

PLANNING COMMITTEE

Minutes of a meeting held on 15th December, 2016.

Present: Councillor F.T. Johnson (Chairman); Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors 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, A.G. Powell and G. Roberts.

List of Public Speakers:

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mr. John Burns	2016/00867/FUL – Land adjacent to Court Close, Aberthin	Objector or their representative
Dr. Jenny Hughes	2016/00867/FUL – Land adjacent to Court Close, Aberthin	Objector or their representative
Mr. Barrie White	2016/00867/FUL – Land adjacent to Court Close, Aberthin	Objector or their representative
Mr. Geraint John	2016/00867/FUL – Land adjacent to Court Close, Aberthin	The Applicant or their representative

641 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”.

642 APOLOGIES FOR ABSENCE –

These were received from Councillors Ms. R. Birch, E. Hacker, Mrs. A.J. Preston and A.C. Williams.

643 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 3rd November, 2016 be approved as a correct record.

644 DECLARATIONS OF INTEREST –

Councillor H.J.W. James	Agenda Item No. 9 – Enforcement Action (i) Land and Buildings at Canbra, 16 Cae Rex, Llanblethian, Cowbridge Sister-in-law is neighbour to Applicant. Councillor James vacated the room whilst this application was under consideration.
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645 SITE INSPECTIONS (MD) –

RESOLVED – T H A T the attendance of the following Councillors at the sites indicated below on 3rd November , 2016 be noted:

Apologies for Site Inspection (a) were received from Councillors J.C. Bird, L. Burnett, E. Hacker, Mrs. V.M. Hartey and A.G. Powell.

Apologies for Site Inspection (b) were received from Councillors F.T. Johnson (Chairman), J.C. Bird, L. Burnett, E. Hacker, Mrs. V.M. Hartrey and A.G. Powell.

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| (a) Ty Broc Parc Farm, Parc Farm Lane, St. Donats | Councillor F.T. Johnson (Chairman);
Councillor Mrs. M.R. Wilkinson (Vice-Chairman);
Councillors H.C. Hamilton, H.J.W. James, A. Parker, R.A. Penrose and G. Roberts.
Also present: Councillors G. John and K.P. Mahoney. |
| (b) Sully Sports and Social Club, South Road, Sully | Councillor Mrs. M.R. Wilkinson (Vice-Chairman);
Councillors H.C. Hamilton, H.J.W. James, A. Parker, R.A. Penrose and A.C. Williams.
Also present: Councillor K.P. Mahoney. |

646 BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS (HRP) –

RESOLVED –

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

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

(3) T H A T the officer's intentions to implement Section 32 of the Building Act 1984 in respect of the Building Regulations Applications listed in the report be noted.

647 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

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| 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 |

2011/00067/1/N MA	A	Former Theatre Royal, 122 Broad Street, Barry	Non-Material Amendment - Remove Condition 9 (BREEAM post construction) and vary Condition 10 (Hard surfacing of public realm to site frontages), Condition 12 (Means of enclosure) and Condition 13 (Enclosures). Planning permission ref. 2011/00067/FUL: Construction of a new Extra-Care development, to provide 42 flats and associated communal and ancillary spaces.
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No.

2011/00806/1/N MA	A	247 Holton Road, Barry	Non Material Amendment - Amendment to approved shop front. Change of use from vacant shop to fast food take away.
2013/01124/1/N MA	A	Penylan Barn, Llancarfan	Non Material Amendment- to vary the terms of condition 13 of the approved application. Condition 13 required details of a method statement for works to the exterior elevations to be submitted prior to works being undertaken to the exterior of the barn. This was not submitted in a timely manner and as works have been started, it is not now possible to retrospectively comply with the terms of this condition, this Non Material Amendment application is being submitted to vary the terms of condition so that it will then be possible for the Council to approve the necessary details. Conversion of a stone barn to a residential dwelling.
2015/00704/1/N MA	A	24 Clos y Fulfran, Barry	Non-material Amendment- Change to front and rear elevation. Conversion of garage with raised roof to provide new family room above and utility room to rear.

No.

2015/01136/1/N MA	A	33 Enfield Drive, Barry	Non Material Amendment - Encompass render to ground floor of extension in addition to render to the first storey. Two storey side extension to provide kitchen, utility room, cloaks and two bedrooms together with internal alterations.
2015/01458/2/N MA	A	Land at Barry Waterfront, South Quay Parkside, Barry	Non-material Amendment-Revision to the fenestration shown on approved elevations of the apartment block. Reserved matters application for residential development (45 units).
2016/00040/FUL	A	84 Broadway, Llanblethian, Cowbridge	Proposed dwelling, within the curtilage of Edmonton House.
2016/00345/FUL	A	The Old Rectory, Drope Road, Drope, St. Georges Super Ely	Demolition of existing stone outbuilding and replacement with new stone outbuilding to provide open plan office/ play room with adjoining open car port.
2016/00363/1/N MA	A	11 Downfield Close, Llandough, Penarth	Non Material Amendment - Change pitch roof to flat roof. Single storey extension to side and rear.
2016/00378/CAC	A	The Old Rectory, Drope Road, Drope, St. Georges Super Ely	Demolition of existing stone outbuilding and replacement with new stone outbuilding to provide open plan office/play room with adjoining open car port.

No.

2016/00449/FUL	A	2 Gloucester Close, Barry	New domestic dwelling adjacent to existing dwelling as an amendment planning permission 2013/01027/FUL, to include roof accommodation with dormer window. New dwelling to also include single storey rear extension, to be constructed in line with an extension to the rear of the existing dwelling at No. 2.
2016/00486/1/N MA	A	58 Andrew Road, Cogan, Penarth	Non Material Amendment - Omit side window and insert window looking toward garden. To raise height of existing outbuilding, pitched roof to flat roof, fibre glass roof and join to house, to be used as utility space.
2016/00523/FUL	A	Seaview Cottage, St. Athan	Erection of greenhouse.
2016/00587/1/N MA	A	3 Oyster Bend, Sully	Non Material Amendment - Changed a flat roof section of the originally approved application to a pitched roof. Planning permission ref. 2016/00587/FUL: Refurbishment of existing dwelling, removal of side conservatory and replacement with brick pitched roof structure and addition of rear extension at 3, Oyster Bend, Sully.
2016/00606/FUL	A	Cliff Farm House, Lane - Aberogwrn Farm to Kenson Hill, Llancafán	New garden wall to enclose and secure garden.
2016/00627/FUL	A	6 Marine Parade, Penarth	Replacement windows.

No.

2016/00698/FUL	A	Tresilian Wood, Dimlands Road, St. Donats	Amendment to original scheme 2014/01441/FUL to provide ancillary sheds to cabins for kitchen and storage area.
2016/00720/FUL	A	20 Burns Crescent, Barry	Removal of existing shed and erection of a new detached garage to side of property.
2016/00725/RG3	A	Docks Offices, Subway Road, Barry	Excavation of existing embankment to install new retaining wall and concrete base for the provision of a new containerised Biomass boiler plant.
2016/00727/FUL	A	Land adjacent to 14 McQuade Place, Barry	Proposed two new semi-detached 2 bed starter homes.
2016/00733/FUL	A	23 Price Avenue, Barry	Proposed detached 3 bed house within the side garden.
2016/00785/FUL	A	12 Gaspard Place, Barry	Demolition of existing single storey, single skin rear extension and proposed new single storey pitched roof rear extension. Extension of front porch roof. Main roof extension to form new gable end wall with dormer in the loft facing the rear garden.
2016/00801/FUL	A	Outbuildings at Sutton Mawr, Waycock Road, Barry	Change of use of existing outbuildings to ancillary residential accommodation.

No.

