

Reason:

In the interests of ecology and to ensure compliance with Policy ENV16 of the UDP.

26. The ecological works / enhancements detailed in the Reptile Mitigation Strategy and the Hedgerow Compensation Scheme shall be implemented in full accordance with the plans approved.

Reason:

In the interests of ecology and to ensure compliance with Policy ENV16 of the UDP.

27. No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation and enhancement has been submitted to

and approved in writing by the local planning authority. The EDS shall include the following;

- a) Provision of bird breeding sites
- b) Details of measures to ensure continuous, available habitat for small and medium sized terrestrial mammals.
- c) Details of newt-friendly drainage within the development
- d) Identification of unlit flight lines for bats to allow light-sensitive species to traverse the site and to be demonstrated through a lighting plan for the site.
- e) Details of other measures to enhance biodiversity of the developed site.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason:

In the interests of ecology and to ensure compliance with Policy ENV16 of the UDP.

28. The development shall at all times be implemented in accordance with the submitted Great Crested Newt Mitigation Method Statement, dated 1st May 2015.

Reason:

In the interests of ecology and to ensure compliance with Policy ENV16 of the UDP.

29. The development hereby approved shall not begin under 14 days after the receipt of the Notification of initiation of development by the Local Planning Authority. The notification shall be submitted in the form specified in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

Reason:

To comply with the requirements of Section 71ZB(1) of the Town and Country Planning Act 1990 (as amended).

30. At all times when the development is being carried out, a notice shall be firmly affixed and displayed in a prominent place at or near the place where the development is being carried out. The notice shall be legible and easily visible to the public without having to enter the site and printed on a durable material. The notice shall be in the form specified in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

Reason:

To comply with the requirements of Section 71ZB(2) of the Town and Country Planning Act 1990 (as amended).

Reason for decision

In light of the significant amount of background information that has led to the site's inclusion within the Draft Local Development Plan, current housing land supply and the need to maintain adequate housing land at all times and the assessment of all other impacts and material considerations as set out in the report, it was considered that, on balance and subject to the mitigation as set out with regard to the proposed planning obligations and conditions, the development was acceptable in principle and outweighs the conflict with UDP policies relating to the location of new residential developments outlined in the report.

The decision to grant planning permission was taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprised the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011. In accordance with Regulation 3(2) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, the Local Planning Authority had taken into account all environmental information submitted with this application

Having regard to the submitted documentation of the Environmental Impact Assessment and policies POLICIES 1, 2, 3, 8, 11 3 and ENV 1 – DEVELOPMENT IN THE COUNTRYSIDE, ENV2 – AGRICULTURAL LAND, ENV 10 - CONSERVATION OF THE COUNTRYSIDE, ENV 11 – PROTECTION OF LANDSCAPE FEATURES, ENV 16 – PROTECTED SPECIES, ENV 17 - PROTECTION OF BUILT AND HISTORIC ENVIRONMENT, ENV 18 – ARCHAEOLOGICAL FIELD EVALUATION, ENV 19 – PRESERVATION OF ARCHAEOLOGICAL REMAINS, ENV 27 – DESIGN OF NEW DEVELOPMENTS, ENV 28 – ACCESS FOR DISABLED PEOPLE, ENV 29 – PROTECTION OF ENVIRONMENTAL QUALITY, POLICY HOUS 2 - ADDITIONAL RESIDENTIAL DEVELOPMENT, HOUS 3 - DWELLINGS IN THE COUNTRYSIDE, HOUS 8 - RESIDENTIAL DEVELOPMENT CRITERIA – POLICY HOUS 2 SETTLEMENTS, HOUS 12 - AFFORDABLE HOUSING, REC 3 – PROVISION OF OPEN SPACE WITHIN NEW RESIDENTIAL DEVELOPMENTS, REC 6 – CHILDREN'S PLAYING FACILITIES, REC7 – SPORT AND LEISURE FACILITIES, REC12 – PUBLIC RIGHTS OF WAY AND RECREATIONAL ROUTES, TRAN9 – CYCLING DEVELOPMENT and TRAN10 – PARKING of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, the Supplementary Planning Guidance 'Amenity Standards' and 'Planning Obligations', Planning Policy Wales (Edition 7) and Technical Advice Notes 1- Joint Housing Land Availability Studies, 2-Planning and Affordable Housing, 5-Nature Conservation and Planning, 10 – Tree Preservation Orders, 12-Design, 16-Sport, Recreation and Open Space, 18-Transport, and 22-Sustainable Buildings; it was considered that the proposals were acceptable, based on the material considerations set out within the report, by reason of a sustainable location and the requirement to address the need for new residential development and affordable housing within the Vale of Glamorgan. The proposals were also acceptable by virtue of a safe and suitable means of access with no unacceptable impact in terms of residential amenity, pollution, flood risk, impact on

listed buildings or other historic assets or on ecology.

