

## PLANNING COMMITTEE

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

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

Also present: Councillor A.C. Williams.

### List of Public Speakers:

<b>Name of Speaker</b>	<b>Planning Application No. and Location</b>	<b>Reason for Speaking</b>
Mr. D. Marles	2016/00659/FUL – Ashdene Manor, Bridgeman Road, Penarth	Objector or their representative
Mr. G. Forrest	2016/01471/FUL – 13 Knowbury Avenue, Penarth	Objector or their representative
Mrs. P. Forrest	2016/01471/FUL – 13 Knowbury Avenue, Penarth	Objector or their representative
Mrs. E. Clark	2017/00020/FUL – 69 Plymouth Road, Penarth	Objector or their representative
Dr. A. Grant	2017/00020/FUL – 69 Plymouth Road, Penarth	Objector or their representative
Mr. P. Mullany	2017/00020/FUL – 69 Plymouth Road, Penarth	Applicant or their representative

Councillor Williams spoke on the following application, in his capacity as a Vale of Glamorgan Member for the Plymouth Ward, 2016/00659 – Ashdene Manor, Bridgeman Road, Penarth.

### 872 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”.

### 873 APOLOGIES FOR ABSENCE –

These were received from Councillors E. Hacker and Mrs. A.J. Preston.

## 874 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 2<sup>nd</sup> February, 2017 be approved as a correct record.

## 875 DECLARATIONS OF INTEREST –

Councillor A. Parker	<p>Agenda Item No. 7 – Appeals. The nature of the interest was that Councillor Parker was an architect to one of the applications.</p> <p>Councillor Parker vacated the room whilst this application was under consideration.</p>
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## 876 SITE INSPECTION (MD) –

RESOLVED – T H A T the attendance of the following Councillors at the site inspection indicated below on 2<sup>nd</sup> February, 2017 be noted:

Apologies were received from Councillor Mrs. M.R. Wilkinson (Vice-Chairman); Councillors Mrs. P. Drake, E. Hacker, H.C. Hamilton, Mrs. V.M. Hartrey, R.A. Penrose and A.G. Powell.

Land at Sycamore Cross, Pendoylan Lane and North of A48, Bonvilston	Councillor F.T. Johnson (Chairman); Councillors J.C. Bird, J. Drysdale, A. Parker and G. Roberts.
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## 877 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.

878 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:

**Decision Codes**

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

2015/00570/2/N MA	A	Site on Woodlands Road Junction with Tynewydd Road, Woodlands Road, Barry	New proposed development of 27 new apartments in a 1 bed and 2 bed mix.
2015/00647/1/N MA	R	2 Stanwell Road, Penarth	Non-material Amendment-Proposed substitution of Juliet balconies with balconies to top floor apartment to rear. Proposed cantilevered projection to first floor balcony to rear of property. Minor window and door amendments.

2016/00387/FUL	A	Hazelhurst Lodge, Sully Road, Penarth	Change of use from private dwelling to D1 children's day nursery. Existing parking and waste disposal areas are already suitable for the change of use. No external alterations to the building are required.
2016/01024/FUL	A	1, Barons Close House, East Street, Llantwit Major	Change of use from A1 to D1. The business is a private Podiatry clinic.
2016/01058/FUL	A	16, Seaview Place, Llantwit Major	Ground and first floor extension to the rear of the property, with a garage extension and utility room to the side of existing property.
2016/01076/FUL	A	UWC Atlantic College, St. Donats	Erection of a new estate maintenance building and provision of yard with associated parking areas and bin storage.
2016/01090/FUL	A	Hazelhurst Nursing Home, Sully Road, Penarth	Rear extension to create six additional bedrooms and larger living space plus relocation of solar panels.
2016/01180/FUL	R	22, King Street, Penarth	Decking - 5m x 5m on upper terrace of the outside space.
2016/01193/FUL	A	Plaisted House, Llanmaes	Extension to existing dwelling.
2016/01208/FUL	A	32, Hickman Road, Penarth	Replace shop front and door.
2016/01222/FUL	A	6, Mountjoy Close, Penarth	Demolition of garage and construction of two storey extension to side of property.