2016/00813/RG3	A	16 Coldbrook Road East, Barry	Demolish Hawksley Aluminium bungalow to existing floor slab level. Underpin existing foundation and retention of replacement dwelling in brick facing cavity construction with new timber roof structure and covering. Carry out general landscaping repair works to the property.
2016/00818/FUL	A	Land at Railway Terrace, Dinas Powys	Extension/additional land added to garden curtilage and proposed detached garage.
2016/00824/FUL	A	54 Cornwall Rise, Barry	Extending existing side projection both in width and height. Construction of single storey rear extension. Construction of dormer window. Extending existing boundary walls. Construction of timber balcony and patio.
2016/00855/ADV	E	Broad Street Car Wash, Broad Street, Barry	To obtain planning permission for car wash as set out, including advertising and new entrance.
2016/00862/FUL	A	Land lying to the north west of Old Rectory, Llandough	Retention of equestrian facilities and associated works.
2016/00881/FUL	A	Gwern Y Gedrych Farm, Peterston Super Ely	Ménage in existing pony/horse paddock.
2016/00889/FUL	A	13 Knowbury Avenue, Penarth	Proposed ground floor kitchen extension and proposed garage extension to form playroom.
2016/00891/FUL	A	19 Tynewydd Road, Barry	Change of use from office to a D1 day nursery.

No.

2016/00902/FUL	A	18 Georges Row, Dinas Powys	Proposed single storey rear extension to consist of utility area, w/c and shower room, kitchen and living area.
2016/00903/FUL	A	The Stables, Squire Street, Llysworney	Installation of a wood burning stove with steel chimney.
2016/00930/FUL	A	20 Barons Close, Llantwit Major	Proposed construction of two new semi-detached dwellings with onsite car parking.
2016/00934/FUL	A	28 Lllys Dwywnen, Llantwit Major	Two storey side extension.
2016/00941/FUL	A	127 Fontygary Road, Rhoose	Demolition of existing three bedroom bungalow. Construction of a new, fully accessible three bedroom, two storey property with carport.
2016/00945/FUL	A	8 Lakeside, Barry	Single storey rear extension and loft conversion.
2016/00956/FUL	A	Longacres, Treoes	Detached garage.
2016/00960/FUL	A	15 Osprey Close, Penarth	Proposed single storey rear and side extension.
2016/00978/FUL	A	Tec Marina, Terra Nova Way, Penarth	Creation of further parking spaces.
2016/00984/FUL	A	The Dutch House, Colwinston Village, Colwinston	Demolition of an existing double garage and erection of replacement garage with first floor art studio above the garage area.
2016/00986/FUL	A	Hunters Lodge, 8 Newbarn Holdings, St. Athan Road, Flemingston	New stables and ménage.

No.

2016/00993/FUL	A	Cyfarthfa, Highlight Lane, Barry	Proposed demolition of existing garage, rear lean to extension and new single storey side and rear extension with replacement pitched roof to existing rear extensions and part flat and part pitched roof to side extension to partly serve an annex.
2016/00999/FUL	A	113 Colcot Road, Barry	Construction of two storey side extension.
2016/01004/FUL	A	Heol Gerrig Farm, Junction Ruthin to Junction Moonhill via St. Mary Hill	Barn conversion to holiday chalet, access and curtilage.
2016/01005/FUL	A	11 Kestrel Way, Penarth	Development of a single storey front extension to a two storey extension using the existing floor plan. Demolition of the rear conservatory and garage and replacement with a single storey rear extension and a side extension with utility room and garage.
2016/01013/FUL	A	87 Cardiff Road, Dinas Powys	Two storey side extension, single storey rear extension and loft conversion with rear dormer.
2016/01018/FUL	A	18 Heol Gwendoline, Barry	Retention and completion of garage conversion into a bedroom, removal of existing up and over door and replacement with bricks and a window to match existing windows fitted in the property.
2016/01023/FUL	A	16 Hastings Avenue, Penarth	Two storey side extension with pitched roof.

No.

2016/01026/FUL	A	46 Tynewydd Road, Barry	Demolish existing single storey garage and rebuild double storey unit.
2016/01030/FUL	A	Woden Park, Cwrt yr Ala Road, Wenvoe	Erect metal field gates to drive entrance.
2016/01032/FUL	A	91 Pontypridd Road, Barry	Take down existing conservatory and single storey rear kitchen extension. Reconstruct new sun lounge and kitchen with internal alterations.
2016/01033/FUL	A	18 Heol St. Cattwg, Pendoylan	Erect two storey rear extension and rear balcony.
2016/01035/FUL	A	Cwm Derwyn Farm, Waycock Road, Barry	Variation of Condition 3 of Planning Permission 2015/00632/FUL to increase the operational period from 25 years and 6 months to 30 years and 6 months. Construction of solar photovoltaic park with attendant infrastructure.
2016/01036/FUL	A	Loxleigh, Southerndown	Construct single storey extension.
2016/01039/ADV	A	The Co-operative Food, 1 Colcot Road, Barry	1 X Internally illuminated projector, 2 X internally illuminated logos, 1 X non-illuminated acrylic letters, 5 X non-illuminated wall mounted aluminium panels.
2016/01042/FUL	A	1 Gibson Way, Penarth	Extension to three bedroom house in Penarth to create garage and balcony.
2016/01043/FUL	A	3 The Mews, St. Nicholas Road, Barry	Proposed single storey kitchen extension.

No.

2016/01045/FUL	A	2 The Green, Leckwith	Demolition of existing conservatory with replacement two storey extension to rear. Single storey extension to side.
2016/01046/FUL	A	28 Cae Stumpie, Cowbridge	Proposed porch.
2016/01047/ADV	R	Crack Hill, Bridgend	V sign made up of aluminium composite panels, steel supports and extended base rakers.
2016/01048/ADV	R	The Golden Well, Golden Mile, Bridgend	V-sign made up of a composite panel and white posts using a c-section aluminium angle.
2016/01050/FUL	A	Greystones, 45 Highwalls Avenue, Dinas Powys	Erection of front terrace, alterations to windows and single two storey rear extension.
2016/01053/FUL	A	Tyn y Cae Cottage, Station Road, Peterston Super Ely	Demolition of existing conservatory, internal alterations and side and rear extensions.
2016/01055/FUL	A	Cottrell Park Golf Club, A48 St. Nicholas, St. Nicholas	Removal of Condition 14 of Outline Planning Permission 1991/00784/OUT.
2016/01056/FUL	A	Cottrell Park Golf Club, A48 St. Nicholas, St. Nicholas	Removal of Condition 2 of Reserved Matters Permission 1995/00111/RES.
2016/01060/FUL	A	105 Cedar Way, Penarth	Two storey/single storey rear extension. New entrance porch complete with new vehicular access and hardstanding.
2016/01061/FUL	A	1 Westcliffe Gardens, Croffta, Dinas Powys	Construction of garage and workshop.

No.

2016/01062/FUL	A	Morfa Farm, Morfa Lane, Llantwit Major	Variation of Condition 2 of Planning Permission 2015/00782/FUL - Installation and operation of a solar farm and associated infrastructure at Morfa Farm, Morfa Lane, Llantwit Major.
2016/01066/FUL	A	12 Clinton Road, Penarth	To replace the roof of existing garage with tiled roof to match existing house.
2016/01067/FUL	A	Penybryn, Cross Common Road, Dinas Powys	Rear extension and creation of living space in the roof, including raising the height of the existing roof and inserting dormers to the front and the rear.
2016/01070/FUL	A	Waterfront Retail Park, Heol Ceiniog, Barry	Variation of Conditions 2, 3 and 14 of Planning Permission 2016/00255FUL to meet occupier requirements, including amendments to the parking area and the design of the units.
2016/01072/FUL	A	1 Ty Uchaf, Penarth	Single storey rear extension.
2016/01075/FUL	A	11 and 12, Seabank, The Esplanade, Penarth	Alterations to windows.
2016/01081/FUL	A	24 Morlais Street. Barry	Demolition of existing garage to side of property with proposed 2 storey side extension incorporating replacement garage to front and flat roof rear dormer.