2014/01033/FUL Received on 2 September 2014

(p100)

Mr Peter Hayman Lettons House, Lettons Way, Dinas Powys, Vale of Glamorgan, CF64 4BY

Mr Laurence Forse Harmers Limited, 39, Lambourne Crescent, Cardiff Business Park, Llanishen, Cardiff, CF14 5GG

Lettons House, Lettons Way, Dinas Powys

Re-submission of application for removal of modified agricultural/rural enterprise occupancy condition imposed on application 2011/0503/FUL in respect of the erection of existing 2 storey house

REFUSED: (Written Representations)

1. Having regard to Policies HOUS5 - Agricultural or Forestry Dwellings; and HOUS6 - Agricultural Occupancy Conditions of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and the guidance contained in Technical Advice Note (Wales) 6 'Planning for Sustainable Rural Communities', in Planning Policy Wales (Edition 8 – 2016) and Welsh Office Circular 016/2014 'The Use of Planning Conditions for Development Management', the applicant had failed to demonstrate that there was no longer any need for the dwelling to accommodate an agricultural or forestry worker, nor that there was not a realistic potential that the dwelling could be used to accommodate those eligible for affordable housing. As such Condition No. 1 of planning permissions 2011/0503/FUL, which limits occupation of the dwelling to that of a person employed or last employed in a rural enterprise or for the provision of accommodation for those eligible for affordable housing remains justified and had not outlived its usefulness. Accordingly, the proposal to remove this condition would be contrary to the above defined national and local policies including ENV1 - Development in the Countryside and HOUS3 - Dwellings in the Countryside of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, which seek to prevent the erection of dwellings in the countryside without an agricultural or forestry justification.

2015/01157/FUL Received on 21 October 2015

(p116)

Newydd Housing Association, C/o Agent.

Geraint John Planning Limited, Sophia House, 28, Cathedral Road, Cardiff, CF11 9LJ

Land off Wick Road, St. Brides Major

Proposed development of 19 affordable dwellings, with associated landscaping and engineering works

REFUSED: (Written Representations)

1. The development, by virtue of its density and form in addition to the local topography, would significantly urbanise the site, resulting in the loss of the open rural character of this part of the Conservation Area and rural character of the area, neither preserving or enhancing its character and appearance. The proposal would also negatively impact on the setting of the adjacent "Positive Buildings" at the former Kings Hall Farm. The proposal would therefore be contrary to Policies ENV10 - Conservation of the Countryside, ENV17 - Protection of Built and Historic Environment, ENV20-Development in Conservation Areas, ENV 27 Design of New Development and HOUS13 - Exception Sites for Affordable Housing in the Rural Vale of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 as well as guidance provided in the Council's adopted Supplementary Planning Guidance on Conservation Areas in the Rural Vale, and the St. Brides Major Conservation Area Appraisal and Management Plan together with Planning Policy Wales (edition 8, 2016), Technical Advice Note 12 - Design and Welsh Office Circular 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas (as amended By Circular 1/98-Planning and Historic Environment: Directions).
2. The proposal would result in the loss of the "best and most versatile quality agricultural land" being Grade 3a, where an overriding need for the development of the site, as opposed to alternative sites had not be adequately demonstrated. The proposal would therefore be contrary to Policies ENV2 - Agricultural Land and HOUS13 - Exception Sites for Affordable Housing in the Rural Vale, of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and Planning Policy Wales (edition 8, 2016).
3. 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 was 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 (8th Edition) January 2016.
4. The proposal would result in the removal of two protected trees which would impact on the amenity of this part of the St. Brides Conservation Area. The proposal would therefore be contrary to the aims and objectives of Policy ENV11 - Protection of Landscape Features and Policy ENV20 - Development in Conservation Areas of the Vale of Glamorgan Adopted Unitary Development Plan 1996 – 2011 and TAN10 Tree Preservation Orders.
5. The proposal would generate additional on-street parking on or in close proximity to a road bend / junctions to the detriment of highway safety and the free flow of traffic along the adopted highway network. The proposal would therefore be contrary to the aims and objectives of Policies ENV27 – Design

of New Developments, HOUS8 - Residential Development Criteria and TRAN10 – Parking of the Vale of Glamorgan Adopted Unitary Development Plan 1996 – 2011 and Supplementary Planning Guidance on Parking Standards

NOTE:

Councillor Brooks requested that it be noted in the Minutes that she voted against the officer's recommendation to refuse the application.