2016/01225/FUL	A	Caia House, St. Nicholas	Part demolish existing substandard parts of house and integral garage. Part extension/refurbishment of property to provide additional living/bedroom space and detached garage. Upgrading of exterior.
2016/01237/RES	A	The Stable, Corntown Road, Corntown	Reserved matters application for One dwelling- Appearance, landscaping and layout of the development.
2016/01255/FUL	A	Apple Tree Cottage, Hensol	Demolition of existing garage. Proposed new garage, altered access and extension to house.
2016/01260/FUL	A	Fern Bank, Pen y Lan Road, Aberthin	Proposed first floor extension.
2016/01261/FUL	A	Old Place, Castle Street, Llantwit Major	Extension of existing Grade II listed two-storey house located within the Llantwit Major Conservation Area. The alterations comprise new roof lights and French doors to existing north rear wing and replacement of existing lean-to east extension with a larger gable roofed extension.
2016/01280/FUL	A	4 Nant-Yr-Adar, Llantwit Major	Demolish existing single skinned single storey flat roofed building and replace with double skinned single storey extension with a pitched roof.
2016/01308/FUL	A	Windsor Court, 21, The Esplanade, Penarth	Change of use from caretakers flat to A1 use together with alterations.

2016/01319/FUL	A	Coppers End, 8, Kingswood Close, Ewenny	Rear and side extension.
2016/01322/FUL	A	Jordan Civils Ltd., Vale Business Park, Tumulus Way, Llandow	Erection of 1 no. large building containing 6 no. small industrial units.
2016/01323/LBC	A	Old Place, Castle Street, Llantwit Major	Extension of existing Grade II listed two-storey house located within the Llantwit Major Conservation Area. The alterations comprise new roof lights and French doors to existing north rear wing and replacement of existing lean-to east extension with a larger gable roofed extension.
2016/01351/FUL	A	Land to the rear of West Rise, Bonvilston	Proposed new 5 bar gate into existing paddock.
2016/01356/FUL	A	The Old Police House, Ffordd yr Eglwys, Peterston Super Ely	Conversion of an open car port into new enclosed room. Replace timber store room door with new window. Alterations to windows to 2 bedrooms, lounge and kitchen diner.
2016/01363/FUL	A	Brooklands, Brook Lane, St Nicholas	Renewal of planning permission 2011/00898/FUL (variation of condition 1) for a new detached dwelling to extend the time period for the commencement of development by 5 years.

2016/01364/FUL	A	12, Paget Place, Penarth	Two conservation style Velux windows, next to each other on the front elevation of the roof. Also to place one Velux window on the side of the roof, with two additional Velux windows to the rear of the property.
2016/01365/LBC	A	77, Eastgate, Cowbridge	Rear extension, reordering internal layout, replacement of windows and doors, repair to stonework and render, repairs to roof, new zinc cladding to lean-to roof, and replacement of existing rain water goods.
2016/01368/FUL	A	April Rise, Church Lane, Welsh St. Donats	Two storey side extension converting existing garage and a single storey extension to the front of existing property. New wrap-around balcony to rear and side of the property.
2016/01369/FUL	A	25, Elfed Avenue, Penarth	Proposed two storey rear extension to provide kitchen/dining and living room with 2 no. bedrooms above with internal alterations to provide ground floor disabled bedroom and WC/shower room.
2016/01370/FUL	A	Enclosure 8807, Sigingstone Lane, Llanmaes	Agricultural Shed - Construction of a steel framed storage and processing barn to support and provide appropriate facilities relating to the existing market garden business.

2016/01372/FUL	A	Kymin Cottage, Beach Lane, Penarth	Install Velux conservation rooflights - East roof and middle West roof.
2016/01376/FUL	A	Penuchadre Farm, Wick Road, St. Brides Major	Dairy building.
2016/01377/FUL	A	Pheasant Acre Plants, Llangan	Erection of a polytunnel and glasshouse (part retrospective).
2016/01380/FUL	A	Ty Twyn, Mill Road, Dinas Powys	Retention of development as built, consisting of erection of dormer window and fenestration alterations to rear elevation of property.
2016/01382/FUL	A	22, Heol Corswigen, Barry	Single storey rear extension.
2016/01384/FUL	A	Tyr Orsaf, 1, Fort Road, Lavernock	Conservatory extension.
2016/01386/FUL	A	Liege Manor, Bonvilston	Provision of car port.
2016/01391/FUL	A	1, Grays Walk, Cowbridge	Proposed first floor extension and porch.
2016/01392/FUL	A	4, Ringwood Crescent, St. Athan	Single storey rear and side extension.
2016/01393/FUL	A	25, Starling Road, St. Athan	The development is a single storey extension to the side of the existing property. This includes a new downstairs toilet, playroom and a room in the attic space.
2016/01396/FUL	A	Greystones, 45, Highwalls Avenue, Dinas Powys	Erection of front terrace, alterations to windows and two storey rear extensions.
2016/01400/FUL	A	Glenbrook, Llandow	To replace the white PVCU conservatory to the rear of the dwelling house and replace roof with replica roof tiles.