No.

2016/01082/FUL	A	6 Sunnycroft Rise, Dinas Powys	Proposed rear lean to extension across the full width of the dwelling to increase family living space incorporating internal step down and roof lights above. Proposal also includes porch addition to the front of the property in the style to match the existing elevation.
2016/01088/FUL	A	Hodnant, Wesley Street, Llantwit Major	Construction of single storey side extension to accommodate two bedrooms, W.C and ensuite wet room. Access to be from kitchen and lounge.
2016/01095/FUL	A	Tudor Lodge, Bonvilston	Single storey extension with glazed orangery roof to provide new kitchen/ dining space to rear of property.
2016/01096/RG3	A	Longmeadow Court, Druids Green, Cowbridge	Extension of existing care home to form two new self-contained step down units plus office space, laundry room, treatment room and store.
2016/01098/FUL	A	3 Victoria Square, Penarth	The proposed scheme is to provide a new single storey habitable dining / lounge area which opens onto the garden. This extension would require taking down an existing outbuilding which currently has no valuable use.
2016/01099/FUL	A	The Chase, Brook Lane, St. Nicholas	Extension to existing Granny annexe.

No.

2016/01100/FUL	A	9 Meliden Road, Penarth	Replacement rear single storey extension and loft conversion.
2016/01101/FUL	A	85 Wordsworth Avenue, Penarth	Single storey rear extension plus associated works.
2016/01102/FUL	A	5 Broad Street Parade, Broad Street, Barry	Alterations to front elevation to form new doorway to existing flats above shop.
2016/01104/PND	F	Brecon Court, Barry	Demolition of nos. 1-34 and communal areas.
2016/01105/FUL	A	Church House, Llanmaes	Enlargement of the existing porch to front elevation and single storey extension to the rear of property.
2016/01106/FUL	A	22 Pardoe Crescent, Barry	Change of use from dwelling house (C3) to a residential care home (C2) with single storey extension to accommodate bedroom.
2016/01108/FUL	A	22 Canon Walk, Llandough, Penarth	Construction of a single storey contemporary glazed extension to the rear of an existing double storey residential property.
2016/01109/FUL	A	26 Lon Lindys, Rhoose	Two front apex dormers. One rear apex dormer.
2016/01112/FUL	A	Tennis Courts, Ffordd Yr Eglwys, Peterston Super Ely	Redevelopment of the existing tennis courts to a multi-use games area. The proposal includes provision of a new sand dressed synthetic grass sports pitch, new perimeter fencing, specialist sports floodlighting, storage for equipment and a new access path to the facility.

No.

2016/01113/FUL	A	37 Stanwell Road, Penarth	Demolition of existing rear single storey extensions, construction of new rear and side extensions, formation of new rear gable window and removal of existing chimney stack to rear elevation.
2016/01114/FUL	A	6 Millwood Rise, Barry	Extend rear of dwelling at first floor to form new bedroom, with internal alterations.
2016/01115/FUL	A	120 Lavernock Road, Penarth	Internal alterations and first floor extension.
2016/01118/FUL	A	17 Plymouth Road, Penarth	Changes to the number, type and size of the rear windows. Alterations to the existing roof. Changes to rear patio doors and their surround.
2016/01120/ADV	A	Port Road, Cwm Talwg, Barry	2 X Illuminated fascia logo only; 1 X Non-Illuminated post mounted aluminium panel; 1 X Non-Illuminated wall mounted aluminium panel; 4 X Internally illuminated acrylic panels.
2016/01121/LAW	A	52 Laburnum Way, Penarth	Loft conversion.
2016/01126/FUL	A	10 Woodham Road, Barry	Reconstruction of industrial unit damaged by fire.
2016/01127/PNT	A	Awberry House, Buttrills Walk, Barry	Upgrade of existing equipment on roof.
2016/01129/LAW	A	45 South Road, Sully	Proposed rear dormer to existing loft conversion.

No.

2016/01134/FUL	A	Y Felin Fach, Monknash	Amend condition 3 of permission 2012/01175/FUL to allow the opening of the site between 1 st March and 31 st October in any year.
2016/01137/FUL	A	77 Woodham Park, Barry	Replace and enlarge rear conservatory.
2016/01147/FUL	A	Roanbern, David Street, Wick	Proposed two storey full width rear extension to form a kitchen, utility room and two bedrooms.
2016/01150/FUL	A	23 Monmouth Way, Boverton, Llantwit Major	First floor extension above ground floor projection on front elevation to increase bedroom size.
2016/01151/LAW	A	Rhyd Cottage, Graig Penllyn	Single storey extension to existing kitchen.
2016/01245/OBS	N	Land off Horsefair Road, Waterton Ind Estate	Reconsult. Private car park area and outside storage compounds comprising the provision of hard surfacing (SuDS) and substantial boundary landscaping.

648 APPEALS (HRP) –

RESOLVED –

- (1) T H A T the Planning Appeals received 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 High Hedge Appeal Decision as detailed in the report be noted.
- (4) T H A T the statistics relating to Appeals for April 2016 to March 2017 as detailed in the report be noted.

649 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

2016/00899/TPO	A	St. Dochdwys Church, The Precinct, Llandough, Cowbridge	To fell a group of trees shown as Group A on Document 1A which are undermining the churchyard walls of the Grade II listed Church and a single tree shown as Tree B on Documents 1A which is similarly undermining the churchyard wall of the Grade II listed Church. Trees affected: Group A comprises 1 x mature Ash (Ash Tree No. 1), 1 x mature Beech, and several Sycamore and Ash saplings located outside and immediately adjacent to the western boundary wall of the listed Church building group. Group A also includes a second Ash tree (Ash Tree No. 2) near the western boundary. Tree B is a mature Sycamore tree located in the highway verge of The Precinct, on the south/east corner of the listed walls of the churchyard. The trees are the subject of TPO No. 1 1950 (mixed woodland designation).
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2016/01057/TPO	A	Rear car park at Marks and Spencer, Culverhouse Cross	Remove T1 Sorbus and cut back G1 Ash of TPO No. 12, 1994.
2016/01085/TCA	A	Hill House, Bradford Place, Penarth	Removal of 7 Pine trees (Penarth Conservation Area).
2016/01093/TPO	A	Land at The Rectory, St. Andrews Road, Dinas Powys	Reduce/pollard 2 Lime trees - TPO No. 14-1954.
2016/01138/TPO	A	Land at The Old Farm and The Granary, St. Hilary	Crown thin two Lime tree - Tree Preservation Order No. 07, 1972.
2016/01139/TCA	A	Land at Raisdale House, Raisdale Road, Penarth	Removal or maintenance of a number of trees - Penarth Conservation Area.

650 ENFORCEMENT ACTION (HRP) –

(i) Land and Buildings at Canbra, 16 Cae Rex, Llanblethian, Cowbridge –

On 16th June, 2016, the Council received complaints regarding an enclosure exceeding 1m in height being erected adjacent to the highway.

Following an initial site inspection on 26th July it was clear that a fence had been erected on top of the low brick wall along the front boundary of the property creating an enclosure that exceeded 1m in height adjacent to a highway. The low brick wall was just below a metre in height and the additional fence panels created an enclosure of just under 2m in height. Accordingly, the enclosure did not benefit from Permitted Development Rights granted under the Town and Country Planning (General Permitted Development) Order 1995. Therefore, planning permission was required and as no permission had been granted, the fence was unauthorised and in breach of planning control.

