

## PLANNING COMMITTEE

Minutes of a meeting held on 2<sup>nd</sup> February, 2017.

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, N.P. Hodges, H.J.W. James, P.G. King, A. Parker, R.A. Penrose, A.G. Powell, G. Roberts and A.C. Williams.

Also present: Councillor Dr. I.J. Johnson.

List of Public Speakers:

<b>Name of Speaker</b>	<b>Planning Application No. and Location</b>	<b>Reason for Speaking</b>
Mr. Gerwyn Pugh	2016/01158/FUL 4 Glan y Mor, Barry, CF62 6FF	The applicant or their representative
Mr. Robert Hathaway	2016/01236/OUT Land Rear of 6 Salmons Wood, Graig Penllyn	The applicant or their representative
Mrs. Christine Roach	2016/01236/OUT Land Rear of 6 Salmons Wood, Graig Penllyn	The applicant or their representative

### 745 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”.

### 746 APOLOGIES FOR ABSENCE –

These were received from Councillors Ms. R. Birch, E. Hacker, Mrs. V.M. Hartrey and Mrs. A.J. Preston.

### 747 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 5<sup>th</sup> January, 2017 be approved as a correct record.

## 748 DECLARATIONS OF INTEREST –

Name of Councillor	Nature of Interest
Councillor R.A. Penrose	<p>Agenda Item No. 9 – Planning Application 2015/0960/FUL – Land at Sycamore Cross, Pendoylan Lane and North of A48, Bonvilston.</p> <p>The nature of the interest was that the landowner was personally known to Councillor Penrose and he had owned and lived in an adjacent property to the site for seven years.</p> <p>Councillor Penrose vacated the room whilst this application was under consideration.</p>
Councillor A. Parker	<p>Agenda Item No. 9 – Planning Application 2015/0960/FUL – Land at Sycamore Cross, Pendoylan Lane and North of A48, Bonvilston.</p> <p>The nature of the interest was that Councillor Parker had acted for the landowner in the past.</p> <p>Councillor Parker vacated the room whilst this application was under consideration.</p>
Councillor G. Roberts	<p>Councillor Roberts declared an interest, the nature of which was that he was also a Member of Penarth Town Council, and advised that he was able to speak and vote on applications which had already been considered by Penarth Town Council.</p>

## 749 SITE INSPECTIONS -

RESOLVED - T H A T the attendance of the following Councillors at the sites indicated below on 5<sup>th</sup> January, 2017 be noted:

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

Northcliffe Lodge, Northcliffe Drive,  
Penarth

Councillor F.T. Johnson (Chairman);  
Councillors J. Drysdale, C.P. Franks,  
H.C. Hamilton, A. Parker,  
R.A. Penrose, G. Roberts and  
A.C. Williams.

750 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 passed Building Regulation Applications as listed in the report be noted.
- (2) T H A T the rejected Building Regulation Applications be noted
- (3) T H A T the service of Notices under Building (Approved Inspectors Etc.) Regulations 2000 as listed in the report be noted.
- (4) T H A T Officers intentions to implement Section 32 of the Building Act 1984 in respect of the Building Regulation Applications listed in the report be noted.

751 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 as determined under delegated powers be noted:

- |   |  |
|---|--|
| 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<br>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   |

2008/00463/1/N MA	A	10A, Pembroke Terrace, Penarth	Non-Material Amendment seeking retrospective agreement of part of Condition 3 relating to the alteration and extension of existing house with construction of new dwelling to side.
2011/00095/1/N MA	A	Oakways Farm, Groesfaen, Peterston Super Ely	Removal and variation of conditions of application 2011/00095/OUT.
2014/01424/2/N MA	A	Plot 32, St. James Gardens, Wick	Proposed alteration of approved dwelling to include rear conservatory extension.
2015/00884/FUL	A	Brooklands, Brook Lane, St. Nicholas, Cardiff	Change of use of land to a residential use associated with Brooklands Hall and retention and alterations to existing barn for a use ancillary to the main dwellinghouse (resubmission of application 2014/00671/FUL).
2015/01196/1/C D	A	The Mount, Penmark	Discharge of Condition 4 - Levels. Two storey extension to rear/side of the building.
2016/00053/1/N MA	A	Hillside, Wine Street, Llantwit Major	Amendment to condition to allow for bottom hung restricted opening mechanism (opening inwards), amendment to window size in rear elevation and vertical timber cladding to front elevation.
2016/00294/FUL	A	30, Rhodfa Sweldon, Barry	Garage conversion.

2016/00607/FUL	A	Bethesdar Fro URC, Boverton Road, North Gate, Boverton, (RAF St. Athan)	The proposals are to build a small extension to house a utility room and accessible WC. Access to the chapel will be improved with a new wheelchair accessible ramp and a raised path formed outside the chapel on MOD land.
2016/00694/LBC	A	The Rectory, Llandow	Proposed alterations and extension.
2016/00695/FUL	A	The Rectory, Llandow	Proposed alterations and extension.
2016/00725/1/N MA	R	Docks Office, Subway Road, Barry	Non-material Amendment - Changes to approved biomass containers. Excavation of existing embankment to install new retaining wall and concrete base for the provision of a new containerised Biomass boiler plant.
2016/00729/1/N MA	A	T B Davies (Cardiff) Ltd., Penarth Road, Penarth	Amendment to front elevation reducing the width of the shop front glazing and introducing a fire exit door.
2016/00769/FUL	A	Land adjacent to 42, Kenilworth Road, Barry	Two storey residential care home for special needs clients.
2016/00775/FUL	R	New house, at rear of Amberley House, Llantwit Road, Wick	Retrospectively the erection of dwellinghouse with revised garden area, foul drainage and new access and turning provision for drainage tanker.

