

No.

## PLANNING COMMITTEE

Minutes of a meeting held on 27<sup>th</sup> April, 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, E. Hacker, 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, Mrs. A.J. Preston and G. Roberts.

Also present: Councillors G. John and K.P. Mahoney.

### List of Public Speakers:

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Miss. Alex Bagnall	2016/01394/LBC – Cottrell Cottage	Objector or their representative
Councillor Michael Garland	2016/01330/RG3 – Cosmeston Medieval Village, Lavernock	Objector or their representative

Councillor Mahoney spoke on the following application, in his capacity as a Vale of Glamorgan Member for the Sully Ward, 2016/01330/RG3 – Cosmeston Medieval Village, Lavernock.

1051 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 30<sup>th</sup> March, 2017 be approved as a correct record.

1052 DECLARATIONS OF INTEREST –

Councillor H.J.W. James	Agenda Item No. 7 – Appeals – Year End Report. The nature of the interest was that Councillor James was a friend of a close neighbour to the property.  Councillor James vacated the room whilst this application was under consideration.
Mr. Richard Price, Legal Officer	Agenda Item No. 10 – Planning Application No. 2017/00086/FUL. The nature of the interest was that Mr. Price was a close friend of the applicant for the planning application.

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Councillor L. Burnett	<p>Agenda Item No. 10 – Planning Application No. 2016/01330/RG3. The nature of the interest was that Councillor Burnett was the Cabinet Member for Education and Regeneration for the Vale of Glamorgan Council.</p> <p>Councillor Burnett spoke at the start of this item but left the room whilst the application was under consideration.</p>
Councillor A. Parker	<p>Agenda Item No. 10 – Planning Application Nos. 2016/01390/FUL, 2016/01394/FUL, 2017/00086/FUL. The nature of the interest was that Councillor Parker had acted as an architect for the applications.</p> <p>Councillor Parker vacated the room whilst the applications were under consideration.</p>
Councillor J.C. Bird	<p>Agenda Item No. 10 – Planning Application No. 2016/01330/RG3. The nature of the interest was that Councillor Bird was a Director for a wedding service company that would possibly service the application area and venue.</p> <p>Councillor Bird vacated the room whilst this application was under consideration.</p>

1053 SITE INSPECTIONS (MD) –

RESOLVED – T H A T the attendance of the following Councillors at the sites indicated below on 30<sup>th</sup> March, 2017 be noted:

Apologies for the all Site Visits [(a) to (d)] were received from Councillors J.C. Bird, Mrs. P. Drake, E. Hacker, H.J.W. James, R.A. Penrose, A.G. Powell and Mrs. M.R. Wilkinson.

Apologies for Sites (a) and (b) only were received from Councillor P.G. King.

(a) Pen-y-Lan Road, Aberthin	Councillor F.T. Johnson (Chairman); Councillors J. Drysdale, A. Parker and G. Roberts.
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(b) Church Cottage, Aberthin Lane, Aberthin	Councillor F.T. Johnson (Chairman); Councillors J. Drysdale, A. Parker and G. Roberts.  Also present: Councillor G.A. Cox
(c) The Highlands, Old Barry Road, Penarth	Councillor F.T. Johnson (Chairman); Councillors J. Drysdale, P.G. King, A. Parker and G. Roberts.
(d) The Tower, Tower Hill, Penarth	Councillor F.T. Johnson (Chairman); Councillors J. Drysdale, P.G. King, A. Parker and G. Roberts.

1054 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.

1055 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**

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| A - Approved   | O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement) |
| C - Unclear if permitted (PN)                          | B - No observations (OBS)  |
| EB EIA (Scoping) Further information required          | E Split Decision   |
| EN EIA (Screening) Not Required                        | G - Approved the further information following "F" above (PN)                      |
| F - Prior approval required (PN)                       | N - Non Permittal (OBS - objections)   |
| H - Allowed : Agricultural Condition Imposed : Appeals | NMA – Non Material Amendments  |
| J - Determined by NAFW                                 | Q - Referred to Secretary of State for Wales                                       |

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- L - Approved AND refused (LAW) (HAZ)  
P - Permittal (OBS - no objections) S - Special observations (OBS)  
R - Refused U - Undetermined  
RE - Refused (Enforcement Unit Attention)  
V - Variation of condition(s) approved