2016/01403/FUL	A	23, Augusta Road, Penarth	Single storey rear extension plus dormer extension and associated works.
2016/01404/LBC	A	Plaisted House, Llanmaes	Extension to existing dwelling.
2016/01409/FUL	A	Braeside, Gwern y Steeple	Pitched roof to dormer. Front and rear.
2016/01411/FUL	A	16, St. Owains Crescent, Ystradowen	Two storey side extension with single storey canopy and flue.
2016/01413/LBC	A	Kingscombe, Llanmihangel Road, Llanblethian, Cowbridge	Removal and re-instatement of slate roof and lead gully.
2016/01415/FUL	A	1, Hastings Place, Penarth	Proposed single storey rear kitchen extension.
2016/01416/FUL	A	Valeview, St. Nicholas	Orangery extension to rear elevation.
2016/01417/FUL	A	12, Brean Close, Sully	New conservatory and boundary fence.
2016/01418/LAW	A	30, High Street, Penarth	Loft conversion with rear elevation dormer.
2016/01419/FUL	A	Turkey Oak House, Llanmaes	To construct a single storey contemporary glazed extension to the rear of a double storey residential dwellinghouse in place of an existing conservatory.
2016/01420/FUL	A	23, Fairfield Road, Penarth	New rear and side, ground floor extension and erection of new shed/garage.

2016/01422/ADV	A	HSBC, 85, Holton Road, Barry	Replacement of the existing external 'HSBC' signage with 'HSBC UK' equivalents. Removal of existing panel including telephone number and replaced with matching white powder coated aluminium panel.
2016/01424/FUL	A	29, Slade Road, Barry	Demolish existing glazed porch to rear elevation. Construct new single storey flat roofed kitchen extension.
2016/01428/FUL	A	1, Lower Cwrt Y Vil Road, Penarth	This application is for an amendment to the original planning consent 2014/00089/FUL approved 21/03/2014 to include a replacement facing brick boundary wall, part rendered front elevation and brick cladding to a part rendered chimney breast.
2016/01429/FUL	A	117, Plymouth Road, Penarth	Single storey rear extension to provide new kitchen and dining space.
2016/01432/FUL	A	20, Maillards Haven, Penarth	Proposed single storey rear and side extensions.
2016/01440/FUL	A	84, Shakespeare Avenue, Penarth	Proposal for a single storey flat roof annex building at rear of plot to accommodate home gym and ancillary spaces. To be constructed at the same time as the works proposed under previously approved application 2016/00971/FUL.
2016/01446/FUL	A	Site N2A, Holton Reach, Barry	Community centre and place of worship with car parking and landscaping.

2016/01447/FUL	A	Pendennis, 39, Cog Road, Sully	Two storey side and rear extensions.
2016/01449/FUL	A	18, Fonmon Road, Rhoose	Proposed roof conversion with altered ridge height to form additional bedrooms.
2016/01450/FUL	A	87, Porth y Castell, Barry	To demolish existing flat roof kitchen/sun lounge to rear elevation and construct new kitchen/living and dining room.
2016/01451/FUL	A	Twyn Bach, St. Nicholas	Single storey garage to side, single storey extension off kitchen, new enclosed front porch, replacement of bressumer beams above bay windows, replacement windows and doors to Twyn Bach.
2016/01454/FUL	A	The Old Brewhouse, Drope Lane From St. Brides Super Ely to River Ely, St. Brides Super Ely	Erection of a two storey side extension involving the demolition of the existing garage and conservatory. The proposed extension will include a new garage and living/dining area on the ground floor, and two no. bedrooms and a new shower/toilet room on the first floor.
2016/01455/FUL	A	71, Geraints Way, Cowbridge	Rear dormer extension.
2016/01459/FUL	A	2, Burdons Close, Wenvoe	Installation of UPVC window to rear wall of garage.
2016/01460/FUL	A	23, Maes Lindys, Rhoose	To convert one of a pair of garages into a reception room.