2016/00794/FUL	A	Land east of the Five Mile Lane, Witton Mawr	Removal of Condition 13 (CEMP) and Variation of Condition 17 (Drainage) of application 2014/00798/FUL - 6MW solar PV array at land east of Five Mile Lane.
2016/00836/1/N MA	A	Bonvilston Hall, Bonvilston	Non Material Amendment - Smaller size stable block. Construction of stable for four racing horses.
2016/00848/1/N MA	A	45, The Parade, Barry	Reconstruction of external brick leaf to gable following storm damage. Side brick shed to be dismantled to facilitate works and rebuilt to match existing upon completion.
2016/00933/FUL	A	9, Primrose Close, Cowbridge	Minor alterations works to rear garden utilising gabion baskets to retain sloped lawn.
2016/00942/FUL	A	Brynheulog, St. Andrews Road, Wenvoe	Proposed construction of ménage.
2016/00950/FUL	A	Land east of Five Mile Lane, Whitton Mawr	Variation/removal of Conditions 8, 9, 10, 13 and 17 of Planning Permission 2016/00794/FUL. 6MW solar PV array at land east of Five Mile Lane.
2016/00957/FUL	R	Plot 2, Orchardleigh, Pen y Turnpike Road, Dinas Powys	Variation of Condition 8 of application 2012/00400/RES in relation to Plot 2 only.
2016/01015/ADV	A	Site opposite No 4, Park Crescent, Barry	Item 1- 1 x fascia sign. Item 2 - 1 x projection signs. Item 3 (A, B, C, D, E) - 5 x window graphics. Item 5 - 4 x poster frames. Item 6 - 1 x directional sign.

2016/01016/FUL	A	18, Willow Close, Penarth	The proposed application is for a two storey gable extension out to the rear of the property.
2016/01063/FUL	A	Pantwilkin Stables, Aberthin	Variation of Condition 2 of Planning Permission 2016/00480/FUL - Minor re-orientation of building on same site re approved Plans NS40 and NS60.
2016/01073/RG3	A	Barry Sports Centre, Colcot Road, Barry	Construction of two no. 7 a-side pitches and four no. 5 a-side pitches plus associated fencing, lighting, pathways to service the pitches and drainage proposals.
2016/01074/ADV	A	Selleys Newsagent, 4, Park Crescent, Barry	1 x Directional sign on window.
2016/01083/FUL	A	The Granary, Newland Fawr Farm, Llangan	Proposed use of a former granary as a home office/ bedroom.
2016/01128/LAW	A	Min y Coed, Llandough, Cowbridge	Bricking up the current opening of garage and making the window on the side the door, roof light into garage.
2016/01133/LBC	A	1-6, Church Row, Pendoylan	Renewing existing defective timber entrance doors with new timber doors and frames to match existing.
2016/01146/FUL	A	3, Keepers Gardens, Leckwith Road, Llandough, Penarth	Change of use of extended rear garden from Green Wedge to residential garden and raised decking area within this rear garden.

2016/01155/FUL	A	4, St. Baruch Close, Dinas Powys	Proposed pitched roof to existing garage conversion complete with extension to rear.
2016/01167/FUL	A	Cosmeston Lakes Country Park and Medieval Village, Lavernock Road, Penarth	Change of use of an existing exhibition area in the Visitors Centre to an Ice Cream Parlour with facilities to purchase snacks and hot/cold drinks.
2016/01181/FUL	A	Hare and Hounds Inn, Maendy Road, Aberthin	Change of use of first floor from flat into 2 no. Bed and Breakfast accommodation rooms. Removal of 1 and insertion of 2 no. rooflights. External access stair relocated.
2016/01190/LBC	A	Llwyn Celyn, 77, High Street, Cowbridge	Take down 2 no. chimneys, insert lead trays, rebuild as existing with reclaimed bricks/furness Tudor blacks, fit new ridge tiles.
2016/01194/FUL	A	2, Royal Buildings, Stanwell Road, Penarth	Removal of Condition 3 to planning permission 2006/00824/FUL to allow for use as a Hair Salon.
2016/01198/FUL	A	56, Lavernock Road, Penarth	Full width rear attic dormer extension over the footprint of the original house.
2016/01199/FUL	A	Colwinston WTW, Coed Marsarnen Road, Colwinston	Construction of a permanent site access track and amendments to existing dosing kiosk.
2016/01202/FUL	A	Hen Dafarn, St. Mary Hill, Ruthin	Application to increase the height of the wind turbine granted as part of planning application reference 2014/00221/FUL.
2016/01205/FUL	A	West Quay Medical Centre, Hood Road, Barry	Proposed new brickwork enclosure to screen air conditioning units.



2016/01206/FUL	A	West Quay Medical Centre, Hood Road, Barry	Proposed ventilation grilles in external elevation to serve same system.
2016/01207/FUL	A	6, Marine Drive, Barry	Front elevation: single storey porch on ground floor with balcony over. Window replaced with door and glazed screen at first floor level. Rear elevation: ground floor single storey rear addition with pitched roof, with rooflights. Installation of roof light in main building rear pitch.
2016/01209/FUL	A	15, Channel View, Ogmore by Sea	Patio doors in garden side of double garage.
2016/01210/FUL	A	Ty Chwarel, Castleton Road, St. Athan	Demolition of existing timber stable block and replacement with new timber stables.
2016/01219/FUL	A	1, O'Donnell Road, Barry	Proposed two storey house on plot to side of property.
2016/01221/LAW	A	12, St. Oswalds Road, Barry	Construction of rear single storey flat roof extension.
2016/01228/FUL	A	35, Burdons Close, Wenvoe	Convert one half (Rear) of double garage to a habitable room.
2016/01230/FUL	A	Flat 2, Gordano House, 44b, Plymouth Road, Penarth	Replacement of sloping asbestos roof on storeroom attached to property with slate roof, including velux window, replacement door and window also at rear of property.
2016/01235/FUL	A	Fernlea, Port Road West, Barry	Proposed free standing car port.

2016/01238/FUL	A	2, Llys y Coed, Barry	Conversion of garage into a habitable space with a single storey side extension linking garage to main dwelling.
2016/01244/FUL	A	3, The Parade, Barry	Gateway and replacement garden wall.
2016/01248/FUL	A	Tolzey Cottage, Penmark	Demolish existing UPVC conservatory and the construction of a lounge extension.
2016/01251/FUL	A	Land at Rosedew Farm, Beach Road, Llanwit Major	Removal of Conditions 4 and 15 of 2015/00218/FUL. Construction of a ground mounted solar PV project and associated development.
2016/01252/FUL	A	Castle Lodge, Drope Lane, St. Georges Super Ely	Proposed garage extension up into increased loft space and added dormers to create hobby room at upper level with steel staircase access to rear. Also provide a detached glass covered swimming pool in rear garden.
2016/01254/FUL	A	Land at the rear of 45, Fontygary Road, Rhoose	Renewal of planning permission 2011/01166/FUL for a new detached dwelling to extend the time period for the commencement of development by 5 years.
2016/01258/LBC	R	Cobbles Kitchen and Deli, Ty Maen Barns, Ogmore by Sea	Replace floor in northern portion of main barn.
2016/01271/FUL	A	Glanteifi, Railway Terrace, Penarth	Single storey side extension.
2016/01272/FUL	A	4, Vale View Close, Llandough, Penarth	Single storey rear extension.