2012/01285/4/N MA	A	(Former Ely Brickworks), Woden Park, land off Cwrt yr Ala Road, Michaelston Le Pit	Non-Material Amendment - Trenches: crossing of "zero dig zone" on planning permission ref: 2012/01285/FUL: Installation of 5MWp solar PV park. Further areas identified beyond NMA(2012/01285/2/NMA) where cables have been laid in the zero-dig zones.
2013/00417/1/N MA	A	31, Nant Talwg Way, Barry	Non-material Amendment - Change from fixed pane to an opening fan-light window. Proposed roof dormer in side of rear extension.
2014/00459/1/N MA	A	Carneddi, Greenfield Way, Llanblethian	Non Material Amendment - Amend the wording of condition. Extension and alterations including new roof to garage/annex, new windows, dormers, gates, screens, etc.
2014/00460/3/N MA	A	Plot 19, Manor Park, Sully Road, Penarth	Proposed alteration of approved dwelling to include rear conservatory extension.
2014/01108/2/N MA	A	Former Caravan Park, Hazelwood, Church Close, Ogmore By Sea	Non Material Amendment - Variation of Public Art Condition 23 of planning permission 2014/01108/RES to submit details of public art after the occupation of some dwellings on the site.

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2015/00662/1/N MA	A	Land to the east of Mink Hollow, St. Nicholas	Non material amendment - Variation of condition 8 - Proposed residential development for 17 dwellings and associated highway and ancillary works.
2016/00382/FUL	A	22, Port Road East, Barry	Proposed extension to existing culvert and retention of material to change levels of garden.
2016/00609/FUL	A	Tudor Tavern, Church Street, Llantwit Major	Add new air conditioning heat pump system with new indoor wall units and external condensers.
2016/00628/1/N MA	A	Cressage House, 7, St. Andrews Road, Wenvoe	Demolish existing outbuildings and replace them with new outbuildings. Extend the main property at the rear.
2016/01031/LBC	A	The Old Swan, Public House, Church Street, Llantwit Major	Renew existing slate roof. Repair of four stone chimney stacks. Renew lead flashing, valleys etc. Repair existing guttering. Renew fascia. Roof timber repair where required. Repointing of stonework.
2016/01178/FUL	R	Highfield Farm, Colwinston	Additional hardstanding and existing farm track renewal from existing gateway to farm shop for overflow parking and access.
2016/01191/FUL	A	Caerau Ely (AFC) Football Club, Cwrt Yr Ala Playing Fields, Cwrt Yr Ala, Cardiff	Extension to the existing club house with shower facilities, a new seated stand for 150 people (with shutter) and a new training pitch (60m x 40m).

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2016/01267/FUL	A	Plot at Station Terrace, East Aberthaw	Proposed development of the site for 2 new build, detached houses.
2016/01269/FUL	A	58, Westward Rise, Barry	Existing garage to side to be demolished. New two storey side extension.
2016/01293/LAW	A	Land to the West of Tair Croes, Llampha Court Farm, Bridgend	Engineering operations - digestate lagoon.
2016/01294/LAW	A	Land to the West of Heol Las, Sealand Farm, St. Brides Major	Engineering operations - digestate lagoon.
2016/01401/FUL	A	53, Hillside Drive, Cowbridge	Single storey porch.
2016/01403/1/N MA	A	23, Augusta Road, Penarth	Non-Material Amendment - Single storey rear extension plus dormer extension and associated works.
2016/01408/FUL	A	Lynton, Tredodridge	Renewal of planning consent 2011/01281/FUL.
2016/01476/FUL	A	Hundred House, Llysworney	Single storey rear flat roof extension with balcony above.
2016/01477/FUL	A	2, Dingle Dell, Windsor Lane, Penarth	Replace garage door with double glazed window in keeping with the building.
2016/01483/FUL	R	26, Dyserth Road, Penarth	Demolition of existing large and rear extension, construction of new two storey side extension and new single storey extension to rear.
2016/01491/FUL	A	The Albion, 28, Glebe Street, Penarth	External alterations including new corner access and timber cladding.