2016/01468/RES	A	South Quay, Barry Waterfront, Barry	Construction of rockfall protection fence and substation for South Quay Phase.
2016/01474/LAW	A	Ty Gwyn, 21-23, Stanwell Road, Penarth	Discharge of conditions 3 attached to planning permission 2012/01206/FUL.
2016/01475/LAW	A	The Paddocks, Heol Sant y Nyll, St. Brides Super Ely	Residential dwelling.
2016/01484/FUL	A	Petrol Station. WM Morrison Supermarkets Plc, Heol Ceiniog, Barry	Proposed side extension to an existing PFS Kiosk. The extension will provide additional retail space. The proposed materials will be brickwork to match the existing PFS kiosk.
2016/01500/FUL	A	61, Norwood Crescent, Barry	Single storey rear extension for disabled accommodation.
2016/01519/FUL	A	13, Monmouth Way, Boverton, Llantwit Major	Two storey side extension plus single storey front extension and associated works.
2016/01532/OBS	B	Cardiff Marine Village, Penarth Road, Leckwith, Cardiff	Erection of new industrial building for boat maintenance at existing Cardiff Marine Village.
2017/00003/OBS	N	Land off Horsefair Road, Waterton Industrial Estate, Bridgend	Vary conditions 1 and 5 of P/16/472/FUL.

879 APPEALS (HRP) –

RESOLVED –

- (1) T H A T the Planning Appeal Decisions as detailed in the report be noted.
- (2) T H A T the statistics relating to Appeals for April 2016 to March 2017 as detailed in the report be noted.

## 880 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

2016/01107/TCA	A	Llanblethian House, Church Road, Llanblethian, Cowbridge	Reduction of Ash and Oak trees above Conifer screen, removal of Eucalyptus and reduction of large Macrocarpa by one third and shape.
2016/01259/TPO	A	Land at Orchard House Residential Home, 3, Colcot Road, Barry	Various works to trees in TPO No. 01-2004.
2016/01263/TPO	A	Land at The Old Chapel, College Fields Road, Barry	Crown lift and crown thin tree TPO No. 06-1986.
2016/01264/TPO	A	Land at 2 Hollyrood Close, Highlight Park, Barry	Fell Silver Birch TPO No. 19-2004.
2016/01335/TPO	A	Kiln House, Colwinston	Works to Sycamore tree.
2016/01354/TPO	A	Oak View House, 22, Cudd Y Coed, Barry	Works to two Oak Trees in front garden - TPO No. 08 2002.
2016/01395/TCA	A	Moorcroft, Albert Crescent, Penarth	Coppice a Silver Birch tree within the Penarth Conservation Area.
2016/01435/TPO	A	Land at 90, Fontygary Road, Rhose	Removal of two Ash from Tree Preservation Order No. 23, 2007.
2016/01443/TPO	A	Castle Wood, Rear of Lettons Way, Dinas Powys	5 year management plan for woodlands, Tree Preservation Order No. 02, 1954.

2016/01445/TPO	A	16, Nant Lais, Corntown	Reduce canopy of Sycamore, crown lift on adjacent Sycamore, crown lift on Ash and remove dead wood from Tree Preservation Order No. 14, 2005.
2016/01463/TCA	A	Tuar Gaer, St. Nicholas	Remove two Bay trees from front garden in St. Nicholas Conservation Area.
2016/01488/TCA	A	The Chippings, Bridge Road, Llanblethian, Cowbridge	Fell false Cypress and flowering Cherry in Cowbridge with Llanblethian Conservation Area.
2016/01498/TCA	A	St. Annes, 20, Victoria Road, Penarth	Remove 2 Conifers and reduce 1 Bay.
2016/01502/TCA	A	Wenvoe Community Centre, Old Port Road, Wenvoe	Fell Tulip tree in Wenvoe Conservation Area.
2016/01512/TCA	A	21, Birch Grove, Barry	Remove Elder and Acer.
2016/01526/TCA	A	Kiln House, Colwinston	Works to Walnut and Weeping Pear trees.

#### 881 ENFORCEMENT ACTION (HRP) –

RESOLVED – T H A T a report be prepared for Member's information providing an update on all enforcement cases that have been subject to Planning Committee determination.

##### (i) Land and Buildings and Hafod Lodge, Hensol

The report related to the alternations to an outbuilding at the property known as Hafod Lodge in Hensol. These consisted of the construction of velux windows and the installation of a clock tower.

