

## PLANNING COMMITTEE

Minutes of a meeting held on 9<sup>th</sup> June, 2016.

Present: Councillor F.T. Johnson (Chairman); Mrs. M.R. Wilkinson (Vice-Chairman);

Councillors: Ms. R. Birch, J.C. Bird, Ms. B.E. Brooks, L. Burnett, Mrs. P. Drake, J. Drysdale, C.P. Franks, H.C. Hamilton, Mrs. V.M. Hartrey, N.P. Hodges, H.J.W. James, P.G. King, A. Parker, R.A. Penrose, Mrs. A.J. Preston, G. Roberts and A.C. Williams.

### 67 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.”

### 68 APOLOGIES FOR ABSENCE -

These was received from Councillor E. Hacker and A.G. Powell.

### 69 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 12<sup>th</sup> May, 2016 be approved as a correct record.

### 70 DECLARATIONS OF INTEREST -

No declarations were received.

### 71 SITE INSPECTIONS (MD) -

RESOLVED - T H A T the attendance of the following Councillors at the sites indicated below on 12<sup>th</sup> May, 2016 be noted:

An apology for absence for site inspection (a) was received from Councillor E. Hacker. Apologies for site Inspection (b) were received from Councillor E. Hacker and H.J.W. James.

(a) Land off Wick Road, St. Brides Major	Councillor F.T. Johnson (Chairman); Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors L. Burnett, J. Drysdale, H.C. Hamilton, Mrs. V.M. Hartrey, H.J.W. James, A. Parker, Mrs. A.J. Preston and G. Roberts.
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(b) Land South of Cog Road,  
Sully

Councillor F.T. Johnson (Chairman); Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors L. Burnett, J. Drysdale, C.P. Franks, H.C. Hamilton, Mrs. V.M. Hartrey, A. Parker, R.A. Penrose, G. Roberts and A.C. Williams. Also Present: Councillor K.P. Mahoney

**72 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.

**73 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

2011/01227/1/N MA	A	The Swallows, Llancadle	Variation of conditions 16 and 17 of 2011/01227/FUL to allow to commencement of Barn 2 - Demolition of three Dutch barns together with a stable block and the conversion of detached farm outbuildings to four domestic dwellings
2014/01025/1/N MA	A	Barn B, Sheepcourt Farm, Bonvilston	Non Material Amendment - Alteration of material to section of extension. Minor rear and side extension to barn conversion
2014/01367/1/N MA	A	70, Holton Road, Barry	Amendment to condition 4 to allow the retrospective submission of fume extraction details. Change of use from A2 to A3. The property held an A3 use up until 2011 when the last occupier changed to A2 use
2015/00087/1/N MA	A	St. Nicholas House, St. Nicholas	Non Material Amendment - Amendment to dormer windows and small amendments to plan. Planning permission ref. 2015/00087/FUL: Conversion of St. Nicholas House and garage block into two semi-detached dwellings
2015/00737/1/N MA	A	5, Byrd Crescent, Penarth	Non Material Amendment - Reduction in overall volume of the extension, amendment to design of 2 windows and amendment to design of velux windows. Planning Permission ref. 2015/00737/FUL: Two storey extension to the rear of existing property, providing ground floor kitchen/dining room, and first floor bedroom, en-suite and study

2015/00816/FUL	O	56, Redlands Avenue, Penarth	Demolish existing garage and construct new two bedroom dwelling
2015/01268/ADV	A	Coconuts Play Centre, Sully Moors Road, Barry	New signage including 2 No. on the building, and 1 No. at entrance to site
2015/01291/FUL	R	TB Davies (Cardiff) Ltd., Penarth Road, Penarth	Change of use from A1 (previous use was a retail warehouse) to Sui Generis (Proposed usage is a shop selling and displaying motor vehicles and service department). Demolition of existing single storey front office area. side extension and re-cladding of front and part side elevations. General internal alterations
2015/01297/FUL	A	The Old Post Office, St. Brides Road, St. Brides Super Ely	Two storey extension to rear and associated works
2015/01332/ADV	A	Land at Heol Fain, Wick	Signs
2015/01350/FUL	A	33, Dyserth Road, Penarth	Single storey rear extension
2015/01458/RES	A	Land at Barry Waterfront, South Quay Parkside, Barry	Reserved matters application for residential development (45 units)

2015/01478/1/N MA	A	Style Gardens, Port Road, Wenvoe	Non-Material Amendment - An amendment to the design of the roof for the proposed coffee shop extension. Planning permission ref. 2015/01478/FUL: Proposed alterations to the existing Style Garden Centre to include a single storey extension to the front of the Garden Centre to provide a new and improved entrance area; a single storey extension to the rear to accommodate an enlarged coffee shop and the erection of a canopy over the existing outdoor plant sales area at the rear of Garden Centre.
2016/00024/FUL	A	CF5 6ND - Land East of Hillfields Farm, Peterston super Ely	New build stables for ponies
2016/00028/FUL	A	22, Westgate, Cowbridge	Two storey rear extension with associated internal alterations. Replacement sash windows to front elevation
2016/00047/FUL	A	90, Wordsworth Avenue, Penarth	Erection of garage and create driveway and erection of fence alongside garden wall
2016/00070/FUL	A	22, High Street, Barry	Alteration to shop front and retention of ATM
2016/00078/FUL	A	Mill Barns, Mill Road, Llantwit Major	Change of use and extension of existing barn to create residential dwelling