2016/01278/FUL	A	Pound Cottage, 2, Penlan Road, Llandough, Penarth	Rear extension and railings to front.
2016/01282/FUL	A	42, Fitzhamon Avenue, Llantwit Major	Two storey side extension.
2016/01283/FUL	A	Ty Hafan, Hayes Road, Sully	Landscaping works within a children's hospice.
2016/01284/FUL	A	Chimo, Rectory Road, St. Athan	New front garden wall.
2016/01285/FUL	A	Plot adjacent to Springfield, Graig Penllyn	Installation of automated vehicle gates in existing boundary wall aperture servicing existing driveway.
2016/01286/FUL	A	4, Meadowvale, Barry	Two storey side extension.
2016/01295/FUL	A	Cusop Broadway, 72, Broadway, Llanblethian, Cowbridge	Plant screen and pergola.
2016/01296/FUL	A	Hebron Hall, Cross Common Road, Dinas Powys	External recladding of existing swimming pool building and upgrading of services.
2016/01297/FUL	A	Whiteoaks, 26, Caynham Avenue, Penarth	First floor side extension rear balcony and alterations.
2016/01300/LAW	A	The Cottage, 5, Rectory Road Lane, Penarth	Replacement of porch.
2016/01302/FUL	A	Ashley Cottage, Bridge Road, Llanblethian, Cowbridge	Increase ridge height of existing garage roof by 1.5 metres to accommodate a home office within the roofspace and rear extension.
2016/01305/FUL	A	50, Brookfield Avenue, Barry	Proposed side extension to first floor and raising of ridge height.
2016/01306/FUL	A	Maesnewydd, Buttrills Road, Barry	Erection of a new four bedroom dwelling.

2016/01307/FUL	A	31, Cae Stumpie, Cowbridge	Rear Single Storey Infill extension and front porch extension.
2016/01310/FUL	A	Gwern Y Gedrych Farm, Peterston Super Ely	The replacement of an existing Agricultural barn that has been fire damaged and is no longer sound. Therefore it is proposed to replace the barn with a like for like structure to replace the existing structure.
2016/01311/FUL	A	72, Clos yr Wylan, Barry	Removal of 2 windows on front elevation (rhs) including central pier including blockwork below to dpc and insertion of 4 panel bi-fold door(s) to width of 3.6m x 2.1m height in white upvc with clear glazing to match existing building finishes. Insertion of 2 additional windows to South East Elevation to dimensions of 1.2 x 1.2 with 550 wide central pier and cill height of 900mm ADPC. Windows to be white UPVC with clear glass to match existing.
2016/01316/FUL	A	7, Charter Avenue, Barry	Lean to conservatory to side of property.
2016/01317/FUL	A	71, Penlan Road, Llandough	Rear extension.
2016/01318/FUL	A	Woden Park, Cwrt yr Ala Road, Cardiff	To replace existing field gate with two field gates to improve access.

2016/01320/FUL	A	50, Castleland Street, Barry	The development is an upgrade to the rear garden of the property to create an all-weather play area. This will include a slate roof lean-to and an electronically powered retractable roof supported on a steel frame structure.
2016/01321/FUL	A	Home Bargains, Thompson Street, Barry	The retention of an ATM installed through existing glazing to the side of the premises (main road side) with a new red mullion to match the rest of the premises. Incorporating the ATM fascia with black bezel surround and white internally illuminated lettering Free Cash Withdrawals out of black background. Blue LED halo illumination to the ATM surround.
2016/01324/LAW	A	18, Cannington Close, Sully	Single storey rear extension.
2016/01325/FUL	A	8, Boverton Brook Close, Llantwit Major	2 storey side and rear extension. Single storey rear extension.
2016/01326/FUL	A	58, Nant Talwg Way, Barry	Rear single storey extension.
2016/01329/FUL	A	4 & 6, St. Augustine's Road, Penarth	Hip to gable roof extensions dormer extensions and a single storey extension to No 6 together with alteration works.
2016/01331/FUL	R	71, John Batchelor Way, Penarth	Proposed extension to first floor balcony and changes to existing fenestration.
2016/01332/FUL	R	71, John Batchelor Way, Penarth	Proposed 2 storey rear extension.

2016/01334/FUL	A	9, Heol Gwendoline, Barry	Convert integral garage to a living room.
2016/01336/ADV	A	Home Bargains, Thompson Street, Barry	The retention of an ATM installed through existing glazing to the side of the premises (main road side) with a new red mullion to match the rest of the premises. Incorporating the ATM fascia with black bezel surround and white internally illuminated lettering Free Cash Withdrawals out of black.
2016/01337/PNT	A	Land at New Parc Farm, St. Donats	Installation of a 15m slim line monopole supporting 3 no. antennas, 1 transmission dish, 2 no. equipment cabinets at ground level and ancillary development.
2016/01338/FUL	A	Unit A, Ty Verlon Industrial Estate, Barry	Insert 3m x 3m metal roller shutter in west elevation.
2016/01343/FUL	A	1, Rogersmoor Close, Penarth	Single story gable to front of property to be raised to create an additional room on the 1st floor of the property and addition of pitched roof above existing detached garage.
2016/01345/FUL	A	36, Murlande Way, Rhoose	Demolition of existing garage structure and rebuild incorporating bedroom and en suite facilities.
2016/01355/FUL	A	73, Cornerswell Road, Penarth	Proposed single storey flat roof rear extension with loft conversion and rear dormer.
2016/01357/FUL	A	Southfield. 68, Cog Road, Sully	Detached double car garage.

2016/01359/FUL	A	7, Duffryn Crescent, Peterston Super Ely	Demolition and rebuilding of rear conservatory and the construction of a new build front porch.
2016/01383/FUL	A	144, Barry Road, Barry	Single storey rear flat roof extension.
2016/01385/FUL	A	The Old Dairy, Brook Farm, Llanmaes	Proposed log store, recycling area and hobby workshop.
2016/01426/RG3	A	6, Tordoff Way, Barry	Demolish Hawksley aluminium bungalow to existing floor slab level. Underpin existing foundation and re-build in brick facing cavity construction with new timber roof structure and covering. Carry out general landscaping repair works to the property. Existing rear extension to remain.
2016/01439/PNA	A	Pentre Hwnt Farm, Lane - Jct Llampha Farm to Jct Wallas Farm. Llampha	Grain store.