A letter dated 15th September, 2016 was sent advising that the fence was in breach of planning control. On 3rd October, 2016 the agent of the property owner contacted the Planning department and inquired whether it would be considered acceptable to move the fence back. On 5th October, 2016 the officer replied stating that the Council would still be of the opinion that it would form an enclosure with the highway and would still require permission. An additional letter was sent to the property owner on 28th October, 2016. On 10th November, 2016 the officer telephoned the property owner and reminded them of the Enforcement case and warned them that

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authorisation may be sought to issue a Notice but they advised that they had no intention of removing the fencing and lowering the enclosure.

The principal issue to be considered relating to this development was the impact the fence had on the character and appearance of the street scene.

The property was in an area with a particularly distinct character of enclosures to the front of properties. The front facing enclosures typically consisted of dwarf walls, of below 1m in height, and pillars on the edges. Many front facing enclosures had low vegetation of varying degrees behind these walls.

While being a typical domestic means of enclosure, the poor design was not in keeping with, and failed to respect the character of, the area. The fence posts on top of the wall were wholly at odds with the materials and design of existing boundary treatments in the area. The fence panels were incongruous within this setting and its detrimental visual impact was exacerbated by the length of the enclosure along the boundary of the site shared with the adopted highway. In addition to this, the enclosure interrupted the open aspect across the front garden of the property, a characteristic of properties in the surrounding street scene.

While the enclosure provided a degree of privacy to this front garden, this was not the principle area of amenity space for the property. This garden area was mainly used for parking and, as such, there was little need for privacy. Notwithstanding this, privacy could be provided by an alternative and more appropriate boundary treatment, such as hedges.

As such, the development was considered to be contrary to criterion (i) of the Development Plan Policy ENV27 and Policy 6 of the Amenity Standards SPG and TAN 12 (Design).

The enclosure, by reason of its height, design, materials and length along the prominent front boundary was considered to be an unacceptable form of development in this location. The enclosure failed to respect its context and was considered to have a harmful impact on the character and setting of the street scene.

In view of the issues identified in the paragraphs above, it was considered expedient to pursue action. In doing so the Council must have regard to the permitted development rights granted under the Town and Country Planning (General Permitted Development) Order 1995 which would allow for the construction of an enclosure up to 1m high adjacent to a highway. Accordingly, the action recommended was to reduce the enclosure to the permitted height of 1m. Such action would result in the removal of the vast majority of the timber enclosure, although some may remain that would measure below the permitted 1m height.

After careful consideration, the Committee

RESOLVED –

(1) T H A T the Head of Legal Services be authorised to serve an Enforcement

No.

Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:

- (i) Reduce the height of the enclosure to one metre in height.
- (ii) Remove any resultant waste from the above operation.

(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 enclosure, by reason of its height which exceeds 1m, design, materials used in construction and length along the prominent front boundary, is considered to be an unacceptable form of development in this location, that fails to respect its context and is considered to have a harmful impact on the character and appearance of the street scene. As such, the development is considered to conflict with Policy ENV27 – Design of New Developments, of the Vale of Glamorgan Adopted Unitary Development Plan 1996 – 2011 and TAN 12 (Design).

651 GENERAL PLANNING MATTERS (HRP) –

(i) Vale of Glamorgan Local Development Plan: Matters Arising Changes Consultation Update

The Operational Manager for Development Management highlighted that the report was for information only and had been prepared to provide Committee with an overview of the representations made to the Local Development Plan (LDP) Matters Arising Changes (MAC) consultation and provided information as to the next steps.

Hearing Sessions 1 - 22 took place between 19th January and 20th April, 2016. However, it should be noted that hearing session 23 (Monitoring and Implementation) was postponed to enable full consideration of the Council's responses to the action point responses and the associated MAC. The Council's action point responses could be viewed via the individual hearing sessions on the Council's website.

A number of proposed changes emerged as a result of the matters arising during the hearing sessions of the Examination. These changes were made under delegated powers granted by Council at their meeting on 24th June, 2015 (Minute No. 153 refers) in consultation with the Managing Director and Cabinet Member for Regeneration and Education.

These changes were compiled into a MAC Schedule which was accompanied by a MAC Sustainability Appraisal (SA) and a MAC Habitats Regulations Assessment (HRA). The MAC schedule and LDP as amended by the MACs (LDP/MACs) were available on line and a copy of both had been placed in the Members' Room for information. The six week formal public consultation on the MAC Schedule, MAC SA

No.

and MAC HRA took place between 16th September and 28th October, 2016. A brief summary of the main issues raised during the consultation is set out below.

In total, 457 duly made representations have been received from 184 organisations, bodies and individuals to the MAC consultation. The majority of representations were site specific and related to the new / amended allocations in the MAC Schedule. Other representations related to changes to policy wording / reasoned justifications, mapping changes and action point responses. 20 duly made representations were received to the MAC SA and 8 duly made representations were received to the MAC HRA. Of the 457 duly made representations received, 406 were objections, 45 were expressions of support and 5 provided general comments. The main issues raised in the MAC consultation were detailed in the report.

Following consideration of the report, the Committee

RESOLVED – T H A T the duly made representations to the Local Development Plan Matters Arising Changes consultation be noted.

Reason for decision

In acknowledgement of the main issues raised in the LDP Matters Arising Changes Consultations.

652 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:

2014/01300/FUL Received on 2 December 2014
(P. 55)

Mr. Matthew Davies, Hafod Housing Association, St. Hilary Court, Copthorne Way, Cardiff. CF5 6ES
C2J Architects, Unit 1A, Compass Business Park, Pacific Road, Cardiff. CF24 5HL

Barry Dock Conservative Club, Station Street, Barry

Proposed demolition of existing buildings and construction of 21 self-contained affordable apartments with on site parking and amenity facilities

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.

No.

Reason:

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

2. This consent shall relate to the amended application form received on 17th October, 2016 and the plans registered on 2nd December, 2014 other than where amended by plans reference AL(0)11 D and AL(90) D received on 18th June, 2015 and plan AL(0)10 B, received on 3rd March, 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 (including sections) of the finished levels of the application site and building in relation to existing ground levels and those of the adjoining land 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:

In the interests of visual amenity and to ensure the development accords with Policies ENV27 and HOUS8 of the Unitary Development Plan.

4. All means of enclosure associated with the development hereby approved (including details of alley gates within the application site) shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to their construction or erection in the development, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use.

Reason:

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

5. Prior to their use in the construction of the development hereby approved, a schedule and samples of all proposed external materials 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 samples.

Reason:

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

No.

6. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to first beneficial occupation of any of the dwellings hereby approved.

Reason:

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

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

8. Prior to their use in the development hereby approved, further details and samples of all elements of the hard landscaping scheme, including the materials to be used in the construction of the parking areas shall be submitted to and agreed in writing by the Local Planning Authority. The development shall at all times thereafter be maintained in accordance with the approved details.

Reason:

In the interests of visual amenities and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

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

Reason:

To ensure the development accords with sustainability principles and the site is accessible by a range of modes of transport in accordance with Policies 2, 8, ENV27 and TRAN9 of the Unitary Development Plan.

No.

10. 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 plans hereby approved, 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.

11. The implemented drainage scheme for the site should ensure that all foul and surface water discharges separately from the site and that land drainage run-off shall not discharge, either directly or indirectly, into the public sewerage system.

Reason:

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

12. From first beneficial occupation the dwellings hereby approved shall all be affordable housing as defined in TAN 2. Prior to beneficial occupation of any of the dwellings a scheme for the provision of affordable housing shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in TAN 2, or any future guidance that replaces it. The scheme shall include:

i) the arrangements for the management of the affordable housing;

ii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

iii) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason:

To ensure that the development is kept in perpetuity as an affordable housing scheme, and to ensure compliance with PPW and TAN 2.

13. Prior to the first beneficial occupation of any of the residential units hereby approved, a parking management plan shall be submitted to and approved in

No.

writing by the Local Planning Authority, and the development shall at all times thereafter be managed in accordance with the approved plan.