2016/00087/FUL	A	Central Garage Rank Start Ltd., Broad Street, Barry	Car paint spraying booth facility installed within a profiled sheet weatherproof lean-to structure with profiled sheet roof and walls complete with roller shutter access
2016/00088/LBC	A	Biglis Farmhouse, Argae Lane, St. Andrews Major	Hack off defective cement render
2016/00096/FUL	A	Llanerch Vineyard, Hensol	Proposed all year temporary use of marquee and ancillary building
2016/00128/FUL	A	Springfield Nursery, Sutton Road, Llandow	Variation of conditions 4, 8, 9 and 10 of application 2015/00422/FUL to modify pre-commencement conditions to allow phasing of development, to allow placement of accommodation on site
2016/00145/ADV	A	22, High Street, Barry	Alteration to shop front and retention of ATM
2016/00149/FUL	A	20, Pant Y Celyn Place, St Athan	Two storey side extension including garage on ground floor
2016/00166/LAW	R	3, Heol Tre Forys, Penarth	Construction of single storey extension to rear elevation
2016/00169/FUL	A	Lougher Moor, Morfa Lane, Llantwit Major	Proposed new stable block and horse walker
2016/00181/FUL	A	Ty Mawr, Llanbethery	The erection of a detached single storey dwelling
2016/00183/FUL	A	2, Stony Lane, Corntown	Construction of new entrance porch, demolition of existing garage, construction of two storey extension with pitched roof and five pitched dormers

2016/00187/RES	A	Biomass UK No. 2 Limited, David Davies Road, Woodham Road, Barry	Approval of the landscaping of the development condition 1 of the outline 2015/00031/OUT
2016/00189/FUL	A	Garden Cottage, Colwinston	Extension to existing dwelling
2016/00190/FUL	A	25 and 27, St Brides Road, Wick	Joint rear extension. Two storey to No. 25 and single storey to No. 27
2016/00191/FUL	A	17, Conway Drive, Barry	Conversion of existing garage to a ground floor bedroom and wet room
2016/00192/FUL	A	Alandale Guest House, 17, Plymouth Road, Penarth	Erection of a rear extension and replacement windows throughout
2016/00194/FUL	A	Dryslwyn House, Trepit Road, Wick	Application to regularise the construction of a rear terrace at Dryslwyn House, Wick. Pursuant to consent referenced 2013/01265/FUL to demolish existing house/garage. Construct replacement dwelling and garage
2016/00205/FUL	A	Greggs, 133, Holton Road, Barry	Installation of a new aluminium shopfront, roller shutter and new signage
2016/00206/FUL	A	10, Castle Close, Boverton, Llantwit Major	Erect bay window to front elevation
2016/00208/FUL	A	Y Berllan Fach, Dimlands Road, Llantwit Major	Proposed extensions to existing outbuildings
2016/00220/LAW	A	Swn y Coed, 3, Station Terrace, Wenvoe	Dormer loft conversion - designed to meet permitted development criteria
2016/00221/FUL	A	36, Glyndwr Avenue, St. Athan	Two storey rear extension
2016/00223/FUL	R	Anna Livia, Lane - Jct City to High Croft, City	Retention of area of new decking and railing

2016/00227/FUL	A	77, Hinchsliff Avenue, Barry	Two storey extension
2016/00232/LAW	A	Ty Capel, 63, Walston Road, Wenvoe	Proposed single storey flat roof extension to form new shower room to rear of building
2016/00234/LAW	A	2, Augusta Crescent, Penarth	Demolition of existing conservatories and building of single storey rear garden pavilion
2016/00238/FUL	A	207, Holton Road, Barry	Proposed alterations to front elevation. Remove existing shop front and install new residential facade at ground floor level
2016/00239/FUL	A	18, Marine Drive, Barry	Demolish existing dilapidated garage and rebuild new garage
2016/00241/FUL	A	Plot 97, Sutton Chase, Ogmere By Sea	Proposed alteration of approved dwelling to include rear conservatory extension
2016/00243/FUL	R	The Piggery, Logwood Hill, Peterston-super-Ely	Refurbishment reinstatement and extension of the piggery for agricultural purposes
2016/00245/FUL	A	Pennant Farm, Llancarfan	Construction of menage for exercising/training horses
2016/00246/FUL	A	Llancadle Solar Farm, Llancadle	Signal mast for DNO substation
2016/00250/FUL	A	8, Conybeare Road, Sully	Proposed single storey extension retaining the existing garage area converted into a playroom and utility room. New extension area to provide new single garage and entrance porch
2016/00252/FUL	A	30, Tathan Crescent, St Athan	Single storey porch extension to side elevation