## 752 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 Enforcement Appeals received as detailed in the report be noted.
- (3) T H A T the Planning Appeal Decisions as detailed in the report be noted.
- (4) T H A T the Enforcement Appeals Decisions as detailed in the report be noted.
- (5) T H A T the statistics relating to Appeals for April 2016 to March 2017 as detailed in the report be noted.

## 753 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

2016/00860/TPO	A	Park Court, 4, Park Road, Barry	Yew Tree reduction and crown raise.
2016/01262/TPO	R	Land at 9, Tenby Close, Dinas Powys	Fell an Oak tree TPO No. 03-2002.
2016/01265/TPO	A	Land at Stumpy Reservoir, Barry	Works to trees in TPO No. 02-2005.
2016/01312/TCA	A	14, Plymouth Road, Penarth	Fell 1 Ash tree and crown lift 1 Ash tree in rear garden - Penarth Conservation Area.
2016/01314/TPO	R	Pathways, 2, Duffryn Crescent, Peterston Super Ely	Fell Lime tree in Front garden TPO no. 02-1959.
2016/01327/TCA	A	62, Plymouth Road, Penarth	A 30% reduction of a Sycamore tree in Penarth Conservation Area.
2016/01339/TPO	A	Land at 39, Westward Rise, Barry	Pruning of mature Ash TPO No. 09-2006.
2016/01348/TPO	A	Land at Ty Mawr, Bonvilston	Fell a Pine TPO No. 8-1973.
2016/01349/TCA	A	Land at Ty Mawr, Bonvilston	Fell a Pine TPO No. 8-1973.



2016/01350/TPO	A	Land Adjacent to Norman Cottages, Michaelston Le Pit	Fell 2 Ash and 1 Sycamore and Crown lift 1 Ash in TPO No 02-1954.
2016/01352/TPO	A	4, Raisdale Gardens, Penarth	Reduce crown of a Lime tree-TPO No.03-1982.
2016/01399/TCA	A	Rock House, 9, Beach Road, Penarth	Remove deadwood from Pine in Penarth Conservation Area.
2016/01448/TCA	A	Bondhuest, Greenfield Way, Llanblethian, Cowbridge	Copice Beech hedge and removal of one Beech tree from end of hedge within Cowbridge with Llanblethian Conservation Area.

#### 754 PLANNING APPLICATIONS –

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

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

**2015/00960/FUL** Received on 6 October 2015  
(P. 23)

Bonvilston Vale Limited & Village Homes LLP C/o Agent.  
Barton Willmore, Greyfriars House, Greyfriars Road, Cardiff, CF10 3AL

#### **Land at Sycamore Cross, Pendoylan Lane and North of A48, Bonvilston**

Development of 120 homes including affordable homes, new vehicle, pedestrian and cycle access, improvement works to Pendoylan Lane, regrading of site, drainage, landscape works, provision of public open space, demolition of existing modern timber stables and all associated works

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

- Procure that 20% (24 No.) of the dwellings built on the site pursuant to the planning permission are built and thereafter maintained as affordable housing units in perpetuity, of which at least 75% would be social rented properties, and the remaining 25% would be intermediate properties.

- To require the developer to enter into a highway legal agreement under the Highways Act 1980 with the Council, to provide the identified improvements to Pendoylan Lane (to chainage 400 metres) as approved under this application, which be fully completed prior to the occupation of the 100<sup>th</sup> dwelling or within 48 months from the commencement of development and to secure any required Traffic Regulation Orders appropriate to the highway safety of the scheme as a whole in accordance with a scheme which shall first have been submitted to and agreed in writing by the Local Highway Authority.
- The landowner shall safeguard the land (identified to undertake the remainder of the highway improvements to Pendoylan Lane) and not at any time dispose of or carry out any development of the land, in order to allow the Council the option to undertake highway improvements (for a period of 15 years).
- Pay a contribution of £500,000 for the provision or enhancement of education facilities towards meeting the needs of future occupiers.
- A scheme to ensure appropriate provision for future maintenance for the on-site public open space.
- The developer shall pay a contribution of £1.2m to Dwr Cymru Welsh Water to increase capacity at the Bonvilston East Wastewater Treatment Works to accommodate an additional 90 dwellings.
- In the event that the final costs of Bonvilston East Wastewater Treatment Works is less than £1.2m, Dwr Cymru Welsh Water shall pay the Council the difference.

APPROVED subject to no further comments being received which are materially different from the issues addressed in this report before 7<sup>th</sup> February, 2017 and having regard to all the submitted environmental information in accordance with Section 3(2) of the Regulations and subject to the following condition(s):

APPROVED subject to the following condition(s):

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

Reason:

To ensure that the development is implemented and progresses in a timely manner with specific regard to the current economic circumstances and state of the housing market which have been important material considerations in the determination of this application and the related legal agreement and in accordance with Welsh Assembly Government advice contained in Delivering Affordable Housing Using Section 106 Agreements: A Guidance Update (2009).