Hafod Lodge was a listed building. The property and its garden shared a boundary with the main highway through Hensol. The property was also at the main entrance to Hensol Park and Castle.

In terms of the details of the breach, the report advised that planning permission had been granted for the outbuilding in 2012 by virtue of application 2012/00466/FUL. Since its construction, the building had been altered with the addition of two velux roof lights in the south facing roof slope of the building together with the construction of a clock tower at the highest point of the roof, approximately a metre above its ridge.

The alterations to the building did not benefit from permitted development rights granted under the Town and Country Planning (General Permitted Development) Order 1995 and, therefore, required the benefit of planning permission. That permission had not been granted.

#### RESOLVED –

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

- (i) The removal of the alterations to the outbuilding in the form of the clock tower / turret;
- (ii) The closing up of any resultant gap in the roof using materials to match the existing.

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

#### Reason for decisions

(1&2) The alteration to the outbuilding in the form of the clock tower / turret, by reason of its height, design and the location of the building within the setting of a Listed Building, is considered to be an unacceptable form of development. The alteration fails to respect its context and is considered to have a harmful impact on the amenity of the area and the setting of the Listed Building. As such, the development is considered to conflict with Policy ENV17 – Protection of Built and Historic Environment, ENV27 – Design of New Developments, and HOUS7 – Replacement and Extension of Dwellings in the Countryside, of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, in addition to the Amenity Standards Supplementary Planning Guidance and Circular 61/96 – Planning and Historic Environment: Historic Buildings and Conservation Areas (as amended).

(ii) Land and Buildings and Field to the North of The Butts, Llanmaes

The report advised that the Local Planning Authority had received a number of complaints dating from 7<sup>th</sup> October, 2016, concerning the siting of shipping containers and general condition of land to the north of Llanmaes.

The site was a narrow field parcel, approximately 0.9 acres in size. The field was bound to the north by hedgerow and to the south (towards Llanmaes) by mature trees and hedgerow. The site was agricultural land in open countryside.

Following a site inspection and discussion with the owners of the site, it was noted that four steel shipping containers had been cited on the land, as well as cars, caravans and a sailing vessel / boat. Officers had inspected the steel containers and they provided storage for a number of items including tools, plant and machinery, chainsaws, generators, fuels, tyres and foodstuffs. The owner of the land had indicated that he used this storage as an extension to his domestic storage in Llantwit Major. In addition, a large wooden means of enclosure had been erected in an effort to screen the development.

The matter constituting a breach of planning control consisted of the material change of use of the land from agriculture to a mixed use comprising of agriculture and storage. Additionally, the erection of a means of enclosure exceeding more than two metres in height.

RESOLVED –

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

- (i) The cessation of the use of the land for storage;
- (ii) The removal of the shipping containers from the land;
- (iii) The removal of the means of enclosure from the land.

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

#### Reason for decisions

(1&2) The use of the land for the purpose of storage was considered to be inappropriate in this rural location. The use of the land was considered to result in harm to the character and appearance of the rural setting of the land. As such, the use was considered to be contrary to Policies ENV1 – Development in the Countryside, ENV10 – Conservation of the Countryside and ENV27 – Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as national planning guidance in the form of Planning Policy Wales (edition 9, 2016), Technical Advice Note 6: Planning for Sustainable Rural Communities and Technical Advice Note 12: Design.

#### 882 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:

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

(P. 51)

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

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 obligation:

- The developer shall pay the sum of £50,000 towards local education facilities at Cogan Primary School and Ysgol Pen Y Garth

and in addition, to pay £1,000 to implement and monitor the terms of the legal agreement.

APPROVED subject to the following conditions(s):