2016/00253/FUL	A	Plot 15, Ocean View, Ogmore By Sea	Proposed alteration of approved dwelling to include rear conservatory extension
2016/00254/FUL	A	85, Jenner Road, Barry	Single storey rear extension and replacement of detached garage
2016/00259/ADV	A	Greggs, 133, Holton Road, Barry	New signage
2016/00260/FUL	A	Tynant, 6, Maes Y Felin, Llandow	Amendment to provide rear gable on approved first floor extension under reference 2010/01194/FUL
2016/00262/FUL	A	Elmlea, Abbey Road, Ewenny	Construction of dormers to single storey dwelling
2016/00263/FUL	A	5, Andrews Buildings, Stanwell Road, Penarth	Replacement of existing shop front to move the door from the central placement to the left face of the shop front. No change of use
2016/00264/FUL	A	15, Clos Cradog, Penarth	Demolition of existing conservatory and rebuild as day room
2016/00265/FUL	A	2, St Davids Crescent, Penarth	Proposed two storey side house extension and ground floor porch and front bay
2016/00271/ADV	A	Junction of Penlan Rise and Penlan Road, Llandough	One double advertising unit fully integrated into bus shelter
2016/00272/ADV	A	Adjacent to Barons Court Public House, Penarth Road, Penarth	One double advertising unit fully integrated into bus shelter
2016/00273/ADV	A	Adjacent to Car Sales/Snooker Centre, Penarth Road, Penarth	One double advertising unit fully integrated into bus shelter
2016/00274/ADV	A	Penarth Road, Opposite Snooker Centre, Llandough Hill, Penarth	One double advertising unit fully integrated into bus shelter

2016/00278/ADV	A	Opp Station Road East, Port Road, Wenvoe	One double advertising unit fully integrated into bus shelter
2016/00279/ADV	A	Adjacent Station Road East, Port Road, Wenvoe	One double advertising unit fully integrated into bus shelter
2016/00282/ADV	A	Opposite 194, Port Road East, Barry	One double advertising unit fully integrated into bus shelter
2016/00283/FUL	R	Gigman Barn, Jct St Athan Road to Jct Tre Aubrey Via Gigman Bridge, St Mary Church	Construct a single storey glazed orangery
2016/00286/FUL	A	(Plot 3), 36, Timbers Green, St Cannas, Llangan	Proposed rear conservatory extension
2016/00288/FUL	A	Brynarfor, 51, Craig yr Eos Road, Ogmore by Sea	Removal of conservatory and proposed erection of side extension
2016/00293/FUL	A	210, Holton Road, Barry	Install new powder coated aluminium shop front, new fascia and shop sign, new external security shutter with shutter housing behind fascia
2016/00295/FUL	A	Gwenolfan, Trerhyngyll	Rear single storey extension and adaption of entrance driveway
2016/00298/FUL	A	32a, Smithies Avenue, Sully	Alteration and extension to existing three bedroom residential, two storey dormer unit
2016/00299/FUL	A	13, Windsor Terrace, Penarth	Single storey rear side extension and install chimney with new steel cowl
2016/00302/FUL	A	Best One, 77, High Street, Barry	Installation of ATM with non-illuminated collar surround
2016/00303/FUL	A	Brynteg, Trerhyngyll	Replacement dwelling

2016/00306/FUL	A	9, Hickman Road, Penarth	Removal of existing single storey extension and replacement with improved single storey structure to meet current building regulations. Proposed extension is to house new kitchen and dining area. Existing rear wall is to be removed to create open plan area between the existing and proposed spaces.
2016/00307/FUL	A	Brynheulog, St. Andrews Road, Wenvoe	Proposed construction of menage
2016/00309/FUL	A	4, Clinton Road, Penarth	Attic roof conversion into a master bedroom and a rear dormer extension
2016/00310/FUL	A	67, Plymouth Road, Barry	Demolition of existing outhouse and construction of two storey side extension with driveway access from main road
2016/00312/FUL	A	5, Fferm Goch, Llangan	Demolition of single storey utility room and pantry. Erection of two storey rear extension. Erection of single storey front extension
2016/00315/FUL	R	56, Brook Street, Barry	To convert existing coach house to one bedroom self-contained residential unit - to introduce two Velux rooflights (or similar approved). To provide new waste/recycling and bicycle storage and cloth drying facilities
2016/00316/FUL	A	Briar Bank, 10, Beach Road, Penarth	Change of use of outbuildings ancillary to the main dwelling house to tourist / visitor accommodation, plus associated works