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

- Site Boundaries, Drg. No. CA10624-018D, 27 September 2016, amended plan received 29 September 2016;
- Proposed Site Plan, Drg. No. SP411-P01 Rev D, July 2015, amended plan received 12 January 2017;
- Proposed Site Plan-Plot Locations, Drg. No. SP411-P05 Rev D, August 2015, amended plan received 12 January 2017;
- Proposed External Works, Drg. No. SP411-P04 Rev C, August 2015, amended plan received 12 January 2017;
- House type plans for variations:-HA1, HA2, HA3, LCHO2, LCHO3, and Types A-H and J-L, as identified in Key to House Types and Elevational Variations, Drg. No. SP411-P20, August 2015, amended plans received 12 January 2017;
- Engineering layout, Drg. No. 3758-110 Rev F, June 2015, amended plan received 12 January 2017;
- General Arrangement Developed Design, Drg. No. SCB-CAP-00-00-DR-CE-001 Rev P06, 24 February 2016, amended plan received 12 January 2017;
- Drainage Layout, Drg. No. SCB-CAP-00-00-DR-CE-002 Rev P01, 24 February 2016, amended plan received 12 January 2017;
- Longsection, Drg. No. SCB-CAP-00-00-DR-CE-003 Rev P01, 24 February 2016, amended plan received 12 January 2017;
- Cross sections (1 of 2), Drg. No. SCB-CAP-00-00-DR-CE-004 Rev P01, 24 February 2016, amended plan received 12 January 2017;
- Cross sections (2 of 2), Drg. No. SCB-CAP-00-00-DR-CE-005 Rev P00, 24 February 2016, amended plan received 12 January 2017;
- Vehicle Swept Path Analysis: Refuse Vehicle, Drg. No. SCB-CAP-00-00-DR-CE-006 Rev P00, 23 May 2016, amended plan received 12 January 2017;
- Street Lighting Layout, Drg. No. SCB-CAP-00-00-DR-CE-007 Rev P00, 23 May 2016, amended plan received 12 January 2017;
- Typical Detailed Section, Drg. No. SCB-CAP-00-00-DR-CE-008 Rev P00, 6 September 2016, amended plan received 12 January 2017;
- Soft Works Layout-Residential Scheme, Drg. No. UG1504-LA-202 Rev 04, 6 January 2017, amended plan received 18 January 2017;
- Soft Works Layout - Pendoylan Lane, Drg. No. UG1504-LA-203 Rev 04, 13 July 2015, amended plan received 12 January 2017;
- Environmental Statement and Technical Appendices, comprising Main Text, Drawing and Figures (July 2015), plus an Addendum to the Environmental Statement (October 2015) and a further Revision of 2015 Environmental Statement and 2015 Environmental Statement Addendum (Ecology) (May 2016);
- Non-Technical Summary to Environmental Statement July 2015;
- Design and Access Statement and Addendum January 2017;
- Planning Statement 11 August 2015;
- Transport Assessment Revision B August 2015;
- Travel Plan Framework August 2015;
- Flood Risk Assessment June 2015;
- Drainage Strategy received 26 August 2015;
- ArbTS Arboricultural Report July 2015; and

- Wardell Armstrong Arboricultural Report December 2014.

Reason:

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

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

Reason:

In the interests of visual amenity and the character and appearance of the rural setting and Bonvilston Conservation Area, in accordance with Policies ENV4- Special Landscape Areas, ENV10- Conservation of the Countryside, ENV20- Development in Conservation Areas, ENV27- Design of New Developments and HOUS8- Residential Development Criteria of the Unitary Development Plan.

4. Prior to 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 and the development shall be carried out in full accordance with the approved details.

Reason:

In the interests of neighbouring and visual amenity and the character and appearance of the rural setting and Bonvilston Conservation Area, in accordance with Policies ENV4- Special Landscape Areas, ENV10- Conservation of the Countryside, ENV20- Development in Conservation Areas, ENV27- Design of New Developments and HOUS8- Residential Development Criteria of the Unitary Development Plan.

5. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policies ENV27- Design of New Development and ENV29- Protection of Environmental Quality of the Unitary Development Plan.

6. The detailed drainage scheme shall pay particular regard to the following:-
- Surface water drainage, showing how road and roof/yard water will be dealt with. If infiltration techniques are used, then the plan shall include the details of field percolation tests. Any calculation for onsite attenuation or discharge should also be included. The scheme shall be designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event plus climate change and not in any part of any building for the 1 in 100 year rainfall event plus climate change;
  - Scheme to provide an appropriate level of runoff treatment and will follow the principles identified within the submitted Flood Consequence Assessment;
  - An implementation/construction plan of the drainage systems to be provided;
  - Identification of all existing surface water drainage structures within the site and demonstrate that they are still utilised for their intended use, or that alternative provision is made;
  - Scheme shall demonstrate that flows within said structures are maintained during construction works and thereafter;
  - A written declaration detailing responsibility for the adoption and maintenance of all elements of the drainage system prior to beneficial occupation;
  - A maintenance schedule for the surface water system, including soakaways and infiltration basins; and
  - Provision of as-built drawings for the surface water drainage system.

Reason:

To minimise the risk of flooding and prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policies ENV7- Water Resources, ENV27- Design of New Development and ENV29- Protection of Environmental Quality of the Unitary Development Plan.

7. No more than 30 dwellings shall communicate with the public sewerage system until the necessary improvements to Bonvilston East Wastewater Treatment Works to accommodate the foul flows from the development hereby approved have been completed and confirmed in writing by the Local Planning Authority.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policies ENV27- Design of New Development and ENV29- Protection of Environmental Quality of the Unitary Development Plan.

8. Notwithstanding the submitted plans, full engineering details of the proposed highway works, including highway drainage, shall be submitted to and agreed in writing with the Local Planning Authority before their implementation on site. The development shall be implemented thereafter in accordance with the approved details.

Reason:

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

9. The approved access (including the associated works to Pendoylan Lane with the site frontage), as identified on Drg. No. SCB-CAP-00-00-DR-CE-001 P06 General Arrangement, amended plan received 12 January 2017, shall be implemented in full before the first beneficial occupation of any one of the dwellings hereby permitted.

Reason:

To ensure adequate access in the interests of highway safety in accordance with Policies ENV27- Design of New Developments and TRAN10- Parking of the Unitary Development Plan.

10. The development hereby permitted shall be implemented in accordance with the Travel Plan Framework dated August 2015 and prepared by Capita.

Reason:

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

11. Prior to the commencement of any works within the site or associated with new access, a Construction Traffic Management Plan, which shall include, details of construction site access (haulage routes); traffic management; hours of delivery; etc., shall be submitted to and approved in writing with the Local Planning Authority. All construction works shall fully accord with the agreed CTMP and no other local roads shall be used by construction traffic other than that agreed 'Construction Traffic Access Route'.

Reason:

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

12. The development hereby permitted shall be implemented in accordance with the recommendations contained in the Environmental Statement and Technical Appendices (July 2015), plus Addendum to the Environmental Statement (October 2015) and a further Revision of 2015 Environmental Statement and 2015 Environmental Statement Addendum (Ecology) (May 2016).

Reason:

In the interests of ecology and biodiversity and to ensure adequate mitigation for protected species in accordance with Policy ENV16- Protected Species of the Unitary Development Plan, TAN5- Nature Conservation and Planning, and the Conservation of Habitats and Species Regulations 2010.

13. The clearance of the site shall be carried out in accordance with the Method Statement in Appendix 2.4.13 and the Methodology in Section 2.4.361 of the Environmental Statement.