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2016/01492/FUL	A	The Dales, Little Brynhill Lane, Barry	Proposed change of use and conversion of existing outbuilding to forms 2 self-contained holiday properties with onsite parking.
2016/01522/FUL	A	Ty Gwyn, Corntown Road, Corntown	Rear single storey extension with balcony structure above, internal re-modelling and remodelling to the front elevation.
2016/01529/FUL	A	39, Westbourne Road, Penarth	Replacement and refurbishment of windows and door.
2017/00002/FUL	A	1, Goscombe Drive, Penarth	Amendment to original Application 2016/01148/FUL.
2017/00006/FUL	A	77, Eastgate, Cowbridge	Extension of kitchen with mono-pitch roof and bi-fold doors within existing rear courtyard.
2017/00009/FUL	A	The Marl pits, St. Donats	Erection of a replacement agricultural building, a ménage and extension to farm track.
2017/00010/FUL	A	5, Heol Cae Pwll, Colwinston	External flue.
2017/00011/FUL	A	The Horizon, 7, Church Place South, Penarth	Single storey rear and side extension.
2017/00012/ADV	A	Burger King (UK) Ltd, Culverhouse Cross Retail Park, Culverhouse Cross	One (1) double sided advertising unit fully integrated into bus shelter.
2017/00013/FUL	A	Tony King Architects, 97A, Glebe Street, Penarth	Variation of Condition 1 to renew planning permission 2012/00133/FUL for the change of use from B1 office back to a C3 two bed flat.

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2017/00017/FUL	A	33, Main Road, Ogmore by Sea	Erect conservatory to the front elevation.
2017/00021/ADV	A	Merthyr Dyfan Road, Barry	The erection of 2 flagpoles with associated flag, Green Flag Award and Barry Town Council Coat of Arms.
2017/00023/FUL	A	Cradleigh, Swanbridge Road, Sully	Two storey side and rear extension.
2017/00025/FUL	A	Barry Community Water Activity Centre, Powell Duffryn Way, Barry	Construction of new community leisure building with associated site works. New building to incorporate; changing, storage and office space for water activity centre.
2017/00026/FUL	A	Land at The Lawns, Cwrt Yr Ala Road, Michaelston Le Pit	Agricultural building.
2017/00030/FUL	A	White Farm House, Gower Road Junction Leckwith Road to Brynwell Farm, Leckwith	Single storey tiled roof extension to side/rear elevation.
2017/00031/FUL	A	Elder Cottage, Llantwit Road, Wick	Extension to existing dwelling and replacement of garage.
2017/00033/FUL	R	1-3, Adenfield Way, Rhoose	Change of use from commercial to residential and construction of 2 detached 4 bedroom dwellings.
2017/00034/FUL	A	Foxhollows, Llancarfan	Proposed single storey extension to existing kitchen.



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2017/00035/FUL	A	6, West End Terrace, Llantwit Major	Remove rear glazed porch and extend kitchen. Insert 2 Velux roof lights to rear elevation. Construct new dormer to rear bedroom 2. Enlarge first floor WC to form wet shower room. Form sleeping platform to bedroom 1. Remove wall between kitchen and lounge.
2017/00038/FUL	A	117, Main Street, Barry	Building of garage on existing hardstand (parking).
2017/00039/FUL	A	102, Dock View Road, Barry	New single storey extension to side and rear. Take down garage and replace. Roller shutter door new frame utilising existing cross over. Solar panels to main house roof.
2017/00041/FUL	A	38, Matthew Road, Rhoose	Rear single storey extension, kitchen/diner, bedrooms and utility.
2017/00043/FUL	A	3, St. Martins Close, Penarth	Front and rear dormers.
2017/00045/FUL	A	8, Glynbridge Close, Barry	Garage conversion and related alterations.
2017/00047/FUL	A	44, Chandlers Way, Penarth	New balcony to front of property.
2017/00048/FUL	A	13, Windsor Terrace, Penarth	Proposed rear roof dormer.
2017/00052/FUL	A	8, Cwm Barry Way, Barry	To build a summer house at the end of our garden with a sloped flat roof, patio door access with no window present and cladding to be corrugated galvanised sheet metal.

