

## PLANNING COMMITTEE

Minutes of a meeting held on 30<sup>th</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, E. Hacker, 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: Councillors K.P. Mahoney and A. Riley.

List of Public Speakers:

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mr. A. Honeybone	2016/01142/FUL – The Highlands, Old Barry Road, Penarth	Objector or their representative
Mrs. N. Honeybone	2016/01142/FUL – The Highlands, Old Barry Road, Penarth	Objector or their representative

Councillor Riley spoke on the following application, in his capacity as a Vale of Glamorgan Member for the Rhoose Ward, 2016/00551/FUL – Aberthaw North Quarry, Castle Road, Aberthaw.

### 992 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”.

### 993 APOLOGIES FOR ABSENCE –

These were received from Councillors H.C. Hamilton and Mrs. A.J. Preston.

### 994 MINUTES –

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

## 995 DECLARATIONS OF INTEREST –

Councillor A. Parker	<p>Agenda Item No. 9(ii) – Land and Buildings at Llanerch Vineyard, Hensol. The nature of the interest was that Councillor Parker was an architect for the application.</p> <p>Councillor Parker vacated the room whilst this application was under consideration.</p>
Councillor L. Burnett	<p>Agenda Item No. 10 – Planning Application: 2016/01330/RG3 – Cosmeston Medieval Village, Cosmeston County Park, Lavernock.</p> <p>The nature of the interest was a personal and prejudicial interest as Cabinet Member for Education and Regeneration.</p> <p>This item was deferred to a future Committee meeting following a request for a site visit and therefore not considered.</p>

## 996 SITE INSPECTIONS (MD) –

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

Apologies were received from Councillors Ms. B.E. Brooks, L. Burnett, E. Hacker, Mrs. V.M. Hartrey, A.G. Powell and Mrs. M.R. Wilkinson.

(a) Land at Cogan Hill, Penarth	<p>Councillor F.T. Johnson (Chairman); Councillors H.C. Hamilton, P.G. King, A. Parker, R.A. Penrose and G. Roberts.</p>
(b) Ashdene Manor, 10 Bridgeman Road, Penarth	<p>Councillor F.T. Johnson (Chairman); Councillors H.C. Hamilton, Mrs. M. Kelly Owen, P.G. King, A. Parker, R.A. Penrose and G. Roberts.</p> <p>Also present: Councillor A.C. Williams.</p>
(c) 69 Plymouth Road, Penarth.	<p>Councillor F.T. Johnson (Chairman); Councillors H.C. Hamilton, P.G. King, A. Parker, R.A. Penrose and G. Roberts.</p> <p>Also present: Councillor A.C. Williams.</p>

997 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 the service of Notices under Section 32 of the Building Act, 1984 as listed in the report be noted.

998 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

2009/01104/1/N MA	R	Pizzamia, 12, Paget Road, Barry Island	Non-material Amendment - Vary Condition 11 to allow submission of mechanical extraction fan details after the first beneficial use of the restaurant. Proposed refurbishment of 12 Paget Road to provide A3 use café/restaurant to lower ground and ground floor with proposed rear extension to extend the existing residential dwelling to floors above.
2012/00946/1/N MA	A	Red Oaks, Upper Farm, Rhoose Road, Rhoose	Non material amendment - Proposed double garage with home office/store above.
2014/00628/1/N MA	A	Green Meadow, Penllyn, Cowbridge	Non Material Amendment - Adjustment of internal layout and minor repositioning of side windows to suit on planning permission 2014/00628/FUL for the demolition of existing dwelling and replacement with 2 No. 4 bedroom detached houses.
2014/00992/1/N MA	A	53, Lakin Drive, Barry	Non-material Amendment - Condition No. 4 was not discharged prior to commencement. Construction of new dwelling.
2015/00859/1/N MA	A	Corntown Farm, Corntown	Construction and operation of a solar photovoltaic farm including site access, internal service roads, perimeter fencing, inverter and transformer stations, below ground cabling, CCTV, Substations,

			internal access road and landscaping / biodiversity enhancements.
2015/01158/1/N MA	A	Tudor Lodge, Bonvilston	Revision of scheme of parking within the curtilage of Tudor Lodge.
2016/00103/LBC	A	Cliff Farm, Llancarfan	Upgrade windows to south elevation to main house.
2016/00218/FUL	A	Swanbridge Beach Front, (Outside of the Seashore Grill Restaurant), Sully	Retention of refreshment kiosk with proposed feature glass addition (use class A3), plus retention of coastal works such as terrace, walls and new steps to beach.
2016/00294/1/N MA	A	30, Rhodfa Sweldon, Barry	Non-Material Amendment - Utility room amended to living space. Window has been introduced. Garage conversion.
2016/00493/1/N MA	A	2, Little West Bungalows, Southerndown	Non-material Amendment- Installation of Marsh, Ensign 12 person package sewage treatment plant. Installation of new septic tank.
2016/00789/FUL	A	Strawberry Fields, 7, Penny Lane, Cowbridge	Extension to existing building and change of use of units 6 and 7 to include A3, as well as A1 and A2 uses.
2016/01218/LAW	A	30, Primrose Close, Cowbridge	Single storey flat roof extension.
2016/01220/FUL	A	36, Goldsland Walk, Wenvoe	Conversion of integral garage to living accommodation.

2016/01232/FUL	A	West Aberthaw Farm, West Aberthaw	The conversion of a redundant and derelict barn into a single detached residential dwelling, and the erection of the original cow shed structure to the South West perimeter of the site.
2016/01256/FUL	A	Caer Wigau Uchaf Farm, Pendoylan Road, Pendoylan	Conversion and refurbishment of existing detached outbuilding/store to provide garden office/ occasional guest bedroom facilities ancillary to existing farmhouse.
2016/01276/LBC	A	West Aberthaw Farm, West Aberthaw	The conversion of a redundant and derelict barn into a single detached residential dwelling, and the erection of the original cow shed structure to the South West perimeter of the site.
2016/01288/FUL	A	116, Port Road East, Barry	Change of use from C3 (dwelling house) to C2 for a residential care home.
2016/01290/RES	A	Arno Quay, Barry Waterfront, Barry	Development of the site known as Arno Quay for residential development and associated infrastructure works, parking, and landscape.
2016/01297/1/N MA	A	Whiteoaks, 26, Caynham Avenue, Penarth	First floor side extension rear balcony and alterations.
2016/01298/LBC	A	Caer Wigau Uchaf Farm, Pendoylan Road, Pendoylan	Conversion and refurbishment of existing detached outbuilding/store to provide garden office/ occasional guest bedroom facilities ancillary to existing farmhouse.