2016/00319/FUL	A	Ael y Castell, Porth y Green Close, Llanblethian	Loft conversion with new roof lights, amending windows to the south, addition of bathroom window to east, modifying roof for 75mm over rafter insulation, balanced flue for gas fire to west. Chimney removed. Modification to consent granted July 2015
2016/00322/FUL	A	10A, Seaview Drive, Ogmore by Sea	Demolition and replacement of a fire damaged dwelling
2016/00334/FUL	A	17A, Laburnum Close, Barry	Provision of veranda balcony to rear elevation from existing first floor bedroom
2016/00336/OUT	O	Land Off Old Port Road, Culverhouse Cross	Variation of Condition 7- Non Standard Approval Traffic Junction: to require junction improvements etc before the occupation of more than 75 units rather than 50 units as currently approved
2016/00341/FUL	A	Spring Meadows, Llandow	Variation of condition 2 of planning permission 83/1066 (amended application on site already approved in outline for a bungalow ref 80/2581)
2016/00346/FUL	A	11, Beach Lane, Penarth	Removal of existing stone faced concrete block parapet wall and replace with render finished concrete block & metal railings
2016/00356/FUL	A	24, Winsford Road, Sully	Single storey, pitched roof, rear kitchen extension
2016/00363/FUL	A	11, Downfield Close, Llandough, Penarth	Single storey extension to side and rear

2016/00370/FUL	A	54, Cornerswell Road, Penarth	Loft conversion comprising split level dormer to provide additional habitable space and WC with incorporation of rooflights to front elevation. Proposal includes removal of existing chimney stack to rear of property to facilitate dormer
2016/00380/FUL	A	39, Purdey Close, Barry	To erect a white uPVC framed conservatory to the front of the property
2016/00395/CAC	A	11, Beach Lane, Penarth	Removal of existing stone faced concrete block parapet wall and replace with render finished concrete block & metal railings
2016/00399/ADV	A	Best One, 77, High Street, Barry	Installation of ATM with non-illuminated collar surround
2016/00429/LAW	A	5, St. Teilo Close, Dinas Powys	Single storey side extension

#### 74 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 the appeal decisions as detailed in the report be noted.
- (3) T H A T the statistics relating to appeals for April 2016 to March 2017 as detailed in the report be noted.

#### 75 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  
E Split Decision

R - Refused

2016/00225/TPO	A	27, Pwll Y Min Crescent, Peterston Super Ely	T1 Pinus Sylvestris - Remove lowest limb and other maintenance work
2016/00268/TPO	R	Kendall, 6, Church Road, Wick	Removal of Pine tree T13, TPO 2, 1976
2016/00332/TPO	A	East Wing, Nash Manor, Nash, Cowbridge	Fell two Western Red Cedars (Thuja)

76 ENFORCEMENT ACTION (HRP) -

(i) Land and Buildings at and to the Rear of Tudor Lodge, Bonvilston

The report related to a number of breaches of planning control at the property know as Tudor Lodge and the land to the north and west of Tudor Lodge, Bonvilston.

Tudor Lodge itself was a large detached property within the settlement boundary of Bonvilston. The land to the north and west of the dwelling house was considered to fall within the open countryside. The land was also within the Boundary of the Bonvilston Conservation Area, although this had now been amended. The Boundary of the Conservation Area now falls along the rear boundary of the residential property at Tudor Lodge and the adjoining properties. Accordingly, the site abuts, but was not within the Conservation Area.

There were a number of breaches of planning control at the site. The matters that were the subject of the report were as follows:

***Breach of conditions - Access track and engineering works:***

Planning permission was granted in December, 2013, for the retention of the access track and the raised ground levels to the rear of Tudor Lodge, by virtue of application reference 2013/00411/FUL. Permission was granted as the existing access to Tudor Lodge was not considered to be satisfactory in highway safety terms. Accordingly, a condition of the permission required the stopping up of the existing access. This permission was then superseded by the planning

permission reference 2015/01158/FUL that granted an extension of time to the requirement to close up the existing access to the front of Tudor Lodge. There were a number of conditions attached to that permission that required compliance and the period for compliance with those conditions had now expired. These conditions and the related outstanding issues were listed as follows:

1. *Within two months from the date of this permission, the parking details shown on plan received on 30 September 2015 (entitled 'Tudor Lodge, Bonvilston Proposed Parking Arrangements') and approved on 10 December 2015 pursuant to the requirements of condition 2 of the planning permission reference 2013/00411/FUL, or an alternative scheme of parking that shall first have been submitted to and approved in writing by the Local Planning Authority, shall be implemented on site and shall thereafter be so retained at all times to serve the dwelling at Tudor Lodge, Bonvilston.*

*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.*

The parking arrangements had not been implemented in accordance with the approved details. There was, therefore, a breach of this condition.

2. *No motor vehicles shall be parked within the application site boundary.*

*Reason:*

*To protect the residential amenities and the visual amenities of the area of the neighbouring properties and to accord with Policies ENV27 and ENV29 of the Council's Approved Unitary Development Plan 1996-2011.*

Motor vehicles had been observed parked on the land to the rear of the formal garden of Tudor Lodge, in breach of this condition.