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2017/00053/FUL	A	70, Celtic Way, Rhoose	Extension above garage, garage conversion and rear roof terrace.
2017/00054/FUL	A	40, Glebeland Place, St. Athan	Demolition of existing substandard garage. Proposed new garage and 2 storey extension to form family room to ground floor and additional bedroom to first floor.
2017/00055/FUL	A	41, Gwenfo Drive, Wenvoe	Retention of two storey and single storey extensions to side and rear of property, and detached double garage.
2017/00056/FUL	A	Ty Isha Farm, Welsh St. Donats	Single storey extensions and dormers.
2017/00057/FUL	R	30, Porthkerry Road, Rhoose	Proposed alterations and extension to form granny annexe including 2 storey front/side extension, rear dormer extension and single storey rear extension with first floor roof terrace with balcony.
2017/00058/FUL	A	Cowbridge Cricket Club, Cowbridge Athletic Club, Cowbridge	Proposed machinery store (4.8m x 7.3m) to replace dilapidated machinery store.
2017/00059/FUL	A	Cyfarthfa, Highlight Lane, Barry	Demolition of existing garage and construction of single storey pitched roof side and rear extension to be partly used as granny annex.
2017/00063/FUL	A	Pen y Bryn, Cross Common Road, Dinas Powys	Demolish existing dwelling and construct new dwelling.

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2017/00065/FUL	A	10, Anchor Road, Penarth	Conversion of internal garage into a music room. Providing new main entrance door to front elevation to create a Draught Lobby. New Oriel Window to side gable elevation to provide natural light to stairs, matching those in the surrounding area. Converting rear garden door into a window to provide more facilities in utility room. Replacing rear first floor bay window with glazed balcony matching those in the surrounding area.
2017/00070/FUL	A	Charlton, 25, Clevedon Avenue, Sully	Single storey rear and side extension.
2017/00071/FUL	A	1, Sully Terrace Lane, Penarth	Construction of rear dormer.
2017/00072/FUL	A	15, King Street, Penarth	Retention of outbuilding and garden boundary treatments.
2017/00073/FUL	A	4, Maes y Bryn, Colwinston	Proposed extensions and vehicular access.
2017/00078/FUL	A	Cartref, Westra, Dinas Powys	Side/rear extensions and alterations to existing bungalow.
2017/00079/FUL	A	57, Highwalls Avenue, Dinas Powys	Single storey extension to rear of property, with change of roof profile.
2017/00083/FUL	A	30, Port Road East, Barry	Proposed first floor addition to form additional accommodation, plus internal and external alterations to remodel the dwelling.

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2017/00089/FUL	A	24, Enfield Drive, Barry	Demolition of existing conservatory. Proposed 2 storey extension.
2017/00095/FUL	A	30, Cwm Barry Way, Barry	Single storey rear and side extension, ground floor redesign and rear dormer.
2017/00101/FUL	A	Wallas Fach Cottage, Wick Road, Ewenny	Two storey extension to rear of property to provide kitchen and bedroom.
2017/00105/FUL	A	268, Barry Road, Barry	Side conservatory.
2017/00113/LAW	R	10, Westbourne Road, Penarth	Rear dormer extension to an existing habitable loft space.
2017/00118/FUL	R	Unit 2, Seaview, St. Athan	Variation of condition 1 of 2010/00957/FUL relating to description of windows and doors i.e. from timber as noted on approved drawings to woodgrain UPVC to allow for the retention of the UPVC windows and doors at unit 2, Seaview, St. Athan.
2017/00128/FUL	A	55, Glyndwr Avenue, St. Athan	Construction of a single storey pitched roof extension to the side of the house, including a new porch to the front.
2017/00130/FUL	A	7, Thistle Close, Barry	Proposed Ground Floor Bedroom and en suite extension for medical reasons to provide sleeping accommodation for the occupant who is suffering severe mobility difficulties.
2017/00135/FUL	A	Flats 1-14, Britway Court, Britway Road, Dinas Powys	Replacement and disposal of original Courtyard windows.

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2017/00157/PNA	A	Village Farm, Marcross	Silage pit.
2017/00165/FUL	A	74, Redlands Road, Penarth	To extend to rear of dwelling new kitchen/ breakfast room extension. New window to ground floor toilet and internal alterations.
2017/00178/LAW	A	Ffo Dos, 19, Sherbourne Close, Barry	Single storey rear extension.

1056 APPEALS – YEAR END REPORT (HRP) –

RESOLVED –

- (1) T H A T the Final Planning Appeals received in the last financial year as detailed in the report be noted.
- (2) T H A T the Final Enforcement Appeals received in the last financial year as detailed in the report be noted.
- (3) T H A T the Planning Appeal Decisions as detailed in the report be noted.
- (4) T H A T the statistics relating to Appeals for April 2016 to March 2017 as detailed in the report be noted.