2015/01492/FUL Received on 29 March 2016

(p185)

Mrs. Sian Jenkins Windhover, Mount Road, Dinas Powys, Vale of Glamorgan, CF64 4DG

Mr. Julian Phillips Julian Phillips Partnership, Market House, Chapter, Market Road, Canton, Cardiff, CF5 1QE

Windhover, Mount Road, Dinas Powys

Demolition of existing dwelling and construction of two new semi-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 relate to the plans registered on 5th January 2016 and Drawing Nos. 2013./16 Rev C, 2013./18 Rev A and 2015./25 Rev A received on the 17th November 2015 other than where amended by plans reference Drwg No. 301 received on 29th March 2016 and Drwg No. 200B received on the 26th April 2016 and the Design and Access statement received on 23rd December 2016.

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 proposed dwellings hereby approved, details of the proposed materials and colour finish of the render 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 provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, or any Order revoking or re-enacting that Order, no windows other than as hereby approved shall be inserted into the western or eastern side elevation of both dwellings hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

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

5. Prior to the commencement of development, details of the finished floor levels of the dwellings in relation to existing and proposed 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 visual and residential amenities of the neighbouring properties and the wider area are safeguarded, and to ensure the development accords with Policy ENV27 of the Unitary Development Plan.

6. 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 shown on Drwg No. 200B and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

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

7. No 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.

8. No construction work associated with the development hereby approved shall take place on the site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Friday	08:00 – 1800
Saturday	08:00 – 1300

Unless such work –

- (a) is associated with an emergency (relating to health and safety or environmental issues);
- (b) is carried out with the prior written approval of the Local Planning Authority.

Reason:

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

9. Prior to the first beneficial occupation of either dwellings hereby approved, the existing access shall be closed up in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The dwellings shall be accessed via the driveway shown on Drawing No. 200B received on the 26th April 2016.

Reason:

To safeguard the visual amenities of the area and highway safety and to meet the requirements of Policy ENV27 of the Council Approved Unitary Development Plan.

10. Details of privacy screens to the western elevation of the balconies shall be submitted to and approved in writing by the Local Planning Authority. The approved privacy screens serving the balconies shall be erected prior to the first beneficial use of the balcony and shall thereafter be so maintained at all times.

Reason:

To ensure 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. Prior to any site clearance or demolition works, details, plans and recommendations outlined in the Tree Survey, Landscape proposal and Tree Protection Plan reference Drawing No.2013./16 Rev C, 2013./18 Rev A and 2015./25 Rev A received on the 17th November 2015 shall be fully implemented on site and so retained for the duration of the 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.

12. No site clearance shall be undertaken during the bird breeding season (March to August inclusive), unless otherwise inspected by an appropriately qualified person on the day of the works and deemed to be clear of breeding birds.

Reason:

To maintain biodiversity and in the interests of protected species in accordance with Policy ENV16 of the Unitary Development Plan.

13. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. the scheme shall provide 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. Thereafter, the scheme shall be implemented in accordance with the approved details to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason:

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

14. No development shall commence on site until a detailed scheme for the surface water drainage of the site, showing how road and roof/yard water will be dealt with has been submitted to and approved in writing by the Local Planning Authority. If infiltration techniques are used, then the plan shall include the details of field percolation tests. Any calculations for onsite attenuation or discharge should be included. Details shall also be submitted

on the perpetual management and maintenance of the SuDs system for the lifetime of the development. The approved scheme must be implemented prior to the beneficial occupation and as built drawings should be submitted to the Local Planning Authority.

Reason:

To ensure that effective drainage facilities are provided for the proposed development and prevent increased flood risk and to ensure compliance with Policies ENV27 and ENV29 of the Unitary Development Plan.

Reason for decision

The decision to grant planning permission had been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which required that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV11 – Protection of Landscape Features, ENV17 – Protection of Built and Historic Environment, ENV18 – Archaeological Field Evaluation, ENV19 – Preservation of Archaeological Remains, ENV27 - Design of New Developments; HOUS2 - Additional Residential Development; HOUS8 - Residential Development Criteria; HOUS11 - Residential Privacy and Space; and TRAN10 - Parking of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, plus the Supplementary Planning Guidance 'Amenity Standards' and Trees and Development it was considered that the proposals were acceptable, by reason of their appropriate design, materials and scale, with no detrimental impact to the character of the area or setting of the adjoining Dinas Powys Conservation Area or any significant adverse impact to the amenities of neighbouring occupiers and highway safety. The proposals therefore complied with the relevant planning policies and supplementary planning guidance