3. *All constructions works, demolition works, bound surfacing, planting, seeding or turfing comprised in the approved details of landscaping shown on the plan approved by virtue of the 2013/00411/FUL planning permission (entitled 'Proposed Site Works Plan') or an alternative scheme of hard and soft landscaping that shall first have been submitted to and approved in writing by the Local Planning Authority, shall be carried out within three months from the date of this permission, 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 protect the visual amenities of the area and ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.*

The landscaping works had not been undertaken in accordance with the approved scheme, including the removal of a low retaining wall, construction of a bound surface at the entrance to the site, construction of the double rutted arrangement for the remainder of the track, and the completion of all landscaping.

4. *Notwithstanding the submitted details, within one month of the date of this permission details of the boundary treatment and entrance gates at the access to the site shall be submitted to the Local Planning Authority for the approval in writing of the Local Planning Authority. The approved details shall be implemented within two months of the written approval of those details.*

*Reason:*

*To protect the character and appearance of the area and adjacent Bonvilston Conservation Area in accordance with Policies ENV20 and ENV27 of the Council's Adopted Unitary Development Plan 1996-2011.*

The necessary details of the entrance gates and wall had not been submitted in compliance with the requirements of this condition, and yet works had recommenced to construct tall pillars and a wall. The enclosure was in excess of one metre in height.

***Agricultural Storage Building:***

Planning permission was granted for an agricultural storage building by virtue of application 2013/00411/FUL. A building had been constructed on site, but had not been completed in accordance with the approved scheme. Whilst the footprint of the building was as approved, the elevations of the building did not accord with the approved scheme. The building had also been observed being used for domestic storage. Accordingly, this building was unauthorised.

***Other Breaches at the site:***

A stable building was currently under construction on land to the north of the dwelling, the location of which was indicated on the sketch included within the report. Planning permission was granted by virtue of the 2015/00994/FUL application for the erection a new stable building. That application was subsequently amended by application 2015/00308/NMA. The building constructed on site did not accord with either of the approved scheme in terms of its footprint and finish the building was both deeper and wider than that approved by approximately a metre. Accordingly, this building was unauthorised. Notwithstanding this, the owner had confirmed that he would submit an application for planning permission in an attempt to regularise the structure. As such, it was considered appropriate to monitor this development and await the submission of the amended scheme.

Members were minded to recall that authorisation was sought and granted to serve an enforcement notice in respect of the use of the land to the rear of Tudor Lodge as domestic garden. Members were advised that this notice had not been issued due to the on-going building works that were taking place on the land in



question. The situation would be monitored and the authorised enforcement notice would be issued, if appropriate.

It was understood that works had been undertaken to dig and lay foundations on land to the north west of Tudor Lodge. A planning application reference 2015/01119/FUL had been submitted to complete an agriculture barn on this land. The application was yet to be determined and, as such, the owner had been advised to cease all works until such time as the application had been determined. This development would be monitored and referred to Committee in the future, if necessary.

A series of correspondence had been sent to the owner of the property regarding the main issues identified above and the other breaches of planning control at the site. Despite this correspondence, the breaches of planning control still remained.

#### 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 provision of the parking spaces within the garden of Tudor Lodge, including any necessary works to enable vehicular access by a domestic vehicle to these parking spaces, in compliance with the parking scheme approved by virtue of planning permission reference 2015/01158/FUL.
- (ii) The cessation of the use of the land to the rear of Tudor Lodge for the parking of motor vehicles.
- (iii) The completion of the hard and soft landscaping scheme on the land to the north and west of Tudor lodge, approved by virtue of planning permission reference 2015/01158/FUL.
- (iv) A reduction in height of the means of enclosure erected at the entrance to the site from the A48 to 1 metre, the reduction of the pillars on this enclosure to a height that would accommodate a five bar agricultural type gate and the construction of a five bar timber or metal agricultural type gate.
- (v) The removal of the agricultural storage building.

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

#### Reasons for decisions

(1&2) The breaches of conditions 1, 2, 3 and 4 of planning permission reference 2015/01158/FUL are considered to result in an unacceptable encroachment of domestic activity and development into the open countryside, to the detriment of the character and appearance of the area, in conflict with policies ENV1 - Development in the Countryside, ENV10 – Conservation of the Countryside and

ENV27 - Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 as well as Planning Policy Wales (Edition 8) and the Council's supplementary planning guidance on Design in the Landscape.

(1&2) The unauthorised building results an unacceptable encroachment of domestic development into the open countryside, to the detriment of the character and appearance of the area. Furthermore, the use of the building, if it were to become lawful and used for the keeping of animals, would also have an unacceptable effect on the amenities of the adjoining occupiers. The building is, therefore, in conflict with policies ENV1 - Development in the Countryside, ENV10 – Conservation of the Countryside and ENV27 - Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 as well as Planning Policy Wales (Edition 8) and the Council's supplementary planning guidance on Design in the Landscape.

(ii) Turner House Art Gallery, Plymouth Road, Penarth

A complaint had been received by the Local Planning Authority in November 2014, regarding an internal alteration at Turner House Art Gallery, Plymouth Road, Penarth. The building was Grade II listed in January, 1993.