1. Approval of the 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.

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

Site Location Plan LP01; Design and Access Statement Rev. B\_18.01.16; Ecological Assessment dated August 2015 prepared by David Clements Ecology LTD; Environmental Noise Survey 3691/ENS1 prepared by Hunter Acoustics dated 08 February 2016; Pre Development Tree Survey and Assessment dated April 2016 prepared by TDA received 8 April 2016; Planning Statement prepared by Asbri and Site Investigation Report prepared by Integral Geotechnique dated May 2015 received 19 April 2016; Air Quality Assessment: Cogan Hill and Response to Council Comments on Air Quality Assessment: Cogan Hill both prepared by Air Quality Consultants received 23 May 2016; Transport Statement prepared by Asbri Transport dated July 2016 received 27 July 2016; Flood Consequence Assessment dated September 2016 received 10 October 2016; Proposed site sections A-A & B-B ref SS01 Rev C, Proposed site sections C-C & D-D ref SS02 Rev C, Proposed site sections E-E ref SS03 Rev C received 28 November 2016; Proposed site layout SL03, Proposed Elevations East & North PE01 Rev C received 7 December 2016; Proposed Elevations West & South PE02 Rev C, Proposed plans Ground Floor and First Floor PL10 Rev D, Proposed Plans Second floor/third floor, Proposed Plans Fourth Floor PL12 Rev C received 16 January 2017

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

Reason:

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

7. 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.

8. The implemented drainage scheme for the site required by condition 7, 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.

9. 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.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the

environment and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

10. Prior to the commencement of development, details of the finished levels of the site and the proposed building in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full accordance with the approved details.

Reason:

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

11. Notwithstanding the details submitted, prior to the commencement of development, full details of a scheme of retaining works to support the adjacent highway (which shall be adoptable standards) shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out and completed in full accordance with the approved details prior to the beneficial occupation of the dwellings hereby approved.

Reason:

In the interests of preserving the integrity of the adjacent highway and interests of highway safety.

12. Notwithstanding the submitted details, further details of the noise mitigation measures within the building shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The submitted scheme shall ensure that all rooms achieve an internal noise level of 35dBA by day and 30dBA by night and that a L<sub>A</sub>maxfast of 45dB is not exceeded. The mitigatory measures identified shall be implemented in accordance with the approved details prior to the beneficial occupation of the dwellings and therefore retained at all times.

Reason:

In the interests of the amenities of future occupiers of these dwellings in accordance with policies ENV27 and ENV29 of the Development Plan and the advice contained within Technical Advice Note 11: Noise.

13. Prior to commencement of development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that the dwellings are designed and constructed so as to ensure that vibration dose values do not exceed 0.4m/s<sup>1.75</sup> between 07.00 and 23.00 hours, and 0.26m/s<sup>1.75</sup> between 23.00 and 07.00 hours, as calculated in accordance with BS 6472-1:2008, entitled "Guide to Evaluation of Human Exposure to Vibration in Buildings", [1Hz to 80Hz]. The dwellings shall be constructed in accordance with the approved scheme and therefore retained at all times.

Reason:

To ensure that the amenities of future occupiers are protected.

14. Prior to the commencement of any development works (including site clearance and demolition), a Method Statement for site clearance methodology with respect to reptiles and breeding birds shall be submitted to, and approved in writing by the LPA. The works shall thereafter be carried out in accordance with the approved details.

Reason:

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

15. The development shall not begin until a scheme for the provision of affordable housing has been 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 Planning Policy Wales Edition 9 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 Policies ENV27 and HOUS8 of the Unitary Development Plan.

16. The dwellings hereby approved shall not be brought into beneficial use until the approved access has been constructed in accordance with the approved plans and the access shall thereafter be so retained to serve the development hereby approved.

Reason:

In the interest of highway safety and to ensure a satisfactory form of access to serve the development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

17. No part of the development hereby approved shall be brought into beneficial use until such time as the parking areas, including all associated access and turning areas, have been laid out in full accordance with the details shown on the approved plans 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.

18. The cycle parking shown on the approved plans shall be completed prior to the first beneficial occupation of the development 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.

19. All ground remediation works shall be carried out in accordance with the 'Site Investigation Report prepared by Integral Geotechnique dated May 2015' and should during the works further contamination be encountered which has not previously been identified, then details of the assessment of any additional contamination and an appropriate remediation scheme shall be submitted to and agreed by the Local Planning Authority. Upon completion of works, a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the agreed remediation works are complete, quality assurance certificates and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, shall be submitted and approved by the Local Planning Authority. Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented and at all times carried out as approved.

Reason:

In the interests of public safety, and to ensure compliance with Policies ENV7, ENV26 and ENV29 of the Unitary Development Plan.

20. Prior to the first beneficial occupation of the development hereby approved, a Travel Plan shall be prepared 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 that site is accessible by a range of modes of transport in accordance with UDP Policies 2, 8 and ENV 27 (Design of New Developments).