Reason:

In order to ensure the efficient management of the parking provision serving the development and to ensure compliance with Policies ENV27 and HOUS8 of the Unitary Development Plan.

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

Reason:

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

15. Notwithstanding the submitted plans, full engineering details of the new widened vehicular access to the site, the highway/lane within the site and associated lighting and surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development. The development shall be implemented thereafter in accordance with the approved details.

Reason:

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

16. The Development shall at all times be carried out in accordance with the recommendations within the document entitled "Barry Conservative Club, Bat Surveys, June 2015, Project ref 14-036, version 3 by Just Ecology Ltd".

Reason:

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

17. Full details of a scheme for the comprehensive drainage of the site shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details.

No.

Reason:

To ensure the adequate drainage of the site, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

Reasons for decisions

The decision to approve planning permission has been 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 comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

It is considered that the development complies with the sustainable development principle and satisfies the Council's well-being objectives in accordance with the requirements of the Well Being of Future Generations (Wales) Act 2015.

Having regard to POLICIES 1, 2, 3, 8 and ENV16 – Protected Species, ENV27 – Design of New Developments, HOUS2 – Additional Residential Development, HOUS* Residential Development Criteria, HOUS2 – Settlements, HOUS12 Affordable Housing, TRAN9 – Cycling Development, TRAN10 – Parking, REC3 – Provision of Open Space within New Residential Developments and REC6 – Children's Playing Facilities, the advice within Planning Policy Wales and Technical Advice Notes 1, 2, 12, 16 and 18 and the Council's Supplementary Planning Guidance on Affordable Housing, Vale of Glamorgan Housing Delivery Statement 2009, Sustainable Development, Amenity Standards, Planning Obligations and Public Art, the development is considered acceptable in principle and in terms of design, impact on residential amenity, highways issues, parking, amenity space provision and ecology.

2015/01093/OUT Received on 5 October 2015
(P. 92)

Mr. Kevin Mercer, C/o Agent.

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

Land at North East of St. Hilary

Construction of a rural enterprise dwelling along with associated equestrian buildings and landscaping utilising the existing vehicle access to the site

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 obligation(s):

- The dwelling as approved shall not be sold separately or separated from the associated equestrian buildings and the business at the site.

No.

- The submission and compliance of a scheme of phasing of the development, which shall be agreed to ensure that the first occupation of the rural enterprise dwelling is limited until such time as the rural enterprise is established/in place
- The Legal Agreement will include the standard clause requiring the payment of a fee to monitor and implement the legal agreement (£150.00 in this case).

APPROVED subject to the following conditions(s):

1. Approval of the scale, appearance and landscaping of the development (hereinafter called "the reserved matters") shall be submitted to and approved 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.

No.

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

- Existing Site Layout, Drg. No. 2147-01A, received 15th September, 2015;
- Concept Master Plan, Drg. No. 2147-02E, amended plan received 2nd December, 2015;
- Sketch Floor Plans, received 18th October, 2016;
- Planning Statement, received 30th September, 2015;
- Design and Access Statement, received 15th September, 2015;
- Rural Enterprise Dwelling Appraisal, prepared by Reading Agricultural Consultants, received 15th September, 2015; and
- Justification Statement, prepared by Reading Agricultural Consultants, received 15th September, 2015.

Reason:

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

6. The occupancy of the dwelling shall be restricted to:

a) a person solely or mainly working, or last working on a rural enterprise in the locality, or a widow, widower or surviving civil partner of such a person, and to any resident dependants;

or, if it can be demonstrated that there are no such eligible occupiers,

b) a person or persons who would be eligible for consideration for affordable housing under the local authority's housing policies, or a widow, widower or surviving civil partner of such a person, and to any resident dependants.

Reason:

Since a dwelling in this rural location would not be permitted unless justified for rural enterprise, and in order to ensure that the dwelling is kept available to meet the needs of other rural enterprises in the locality, in accordance with advice in Technical Advice Note 6 - Planning for Sustainable Rural Communities.

7. The dwelling shall be so designed and of a scale such that the size of dwelling does not exceed 250 square metres of floor space of accommodation, in line with the illustrative details, Sketch Floor Plans, received 18th October, 2016.

Reason:

The dwelling is approved solely on the basis of an rural enterprise justification and therefore should be of a scale that reflects its limited occupancy and the

No.

size proposed within the application, and to meet the requirements of Policies HOUS3-Dwellings in the Countryside, HOUS5-Agricultural or Forestry Dwellings, and HOUS6-Agricultural Occupancy Conditions of the Unitary Development Plan; and TAN6-Planning for Sustainable Rural Communities.

8. Before the commencement of development a phasing plan for the construction and occupation of the development hereby permitted shall be submitted to and agreed in writing with the Local Planning Authority, which shall ensure that no beneficial occupation of the dwelling takes place until the enterprise is operational.

Reason:

The dwelling is approved solely on the basis of an rural enterprise justification and therefore should not be occupied before the existing enterprise is established at this new site, and to meet the requirements of Policies HOUS3-Dwellings in the Countryside, HOUS5-Agricultural or Forestry Dwellings, and HOUS6-Agricultural Occupancy Conditions of the Unitary Development Plan; and TAN6-Planning for Sustainable Rural Communities.

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

Reason:

To enable the Local Planning Authority to control the size and scale of development to ensure that the dwelling remains commensurate to the size and needs of the rural enterprise, in accordance with Policy HOUS5-Agricultural or Forestry Dwellings of the Unitary Development Plan, Planning Policy Wales and TAN6-Planning for Sustainable Rural Communities.

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

Reason:

To enable the Local Planning Authority to control the size and scale of development to ensure that the dwelling remains commensurate to the size and needs of the rural enterprise, in accordance with Policy HOUS5 - Agricultural or Forestry Dwellings of the Unitary Development Plan, Planning Policy Wales and TAN6-Planning for Sustainable Rural Communities.

No.

11. The boundary of the residential curtilage of the dwelling hereby approved shall be defined and enclosed in accordance with full details to be submitted to and agreed in writing by the Local Planning Authority. The agreed enclosure shall be implemented before the first beneficial occupation of the dwelling hereby permitted, and the completed boundary enclosure shall be retained and maintained as such thereafter.

Reason:

To ensure no encroachment of the domestic curtilage into the surrounding countryside and in the interests of visual amenity and the character and appearance of the rural landscape in accordance with Policies HOUS5-Agricultural or Forestry Dwellings, and ENV27-Design of New Developments of the Unitary Development Plan.

12. Notwithstanding the submitted plans, and before commencement of development, full construction details of improvements to the existing access shall be submitted to and approved in writing with the Local Planning Authority. The details shall show, the setting back of the entrance gates a minimum 12m from the boundary of the adjacent carriageway; surfacing in a bound material for 6m from the boundary with the adjacent carriageway, and thereafter compacted crushed stone for a distance of 6m; and a minimum width of access of 4.5m for a distance of 12m from the boundary with the carriageway, or such other details as the Local Planning Authority agree in writing. The agreed access improvements shall be completed before the first beneficial operation of the development hereby approved.

Reason:

In the interests of highway safety in accordance with Policy ENV27-Design of New Developments of the Unitary Development Plan.

13. Prior to the commencement of the development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- (a) All previous uses.
- (b) Potential contaminants associated with those uses.
- (c) A conceptual model of the site indicating sources, pathways and receptors.
- (d) Potentially unacceptable risks arising from contamination at the site.

No.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason:

In the interests of protecting against pollution in accordance with Policies ENV26- Contaminated Land and Unstable Land, and ENV29-Protection of Environmental Quality of the Unitary Development Plan.