Reason:

In the interests of ecology and biodiversity and to ensure adequate mitigation for protected species in accordance with Policy ENV16- Protected Species of the Unitary Development Plan, TAN5- Nature Conservation and Planning, and the Conservation of Habitats and Species Regulations 2010.

14. Before the commencement of development, a scheme for the protection and enhancement of biodiversity on site shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall consider, but not be exclusively limited to:-
- Wildlife friendly (newt friendly) drainage;
  - Mammal/amphibian underpasses (dependent upon topography);
  - Wildlife kerbs;
  - Provision of bird nesting boxes on 25-50% of new residential units on site (target species are Swift, Starling, House Sparrow and House Martin);
  - Provision and protection of vegetated Dark flight corridors for light sensitive species of bat;
  - Retention of mature and semi-mature trees;
  - Retention of water features in a natural condition;
  - 7m buffer to water features;
  - 100mm gaps under all fences;
  - Native species in the planting scheme; and
  - Native wild flowers mix for open areas, rather than low diversity grass mixes.

The approved scheme shall be implemented on site and thereafter retained at all times in line with any agreed timescales.

Reason:

In the interests of ecology and biodiversity enhancement in accordance with Policy ENV16- Protected Species of the Unitary Development Plan, TAN5- Nature Conservation and Planning, and the Conservation of Habitats and Species Regulations 2010.

15. Before the commencement of development, a Japanese Knotweed strategy shall be submitted to, and approved in writing by the Local Planning Authority. The strategy will detail measures to be implemented to prevent the spread of Japanese Knotweed. The development shall be implemented thereafter in accordance with the approved scheme.

Reason:

In the interests of the environment in accordance with Policy ENV29- Protection of Environmental Quality of the Unitary Development Plan, and to address Schedule 9 of the Wildlife and Countryside Act 1981 (as amended).

16. 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:

In the interests of visual amenity and the character and appearance of the rural setting and Bonvilston Conservation Area, in accordance with Policies ENV4- Special Landscape Areas, ENV10- Conservation of the Countryside, ENV11- Protection of Landscape Features, ENV20- Development in Conservation Areas, ENV27- Design of New Developments and HOUS8- Residential Development Criteria of the Unitary Development Plan.

17. In line with the ArbTS Arboricultural Report (July 2015), 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. No development shall be commenced on site until the approved protection scheme has been implemented and the scheme of tree/ hedgerow protection shall be so retained on site for the duration of development works.



Reason:

To ensure the existing trees/hedgerows to be retained are safeguarded and in the interests of visual amenity and the character and appearance of the rural setting and Bonvilston Conservation Area, in accordance with Policies ENV4- Special Landscape Areas, ENV10- Conservation of the Countryside, ENV20- Development in Conservation Areas, ENV27- Design of New Developments and HOUS8- Residential Development Criteria of the Unitary Development Plan.

18. Notwithstanding the submitted plans, further details of the means of enclosure associated with the development hereby approved, shall be submitted to and agreed in writing by the Local Planning Authority. The details shall pay particular regard to the external boundaries of the site, including the relationship between the proposed acoustic fencing and retained hedgerows, to ensure that the development reflects its rural location. The means of enclosure shall be implemented in accordance with the approved details prior to the first beneficial occupation of the associated residential units, and thereafter retained and maintained as such.

Reason:

In the interests of visual amenity and the character and appearance of the rural setting and Bonvilston Conservation Area, in accordance with Policies ENV4- Special Landscape Areas, ENV10- Conservation of the Countryside, ENV20- Development in Conservation Areas, ENV27- Design of New Developments and HOUS8- Residential Development Criteria of the Unitary Development Plan.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and the Town and Country Planning (General Permitted Development) Order 1995, (or any Orders revoking or re-enacting those Orders with or without modification), no gates, fences, walls or other means of enclosure, other than those approved under Condition 17, shall be erected, constructed or placed on plot Nos. 1, 2, 8, 13, 14, 18-21, 43, and 45-50 without the prior written consent of the Local Planning Authority.

Reason:

In the interests of visual amenity and the character and appearance of the rural setting and Bonvilston Conservation Area, in accordance with Policies ENV4- Special Landscape Areas, ENV10- Conservation of the Countryside, ENV20- Development in Conservation Areas, ENV27- Design of New Developments and HOUS8- Residential Development Criteria of the Unitary Development Plan.

20. Full details of the layout of the public open space areas, including details of surfacing, enclosures, play equipment, seating, and the future management and maintenance of the sites to allow public access, shall be submitted to and

approved in writing by the Local Planning Authority. Each area of public open space shall be implemented in accordance with the agreed details before the first beneficial occupation of any one of the neighbouring residential properties hereby permitted.

Reason:

In the interests of visual and neighbouring amenity, and the adequate provision of public open space, in accordance with Policies ENV27- Design of New Developments, REC3- Provision of Public Open Space for New Developments, REC6- Children's Play Facilities, and REC7- Sport and Leisure Facilities of the Unitary Development Plan.

21. The development shall be implemented in accordance with the proposed noise mitigation measures outlined in the accompanying Environmental Statement prior to the first beneficial occupation of any individual dwelling for which the mitigation measures have been identified.

Reason:

To ensure that adequate noise mitigation is implemented for those properties adversely affected in accordance with Policies ENV27- Design of New Developments, ENV29- Protection of Environmental Quality of the Unitary Development Plan and national guidance contained in TAN11- Noise.

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

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies ENV27- Design of New Developments and ENV29- Protection of Environmental Quality of the Unitary Development Plan.

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

0800 – 1800 Mon – Fri  
0800-1300 Saturday

Unless such work –

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

Reason:

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

24. The approved internal road layout and car parking provision, including private curtilage parking and on-street bays, as identified on Drg. No. SP411-P01 Rev D Proposed Site Plan, amended plan received 12 January 2017, shall be implemented in full before the first beneficial occupation of their associated residential units. The car parking provision shall thereafter be retained for use exclusively in connection with their associated residential units.

Reason:

To ensure adequate on-site car parking for residents and visitors in the interests of highway safety in accordance with Policies ENV27- Design of New Developments and TRAN10– Parking of the Unitary Development Plan.