2016/00032/FUL Received on 3 February 2016
(p202)

Mr. Will Phillips Taylor Wimpey, c/o Agent
Laura Williams Savills, 12, Windsor Place, Cardiff, CF10 3BY

Land North of the Railway Line (West), Rhoose

Proposed realigned highway (engineering works)

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 Location Plan- Draw ref 15151_161 Rev 2- Received on 21st March 2016
 General Highway Arrangement details- Draw ref 15151_160 Rev 3- Received on 21st March 2016

Proposed Realignment plan- Draw ref 15151_162 Rev 6- Received on 25th April 2016

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 and prior to the commencement of development, a plan shall be submitted to and approved by the Local Planning Authority demonstrating the detailed highway works to be carried out on the cycle/pedestrian route and road junction. The details should ensure that the speed table and the coloured surface treatment along the cycle/pedestrian route and across the carriageway are removed while also providing detail of the proposed dropped kerb and tactile paving, road markings and highway signs to be erected on site.

Reason

In the interests of Highway safety, complying with ENV27 of the Adopted UDP 1996-2011 and the advice and guidance found in Planning Policy Wales.

4. Notwithstanding the submitted plans, full engineering details of the vehicular road alignment, including sections and surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development. The development shall be implemented thereafter in accordance with the approved details.

Reason

In the interests of Highway safety, complying with ENV27 of the Adopted UDP 1996-2011 and the advice and guidance found in Planning Policy Wales.

5. No development of the amended road alignment shall commence, until the residential development to the east has commenced in conjunction with the approved details agreed in planning permission 2014/00344/RES.

Reason

For clarification of the implementation of the development and to ensure the possible connectivity to the remaining part of the allocated site, in accordance with the requirements of the Adopted Development Brief and to ensure compliance with Policies ENV27 of the Unitary Development Plan.

Reason for decision

The decision to grant planning permission had been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which required that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies HOUS1 - Residential Allocations, HOUS2 - Additional Residential Development, HOUS8 - Residential development criteria – policy HOUS2 settlements, ENV6 - East vale coast, ENV7 - Water Resources, ENV11- Protection of landscape features, ENV16 - Protected species, ENV27 - Design of new developments, ENV29 - Protection of Environmental Quality, TRAN9 - Cycling development, TRAN10 - Parking, REC12 - Public Rights of Way and recreation routes the proposed road alignment was considered acceptable providing a vehicular road access between the two allocated housing estates without any harmful impacts upon the approved residential development to the east, neighbouring amenity, highway safety or pedestrian and cycle way routes or ecology and hedgerow.

2016/00123/FUL Received on 9 February 2016

(p221)

Mr. B Cole c/o Agent

Mr. Geraint John Sophia House, 28, Cathedral Road, Cardiff, CF11 9HB

Ty Broc Parc Farm, St Donats

Extension and alterations to dwelling at Ty Broc Parc Farm

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:

Proposals- Draw ref C209_AL(0)11P 1 received on 4th April 2016
Site Location Plan received on 9th February 2016

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:

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

4. Prior to their use on site, further details of the proposed doors and windows to a scale of 1:10, 1:20 as appropriate (including sections) 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 accordance with the approved details.

Reason:

To ensure that the rural character of the building are safeguarded and to ensure compliance with Policies ENV8 and ENV27 of the Unitary Development Plan.

5. Notwithstanding the submitted plans, this consent shall not relate to the glazed front extension shown on the approved plan ref. Draw ref C209_AL(0)11P 1.

Reason

For clarification, and to protect the character of the barn conversion and the wider visual amenities of the rural setting in accordance with ENV8 and ENV5 of the adopted UDP 1996-2011

Reason for decision

The decision to grant planning permission had been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which required that, in determining a planning application the determination must be in accordance with

the Development Plan unless material considerations indicate otherwise. The Development Plan comprised the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV1 - Development in the Countryside, ENV5- Glamorgan Heritage Coast, ENV8 - Small Scale Rural Conversions, ENV16 - Protected Species, and ENV27 - Design of New Developments and HOUS7- Extension and replacement of dwellings in Countryside of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as the advice and guidance contained within the Councils Adopted SPG on amenity standards and the Conversion of Rural Buildings and Planning Policy Wales (Edition 8, 2016) it was considered that the proposed balcony and rear extensions would not unacceptably alter or harm the character and appearance of the original barn conversion or its wider countryside setting in the Glamorgan Heritage Coast and have no unacceptable impact upon the neighbouring property.