14. Before the commencement of development hereby approved, a verification report demonstrating completion of the works set out in the approved contaminated land remediation strategy, referred to in condition 13, and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason:

To demonstrate that the remediation criteria has been met in the interests of protecting against pollution in accordance with Policies ENV26-Contaminated Land and Unstable Land, and ENV29-Protection of Environmental Quality of the Unitary Development Plan.

15. Reports relating to monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in the agreed plan approved under Condition 14 above. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

No.

Reason:

To ensure that longer term remediation criteria have been met in the interests of protecting against pollution in accordance with Policies ENV26-Contaminated Land and Unstable Land, and ENV29-Protection of Environmental Quality of the Unitary Development Plan.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to, and obtained written approval from, the Local Planning Authority, an amendment to the remediation strategy detailing how the previously unidentified contamination shall be dealt with.

Reason:

It is considered possible that there may be unidentified areas of contamination and in the interests of protecting against pollution in accordance with Policies ENV26-Contaminated Land and Unstable Land, and ENV29-Protection of Environmental Quality of the Unitary Development Plan.

17. A scheme for the comprehensive and integrated drainage of the development site, including details of how foul water, surface water and land drainage will be dealt with shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The approved scheme of drainage shall be implemented and completed in full accordance with the agreed details prior to the first operational use of the business and/or occupation of the dwelling on the site.

Reason:

To ensure the effective drainage of the site and that no adverse impact occurs to the environment in accordance with Policies ENV27-Design of New Developments and ENV29-Protection of Environmental Quality of the Unitary Development Plan.

18. Before the commencement of development, full details of the finished levels of the site in relation to existing ground levels, including cross-sections shall be submitted to and approved in writing by the Local Planning Authority. The details shall show the change in levels across the whole of the site, including dwelling, outbuildings and access track. The development shall be implemented thereafter in full accordance with the approved details.

Reason:

In the interests of the visual amenity of the adjacent St Hilary Conservation Area and the surrounding countryside of the Lower Thaw Valley Special Landscape Area in accordance with Policies ENV4-Special Landscape Areas,

No.

ENV10-Conservation of the Countryside, ENV20-Development in Conservation Areas, and ENV27-Design of New Developments of the Unitary Development Plan.

Reasons for decisions

The decision to approve planning permission has been 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 comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regards to Policies ENV1-Development in the Countryside, ENV2-Agricultural Land, ENV4-Special Landscape Areas, ENV9-Development Involving Horses, ENV10-Conservation of the Countryside, ENV11-Protection of Landscape Features, ENV16-Protected Species, ENV17-Protection of Built and Historic Environment, ENV18-Archaeological Field Evaluation, ENV19-Preservation of Archaeological Remains, ENV20-Development in Conservation Areas, ENV26-Contaminated Land and Unstable Land, ENV27-Design of New Developments, ENV29-Protection of Environmental Quality, HOUS3-Dwellings in the Countryside, HOUS5-Agricultural or Forestry Dwellings, EMP2-New Business and Industrial Development, TRAN10-Parking, and Strategic Policies 1 & 2-The Environment, 3-Housing, 5-Business and Industrial Uses and 8-Transportation of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on Amenity Standards, Design in the Landscape, Trees and Development, Parking Standards, Conservation Areas in the Rural Vale and St. Hilary Conservation Area Appraisal and Management Plan; and national guidance contained in Planning Policy Wales Edition 9, TAN6-Planning for Sustainable Rural Communities, TAN12-Design and TAN23-Economic Development, it is considered that the proposal represents an acceptable and justified rural enterprise and associated dwelling. The proposal should not detract from the character and appearance of the adjacent St. Hilary Conservation Area, and whilst there will be some detriment to the undeveloped, unspoilt nature of the rural landscape of the surrounding Lower Thaw Valley Special Landscape Area, this will not be so significant as to override the economic benefits of the proposed rural enterprise. In addition the proposal should cause no detriment to neighbouring amenity or highway safety.

It is considered that the development complies with the sustainable development principle and satisfies the Council's well-being objectives in accordance with the requirements of the Well Being of Future Generations (Wales) Act 2015.

2016/00867/FUL Received on 18 July 2016
(P. 136)

Edenstone Homes Ltd., c/o Agent
Mr. Geraint John, Geraint John Planning, 33, Cathedral Road, Cardiff, CF11 9HB

Land at Court Close, Aberthin

No.

Proposed residential development (20 No. units) and associated highway and ancillary works

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

- Procure that 40% (8) of the dwellings built on the site pursuant to the planning permission are built and thereafter maintained as affordable housing units in perpetuity.
- Pay a contribution of £255,789 for the provision or enhancement of education facilities to meet the needs of future occupiers generated at Y Bont Faen. Llansannor, Ysgol Iolo Morganwg, Cowbridge Comprehensive, St. Richard Gwyn, Ysgol Gymraeg Bro Morgannwg for Welsh medium.
- Provide Public Open Space on site (including the provision of a Local Area of Play) and secure future maintenance of this POS area.
- Provide public art on the site to the value of 1% of project costs in accordance with details to be submitted for approval.
- Pay a contribution of £44,000 to provide or enhance sustainable transport facilities in the vicinity of the site to be spent on one or more of the following; towards improve cycle routes in the area; upgrading bus stops in the vicinity of the site; contributing towards enhanced bus services; and improving pedestrian links in the area.
- Provision of off-site highway works on Downs View Close and the A4222.

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:

Transport Statement prepared by Corun Associates 16-00440/TS/01 prepared by Corun Associates dated February 2016; Land off Court Close, Aberthin, Bat Activity Survey Report prepared by TerrAqua dated June 2016; Land off Court Close Aberthin Vale of Glamorgan Reptile Survey Report prepared by

No.

TerrAqua dated May 2016; Archaeological and Heritage Assessment prepared by EDP dated February 2016; Tree Survey at Court Close, Aberthin, Cowbridge prepared by Treescene dated 14th December, 2015; Tree Constraints Plan prepared by Treescene; Land at Court Close, Aberthin: Agricultural Land Classification dated January 2016; Burford House Type Floor Plans 1573 110, Burford House Type Elevations 1573 111, Faringdon House Type Floor Plans 1573 112, Faringdon House Type Elevations 1573 113, Tewkesbury House Type Floor Plans 1573 116, Tewkesbury House Type Elevations 1573 117, Monnow House Type Floor Plans & Elevations 1573 119, Ogmore House Type Plans & Elevations 1573 120, Wye House Type Plans & Elevations 1573 121 received 14th July, 2016;

Storey heights plan 1573 102B, Materials Layout 1573 103 B, Broughton House Type Elevations 1573 123 Rev A received 28th October, 2016; Strategic Landscape and Visual Appraisal prepared by EDP; Broughton House Type Floor Plans 1573 122 received 31st October, 2016; Site location plan 1573 101A received 9th November, 2016; Enclosure Details 1573 104B received 17th November, 2016; Planning Layout 1573 100 Rev X received 2nd December, 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 drawings, prior to the commencement of any highway works within the site, full engineering details (including structural calculations) of the site access, proposed internal roads, turning areas, footways/cycleway, traffic calming measures, including vision splays, street lighting, highway drainage, gradient details, on site parking and any associated highway structures, (including a programme for the delivery and completion of the works) shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety and in accordance with policies ENV27 and HOUS8 of the adopted Unitary Development Plan.

4. Notwithstanding the submitted plan prior to any commencement or site clearance, further details of no-dig hardstandings in root protection zones and adjacent to hedgerow shall be submitted to and approved in writing by the Local Planning Authority. The development shall at all times thereafter be carried out and maintained in accordance with the approved details.

No.

Reason:

In the interests of visual amenity and in the interests of trees and hedgerows within the site and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

5. Notwithstanding the submitted plans, further details of a scheme of off-site highway works shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved works shall be constructed / completed in full prior to the first beneficial occupation of any of the dwellings hereby approved.