The roof of the building had a roof light feature and at first floor there was a light well that allowed light from the roof light feature to filter down to the ground floor. This feature was described in the listing description with the upper gallery being treated as a continuous balcony to the lower gallery. This feature was shown within the report.

Both the light well and the balustrade were fixed features of the fabric of the building and, as such, were part of the listed building for the purposes of the Planning (Listed Building and Conservation Areas) Act 1990.

The light well had recently been filled in and the 1940's wrought iron balustrade, also noted in the listing description, had been removed. These works were considered to affect the character of the building as one of special architectural or historic interest and, as such, were works that would have required the consent of the Council under the provisions of section 7 of the 1990 Act. As the necessary consent had not been granted, the works to fill in the light well and remove the balustrade are a breach of section 9 of the 1990 Act.

A series of correspondence had been sent to the owner and occupier of the gallery to advise of the breach of planning control that had occurred and to request that works were voluntarily undertaken to reinstate the light well and balustrade. To date the necessary works had not been undertaken. It was understood that the owners/occupiers of the building had retained the balustrade, which was in storage.

In presenting the report, the Principal Appeals and Enforcement Officer informed Members that there was an error in the report, under 'Action pursued to date' as the Local Authority had not been in direct contact with the owner, but rather they had been in contact with the current occupier who had been in contact with the owner.

The owner had subsequently been in contact with Local Planning Authority to advise that they wanted to comply with the reinstatement of the light well and balustrade. The Principal Planning Officer therefore suggested that the matter be deferred for further discussion with the owner and to allow them time to carry out these works, which they suggested could be completed by the end of June, 2016.

Members expressed concern that the light well and balustrade had been removed, particularly due to the fact that the building was Grade II Listed. The Operational Manager for Development Control informed Members that the owners were unaware that these works had been carried out and that Enforcement action at this stage may not be the best course of action in light of the recent communications with the owner.

Following discussion of the report and the additional information provided by officers which had come to light since the report had been prepared, the Committee

RESOLVED - T H A T the matter be deferred for further discussion with the owner and that progress be reported to the next meeting of the Committee.

(iii) Land and Buildings at Hendrewennol Fruit Farm, Heol-y-March, Nr. Welsh St. Donats -

A complaint was initially received by the Local Planning Authority in the Spring of 2015, regarding non-agricultural related activities at Hendrewennol Fruit Farm, Heol-y-March, Nr. Welsh St. Donats.

Hendrewennol fruit farm was north of Bonvilston and within the rural Vale. There was a large house in the centre of the site, with several buildings within the site used in association with the farm business.

On the whole the site was surrounded by agricultural land and the highway network with a number of residential properties either adjacent to the site or within close proximity.

Following an initial site inspection and an investigation into the complaints that had been made, it had been established that the breach of planning control in this case was a material change of use of the land from agricultural (including pick your own - PYO) to a mixed use for agricultural and leisure/recreation.

The site had historically been a pick-your-own fruit and vegetable farm for visiting members of the public. In recent years it had been more actively used for non-agricultural and PYO activities, including a number of events for paying members of the public, a children's play area and Maze, birthday parties and other events that were not specifically related to the agricultural activities on the site. This had incrementally resulted in the material change of use of the site.

There were permitted development rights granted under Class B of Part 4, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) for the temporary use of land for any purpose not

exceeding 28 days in any calendar year. In light of the events that had been held at the site and the nature in which the site was used during the summer months and, in particular, schools Holidays, the permitted development allowance was considered to have been exceeded in the last 12 month period.

In addition to this, a new building had been erected on the site. This was originally proposed as an agricultural building for storage and was, therefore, approved by virtue of the Prior Notification application that was submitted in respect of agricultural development under the Town and Country Planning (General Permitted Development) Order 1995 (as amended). However, the building was not constructed as approved as it had been fitted with a series of toilets for use by the visiting public. Accordingly, this building had been erected without the necessary planning permission, and would not be considered to be permitted development.

The enforcement investigation into the breach of planning control at the site had been on-going since 2015. Much of this investigation had been to establish whether or not the activities at the site amounted to a breach of planning control. Both the operators of the site and the residents affected by the use had inputted into that investigation.

In February, 2016, the operators of the site were advised that the current use of this site was a breach of planning control and that, in an attempt to regularise such a breach, an application for planning permission should be submitted. Despite this request and repeated assurances from the Operator's agent that an application would be submitted, no application had been received to date.

Accordingly, the Council issued an Enforcement Warning Notice on 6<sup>th</sup> May, 2016, under new powers in the Town and Country Planning Act 1990 (as amended) that had recently been enacted. The Notice was a formal charge on the land and required the recipient to submit an application for planning permission for the breach of planning control alleged. No response had been received to this Notice.

RESOLVED -

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

- (i) The cessation of the mixed use of the land for the purposes of agriculture and a leisure use.
- (ii) The removal from the land of the crop maze, children's play equipment and sand pits, marquees and any other equipment, furniture, or paraphernalia that facilitate the unauthorised use of the land.
- (iii) The removal of the building described as the 'American Barn'.