### Reasons for decision

The decision to grant planning permission had been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which 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 was considered that the development complied with the sustainable development principle and satisfied 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 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, 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, ENV20- Development in Conservation Areas, ENV21- Demolition 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, HOUS11- Residential Privacy and Space, HOUS12- Affordable Housing, TRAN9- Cycling Development, TRAN10- Parking, REC3- Provision of Public Open Space for New Developments, REC6- Children's Play Facilities, REC7- Sport and Leisure Facilities, and Strategic Policies 1 & 2- The Environment, 3- Housing, 7- Transportation Network Improvement, 8- Transportation and 14- Community Facilities of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on Amenity Standards, Affordable Housing Draft, Biodiversity and Development, Design in the Landscape, Model Design Guide for Wales, Parking Standards, Planning Obligations, Trees and Development, and the Bonvilston Conservation Area Appraisal and Management Plan; and national guidance contained in Planning Policy Wales (Edition 9, 2016) and TAN1- Joint Housing Land Availability Study, TAN2- Planning and Affordable Housing, TAN5- Nature Conservation and Planning, TAN6- Planning for Sustainable Rural Communities, TAN10- Tree Preservation Orders, TAN11- Noise, TAN12- Design, TAN16- Sport, Recreation and Open Space, TAN18- Transport, and TAN23- Economic Development, it was considered that, based on the material considerations outlined within the report, the proposal represents an acceptable and sustainable form of residential development, that justifies a departure from the current development plan. In addition it was considered that, subject to appropriate conditions, the proposal should have no significant adverse impact on highway safety; the character and appearance of the area, including the Bonvilston Conservation Area and the surrounding rural landscape of the nearby Special Landscape Areas; neighbouring and general amenities; and other issues such as ecology, drainage, flood risk, noise, and archaeology. The proposals therefore complied with the relevant national planning policies and supplementary planning guidance.

**2016/00115/OUT** Received on 7 April 2016

(P. 105)

Cogan Hill Ltd., Jehu/Hendre, c/o Agent

Mr. John Wotton, Greyfriars House, Greyfriars Road, Cardiff, CF10 3AL

### **Land at Cogan Hill, Penarth**

Ground plus 4 storey new build proposal to provide 44 affordable housing units

DEFERRED – For site visit.

**2016/00659/FUL** Received on 28 June 2016

(P. 140)

Mr. Steve Simpson Equorium, c/o Agent

John Wotton John Wotton Architects, Greyfriars House, Greyfriars Road, Cardiff, CF10 3AL

**Ashdene Manor, Bridgeman Road, Penarth**

Conversion of existing building into 3 apartments with new build extensions of 6 apartments

DEFERRED – For site visit.

**2016/00809/FUL** Received on 12 August 2016

(P. 166)

Churchill Retirement Limited Millstream House, Parkside, Ringwood, BH24 3SG

Mr. Simon Cater Planning Issues Limited, Millstream House, Parkside, Ringwood, BH24 3SG

**Land to the rear of Westgate (East of Eagle Lane), Cowbridge**

Redevelopment to form 38 retirement apartments for elderly including communal facilities, access, car parking and landscaping

RESOLVED – T H A T Members of the Planning Committee noted the conclusions within the report and agreed that these form the basis of the Council's case in the current non-determination appeal and that the application would have been refused for the following reasons, subject to granting delegated authority to the Chief Officer(s) to amend the Council's stance at appeal in light of new material considerations.

1. The development will have a significant detrimental effect on the character and appearance of the site and its surroundings. As such the proposal would neither preserve nor enhance the character and appearance of the Cowbridge with Llanblethian Conservation Area. It is therefore contrary to ENV17- Protection of Built and Historic Environment, ENV20- Development in Conservation Areas, ENV27- Design of New Developments, HOUS8- Residential Development Criteria – Policy House 2 Settlements and Strategic Policy 1- The Environment of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on the Cowbridge with Llanblethian Conservation Area Appraisal and Management Plan; and national guidance contained in Planning Policy Wales, Technical Advice Note 12- Design and Welsh Office Circular 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas (as amended).
2. The development will cause harm to the setting of three listed buildings within the vicinity of the site, namely Nos. 1 & 3 Westgate, the wall adjoining Eagle Lane and Woodstock House, and Woodstock House (83 High Street).

Accordingly, the development conflicts with policy ENV17- Protection of Built and Historic Environment of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on the Cowbridge with Llanblethian Conservation Area Appraisal and Management Plan; and national guidance contained in Planning Policy Wales and Welsh Office Circular 61/96 - Planning and the Historic Environment: Historic Buildings and Conservation Areas (as amended).

3. The proposal would have an unacceptable adverse impact on the residential amenities currently enjoyed by the occupants of existing properties and an unacceptable impact on the privacy of some of the future occupiers of the development, contrary to Policies ENV27- Design of New Developments, and HOUS8- Residential Development Criteria – Policy House 2 Settlements of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on Amenity Standards; and national guidance contained in Planning Policy Wales.
4. The development would result in the unjustified wholesale loss of the existing business premises still in active use and, as such, would conflict with UDP policy EMP 4– Protection of Land for Employment Uses of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, and national guidance contained in Planning Policy Wales.
5. The applicant has failed to demonstrate that the development would not have an adverse impact upon an archaeological resource. Accordingly, the proposal is considered to conflict with ENV18 – Archaeological Field Evaluation of the of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and national guidance contained in Planning Policy Wales and Welsh Office Circular 60/96 - Planning and the Historic Environment: Archaeology.
6. The proposal will have an impact upon European Protected Species without imperative reasons of overriding public interest nor with evidence that satisfactory alternatives have been explored. Accordingly, the proposal fails to comply with Article 16 of the EC Habitats Directive, Policy ENV16 - Protected Species of the Unitary Development Plan and the Council's adopted Supplementary Planning Guidance on Biodiversity and Development, along with national guidance contained in Planning Policy Wales and TAN5 - Nature Conservation and Planning, plus the Conservation of Habitats and Species Regulations 2010.
7. The applicant has failed to agree to adequately mitigate the impact of the proposed development via an appropriate Section 106 agreement, contrary to contrary to the aims of Strategic Policies 1 & 2 and policies ENV27 - Design of New Developments, HOUS8 - Residential Development Criteria – Policy House 2 Settlements, HOUS12 - Affordable Housing, and REC3 – Provision of Open Space within New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; the Council's Supplementary Planning Guidance on Planning Obligations, Affordable Housing and Planning Obligations and Public Art; and National Planning guidance contained in

Planning Policy Wales, Technical Advice Notes 2 - Affordable Housing, 12 - Design, 16 - Sport, Recreation and Open Space and 18 - Transport, and Welsh Government advice contained in "Delivering Affordable Housing Using Section 106 Agreements: A Guidance Update" (2009).