2016/01315/LAW	A	25, Plymouth Road, Barry	Use of building as 3 no. flats.
2016/01353/FUL	A	2, Raven Way, Penarth	Proposed extension to rear of existing dwelling. Converting a single storey flat roof extension into a two storey extension with minor internal remodelling.
2016/01361/LBC	A	Glendale Hotel, 8-10, Plymouth Road, Penarth	Conversion of rear hotel annexe to Hotel Mangers flat. Regularisation application in relation to pre-commencement conditions for submission of window details and notice of commencement.
2016/01367/FUL	A	MOD St. Athan, St. Athan	Proposed storage buildings within a fenced compound.
2016/01374/LAW	A	54, Beechwood Drive, Penarth	Single storey rear extension with associated roof drainage.
2016/01375/FUL	A	52, Shakespeare Avenue, Penarth	Loft conversion comprising hip to gable and rear dormer.
2016/01398/LAW	A	103, Fonmon Park Road, Rhoose	Single storey brick rear extension with tiled roof.
2016/01406/FUL	A	Unit 308, Vale Enterprise Centre, Hayes Road, Sully	Change of use from Office (B1) to (D1) - Non Residential Education, Training Centre and Clinic.
2016/01407/FUL	A	Greystones, Factory Road, Cowbridge	Domestic double garage.
2016/01414/FUL	R	The Piggery, Logwood Hill, Peterston Super Ely	Refurbishment, reinstatement and extension to The Piggery for agricultural purposes.
2016/01421/FUL	A	The People Business Wales Ltd, 2, Beryl Road, Barry	Change of use from B1 Office to C3 Residential.

2016/01431/FUL	A	Bryn Sion Hall, Court Road, Barry	Demolition of existing timber framed hall adjacent to chapel building, replaced with a proposed office and storage block. Construction of a proposed covered van parking to existing yard / parking area.
2016/01453/FUL	A	2, Llandilo Close, Dinas Powys	Detached two storey dwelling to the side of No. 2 Llandilo Close.
2016/01456/FUL	A	Babs Baps, 3, Thompson Street, Barry	To bring the recess in the doorway of the shop approx 1.5 metres square flush in line with the street. new windows, doors, roof, and stone work cleaned. Also proposed new roller shutter.
2016/01461/ADV	A	The Parade Gardens, The Parade, Barry	Erection of four flagpoles.
2016/01465/FUL	A	6, Pierhead View, Penarth	Conversion of garage into a living room and alterations to rear elevation
2016/01469/FUL	A	65, Caer Odyn, Dinas Powys	Proposed single storey rear and side extension to add utility room and downstairs WC and extended kitchen space to property.
2016/01472/FUL	A	11, The Parade, Dinas Powys	Change of use from an A1 retail unit, dividing premises into an A3 Coffee Shop and D2 Gym
2016/01473/FUL	A	33, Matthew Road, Rhoose	Proposed side extension, addition of pitched roof over existing garage to facilitate a car port with rooflights and associated external alterations.



2016/01478/FUL	A	Mynfa, Heol y Mynydd, Southerndown	Proposed rear ground floor extension.
2016/01480/LBC	A	Duffryn House, Dyffryn Gardens, Duffryn Lane, Dyffryn	The installation of a 1 hour fire door and frame to the second floor of Dyffryn House.
2016/01482/FUL	A	Kemberway, Station Terrace, East Aberthaw	Proposed first floor extension over existing single storey addition, plus internal and external alterations to remodel the dwelling.
2016/01485/FUL	A	Limefield House, Crossways, Cowbridge	Proposed single storey front and side extensions.
2016/01486/FUL	A	24, Aneurin Road, Barry	Add a family room single storey extension to rear.
2016/01487/FUL	A	Dyffryn Gardens, St. Nicholas	Charging shed for site vehicles and proposed alterations to compost bays and concrete apron.
2016/01489/FUL	A	7, Min Y Mor, Barry	Proposed single storey extension to front and rear of existing domestic dwelling. New parking to front.
2016/01490/FUL	R	8, Pontypridd Road, Barry	Proposed 1.5 storey dwelling to rear with off street parking (revision to app ref 2016/00438/FUL).
2016/01493/FUL	A	5, Holms Court, Minehead Avenue, Sully	Open up existing window opening to front of property and replace with patio doors. Replace existing patio with a decking raised to ground floor level of the flat.
2016/01495/FUL	A	17, Park Avenue, Barry	Change of use from single dwelling to 2 no flats.

2016/01496/FUL	A	8, Sully Terrace, Penarth	Proposed single storey kitchen and garden sitting area extension and garage with first floor storeroom.
2016/01504/FUL	A	Land at the Lawns, Cwrt Yr Ala Road, Michaelston Le Pit	American barn to provide 3 x stables and a feed store.
2016/01505/FUL	A	4, Station Road West, Wenvoe	Retention of Garden Store/Hobby room.
2016/01507/LAW	A	4, Drope Terrace, Drope, St. Georges Super Ely	Rear single storey extension for kitchen.
2016/01508/FUL	A	24, Archer Road, Penarth	Demolition of existing single storey extension and the erection of a new orangery.
2016/01509/FUL	A	15, Village Farm, Bonvilston	Construct new single storey extension to rear and side elevation. Excavate garden soil to reduced height, to level the garden. Construct new timber fence.
2016/01510/FUL	A	16, Cornerswell Place, Penarth	Proposed single storey side and rear extension.
2016/01513/FUL	A	29, Clive Place, Penarth	Retrospectively, the alteration and refurbishment of outbuilding.
2016/01514/FUL	A	240, Holton Road, Barry	New store to rear of property (external) to replace existing dilapidated store.
2016/01515/FUL	A	Swan y Mor, 1A, Brig Y Don Hill, Ogmere By Sea	Remove Conditions 3, 4 and 5 from 2011/00841/FUL.
2016/01523/RG3	A	Barry College, Waterfront IT Centre, Hood Road, Barry	Former College building to be used as office units for small local businesses.