21. Details of 2 no. bird boxes shall be submitted to and approved in writing by the local planning authority prior to the beneficial occupation of the building. The boxes shall be installed in accordance with the approved details prior to the first beneficial use of the site for residential purposes and shall be so retained on site at all times.

Reason:

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

22. 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.

#### Reason for decision

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

Having regard to Policies , ENV11-Protection of Landscape Features, ENV16-Protected Species, ENV26-Development of Contaminated Land and Unstable Land, ENV27-Design of New Developments, ENV28-Access for Disabled People, ENV29-Protection of Environmental Quality, HOUS2-Additional Residential Development, HOUS8-Residential Development Criteria, HOUS12 - Affordable Housing, TRAN10 - Parking, Strategic Policies 1 and 2-The Environment, 3-Housing and 8-Transportation of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance, including Amenity Standards, Trees and Development, Biodiversity and Development, Draft Affordable Housing, Draft Planning Obligations, Parking Standards and Model Design Guide for Wales; and national guidance contained in Planning Policy Wales, TAN1-Joint Housing Land Availability Study, TAN2-Planning for Affordable Housing, TAN5-Nature Conservation and Planning, TAN10-Tree Preservation Orders, TAN12-Design, TAN15-Development and Flood Risk, , it is considered that the proposal represents an acceptable form of residential redevelopment of the site that should not result in any significant harm to the visual amenity of the area. The proposal should also not detract from the neighbouring and general residential amenities of the area or highway safety. In addition, subject to appropriate conditions, there should be no detriment to ecology interests on the site, and sufficient evidence has been submitted to show that there would not be unacceptable harm caused by noise or air pollution from or impacting upon the development, and that provisions for the adequate drainage of the site can be made.

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.

**2016/00659/FUL** Received on 28 June 2016  
(P. 88)

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 officers to negotiate an amended scheme addressing concerns raised by Planning Committee.



**2016/01289/FUL** Received on 4 November 2016

(P. 115)

Mr Tony Morris Endless Acre Stud, Logwood Hill, Peterston Super Ely, Vale of Glamorgan, CF5 6LG

Miss. Helen Ross DLP Planning Consultants, Broad Quay House (5th Floor), Prince Street, Bristol, BS1 4DJ

### **Endless Acres Stud, Logwood Hill, Peterston Super Ely**

Full application for the construction of staff accommodation (Rural Enterprise Dwelling) and associated stables, hay barn and horse walker to support the use of the land as a commercial stud farm

#### APPROVED subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of **twelve months** from the date of this permission

Reason:

To ensure the development is implemented in a timely manner in light of the up to date evidence provided justifying the new rural enterprise dwelling at the time the application was made

2. The rural enterprise dwelling (shown as office and staff accommodation on Proposed Site Block Plan 16/0151/010) shall be removed from the land on or before the expiration of a period of 3 years from the date of this permission, unless otherwise approved in writing by the Local Planning Authority.

Reason:

To enable the Local Planning Authority to review the long term need for the **rural enterprise dwelling** and to ensure compliance with Policies ENV1, HOUS3, HOUS5 and HOUS6 of the Unitary Development Plan

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

Site location Plan ref: 16/0151/001; Proposed site block plan ref: 16/0151/010; Proposed staff accommodation site block plan 16/0151/011; Proposed staff accommodation plan and elevations 16/0151/012; Proposed stables/hay barn/horse walker site plan 16/0151/013 A; Proposed stables/ hay/barn horse walker plan 16/0151/014 A; Proposed stables elevations 16/0151/015 A; Proposed hay barn plan and elevations 16/0151/016 received 28 October 2016 and Proposed horse walker plan and elevations 16/0151/017 received 04 November 2016

'Rural Enterprise Dwelling Appraisal Stud Farm Staff Accommodation' prepared by DLP Planning; Supporting Planning Policy Statement prepared by DLP Planning received 28 October 2016

'Re: Supplementary Evidence regarding Rural Enterprise Dwelling' letter and attachments from Paul Jobson received 22 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.

4. 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.

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

Reason:

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

6. Prior to their use in the construction of the track hereby approved, further details of the materials / finish of the track marked red on the attached plan 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 Policies ENV1 and ENV27 of the Unitary Development Plan

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

Reason:

To enable the Local Planning Authority to control the scale of development and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

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

Reason:

To enable the Local Planning Authority to control the scale of development, and to ensure compliance with Policy ENV27 of the Unitary Development Plan.