(2) T H A T, notwithstanding the reasons given below and in accordance with the guidance given in Technical Advice Note (TAN9) on Enforcement of Planning Control, the Notice advises that if an application for planning permission were to

be submitted for the retention of the unauthorised use of the site and the building, more favourable consideration was likely to be given provided that an alternative means of access was proposed to the west of the site and the scheme proposed measures to mitigate the harmful impact of the use on the amenity of the area and the occupiers of adjoining and nearby residential properties.

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

#### Reasons for decisions

(1-3) The uncontrolled use of the site for the purposes of agriculture and a leisure use, accessed via the current access arrangements, has a negative impact on highway safety on the adjoining highway network and is detrimental to the character of the area and the amenity of the nearby residents of the site, contrary to policies ENV1 - Development in the Countryside, ENV27 - Design of New Developments, EMP7 - Farm Diversification, TOUR5 - Non-residential Tourist Attractions, REC7 - Sport and Leisure Facilities of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 as well as Planning Policy Wales (Edition 8), Technical Advice Note 6: Planning for Sustainable Rural Communities, Technical Advice Note 13: Tourism, Technical Advice Note 16: Sport, Recreation and Open Space and Technical Advice Note 18: Transport.

(1-3) The building described as the 'American Barn' was unjustified development that facilitates the unauthorised use of the site and had not been designed specifically for agricultural purposes contrary to policies ENV1 and EMP8 - Agricultural Enterprise and associated development of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

#### (iv) Land at Ty Chlosoph, 47 Peterswell Road, Barry -

A complaint was received in November, 2015, regarding a boundary wall that had been erected on the boundary between 47, Peterswell Road, Barry and All Saints Church in Wales School.

The property at 47, Peterswell Road was a two storey residential property located within the Barry settlement boundary. To the north west was All Saints Church in Wales School and to the south was 45 Peterswell Road. To the east was a footpath and a playground.

The breach allegedly occurred during August 2015 where a boundary wall measuring 2.3 metres in height was erected. In January 2016 works were undertaken to increase the height of a section of the wall to approximately 2.7 metres. In April 2016, a wooden structure was erected on the top of the 2.7 metres section. The wall was considerably higher than that permitted (2 metres) under The Town and Country Planning (General Permitted Development) Order 1995 (as amended) Part 2, Class A1(b).

A letter was sent to the owner of the property within which the wall was erected in December, 2015, requesting either a planning application in an attempt to regularise the wall, or the reduction in height or removal of the wall within 28 days.

Despite this letter having been sent, in January 2016 and then again in April 2016 it was noted that the height of the enclosure had increased. As such, further correspondence was sent to the owner. No works had been undertaken to remove or reduce the height of the wall and an application for planning permission had not been submitted in an attempt to retain the works.

## 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 reduction in the height of the boundary enclosure to 2 metres from ground level.

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

### Reason for decisions

(1&2) The means of enclosure was considered to be poorly designed, particularly in view of its excessive height, and had an unacceptable impact on the general amenities of the area contrary to policy ENV27 – Design of New Development of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well the Council’s Supplementary Planning Guidance on Amenity Standards.

## 77 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:

**2015/01347/FUL** Received on 29 March 2016

(p52)

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

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

### **Rear of Windhover, Mount Road, Dinas Powys**

Construction of five new two storey dwellings at rear of Windhover and reconfiguration of car park to the Star Public House. Proposals involve the demolition of a single storey garage

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

- Pay a contribution of £11,400 for the provision or enhancement of public open space.

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, 2015./25 Rev A received on the 17th November 2015 other than where amended by plans reference Drwg No. 201C and 202C received on 17th May 2016, Drawing No. VT.1 Rev A - Vehicle Tracking 1 received on the 25th April 2016, Drawing No. 200D received on the 26th May 2016, additional drawing nos. 304 and 401 received on the 25th May 2016 and the Design and Access statement received on 15th December 2015.

Reason:

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

3. Prior to the commencement of development, details of the finished floor levels of the 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 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.

4. No part of the development hereby approved shall be brought into beneficial use until such time as the works to the turning head at the top of Old Farm Mews and parking areas including all associated access and turning areas, have been laid out in full accordance with the details shown on Drawing No. 200C (17.5.16) and Drawing No. VT.1 Rev A (25.4.16) and the works to 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, or any Order revoking or re-enacting that Order, no windows other than as hereby approved shall be inserted into the western elevation of the development 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.

6. 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 in the Conservation Area and to ensure compliance with Policies ENV20 and 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 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 wheel wash facilities and how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated. The CEMP will utilise the Considerate Constructors Scheme ([www.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)). The



CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason:

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

9. 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.

10. Prior to the commencement of any works on site, the 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.

11. Within one month of the first beneficial occupation of the dwellings, at least 3 bird nesting 'boxes' shall be erected on the site, in accordance with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority. The boxes to be suitable for one or more of the following species: House Sparrow, House Martin, Swallow and Starling. The boxes shall thereafter be so retained at all times.