2016/01525/FUL	A	New Bryn Sion Hall, Court Road, Barry	Retrospective installation of bow top steel fencing to side and front of property and new gates.
2016/01527/FUL	A	5, Longmeadow Drive, Dinas Powys	Proposed two storey extension to existing dwelling. (Revision to change in external finish approved under 2015/01344/FUL).
2016/01528/LAW	A	DCWW - Cowbridge SPS, land west of St. Athan Road, Cowbridge	Proposed development and engineering works including: Site road; Washwater storage tank and booster set; Works return pumping station; Decommission and removal of existing MCC; Recirculation pumping station; Effluent outfall; Effluent monitoring kiosk; Effluent sampling point; Refurbished interstage pumping station; HV/LV transformer; Ferric sulphate secondary dosing point; MCC kiosk; Tertiary treatment plant; Turning stub; Refurbished sludge decant pump station; Sludge holding tanks to replace existing; Cut back existing sludge drying beds; Inlet works; Demolition of existing balancing tank and installation of flocculation chamber; PST desludge pumps; Bridge scraper replacements, scumboards and V-Notch weirs; and Chemical dosing kiosk.
2016/01531/FUL	A	15, Marine Drive, Ogmore by Sea	Infill existing patio area to form family/breakfast room and extension to veranda.

2016/01534/LBC	A	24, Archer Road, Penarth	Demolition of existing single storey extension and the erection of a new orangery.
2017/00004/FUL	A	6, Sully Terrace, Penarth	Two storey extension to rear and single storey extension to side.
2017/00005/FUL	A	43, Marine Drive, Barry	Installation of glass balcony to replace dilapidated wrought iron balcony.
2017/00007/FUL	A	Westbury, Factory Road, Llanblethian, Cowbridge	Proposed single storey rear extension and first floor rear extension with dormer.
2017/00014/FUL	A	Ashley Cottage, Bridge Road, Llanblethian	Single storey rear extension and three roof lights in the existing rear annexe.
2017/00016/FUL	A	24c, Victoria Road, Penarth	Replace an unsafe part open porch of metal construction with a purpose built UPVC lean to porch.
2017/00022/LBC	A	Nicells, Swanbridge Road, Sully	Removal of asbestos roof and replacement with slate. Upper section front brick wall of the back porch removed. Replacement of concrete lintels.
2017/00032/PNT	A	Land at Vale of Glamorgan Services, 87, Fontygary Road	The installation of a 15.0m slimline T-Range pole supporting 3 no. antennas, ground based equipment cabinets and ancillary development thereto.
2017/00037/FUL	A	36, Cwm Barry Way, Barry	New single storey rear extension to replace exiting rear extension, to the same footprint.

2017/00040/FUL	A	60, Lavernock Road, Penarth	Erection of rear single and two storey extensions, side first floor extension and front elevation alterations.
2017/00046/FUL	A	43, Cilgant Y Meillion, Rhoose	Conversion of garage to living space with window in front.
2017/00077/OBS	B	North West Cardiff	Outline planning application with all matters reserved.
2017/00093/OBS	P	Area 526 Culver Extension, Severn Estuary	Marine aggregate dredging at Area 52(Culver Extension), Severn Estuary

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

1000 TREES (HRP) –

(i) Delegated Powers –

RESOLVED – T H A T the following applications determined by the Head of Regeneration and Planning under delegated powers be noted:

**Decision Codes**

A - Approved  
E Split Decision

R - Refused

2016/01103/TPO	E	Foxglove Cottage, 1, Castle Mews, Llanblethian, Cowbridge	Reduce one Ash and remove another Ash.
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2016/01442/TPO	A	St. James Church, Church Street, Wick	Removal of trees and various works to other trees in TPO No.2 1976.
2017/00027/TCA	A	Robin Hill, St. Hilary	Remove limbs on Sycamore X 1; crown lift Walnut X 1 and Sycamore X 2; fell Cherry X 1, Beech X 1, Sycamore X 1, Ash X 2, Prunus X 1 and Salix X 1.
2017/00028/TPO	A	St. Cattwgs Chruch, Llanmaes	Works to various trees, covered by TPO 1977/01/A01.
2017/00051/TCA	A	2, Button Ride, St Nicholas	Remove Conifer Hedge, reduce crown and stem growth of one Ash.
2017/00069/TPO	A	Grass Verge, Main Avenue, Peterston Super Ely	Pruning of three Horse Chestnut and one Ash, Tree Preservation Order No. 02, 1959.
2017/00180/TCA	A	Village Farm House, Colwinston	Removal of dead wood and reduction of two Ash trees within Colwinston Conservation Area.

## 1001 ENFORCEMENT ACTION (HRP) –

### (i) Update and Progress

The Committee received a report to advise Members of the Enforcement Team's performance over the current financial year from April, 2016 to March, 2017. The report was also intended to provide Members with an update on the Enforcement investigations where the Committee had granted authorisation for formal enforcement action. At the next Planning Committee a year-end report would be provided setting a summary of enforcement matters for 2016/17.

Following consideration of the report, Committee

RESOLVED – T H A T the report be noted.

Reason for decision

To take account of the contents of the report.

(ii) Land and Buildings at Llanerch Vineyard, Hensol –

The report related to the erection of a guest accommodation block and an event venue without the benefit of planning permission at the property known as Llanerch Vineyard, Hensol.