1057 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

2016/00925/TPO	A	The Keys, Llantwit Major	Removal of 4 Horse Chestnuts.
2016/01340/TPO	A	Land at West House, Stanwell Road, Penarth	Fell Robinia in Penarth Conservation Area.

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2017/00067/TCA	A	2, Bradford Place, Penarth	Pollard 2 X Chestnut in Penarth Conservation Area
2017/00068/TPO	A	Land at Tinkinswood, Dyffryn Lane, St. Nicholas	Fell a Beech tree (T1) in Tree Preservation Order No. 04, 1952.
2017/00075/TCA	A	The Railway Hotel, Plymouth Road, Penarth	Felling of a Lawson Cypress and Sycamore adjacent to the entrance to the Railway Hotel outside seating area.
2017/00094/TCA	A	Glen View, Croft John, Penmark	Works to trees.
2017/00096/TCA	A	3, Park Road, Penarth	Re pollard Lime tree and works to hedge in Penarth Conservation Area.
2017/00153/TCA	A	The Old Dairy, Llandow	Crown lift a Sycamore Tree in Llandow Conservation Area.
2017/00154/TPO	A	12A, Plymouth Road, Penarth	Crown lift lower limbs and foliage of Beech Tree TPO No. 07, 1971.
2017/00155/TCA	A	12A, Plymouth Road, Penarth	Fell Bay Laurel, crown lift Oak and reduce crown of Cherry Tree in Penarth Conservation Area.
2017/00243/TCA	A	10, Coed Y Felin, Barry	Reduction of one mature Oak tree by 1 to 2 metres over the whole crown.

(ii) Tree Preservation Order No. 7, 2015 for Trees on Land West of 10-14 Clos Llanfair, Wenvoe

Committee was informed that the site related to the rear garden of a detached former farmhouse identified as Llancadle Farm House (or "Lower Farm") within the Llancadle Conservation Area. A public footpath ran to the side of the site linking the main through road with the open countryside at the rear of the site.

The tree appeared to be fairly mature, it being a species with relatively accelerated growth. It was situated in relatively close proximity to a stone wall, which acted as a

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retaining wall to the rear garden. A site inspection was undertaken and there were no apparent signs of damage to the wall from the root system of the tree.

The TEMPO assessment format had been used to assess the Willow, and a score of 15+ was allocated for the tree, indicating that it would merit preservation status. The Willow was considered a pleasant specimen of a tree that, despite not being rare, was nevertheless appreciated for its aesthetically pleasing appearance throughout the summer.

The tree occupied a prominent position at the rear which formed the boundary of the Conservation Area. It was widely visible from the public footpath at the side of the house that also crossed the open field to the rear. At present, the canopy of the Willow was suppressed by that of the Conifer, which would recover following (the approved) removal of the adjacent Conifer tree.

It was noted that the tree was located closer to the rear stone wall and that there was a septic tank within the rear garden. Nevertheless, it was considered that the guidance quoted was not from a source of verifiable expertise, such as an arboriculturalist, and that the quoted recommended distance of 50 feet seemed overly cautious. The Tree Preservation Order (TPO) status did not prejudice the Council in future should an application be put forward for its removal, alongside appropriate evidence that the tree was at high risk of causing damage to the wall or drainage infrastructure. Appropriate exemptions also existed should a TPO tree become an imminent danger.

The Committee was advised that whilst the Yew may also benefit from TPO status, it was not proposed to be felled and therefore benefitted from continued protection as it was located within a Conservation Area without a TPO having been served.

Following consideration of the report, Committee

RESOLVED – T H A T the Order be confirmed.

Reason for decision

To ensure the long term protection and maintenance of trees which have significant amenity value.

1058 ENFORCEMENT ACTION (HRP) –

(i) Year End Report

RESOLVED –

(1) T H A T the Enforcement Notices issued under Section 172 of the Town and Country Planning Act (as amended) 1990, between April 2016 to March 2017, as detailed in the report be noted.

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(2) T H A T the New Powers – Temporary Stop Notices pursued under Section 187A of the Town and Country Planning Act (as amended) 1990, between April 2016 to March 2017, as detailed in the report be noted.