Reason:

To improve pedestrian movements from the site and to improve highway safety on the local highway network in accordance with policies ENV27 and HOUS8 of the Development Plan.

6. Prior to the commencement of development and any site clearance, a scheme for the protection of reptiles during and after 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 details.

Reason:

To protect reptiles and biodiversity during the development of the site in accordance with policy ENV16 of the Development Plan.

7. Notwithstanding the submitted details, prior to the commencement of any works on site, full details of a scheme for foul, surface water and land drainage (including details of a SuDS management plan) shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details and completed prior to the first occupation of any of the dwellings approved and thereafter so maintained at all times.

Reason:

To ensure a suitable drainage scheme, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

8. No dwelling hereby approved shall be brought into beneficial use until such time as the parking areas and internal road layout, including all associated access and turning areas serving that dwelling, have been laid out in full accordance with the details shown on plan 1573 100 X and the details required by conditions 3 and 4 of this consent. The parking, internal road, access and turning areas shall thereafter be so retained at all times (including the provision of visibility splays) to serve the development hereby approved.

No.

Reason:

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

9. Notwithstanding the details submitted, no development shall take place until there has been submitted to, approved in writing by the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated. The CEMP will utilise the Considerate Constructors Scheme (www.considerateconstructorscheme.org.uk). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason:

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

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

Reason:

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

11. Notwithstanding the submitted details, prior to the commencement of construction of any of the dwellings hereby approved, details of the finished levels of the site and slab levels of all 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.

No.

Reason:

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

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

Reason:

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

13. A scheme providing for the fencing of the trees and hedgerows 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 and any site clearance. 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 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.

14. Notwithstanding the details shown on drawing no. 1573 104 Rev B, all means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use.

Reason:

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

15. Notwithstanding the details shown on drawing 340.01 Rev B, a landscaping scheme (including any new hedgerows and supplementary planting to existing hedgerows) and details of the Public Open Space area shall be submitted to and approved in writing by the Local Planning Authority hereby approved,

No.

which shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason:

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

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

Reason:

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

17. The hedgerows/trees falling within the root protections marked orange on drawing number 100 revision X shall be retained in perpetuity.

Reason:

In the interests of visual amenity and to maintain biodiversity at the site in accordance with policies ENV16 and ENV27 of the Development Plan.

18. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials (including hard landscaping) 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

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

No.

Reason:

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

Reasons for decisions

The decision to approve planning permission has been 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 comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

Having regard to Policies ENV1 (Development in the Countryside), ENV2 (Agricultural Land), ENV10 (Conservation of the Countryside), ENV11 (Protection of Landscape Features), ENV18 (Archaeological Field Evaluation), ENV19 (Preservation of Archaeological Remains), ENV20 (Development in Conservation Areas), ENV27 (Design of New Developments), ENV28 (Access for Disabled People), ENV29 (Protection of Environmental Quality), HOUS 2 (Additional Residential Development), HOUS3 (Dwellings in the Countryside), HOUS8 (Residential Development Criteria), HOUS12 (Affordable Housing), ENV16 (Protected Species), TRAN9 (Cycling Development), TRAN10 (Parking), REC 3 (Provision of Public Open Space for New Developments), REC 6 (Children's Play Facilities) and REC 12 (Public Rights of Way and Recreational Routes) of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, the Supplementary Planning Guidance 'Amenity Standards' and 'Planning Obligations', Planning Policy Wales (Edition 9, 2016) and Technical Advice Notes 1- Joint Housing Land Availability Studies, 2-Planning and Affordable Housing, 5-Nature Conservation and Planning, 11- Noise, 12-Design, 16-Sport, Recreation and Open Space, 18-Transport, and 22-Sustainable Buildings; it is considered that the proposals are acceptable, subject to conditions, by virtue of the appropriate layout, design and scale of the development, with suitable means of access and parking, and no significant impact on neighbours amenities which overall constitutes an acceptable form of residential development. Furthermore, the proposals include acceptable levels of ecological mitigation and the development would not unacceptably impact upon the adjoining Aberthin Conservation Area, the nearby Listed Building or the countryside. The proposals therefore comply with the relevant national planning policies and supplementary planning guidance.

It is considered that the development complies with the sustainable development principle and satisfies the Council's well-being objectives in accordance with the requirements of the Well Being of Future Generations (Wales) Act 2015.

No.

2016/01234/FUL Received on 17 October 2016

(P. 195)

Mr. Rhoddri Price, New House, Trevithyn Farm, Llancarfan, Vale of Glamorgan, CF62 3AT

Mr. David Brown, 5 Maes yr Eglwys, Llansant, Kidwelly, SA17 5JE

New House at Trevithyn Farm Lane, Llancarfan

First floor side extension and single storey rear and front extensions

REFUSED (Written Representations)

1. The proposed extension to this agriculturally tied dwelling would result in a property that is significantly larger than required to meet the functional need of the holding and would adversely affect the continued viability of maintaining the property for its intended use, and would adversely affect its availability for other persons who could comply with an occupancy condition, including those in need of affordable housing. The proposal is therefore contrary to Policy HOUS 5 of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and the advice contained within Planning Policy Wales and Technical Advice Note 6- Planning for Sustainable Rural Communities.

Reason for decision

The decision to refuse planning permission has been 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 comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

It is considered that the development does not comply with the sustainable development principle and satisfies the Council's well-being objectives in accordance with the requirements of the Well Being of Future Generations (Wales) Act 2015.

2016/00305/RG3 Received on 15 March 2016

(P. 209)

Vale of Glamorgan Council, Civic Offices, Holton Road, Barry

John Dent, Project Management Unit, Vale of Glamorgan Council, Docks Offices, Barry Docks, Barry, Vale of Glamorgan, CF63 4RT

Land adjacent A4226, Five Mile Lane, Barry

Proposal is for on line improvements to the existing A4226 between Waycock Cross Roundabout in Barry and the lay-by to the north of the Welsh Hawking Centre and

No.

an off line new road provision to the east of the existing A4226 which will reconnect with the existing A4226 just to the south of Blackland Farm

RESOLVED – T H A T deemed planning consent be GRANTED subject to the following condition(s):

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

Reason:

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

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

- Parsons Brinckerhoff Five Mile Lane Improvements Environmental Statement February 2016 (and associated Appendices and Figures).
- Parsons Brinckerhoff Five Mile Lane Improvement Scheme: Transport Assessment March 2016.
- Plans: 3512646D-HHC Figures 3.1 A, 3.1 B, 3.1 C, 3.1 D and 3.1 E (all Rev 2).
- Plan 3512646D-HHC 102.
- Parsons Brinckerhoff Design and Access Statement February 2016.
- Plan 3512646D-HHC FIGURE 1.1.
- Breeding Bird Assessment August 2016.
- Supplementary Landscape Information August 2016.
- Additional Air Quality Information, August 2016 (WSP Parsons Brinckerhoff).
- Dormouse Mitigation Strategy August 2016.
- Commuting and Foraging Bats Mitigation Strategy August 2016.
- Figures 1.2A and 1.2B- Route and Longitudinal Sections Rev 1.
- Environmental Statement Addendum October 2016.
- Brown Hare Note October 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, full engineering details of all sections of the new off-line carriageway, all on-line carriageway improvements/works, all new works at Sycamore Cross, all new junctions through the route (including the junctions where the new carriageway adjoins the existing A4226) and cycle/footways, incorporating vision splays, and including sections, street lighting, surface water drainage and the details of the location of all new signage and changes to existing signage, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of

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development. The development shall be implemented and at all times thereafter maintained in accordance with the approved details.

Reason:

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

4. The development hereby approved shall not commence until details of the provision of parking for construction traffic and the routes for heavy construction vehicles, and means of defining and controlling such traffic routes, have been submitted to and approved in writing by the Local Planning Authority and the construction works and deliveries shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interest of highway safety and to maintain the effective operation of the local highway network, in accordance with Unitary Development Plan Policy TRAN11 (Road Freight).