Llanerch Vineyard was formerly only in agricultural use but was now a tourism and events complex that incorporates a restaurant, event venue, cookery school and hotel / holiday accommodation. The site was still used for growing grape vines, although wine production was understood to take place off site. The site was within the rural Vale, between Hensol and the M4 Motorway, with Junction 34 within a short distance to the northeast, and was accessed via a driveway that met with the highway to the western edge of the site. The site was within the designated Special Landscape Area of the “Ely Valley and Ridge Slopes”.

On 15<sup>th</sup> January, 2015, it was resolved to grant planning permission (application reference 2013/01095/FUL) for a 19 bed guest accommodation block, subject to the satisfactory completion of a Section 106 agreement relating to necessary planning obligations. The application remained undetermined as the Section 106 agreement remained unsigned.

More recently, two planning applications had been submitted to the Council proposing an amended version of the accommodation block (planning application reference 2017/00191/FUL and 2016/01051/FUL). The first proposed 26 bedrooms and the second 27 bedrooms. Both applications remain invalid and were not, therefore, currently being considered by the Council.

Following a very recent site inspection in early March 2017, it was noted that development had commenced for the erection of a guest accommodation block. Whilst it was noted that the location of the new development was to the east of the existing complex (i.e. the location of the 2013 scheme), the building under construction was substantially different to the scheme resolved for approval under the 2013 planning application. A site survey had confirmed that the building under construction was in the approximate location shown in the submitted plans for planning applications reference 2016/01095/FUL and 2017/00191/FUL (both of which had the same footprint). It was understood to be the developer’s intention to complete the development proposed by virtue of the most recent 2017 planning application.

The planning history outlined above confirms that there was no extant planning permission for the erection of a guest accommodation block on this site. Whilst the 2013 application had been resolved for approval (subject to the signing of a Section 106 agreement), this permission would ultimately be subject to pre-commencement conditions and, in any event, the development on site did not accord with this scheme.

The applicant was advised, via their agent, to cease works on 18<sup>th</sup> January when it became apparent that ground works had commenced on site.

A site visit was conducted on 2<sup>nd</sup> March, 2017 where the Director of Llanerch Vineyard was advised to cease works, which by now had consisted of a slab and the erection of a substantial timber frame and some stud walls. The Director expressed a desire to continue with construction in order to complete the development before the upcoming wedding season. The Director was advised that, whilst an application had been submitted for the scheme currently under construction, there was no certainty that permission would be granted, as such, all works should cease until such time as that application had been through the statutory process.

In light of the developer's intentions it was considered expedient to issue a Temporary Stop Notice under the new enforcement powers that have recently come into effect. A Temporary Stop Notice would require unauthorised development to cease for a period of up to 28 days in order to allow the Local Planning Authority to further investigate the breach and negotiate with the developer. Having regard to the fact that there was no planning permission for the development and such details as slab levels, drainage, landscaping or materials had not even been considered, let alone agreed, the Temporary Stop Notice was issued on 3<sup>rd</sup> March, 2017. The Notice was due to expire on 31<sup>st</sup> March, 2017.

Following consideration of the report, Committee

RESOLVED –

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

- (i) The cessation of all works on site to construct the guest accommodation building subject of this report.
- (ii) The removal of the unauthorised guest accommodation building and event venue building, including their slab and all associated materials from the land in their entirety and restore the land to its former condition prior to the commencement of the unauthorised works.

(2) T H A T the Head of Legal Services be authorised to issue a Stop Notice under Section 183 of the Town and Country Planning Act 1990 (as amended) to require:

- (i) The cessation of all works on site to construct the guest accommodation building subject of this report.

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

Reasons for decisions



## Guest Accommodation

(1) The principle of the stand-alone guest accommodation without adequate controls connecting its use to the existing tourism and recreational use of the site results in an unjustified form of development within a countryside location. Furthermore, the building, if completed, would have a bulky appearance owing to its size, height and form with broad and unrelieved elevations. It was of a design that had little regard to the character of the existing historic buildings within the site and as such would be discordant with the site's predominantly agrarian character. The unauthorised development, if completed, would also cause harm to the special landscape setting and would fail to sensitively integrate with its surroundings resulting in a visually harmful form of development. There was also no certainty that the development could be adequately drained. In this regard the unauthorised development was contrary to Strategic Policies 1 and 2, Policies ENV1 – Development in the Countryside, ENV4 – Special landscape Areas, ENV10 – Conservation of the Countryside, ENV27 – Design of New Developments, TOUR 1 – New Hotels in the Countryside and EMP7 – Farm Diversification of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011. It was also contrary to the national advice and guidance contained within Planning Policy Wales (2016), Technical Advice Note 6 Planning for Sustainable Rural Communities, Technical Advice Note 12 Design and Technical Advice Note 13 - Tourism.

(2) The absence of an appropriate Section 106 agreement for the provision of sustainable transport, training and development and public art results in a form of development the impact of which had not been adequately mitigated. Accordingly, the development was in conflict with the aims of Strategic Policies 1 and 2, Policy ENV27 – Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, the Council's Supplementary Planning Guidance on Planning Obligations and Public Art; and National Planning Guidance contained in Planning Policy Wales (2016), Technical Advice Notes 12 - Design and 18 – Transport.

(3) The construction of the guest accommodation block without having undertaken a prior Transport Assessment results in an unacceptable form of development, as it had not been adequately demonstrated that the site provides adequate access, provision made for all modes of transport and means of travel, including parking, or that the impact to the local highway network in terms of traffic generation was acceptable. The development therefore fails to accord with Policy TRAN10 – Parking of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, national planning policy contained within Planning Policy Wales (2016) and Technical Advice Note 18 – Transport.

## Event Venue:

There was no certainty that the development could be adequately drained. Furthermore, the absence of an appropriate Section 106 agreement for the provision of sustainable transport and public art results in a form of development the impact of which had not been adequately mitigated. Accordingly, the development was in conflict with the aims of Strategic Policies 1 and 2, and policy ENV27 – Design of New Developments of the Vale of Glamorgan Adopted Unitary Development Plan

1996-2011, the Council's Supplementary Planning Guidance on Planning Obligations and Public Art; and National Planning Guidance contained in Planning Policy Wales (2016), Technical Advice Notes 12 - Design and 18 – Transport.