(3) T H A T the New Powers – Enforcement Warning Notices pursued under Section 173ZA of the Town and Country Planning Act (as amended) 1990, between April 2016 to March 2017, as detailed in the report be noted.

(4) T H A T the Breach of Condition Notices pursued under Section 187A of the Town and Country Planning Act (as amended) 1990, between April 2016 to March 2017, as detailed in the report be noted.

(5) T H A T the Untidy Land and Buildings Notices pursued under Section 217 and 215 of the Town and Country Planning Act (as amended) 1990, between April 2016 to March 2017, as detailed in the report be noted.

(6) T H A T Planning Contravention Notices and Requisitions for Information pursued under Section 171C of the Town and Country Planning Act (as amended) 1990, between April 2016 to March 2017, as detailed in the report be noted.

(7) T H A T the Year End Performance Statistics relating to Enforcement cases for April 2016 to March 2017 as detailed in the report be noted.

(ii) Land and Buildings at Stable Cottage (Penmaen Livery Yard), Treguff, St. Mary Church

The report related to a complaint initially received in September 2014, regarding the construction of a lean-to extension and a flue attached to a building at Stable Cottage, St. Mary Church. The initial investigation of the case discovered that the site was being used for a business operation including the processing and seasoning of logs for fuel for wood burning fires. The lean-to extension had been erected in order to house the biomass boiler used to season the firewood logs.

Following an initial investigation, the owner of the site was advised that the log seasoning business resulted in a material change of use of the site from a livery hard with ancillary horse rug wash, to a mixed use as a livery yard, ancillary horse rug washing business and a commercial processing, storage and distribution of firewood logs. An application for planning permission was subsequently made in an attempt to retain the material change of use.

It was reported in the application that approximately 50 to 100 tons of timber and processed firewood was stored at the site at any one time and timber was cut and processed into firewood logs using a tractor mounted firewood processor in the yard located next to Stable Cottage. Timber deliveries were made to the yard via the applicant's own tractor trailer approximately once a week and by an articulated lorry once a month. The logs were then dried in a log drying kiln and then stored under cover until they were sold. It had been previously confirmed that customers did not



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visit the site to pick up the wood, as log deliveries were made using the operator's own 3.5 ton light goods vehicle and delivered directly to the customer.

The application also proposed the retention of the extension to the existing indoor riding school building to house the biomass boiler and accumulator tank. It was determined that this development also required the benefit of planning permission. The extension had been constructed to the side and rear of the main building in an "L" shape formation, although the two elements appeared to have been separately constructed.

The application was refused planning permission on 24<sup>th</sup> August, 2016, however since the refusal, officers had sought the voluntary resolution of this matter with the owner and operator of the site. Unfortunately, the use had continued in breach of planning control.

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 site for the purposes of operating a commercial processing, storage and distribution of firewood logs business;
- (ii) The removal of the biomass boiler, accumulator tank, all associated equipment and all equipment and machinery used in the operation of the commercial process, storage and distribution of firewood logs business.

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

#### Reason for decision

(1) The continued operation of a commercial processing, storage and distribution of firewood logs business within the countryside location was considered to have an unacceptable impact on the existing highway network by virtue of the large vehicles servicing the site and would result in an intensification of the use of a substandard access which would prevent large vehicles (over 10m in length) from entering and leaving the highway completely and prevent turning within the boundary of the site. This would result in dangerous reversing movements into or from the highway to the detriment of highway safety. In addition to this, the highway safety issues were considered to cause harm to the amenities of residents living near the site. For these reasons, the unauthorised use of the site was considered to be contrary to Policies ENV27 – Design of New Developments, EMP2 – New Business and Industrial Development and EMP7 – Farm Diversification of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 as well as national guidance contained in Planning Policy Wales (Edition 9), Technical Advice Note 6: Planning for Sustainable Rural Communities and Technical Advice Note 18: Transport.

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(2) It was considered that the decision complied 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.

#### 1059 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:

**2016/00946/FUL** Received on 10 November 2016

(P. 70)

ALDI Stores Limited, C/o Agent

Miss Rhiannon Boulton, Turley, 18, Windsor Place, Cardiff, CF10 3BY

#### **Unit 6, Ty Verlon Industrial Estate, Barry**

Demolition of existing building and erection of a Class A1 Limited Assortment Discount foodstore (1,593m<sup>2</sup> gross, 1,140m<sup>2</sup> net sales) with associated access, parking, landscaping and ancillary works.