2016/00176/FUL Received on 26 February 2016

(p233)

Mr Stephen Jones & Mrs Rebecca Evans 65, Stanwell Road, Penarth, Vale of Glamorgan, CF64 3LR

Ms. Carolyn Merrifield Studio 114, Creative Quarter, Morgan Arcade, Cardiff, CF10 1AF

Overway, 12, Park Road, Penarth

Detached two storey house with integral garage and separate small single room reptile building

DEFERRED (Site Visit)

2016/00247/FUL Received on 3 March 2016

(p248)

Mr. James Rolling Green Meadow, 10, Ger y Llan,, St Nicholas,, Vale of Glamorgan,, CF5 6SY

Mr. Christian Le Guilcher Le Guilcher Architecture,, 1 Powys Road,, Penarth,, Vale of Glamorgan,, CF64 3PB

Green Meadow, 10, Ger y Llan, St Nicholas

Alterations to existing detached dwelling to comprise single, two storey extension and rebuild, extension of existing garage. replacement windows and doors. Existing vehicular access to be widened

DEFERRED (Site Visit).

24 MATTER WHICH THE CHAIRMAN HAD DECIDED WAS URGENT -

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

25 LAND ADJACENT TO BEECHWOOD COLLEGE, OFF HAYES ROAD, SULLY (HRP) -
(Urgent by reason of the need to make a decision before the next Committee)

The Committee received a report to advise Members that officers had sought an urgent resolution with regard to the Council's case that would be made in a current Planning Appeal.

An Appeal had been made against the Council's decision to refuse planning permission in respect of application reference 2015/01116/FUL. The application sought permission for the change of use of the Council owned former civic amenity site at Hayes Road, Sully. The Application was refused at Committee on 23 October on the following grounds:

Having regard to the evidence and conclusions contained within the Gypsy and Traveller Accommodation Needs Background Paper (2013) and consequently and Gypsy and Traveller Site Assessment Background Paper (2013) to the Vale of Glamorgan Deposit Local Development Plan 2011-2026 (LDP) and the status of the application site within that plan as the sole allocated Gypsy/Traveller site, it is considered that the proposed change of use would conflict with the evidence base within the background papers (and draft Policy MG 5) of the LDP and would therefore be contrary to the aims and objectives of the LDP. The approval of the development would also pre determine the decision about the location of Gypsy/Traveller sites, which ought properly to be taken within the context of the Local Development Plan process. The development is therefore considered premature pending the adoption of the Deposit Local Development Plan, and would have a significant detrimental impact on the deliverability of the plan and its objectives, contrary to the advice and guidance in Chapter 2 of the Planning Policy Wales (7th Edition 2014).

A copy of the previous report to the Planning Committee was attached to the report at Appendix A.

The appeal site was allocated in the draft Local Development Plan (LDP) as a site to accommodate a Gypsy and Traveller site under policy MG5.

At the LDP hearing session on 22nd March, 2016, for the Gypsy and Traveller provision the Inspector expressed his concern with regard to the flooding issue on the site (the access to the site is within a C2 flood zone). In the light of this, the Inspector requested as an 'action point' that the Hayes Road site be deleted as the Gypsy and Traveller allocation. The site was, therefore, to be withdrawn as the Gypsy and Traveller allocation within the Plan.

In view of the above, the Council could no longer defend the original reason for refusal of the application subject of the current appeal. The grant of planning

permission for the use of the site as allotments would no longer pre determine the decision about the location of Gypsy and Traveller site within the LDP and the decision would, therefore, neither be premature nor have a significant detrimental impact on the deliverability of the Plan and its objectives. It should also be noted that there was no other material planning reason for the Council to object to the material change of use of the site as an allotment.

Accordingly the Council was required to advise both the Planning Inspectorate and the Appellant that the Council would not be defending its objection to the development subject of the appeal and that the Council would only be participating in the Conditions session of the Hearing to be held in respect of the appeal. The Committee was advised that whilst the Appellant may make an application for costs in these circumstances, the Council would be in a good position to defend their case against a costs application if the Appellant and Planning Inspectorate were advised of the Council's revised position in this appeal without delay.

Following consideration of the report, the Committee

RESOLVED - T H A T, in view of the LDP Inspector's direction to the Council with regard to the allocation of the Hayes Road Sully site as the Gypsy and Traveller allocation, the Council does not provide any defence in support of its reason for refusal of the 2015/01116/FUL application for the change of use of the site to allotments.

Reason for decision

The Council can no longer defend the original reason for refusal of the application, subject of the current appeal.