## 1002 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:

**2016/00551/FUL** Received on 17 May 2016  
(P. 53)

Mr. Hugh Morris, RWE Generation, Trigonos, Windmill Hill Business Park, Whitehill Way, Swindon, SN5 6PB

Mr. Hugh Morris, RWE Generation, Trigonos, Windmill Hill Business Park, Whitehill Way, Swindon, SN5 6PB

### **Aberthaw North Quarry, Castle Road, Aberthaw**

Variations of conditions 1, 2, 6, 7, 12, 13, 14, 15, 17, 18, 19, 21, 24, 26, 27 and 28 of planning permission 2013/00903/FUL to increase the height of the final restoration levels to increase the volume of ash that can be deposited in the former quarry and to vary the associated details to which the conditions refer.

DEFERRED – For further comment from Natural Resources Wales and Environmental Health Officer with regard to dust suppression measures.

**2016/01077/FUL** Received on 5 September 2016  
(P. 84)

Mr. Chris Mumford, C/o Agent

Mr. Martin Plow M J Plow Ltd., 30, Clos Llysaen, Lisvane, Cardiff, CF14 0UP

### **Pen Y Lan Road, Aberthin**

Development of a three bedroom detached dwelling.

APPROVED subject to the following condition(s):

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

Reason:

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

2. The development shall be carried out in accordance with the following approved plans and documents: Site location plan, and site survey 2528, received 5 September 2016; Existing plans elevations and sections 16(A)007.2001revB, Proposed site layout 16(A)007.2000revB, Existing and proposed street scene 16(A)007.2002revA, received 10 February 2017; Tree survey and arboricultural report, and Design and access statement (development proposal as per plans above), received 5 September 2016.

Reason:

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

3. No development shall commence until full details of a scheme for foul and surface water drainage has been submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details, prior to beneficial occupation of the site, and thereafter so maintained at all times. The scheme shall detail foul water connection arrangements as well as how road, roof and yard water shall be disposed of on-site via the use of SuDS techniques. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason:

To ensure the provision of adequate drainage to serve the development; to prevent hydraulic overloading of the public sewerage system; to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment; and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

4. Prior to the commencement of development, a scheme detailing all means of enclosure associated with the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use, and shall be maintained as such thereafter.

Reason:

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

5. No part of the development hereby approved shall be brought into beneficial use until such time as the parking area has been laid out in full accordance with the approved plans and the parking area shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

To ensure the provision of adequate on site of parking 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.

6. Notwithstanding the submitted plans, privacy screens shall be erected to a height of 1.8 metres, across the full depth of both sides of the rear balcony, prior to the first beneficial use of the balcony. Details of the proposed privacy screens shall be submitted to and approved in writing by the Local Planning Authority prior to being erected on site and the development shall be carried out and completed in accordance with the approved details and shall thereafter be so retained at all times.

Reason:

In the interests of neighbouring privacy and in accordance with Policy ENV27- Design of New Developments of the Unitary Development Plan.

7. Notwithstanding the submitted details, prior to the commencement of development and site clearance, a scheme detailing landscaping (including native hedgerow planting) including protection methods for any hedgerows to be retained, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the development looks in keeping with its surroundings and to comply with Policies ENV11 and ENV27 of the Unitary Development Plan.

8. Notwithstanding the submitted plans, from the first beneficial use of the development hereby approved, the doors to the store/plant shall open inwards or slide, and shall be retained as such thereafter.

Reason:

To ensure the doors do not encroach on the parking area and so ensure the provision of adequate on site of parking 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.

9. The window in the northwest side elevation 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 dwelling 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.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking and re-enacting that Order) the 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 in the interests of residential amenity, due to the constraints of the site and the restricted amenity space, in accordance with Policy ENV27-Design of New Developments, of the Unitary Development Plan.

11. 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 dwelling 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 in the interests of residential amenity, due to the constraints of the site and the restricted amenity space, in accordance with Policy ENV27-Design of New Developments, of the Unitary Development Plan.

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

Reason:

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

### Reason for Decisions

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

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

Having regard to Policies HOUS 2 (Additional residential development); HOUS 3 (Dwellings in the countryside); HOUS 8 (Residential Development Criteria); HOUS 11 (Residential Privacy and Space); HOUS 12 (Affordable housing); ENV 1 (Development in the countryside); ENV 2 (Agricultural Land); ENV 4 (Special Landscape Areas); ENV 16 (Protected Species); ENV 10 (Conservation of the countryside); ENV 11 (Protection of landscape features); ENV 17 (Protection of built and historic environment); ENV 27 (Design of new developments); and TRAN 10 (Parking), of The Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 and the approved amenity standards SPG and adopted parking standards, the site is considered to be acceptable 'rounding off' of the settlement boundary; and the proposed dwelling represent an acceptable form of development which would not cause significant harm to the character of the Special Landscape Area or the setting of a listed building; and would not have an unacceptable impact on neighbouring amenity or highway safety.

**2016/01142/FUL** Received on 19 September 2016  
(P. 132)

Mr. Simon Berni, The Highlands, Old Barry Road, Penarth, Vale of Glamorgan, CF64 2NR

Mr. Jonathan Williams Robertson Francis Partnership , 13, Cathedral Road, Cardiff, CF11 9HA

### **The Highlands, Old Barry Road, Penarth**

Demolition of detached two storey dwelling house, two storey coach house and single storey garages, and replacement with 8 No. two storey, four bedroom detached houses with double garages, and 3 No. affordable units, served by extended adopted highway and new private driveway.

**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:

- Provide and maintain in perpetuity 3 No. units of affordable houses to comprise of two social rented units and one intermediate unit.

- Pay a contribution of £7650, to provide enhancements to the existing facilities at Cogan Leisure Centre.