DEFERRED, for site visit.

**2016/01328/FUL** Received on 7 November 2016

(P. 101)

Mr. Philip Bowles Meadowlands Estate, Unit 128, 33, Queen Street, Horsham, RH13 5AA

Derek Ball RPS, Park House, Greyfriars Road, Cardiff, CF10 3AF

#### **Meadowlands Estate, Drope Road, The Drope**

Removal of waste material stored on site since 1983 and the restoration of the land.

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.

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2. The development shall be carried out in accordance with the following approved plans and documents:-
- Site Location Plan, Dwg. No. JPW0984-001, received 7 November 2016;
  - Survey plans, 2 No. Topographic, 1 No. Cross-sections and site area, received 7 November 2016;
  - Site Access and Layout , Dwg. No. JPW0984-002, received 7 November 2016;
  - Junction layout, Dwg. No.s C2362.01A, 02A, 03A and 04A, received 3 February 2017;
  - Existing Features Aerial Base, Dwg. No. 2016./92, received 7 November 2016;
  - Existing Features Aerial Base Overall, Dwg. No. 2016./93, received 7 November 2016;
  - Proposals, Dwg. No. 2016./95, received 7 November 2016;
  - Tree Survey and Tree Protection Plan, Dwg. No. 2016./94, received 7 November 2016;
  - Arboricultural Method Statement, prepared by David Rice Forestry dated 23 September 2016 and received 7 November 2016;
  - Site Operations Manual, Traffic Management & Dust Suppression Plan, amended document received 7 March 2017;
  - Sustainable Use of Topsoil, amended document received 7 March 2017;
  - Method Statement, Plant & Equipment: JCB 360 Excavator, received 7 November 2016;
  - Transport Statement, prepared by Traffic and Transport Planning, dated September 2016 and received 7 November 2016;
  - Restoration of Meadowlands Farm Estate to Agricultural Use Again, received 23 February 2017;
  - Noise Impact Assessments prepared by Hunter Acoustics, 4273/NIA1, dated 19 August 2016 and received 7 November 2016, and 4273/NIA2, dated 15 December 2016 and received 19 December 2016;
  - Ecological Assessment, prepared by David Clements Ecology Ltd., dated August 2016 and received 7 November 2016;
  - Pollution/Sediment Control Strategy, dated 19 December 2016 and received 31 January 2017;
  - Waste Planning Assessment prepared by RPS dated March 2017 and received 31 March 2017; and
  - Pre-Application Consultation Report, prepared by RPS dated October 2016 and received 7 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. The developer shall notify the Local Planning Authority in writing of the date of the commencement of development within 28 days of its occurrence and the

No.

extraction of the material hereby granted shall be for a period not exceeding three years, from the date of commencement.

Reason:

To ensure that the works are expedited in a timely manner in the interests of highway safety, neighbouring and general amenity, and the ecological interests on and surrounding the site in accordance with Policies ENV4 - Special Landscape Areas, ENV10 - Conservation of the Countryside, ENV16 - Protected Species, ENV17 - Protection of Built and Historic Environment, and ENV27 - Design of New Developments of the Unitary Development Plan.

4. Notwithstanding the submitted details, including, 'Sustainable Use of Top Soil', received 7 March 2017, and proposed landscaping plans, Dwg. No. 2016./95, further details of the proposed restoration works (including a timetable) shall be submitted to and agreed in writing with the Local Planning Authority before the commencement of development. The scheme shall include details of the sequence and phasing of reclamation; all proposed landscaping (and details of aftercare and management), details spreading over the floor of the excavated area with subsoil and topsoil previously stripped from the site; the ripping of any compacted layers of final cover to ensure adequate drainage and aeration; the machinery to be used; the drainage; and grass seeding of reclaimed areas with a suitable herbage mixture. The approved scheme shall be implemented following the cessation of the extraction works in full accordance with the agreed timescales.

Reason:

To ensure that the land is appropriately restored to agricultural use and in the interests of visual amenity, and the ecological interests on and surrounding the site in accordance with Policies ENV4 - Special Landscape Areas, ENV10 - Conservation of the Countryside, ENV16 - Protected Species, ENV17 - Protection of Built and Historic Environment, ENV27 - Design of New Developments, and MIN8 - Restoration and After Care of the Unitary Development Plan.