9. Notwithstanding the submitted details, prior to commencement of development further details of the surfacing of the access and associated visibility splays shall be provided in writing for approval by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details prior to the use of any part of the development hereby approved and maintained as such in perpetuity.

Reason:

In the interests of highway safety in accordance with policy ENV27 of the Development Plan.

10. Prior to the commencement of development, a scheme of phasing of the construction and occupation of the works hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The works shall be implemented and occupied in accordance with the approved details and thereafter retained for use as described in the application.

**Reason:**

The rural enterprise dwelling hereby approved has been justified, in accordance with TAN6 and PPW, on the basis of the functional needs arising from the growth of the stud farm business which includes the provision of the new stables and horse walker, and therefore the development should be delivered together in a timely manner.

**Reason for decision**

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

Having 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, 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, Parking Standards; and national guidance contained in Planning Policy Wales Edition 9, TAN6-Planning for Sustainable Rural Communities, TAN12-Design and TAN23-Economic Development, it was considered that the proposal represented an acceptable and justified rural enterprise and associated dwelling. The proposal should not detract from the undeveloped, unspoilt nature of the rural landscape of the surrounding Ely Valley and Ridge Slopes 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 was considered that the development complies 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.

**2016/01471/FUL** Received on 9 December 2016  
(P. 137)

Mrs. Juliette Millar, 13, Knowbury Avenue, Penarth, Vale of Glamorgan. CF64 5RX  
Christian Le Guilcher, Le Guilcher Architecture, 1, Powys Road, Penarth, Vale of Glamorgan, CF64 3PB

**13, Knowbury Avenue, Penarth**

Existing garage to be rebuilt and extended to form a habitable room complete with mezzanine over. New single storey rear extension to provide kitchen / family space

APPROVED subject to the following condition(s):

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

Reason:

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

2. The development shall be carried out in accordance with the following approved plans and documents: Proposed Front and Side Elevation 1 (as amended), Proposed Ground Floor Plan (as amended) and Proposed Rear and Side Elevation 2 as received on the 4th of January 2017 and the 24th of January 2017

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 provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013, or any Order revoking or re-enacting that Order, no windows shall be inserted in the side elevation facing number 11 Knowbury Avenue hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

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

4. The window in the rear elevation of the dormer side extension hereby approved 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 beneficial use of the extension and shall thereafter be so maintained at all times.

Reason:

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

Reason for decision

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

Having regard to Policy ENV27 'Design of New Developments' and TRAN10 'Parking' of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, approved Supplementary Planning Guidance 'Amenity Standards' and national guidance contained within Planning Policy Wales (Edition 9, 2016), and TAN12 'Design' the proposed extensions, by virtue of their siting, design and scale represent an acceptable form of development that will not adversely impact the character of the dwelling, the visual amenity of the surrounding area or adversely affect the residential amenities of the neighbouring dwellings.

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.

**2017/00020/FUL** Received on 13 January 2017  
(P. 154)

Mr and Mrs. Peter Mulaney 69, Plymouth Road, Penarth, Vale of Glamorgan, CF64 3DD  
Christian Le Guilcher Le Guilcher Architecture, 1, Powys Road, Penarth, Vale of Glamorgan, CF64 3PB

**69, Plymouth Road, Penarth**

Single storey side / rear extension

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: 1650/01, 1650/02, 1650/03, 1650/04, 1650/05, 1650/06, 1650/09 Received 12 Jan 2017 & Amended plans 1650/07 Rev A and 1650/08 Rev A received on 08 February 2017.

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, this consent does not relate to the raised patio area and enclosures shown on the proposed plans. Prior to their construction on site details of steps from the extension to the existing garden level shall be submitted and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved plans.

Reason:

To protect the privacy and amenity of neighbouring properties in accordance with UDP policy ENV 25.

#### Reason for decision

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

Having regard to policies ENV17 (Protection of Built and Historic Environment), ENV 20 (Development in a Conservation Area), ENV 21 (Demolition in Conservation Areas) and ENV 27 (Design of New Developments) of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, and the Council's Supplementary Planning Guidance on Amenity Standards and the Penarth Conservation Area Appraisal and Management Plan, it is considered that the proposed development would preserve the character of the Conservation Area and the wider area and sufficiently safeguard the amenity and privacy of neighbouring properties, and amenity space and is therefore considered to be acceptable.

It was considered that the development complies 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.