APPROVED subject to the following condition(s):

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

Reason:

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

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

- Site Location Plan, Dwg. No. DP 100, received 19 September 2016;
- Existing Site Plan, Dwg. No. DP 101, received 19 September 2016;
- Proposed Site Plan, Dwg. No. DP 110 Rev F, amended plan received 7 March 2017;
- Proposed Floor & Roof Plans (Plots 1-3), Dwg. No. DP 200, amended plans received 7 March 2017;
- Proposed Elevations (Plots 1-3), Dwg. No. DP 210, amended plans received 7 March 2017;
- Proposed Floor & Roof Plans (Plot 4), Dwg. No. DP 400 Rev A, amended plans received 7 March 2017;
- Proposed Elevations (Plot 4), Dwg. No. DP 410 Rev A, amended plans received 7 March 2017;
- Proposed Floor & Roof Plans (Plot 5), Dwg. No. DP 500 Rev A, amended plans received 7 March 2017;
- Proposed Elevations (Plot 5), Dwg. No. DP 510 Rev A, amended plans received 7 March 2017;
- Proposed Garage Plans & Elevations (Plot 5), Dwg. No. DP 520, amended plans received 7 March 2017;
- Proposed Floor & Roof Plans (Plot 6), Dwg. No. DP 600 Rev A, amended plans received 7 March 2017;
- Proposed Elevations (Plot 6), Dwg. No. DP 610 Rev A, amended plans received 7 March 2017;
- Proposed Floor & Roof Plans (Plot 7), Dwg. No. DP 700 Rev A, amended plans received 7 March 2017;
- Proposed Elevations (Plot 7), Dwg. No. DP 710 Rev A, amended plans received 7 March 2017;
- Proposed Floor & Roof Plans (Plot 8), Dwg. No. DP 800 Rev A, amended plans received 7 March 2017;
- Proposed Elevations (Plot 8), Dwg. No. DP 810 Rev A, amended plans received 7 March 2017;
- Proposed Floor & Roof Plans (Plot 9), Dwg. No. DP 900 Rev A, amended plans received 7 March 2017;
- Proposed Elevations (Plot 9), Dwg. No. DP 910 Rev A, amended plans received 7 March 2017;

- Proposed Floor & Roof Plans (Plot 10), Dwg. No. DP 1000 Rev A, amended plans received 7 March 2017;
- Proposed Elevations (Plot 10), Dwg. No. DP 1010 Rev A, amended plans received 7 March 2017;
- Proposed Floor & Roof Plans (Plot 11), Dwg. No. DP 1100 Rev A, amended plans received 7 March 2017;
- Proposed Elevations (Plot 11), Dwg. No. DP 1110 Rev A, amended plans received 7 March 2017;
- Proposed Site Sections A-A & B-B, Dwg. No. DP113, received 7 March 2017;
- Design and Access Statement, received 19 September 2016;
- Arboricultural Report prepared by Cardiff Treescapes, received 19 September 2016;
- Arboricultural Impact Assessment Rev A, received 19 September 2016;
- Tree Constraints Plan Rev A, received 19 September 2016;
- Tree Protection Plan, received 19 September 2016;
- Transport Statement prepared by Lime Transport, received 19 September 2017; and
- Bat Survey and Method Statement prepared by Smith Ecology Limited, received 14 November 2016.

Reason:

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

3. No development shall commence until full details of highway improvements along the complete length of Old Barry Road, from the access to the site up to the junction with the A4055, have been submitted to and agreed in writing by the Local Planning Authority. The submitted details shall include the provision of highway signage and carriageway markings, plus street lighting facilities. The approved details shall be implemented before the first beneficial occupation of any one of the dwellings hereby permitted.

Reason:

In the interests of highway safety in accordance with Policies HOUS8- Residential Development Criteria and ENV27-Design of New Developments of the Unitary Development Plan.

4. The proposed new access and internal driveway shall be implemented in accordance with Dwg. No. DP110 Rev F Proposed Site Plan, amended plan received 7 March 2017, before the first beneficial occupation of any one of the dwellings hereby permitted.



Reason:

In the interests of highway safety in accordance with Policies HOUS8-Residential Development Criteria and ENV27-Design of New Developments of the Unitary Development Plan.

5. The proposed on-site car parking provision shall be implemented in accordance with Drg. No. DP110 Rev F Proposed Site Plan, amended plan received 7 March 2017, with the additional requirement for the width of the parking bays/driveway to Plot 1 to be a minimum of 6m adjacent to the carriageway, before the first beneficial occupation of the associated dwelling house, and retained thereafter for the parking of private motor vehicles.

Reason:

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

6. The development hereby permitted shall be implemented in accordance with the recommendations outlined in the Ecology Report and Method Statement (issue 3) prepared by Smith Ecology Ltd., and received on 14 November 2016, and subject to further details, including an annotated architectural drawing, to show the location and nature of the proposed bat access points, to be agreed in writing with the Local Planning Authority before the commencement of development.

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.

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

Reason:

In the interests of ecology and 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.

8. Before the commencement of development on site, a scheme demonstrating bat-friendly external lighting shall be submitted to and approved in writing by

the Local Planning Authority. The lighting scheme shall be implemented thereafter in accordance with approved details prior to the occupation of the first dwelling.

Reason:

In the interests of ecology and bio diversity 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.

9. The development hereby permitted shall be implemented in accordance with the submitted Tree Survey and Arboricultural Report, prepared by Cardiff Treescapes and received on 19 September 2016.

Reason:

In the interest of visual amenity in accordance with Policies ENV11-Protection of Landscape Features, ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan.

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

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies ENV11-Protection of Landscape Features and ENV27-Design of New Developments of the Unitary Development Plan.

11. All means of enclosure associated with the development hereby approved, including any retaining walls, shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and the means of enclosure shall be implemented in accordance with the approved details prior to the first beneficial occupation of the associated dwelling.

Reason:

In the interest of visual amenity in accordance with Policies ENV27-Design of New Developments and HOUS8-Residential Development Criteria of the Unitary Development Plan.