Reason:

To enhance the site for breeding birds and maintain biodiversity and in the interests of protected species in accordance with Policy ENV16 of the Unitary Development Plan.

12. The dwellings as hereby approved shall not be brought into beneficial use until:

(1) A Traffic Regulation Order has been approved which includes the extension of the existing H Bar markings by 1m to the north and the extension of the existing double yellow lines along Station Road to the south of Old Farm Mews shall be extended up to the junction.  
2) The scheme approved under sub-section (1) of this condition has been fully implemented.

Reason:

In the interests of highway safety and to meet the requirements of policies HOUS2, HOUS8 and ENV27 of the Unitary Development Plan.

13. Within 2 months of commencement of the development hereby approved, the proposed car park to serve the Star Inn Public House and Huntsman Restaurant shall be laid out in accordance with the Drawing No. 200C and shall thereafter be so retained at all times to serve the Public House and Restaurant.

Reason:

To ensure the provision of on-site parking to serve the Star Inn Public House and Huntsman Restaurant, in the interests of highway safety, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

14. Prior to the commencement of the development hereby approved, details of the engineering works of the proposed extended adopted highway including details of any street lighting and of drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to the beneficial occupation of any of the dwellings hereby approved.

Reason:

To ensure that the works are carried out to an adoptable standard and in the interest of highway safety in accordance with Policies ENV27 and TRAN10 of the Council Approved Unitary Development Plan 1996-2011.

15. 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.

16. 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 prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect either 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 and to meet the requirements of policies ENV27 and HOUS8 of the Unitary Development Plan.

17. 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.

18. 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 hereby approved shall be erected, constructed, improved or altered on site without the prior 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.

19. Prior to their use in the construction of the development hereby approved, full details of the external metal blinds shown on Plan 'Drwg no. 202C' received on 17th May 2016 including their means of installation and

operation, 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 prior to beneficial occupation of the dwellings hereby approved and the metal blinds thereafter retained.

Reason:

To protect the privacy and amenity of neighbouring properties and to ensure compliance with Policy ENV27 of the Unitary Development Plan

20. Details of privacy screens for the balcony areas of the dwelling hereby approved 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 prior to beneficial occupation of the dwellings hereby approved.

Reason:

To protect the privacy and amenity of neighbouring properties and to ensure compliance with Policy ENV27 of the Unitary Development Plan

#### Reason for decision

The decision to approve 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 indicated otherwise. The Development Plan comprised the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV11 - Protection of Landscape Features; ENV16 – Protected Species; ENV17 – Protection of Historic and Built Environment; ENV18 – Archaeological Field Evaluation; ENV19 – Preservation of Archaeological Remains; ENV20 – Development in Conservation Areas; ENV27 – Design of New Developments; ENV29 – Protection of Environmental Quality; HOUS2 – Additional Residential Development; HOUS8 – Residential Development Criteria, TRAN10 - Parking and Planning Guidance, it was considered that the scale, form and design of the development as amended was acceptable in relation to design, impacts on neighbouring privacy and amenity and highway safety and in relation to preserving and enhancing the character and setting of the adjoining listed buildings and Conservation Area.

NOTE: Councillor Mrs. V.M. Hartrey proposed three additional conditions for this application. These conditions were not approved by the Committee.

**2016/00247/FUL** Received on 3 March 2016

(p75)

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

**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 3rd March 2016 other than where amended by plans reference Drawing No. 1607/PL07 REV A, 1607/PL08 REV A, 1607/PL09 REV A and 1607/PL10 REV A received on 16th May 2016.

Reason:

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, or any Order revoking or re-enacting that Order, no windows shall be inserted into the southern side elevation of the two storey extension 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.

4. Prior to the commencement of any development, including site clearance, a method statement for the construction of the extended parking and access area including details of any hand digging and details of a porous surface finish, shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in strict accordance with the approved details.

Reason:

In order to avoid damage to the protected Cherry tree on the site which is of amenity value to the area and to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

5. A scheme providing for the fencing of the tree 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 development. No development 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 the Cherry tree on 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. The Local Planning Authority shall be advised in writing a minimum of two weeks prior to the commencement of works on site of the date of commencement of such works and the name and contact details of an arboriculturist appointed to monitor and supervise all works, identified under the Method Statement as agreed under Condition 4.

Reason:

To safeguard the protected Cherry Tree, in accordance with Policies ENV11 and ENV27 of the Unitary Development Plan.

#### Reason for decision

The decision to approve 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 the impact of the proposed development on the character of the existing dwelling, the visual amenities of the surrounding area and the residential amenity of the occupiers of neighbouring dwellings particularly No.9, Ger-Y-Llan, the proposal complied with Policies ENV11 'Protection of Landscape Features' ENV27 'Design of New Developments' and TRAN10 –Parking of the Council Approved Unitary Development Plan 1996-2011 and the Council's Approved Supplementary Planning Guidance, Amenity Standards.