5. 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 hours of construction working, the location of site compounds, and details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated. 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.

6. Prior to the commencement of development a Site Waste Management Plan (SWMP) in relation to the ongoing construction, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the measures contained within the submitted SWMP unless otherwise agreed in writing by the Local Planning Authority.

No.

Reason:

In the interests of flood risk, prevention of pollution and impact on neighbouring amenity in accordance with Policies ENV7 (Water Resources); ENV26 (Contaminated Land and Unstable Land); and ENV29 (Protection of Environmental Quality) of the Unitary Development Plan, along with TAN11-Noise and TAN15-Development and Flood Risk.

7. Any vegetation clearance across the site shall be undertaken outside the nesting season, which is generally recognised to be from March to August inclusive, unless it can be demonstrated through submission to the Local Planning Authority of an appropriate survey immediately prior to works commencing that nesting birds are absent or a method statement for works is agreed in writing with the Local Planning Authority and fully implemented prior to works commencing.

Reason:

To ensure adequate compensation and mitigation measures for biodiversity across a site that is considered to be of SINC status in accordance with Policy ENV15 (Local Sites of Nature Conservation Significance) of the Unitary Development Plan, Supplementary Planning Guidance on Biodiversity and Development and TAN5 (Nature Conservation and Planning).

8. Prior to the commencement of development, a scheme for the protection of ground nesting birds, for the periods during and following the completion of the development, to include details of compensation land for breeding and a post development monitoring strategy, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full thereafter in accordance with the approved details.

Reason:

In order to ensure the protection of ground nesting birds and to ensure compliance with Policies ENV 16 and ENV 27 of the Unitary Development Plan.

9. Prior to the commencement of development, a Biodiversity Strategy for sensitive site clearance, to include provisions in respect of amphibians and reptiles, birds and non-native invasive plant species (such as Japanese Knotweed and Himalayan Balsam) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in full in accordance with the approved details.

Reason:

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

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10. The development shall be carried out in accordance with the methodologies and recommendations contained within Chapter 9 of the Parsons Brinckerhoff 'Five Mile Lane Improvements Environmental Statement' February 2016, and contained within the WSP Parsons Brinckerhoff 'five Mile Lane Improvements Environmental Statement Addendum' October 2016.

Reason:

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

11. Prior to the commencement of development, a strategy shall be submitted to and approved in writing by the Local Planning Authority that makes provision for the protection of habitat and designated sites during the construction process. The development shall at all times thereafter be carried out in accordance with the approved strategy.

Reason:

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

12. Prior to the commencement of development, a dormouse mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall at all times thereafter be carried out in accordance with the approved strategy.

Reason:

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

13. Prior to the commencement of development, a bat mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall at all times thereafter be carried out in accordance with the approved strategy.

Reason:

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

14. Prior to the commencement of development, a strategy for the implementation of a translocated planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall at all times thereafter be carried out in accordance with the approved strategy.

No.

Reason:

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

15. Prior to the commencement of development, a plan shall be submitted which shows the location, widths, composition and distribution of all retained and newly created hedgerows, alongside hedgerows to be removed. The development shall at all times thereafter be carried out in accordance with the approved details.

Reason:

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

16. Prior to the commencement of development, a habitat management plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall at all times thereafter be carried out in accordance with the approved management plan.

Reason:

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

17. No development shall take place until the applicant, or their agents or successors in title, has secured implementation of a programme of archaeological work in accordance with that out-lined in "Five Mile Lane Improvements: Archaeological Excavation Written Scheme of Investigation" (Parsons Brinckerhoff Report no. 3512646-D-HHC, dated October 2015).

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource, and to ensure compliance with Policies ENV 17, ENV 18 and ENV 19 of the Unitary Development Plan.

18. No development shall commence until a detailed scheme of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include technical details for the proposed attenuation basins and proposals for the 1 in 30 year drainage system within the highway, along with details of the drainage system at Sycamore Cross and calculations for onsite attenuation or discharge. The scheme shall clarify the level of runoff treatment and shall follow the principles identified within the submitted Flood Consequence Assessment. The

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approved scheme shall be implemented prior to first beneficial use of the development hereby approved.

Reason:

To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased elsewhere, and to ensure compliance with Policies ENV 7 and ENV 27 of the UDP.

19. No development shall take place until a SuDS management plan, which includes details on future management responsibilities for the site and its drainage assets, has been submitted and approved in writing by the Local Planning Authority. This plan shall detail the strategy that will be followed to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime. The management plan shall be implemented and maintained in full accordance with the agreed details at all times thereafter.

Reason:

In order to ensure adequate drainage facilities are in place to serve the development and to ensure compliance with Policies ENV 7 and ENV 27 of the Unitary Development Plan.

20. No development shall commence until a construction environmental management plan for the protection of the adjacent watercourses from pollution during the course of construction has been submitted to and approved in writing by the Local Planning Authority. The statement shall assess the risks from all pollution sources and pathways (including silt, cement and concrete, oils and chemicals, herbicides, aggregates, contaminated land and waste materials) and describe how these risks will be mitigated for this development. The development shall be carried out in accordance with the approved details at all times thereafter.

Reason:

In order to prevent contamination/pollution and to ensure compliance with Policies ENV 7, ENV 27 and ENV 29 of the Unitary Development Plan.

21. Prior to the first planting and seeding seasons following the commencement of works to construct the road, and notwithstanding the submitted plans, 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, and details of the future maintenance and management of the landscaping.

No.

Reason:

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

22. 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.

Reasons for decisions

The decision to approve consent has been 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 comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.

It is considered that the development complies with the sustainable development principle and satisfies the Council's well-being objectives in accordance with the requirements of the Well Being of Future Generations (Wales) Act 2015.

Having regard to Policies 1, 2, 7, 8, ENV1 – Development in the Countryside, ENV2 – Agricultural Land, ENV4 – Special Landscape Areas, ENV7 – Water Resources, ENV10 - Conservation of the Countryside, ENV11 – Protection of Landscape Features, ENV12 - Woodland Management, ENV13 – International Areas of Nature Conservation Importance, ENV14 – National Sites of Nature Conservation Importance, ENV15 – Local Sites of Nature Conservation Significance, ENV16 – Protected Species, ENV17 - Protection of Built and Historic Environment, ENV18 – Archaeological Field Evaluation, ENV19 – Preservation of Archaeological Remains, ENV27 – Design of New Developments, ENV28 – Access for Disabled People, ENV29 – Protection of Environmental Quality, TRAN9 – Cycling Development, TRAN10 – Parking, TRAN11 – Road Freight and REC 12 – Public Rights of Way and Recreational Routes of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, Planning Policy Wales 9th Edition (November 2016), Technical Advice Notes 5 – Nature Conservation and Planning, 11 – Noise, 12 – Design, 15 – Development and Flood Risk, 18 – Transport and 23 – Economic Development, The Council's Supplementary Planning Guidance on Biodiversity and Development,

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Design in the Landscape, Trees and Development and Amenity Standards, The Wales Spatial plan, the Council's Local Transport Plan and all other appropriately weighted local material policy considerations, Manual for Streets, Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management, Welsh Office Circular 11/99 - Environmental Impact Assessment, Welsh Office Circular 60/96 - Planning and the Historic Environment: Archaeology and Welsh Office Circular 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas (as amended), the proposed development is considered acceptable in principle, and in terms of the balance of issues comprising visual impact, sustainability, contribution to economic activity, highway safety, traffic and congestion, transport, residential amenity, ecology and nature conservation, drainage, archaeology, the historic environment, environmental impacts, agricultural land and impact on agricultural / rural businesses.