12. 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. In particular further details of the surface water drainage strategy are required, showing how road and roof/yard water will be dealt with, and if infiltration techniques are used, then details of field percolation tests should be included, along with any calculation for on-site attenuation or discharge, plus a maintenance schedule for the surface water system. The approved scheme of drainage shall be implemented and completed in full accordance with the agreed details prior to the first beneficial occupation of any dwelling on the site.

Reason:

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

13. No Development or site clearance (including demolition) 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.

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.

14. Before the commencement of development, a detailed noise assessment shall be undertaken to measure the likely effects of road traffic noise from the nearby A4055 on the residential amenity of future occupiers. The survey shall consider the need for any sound insulation and ventilation measures within the proposed houses themselves, as well as any acoustic screening to garden areas. The survey and any identified noise attenuation measures shall be submitted to and agreed in writing by the Local Planning Authority before the commencement of development, and the scheme shall be implemented before the first beneficial occupation of the units requiring attenuation.

Reason:

In the interests of residential amenity in accordance with Policies ENV27-Design of New Developments, and ENV29-Protection of Environmental Quality of the Unitary Development Plan, and national guidance contained in TAN11-Noise.

Reason for decisions

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

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

Having regard to Policies ENV11-Protection of Landscape Features, ENV16-Protected Species, 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, TRAN9-Cycling Development, TRAN10-Parking, REC3-Provision of Open Space within Residential Development, REC6-Children's Playing Facilities, Strategic Policies 1 and 2-The Environment, 3-Housing, 7-Transportation Network 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, TAN2-Planning for Affordable Housing, TAN5-Nature Conservation and Planning, TAN12-Design, TAN16-Sport, Recreation and Open Space, TAN18-Transport, and the Conservation of Habitats and Species Regulations 2010, 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, neighbouring and general residential amenities of the area. The proposal should also not detract from highway safety. In addition, subject to appropriate conditions, there should be no detriment to ecology interests on the site.

**2016/01438/FUL** Received on 16 December 2016  
(P. 166)

Mr. Richard and Mrs. Sian Banks, The Tower, Tower Hill, Penarth, Vale of Glamorgan, CF64 3BJ  
1010 Architects Studio 1, The Coach House, Stanwell Road, Penarth, CF64 3EU

## **The Tower, Tower Hill, Penarth**

Proposed extensions, alterations and renovation to the existing buildings.

### 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:-

- Location plan, Dwg. No. Location Plan Rev 1, received 16 December 2016;
- Existing floor plans and elevations, Dwg. Nos EL 01 Rev 1, EE 01, EE 02 Rev 1, received 1 December 2016; and
- Proposed plans and elevations, Dwg. Nos AE 10 Rev 3, AE 11 Rev 3, AE 12 Rev 3, AE 14 Rev 3, amended plans received 20 March 2017, and AL 20 Rev 2, AL 21 Rev 2, AL 22 Rev 2, AL 23, received 1 December 2016.

Reason:

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

3. Notwithstanding the approved plans, prior to their use in the construction of the development hereby approved, a schedule of the proposed materials to be used, including samples and colours, 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 the character and appearance of the property, the wider Conservation Area and the setting of the nearby listed buildings in accordance with Policies ENV17-Protection of Built and Historic Environment, ENV20-Development in Conservation Areas and ENV27-Design of New Developments of the Unitary Development Plan.

4. Notwithstanding the submitted information, before their installation on site, further details and specifications of windows, doors, glazing, trellis, screens and balustrade, including sections to a scale of 1:20, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed and full accordance with the approved details.

Reason:

In the interests of the character and appearance of the property, the wider Conservation Area and the setting of the nearby listed buildings in accordance with Policies ENV17-Protection of Built and Historic Environment, ENV20-Development in Conservation Areas and ENV27-Design of New Developments of the Unitary Development Plan.

5. The balcony screen shall be erected (in full accordance with the details to be approved under Condition 4), as specified on the approved plans, prior to the first beneficial use of the balcony/terrace area and shall thereafter be retained and maintained at all times thereafter.

Reason:

In order to protect the amenities of nearby occupiers in accordance with Policy ENV27-Design of New Developments of the Unitary Development Plan.

#### Reason for decisions

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

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

Having regard to Policies ENV17-Protection of Built and Historic Environment, ENV20-Development in Conservation Areas, ENV21-Demolition in Conservation Areas, ENV27-Design of New Developments, TRAN10-Parking and Strategic Policy 1-The Environment of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance, including Amenity Standards, County Treasures, Penarth Conservation Area, the Penarth Conservation Area Appraisal and Management Plan, Parking Standards and the Model Design Guide for Wales; and national guidance contained in Planning Policy Wales and TAN 12-Design; subject to the compliance with conditions, it is considered that this revised proposal will serve to enhance the character and appearance of the house itself and the wider Penarth Conservation Area, whilst preserving the setting of the adjacent listed buildings. Furthermore, the revised scheme should cause no additional detriment to either neighbouring amenities or highway safety.

**2017/00044/FUL** Received on 26 January 2017

(P. 182)

Mr. and Mrs. Williams, Church Cottage, Aberthin Lane, Aberthin, Vale of Glamorgan, CF71 7LD

C2J Architects and Town Planners, C2J Architects and Town Planners, Unit 1a, Compass Business Park, Pacific Road, Ocean Park, Cardiff, CF24 5HL

**Church Cottage, Aberthin Lane, Aberthin**

Proposed demolition of existing dwelling and outbuildings. Construction of two new detached dwellings with improved site access.

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

- Pay a contribution of £57,211 towards off-site affordable housing provision

In addition payment of the appropriate monitoring fee of £1144.22 is required.

**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(90)01 'Proposed site plans', AL(01)01 Rev B 'Plot 1 - Proposed floor plans', AL(01)02 'Plot 2 -Proposed Floor Plans', received 18 January 2017; AL(90)03 'Proposed site plans', AL(90)01 'Proposed Site Plans' received 13 March 2017; AL(01)09 Rev A 'Proposed Elevations Plot 2', AL(01)12' Rev A Proposed Elevations Plot 2' and AL(01)08 Rev A 'Proposed Elevations Plot 1' received 15 March 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. Prior to their use in the construction of the development hereby approved, a schedule of the proposed materials to be used, including samples, shall be submitted to and approved in writing by the Local Planning Authority and the

development shall thereafter be carried out in accordance with the approved details.