**2016/00833/CAC** Received on 16 August 2016  
(P. 212)

Churchill Retirement Limited Millstream House, Parkside, Ringwood, BH24 3SG  
Mr. Simon Cater Planning Issues Limited, Millstream House, Parkside, Ringwood, BH24 3SG

### **Land to the rear of Westgate (East of Eagle Lane), Cowbridge**

Redevelopment to form 38 retirement apartments for elderly including communal facilities, access, car parking and landscaping

RESOLVED – T H A T Members of the Planning Committee noted the conclusions within the report and agreed that these form the basis of the Council's case in the current non-determination appeal and that the application conservation area consent would have been refused for the following reason:

1. Having regard to the failure to provide satisfactory proposals to redevelop the site, the proposed demolition is not considered to accord with Circular 61/96: Planning and the Historic Environment: Historic Buildings and Conservation Areas, the Council's adopted Cowbridge with Llanblethian Conservation Area Appraisal and Management Plan, Planning Policy Wales and Policy ENV21 – Demolition in Conservation Area, of the Vale of Glamorgan Adopted Unitary Development Plan (1996 - 2011).

**2016/00927/FUL** Received on 27 July 2016  
(P. 221)

Mr. Rhys Williams c/o agent  
Mrs. Arran Dallimore C2J Architects & Town Planners, Unit 1a, Compass Business Park, Pacific Road, Ocean Park, Cardiff, CF24 5HL

### **33, Holton Road, Barry**

Proposed conversion and extension of existing property to form ground floor commercial units with 7 self-contained apartments at ground, first and second floors. On site cycle parking, and refuse storage facilities

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 two of the flats of the development pursuant to the planning permission are developed and thereafter maintained as affordable housing units in perpetuity.

- Provide an additional off-site contribution towards affordable housing of £7,743.00
- Provide an off-site contribution towards Public Open Space of £17,863

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: AL(00)04D and AL(00)03 C.

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. The external finishes of the development hereby approved shall match those of the existing building.

Reason:

To safeguard local visual amenities, as required by Policy ENV27 of the Unitary Development Plan.

4. 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.

5. The window in the side (east) elevation (facing 35 Holton Road) at first and second floor level shall be glazed using obscured glass to a minimum of level 3 of the "Pilkington" scale of obscuration at the time of the construction of the development hereby approved and prior to the first occupation of the flats Nos 2 to 7 hereby approved and shall thereafter be so maintained at all times.



Reason:

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

6. The cycle provision shown on the approved plans shall be completed prior to the first beneficial occupation of the any of the flats hereby approved and thereafter kept free of obstruction and available for the parking of cycles associated with the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

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

7. The amenity area as shown on plan AL(00)03 C shall be available for use at all times for the occupants of all of the flats hereby approved.

Reason:

To provide suitable shared amenity space, in accordance with ENV 27 and TRAN 10 of the adopted Unitary Development Plan.

8. A traffic regulation order to partially remove the extent of the parking restrictions along the side of the site on Lombard Street (as per the attached plan and highlighted in red) to provide an additional potential on-street parking space shall be fully implemented prior to the first beneficial use of any of the flats hereby approved.

Reason:

To provide additional on-street parking provision, in accordance with policies TRAN 10, ENV 27 and HOUS 8 of the adopted Unitary Development Plan.

### Reasons for decision

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

It was considered that the development complied with the sustainable development principle and satisfied 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 ENV27 (Design of new developments), HOUS2 (Additional residential development), HOUS8 (Residential Development Criteria) and TRAN10 (Parking) of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, it was considered that the proposals were acceptable, by reason of their appropriate design, materials and scale, with no significant detrimental impact to the character of the area, or the amenities of neighbouring occupiers. The proposals therefore complied with the relevant planning policies and supplementary planning guidance.

**2016/01158/FUL** Received on 23 November 2016  
(P. 248)

Mr. Gerwyn Pugh 4, Glan-Y-Mor, Barry, Vale of Glamorgan, CF62 6FF  
Mr. Gerwyn Pugh 4, Glan-Y-Mor, Barry, Vale of Glamorgan, CF62 6FF

#### **4, Glan Y Mor, Barry**

Two storey extension to rear of property

**REFUSED** (Written Recommendations)

#### **Reasons for decision**

1. By reason of its design and form, the extension fails to complement the character and appearance of the terrace, and given the prominence from public views, it would result in a significant adverse impact on the character and appearance of the building and visual amenity of the wider area that would also be contrary to Policy ENV27- Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; and national guidance contained in Planning Policy Wales (Edition 9) and Technical Advice Note 12 - Design, and the Council's Amenity Standards and Barry Development Guidelines Supplementary Planning Guidance.
2. By virtue of the size and form, the extension would result in an un-neighbourly form of development which would be overbearing, result in an unreasonable loss of light and have an adverse shading effect towards the habitable rooms at No. 5, thereby unacceptably impacting upon the residential amenities of the occupiers. Therefore the proposal is considered to be contrary to Policy ENV27 of the Vale of Glamorgan adopted Unitary Development Plan 1996-2011 and the Council's Supplementary Planning Guidance on Amenity Standards.

**2016/01236/OUT** Received on 24 October 2016

(P. 262)

Mr. and Mrs. Reade, 6, Salmon Wood, Graig Penllyn, Vale of Glamorgan, CF71 7SB  
Mr. Robert Hathaway, Plan R Ltd, 39, Merthyr Mawr Road, Bridgend, CF31 3NN

**Land rear of 6, Salmons Wood, Graig Penllyn**

Erection of two dwellings including access and parking

**REFUSED** (Written Representations)

**Reason for decision**

1. The proposal represents an unjustified and unacceptable form of residential development in a countryside location, involving the loss of potentially best and most versatile agricultural land, and adversely affecting an existing public right of way, that would detract from the undeveloped and unspoilt character of the surrounding rural landscape contrary to Policies ENV1- Development in the Countryside, ENV2- Agricultural Land, ENV10- Conservation of the Countryside, ENV27- Design of New Developments, HOUS2- Additional Residential Development, HOUS3- Dwellings in the Countryside, HOUS8- Residential Development Criteria, REC12- Public Rights of Way and Recreational Routes, and Strategic Policies 1 & 2- The Environment of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on Design in the Landscape; and national guidance contained in Planning Policy Wales, TAN12- Design and TAN16- Sport, Recreation and Open Space.