Reason:

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

4. 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 AL(90)03 received 13/03/2017 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.

5. The dwellings hereby approved shall constructed in accordance with the slab levels and ridge heights as set out on Proposed Elevations Plot 1 AL(01)08 Rev. A and Proposed Elevations Plot 2 AL(01)09 Rev. A, received on 15 March 2017.

Reason:

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

6. Notwithstanding the submitted details, all means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use.

Reason:

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

7. A landscaping scheme (including hedgerow planting to the northern boundary) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.



Reason:

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

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

Reason:

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

9. No development approved by this permission shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which shall first have been submitted to and approved in writing by the local planning authority. The final report on such recording shall be deposited with the Local Planning Authority prior to first beneficial use of the development hereby approved, in order that it may be forwarded to the Historic Environment Record, operated by the Glamorgan Gwent Archaeological Trust (Heathfield House, Heathfield, Swansea SA1 6EL Tel: 01792 655208).

Reason:

As the building is of significance the specified records are necessary in order that records are kept of any features of archaeological interest and to ensure compliance with Policies ENV18 and ENV19 of the Unitary Development Plan.

10. 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.

11. Any vegetation clearance must be undertaken outside the nesting season, which is generally recognised to be from March to August inclusive, unless it can be first demonstrated that nesting birds are absent.

Reason:

In order to ensure that no protected species are adversely affected by the development and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

12. Prior to the commencement of development, details of the finished levels of the site, parking areas and garden areas in relation to existing ground levels and the adjacent highway, 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.

13. 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 dwelling 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 in the interests of visual amenity, due to the prominent and sensitive setting of the site, in accordance with Policy ENV27-Design of New Developments, of the Unitary Development Plan.

14. Notwithstanding the submitted plans, visibility splays of 2.0m x 25m shall be provided from the means of access to the site along the adjacent highway. There shall be no obstructions whatsoever within the visibility envelope and all boundary walls, fencing etc. shall be located at the rear of the visibility splays.

Reason:

In the interests of highway safety.

15. Before commencement of any works at the site, full engineering details of all traffic arrangements (including carriageways, footways, kerb radii, means of surfacing etc.) associated with the means of access, including the proposed build outs (and tie in points along the carriageway to the northeast and southwest) that will facilitate visibility, shall be submitted to and approved in writing by, the Local Planning Authority. Thereafter, the development shall not

be occupied until all works have been undertaken in accordance with the approved details.

Reason:

To ensure the means of access to the site is provided and constructed in accordance with the Council's standard details for adoption, in the interests of highway safety.

16. Notwithstanding the details submitted, no development shall take place until there has been submitted to, approved in writing by, the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke and odour from construction work will be controlled and mitigated and confirm the delivery route (including a plan) to and from the site for plant and materials along the adjacent highway network, the provision of associated traffic management, wheel washing and road sweeping facilities. 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 by the Local Planning Authority.

Reason:

To ensure that the construction of the Development is undertaken in a neighbourly manner, in the interests of highway safety 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.

### Reason for decisions

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

Having regard to Policies ENV4 – Special Landscape Areas, ENV17 'Protection of Historic and Built Environment', ENV20 - Development in Conservation Areas, ENV27 - Design of New Developments, HOUS2 - Additional Residential Development, HOUS8 - Residential Development Criteria , HOUS11- Residential Privacy and Space, TRAN10 - Parking , Supplementary Planning Guidance 'Amenity Standards' and Supplementary Planning Guidance 'Planning Obligations', it is considered on balance that the proposed erection of two dwellings in this position are acceptable.

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

**2017/00210/PNT** Received on 1 March 2017

(P. 204)

CTIL & Telefonica UK Ltd c/o Agent

Ms. Jenny Bye Waldon Telecom, Phoenix House, Pyrford Road, West Byfleet, KT14 6RA

### **Dinas Powys Service Station, Cardiff Road, Dinas Powys**

Installation of a 15m high monopole supporting 3 no. shrouded antennas, 1 no. 300mm diameter dish antenna, 2 no. equipment cabinets and ancillary works.

**PRIOR APPROVAL WOULD NOT BE REQUIRED** – Subject to the following:

Consultation responses may be received up to 10<sup>th</sup> April, 2017 inclusive, but the application must be determined by 26<sup>th</sup> April (i.e. prior to next Committee). Therefore, it is recommended that the application be determined that **PRIOR APPROVAL WOULD NOT BE REQUIRED**, subject to the Head of Regeneration and Planning / Operational Manager for Development Management in consultation with the Chair of Planning Committee being given delegated power to amend the decision if consultation responses are received within the timeframe which alter the recommendation.

1. **DOES NOT REQUIRE** the prior approval of the Local Planning Authority:

The development proposed falls within the terms and conditions of Part 24 Development by Telecommunications Code Systems Operators (Wales) contained in The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2002, and prior approval is not required.

#### **Reason for decision**

It is considered that the development proposed falls within the terms and conditions of Part 24 Development by Telecommunications Code Systems Operators contained in the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2002 (as amended) and prior approval of the siting and appearance is not required.

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

**2016/01330/RG3** Received on 15 February 2017

(P. 216)

Mr. Marc Cross, Vale of Glamorgan Council, Cosmeston Country Park, Lavernock Road, Penarth, Vale of Glamorgan, CF64 5UY

Mr. Kai Peake, Vale of Glamorgan Council, Docks Office, Subway Road, Barry, Vale of Glamorgan, CF63 4RT

**Cosmeston Medieval Village, Cosmeston Country Park, Lavernock Road, Penarth**

Change of use of two barn buildings (Tithe Barn and Reeves Barn), forming part of Cosmeston Medieval Village, to allow civil marriages and wedding events.

DEFERRED – For site visit.