5. No works of extraction shall commence on site until the following highway works have been undertaken:-
  - Implementation of the alterations to the vehicle crossover as identified on drawing No. C2362.01A received 3 February 2017;
  - Re-location of the existing road sign located adjacent to the site along Drope Road;
  - The means of access to be constructed from a bound material for a minimum distance of 15m from the adjacent carriageway and thereafter from compacted crushed stone for a further distance of 15m; and
  - the existing gates to be relocated at a minimum distance of 15m from the adjacent highway.

No.

Reason:

In the interests of highway safety in accordance with Policies ENV27 - Design of New Developments and EMP2 - New Business and Industrial Development of the Unitary Development Plan.

6. Before the commencement of development details of measures for wheel washing facilities shall be submitted to and approved in writing by the Local Planning Authority and the approved measures shall be fully implemented on site prior to the commencement of any works and shall thereafter be so retained for the duration of the development.

Reason:

In the interests of highway safety and the amenities of the area in accordance with Policy ENV27 - Design of New Developments and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

7. The hours of operation at the site shall be restricted to between 0800 and 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays, with no work on Sundays or Bank Holidays. No movement of HGVs, or any other deliveries, including plant or materials to and from the site, shall be undertaken between the hours of 0800 and 0930 and 1430 and 1600 Monday to Friday during school term time; and the proposed delivery route to the site shall only be as identified within the submitted Transport Statement, and no more than 15 HGV movements shall be undertaken in any one day.

Reason:

In the interests of highway safety and residential amenity in accordance with Policies ENV27 - Design of New Developments and EMP2 - New Business and Industrial Development of the Unitary Development Plan.

8. The site entrance and access road shall be returned to its existing state in accordance with full details to be agreed (including a timetable) in writing with the Local Planning Authority. The agreed details shall be implemented following the completion of the extraction works.

Reason:

To ensure that the access is restored to reflect the agricultural nature of the site in the interests of visual amenity of the surrounding rural landscape, including the Ely Valley and Ridge Slopes Special Landscape Area, in accordance with Policies ENV4 - Special Landscape Areas, ENV10 - Conservation of the Countryside, and ENV27 - Design of New Developments of the Unitary Development Plan.

9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported

No.

in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been submitted to the Local Planning Authority and approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies ENV26 - Contaminated Land and Unstable Land and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

10. Any topsoil (natural or manufactured), subsoil, or aggregates (other than virgin quarry stone or recycled aggregate material), to be imported onto the site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. In addition, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.

Reason:

To ensure that the safety of future occupiers is not prejudiced, in accordance with Policies ENV26 - Contaminated Land and Unstable Land and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

11. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

No.

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with Policies ENV26 - Contaminated Land and Unstable Land and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

12. The development shall be implemented in accordance with the Pollution/ Sediment Control Strategy received 31 January 2017, along with the details relating to the Silt Fence and French Drain received on 25 January 2017.

Reason:

To safeguard the ecological and biodiversity interests on and adjacent to the site, including the Ely Valley SSSI, in accordance with Strategic Policy 1 - The Environment and MIN6 - Environmental Impact of the Unitary Development Plan, along with national guidance in TAN 5-Nature Conservation and Planning.

13. Before the commencement of development a scheme for the protection of reptiles and breeding birds, for the duration of the approved works, including the restoration of the land, shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with the agreed scheme.

Reason:

Only an outline clearance strategy has been submitted in Section 6.22 to 6.24 of the Ecology Assessment, and a more detailed scheme will be required to safeguard the interests of protected species in accordance with Policy ENV16 - Protected Species of the Unitary Development Plan, along with TAN5 - Nature Conservation and Planning.

14. The proposed tree / hedgerow protection measures, shall be implemented in accordance with the submitted details (including the Arboricultural Method Statement and Dwg. No. 2016/94 Tree Survey, (received 7 November 2016) prior to any works within the site.

Reason:

In the interests of visual amenity and the ecological and biodiversity interests of the site in accordance with Policies ENV4 - Special Landscape Areas, ENV11 - Protection of Landscape Features, and MIN6 - Environmental Protection of the Unitary Development Plan.

15. The Dust Control Scheme as set out in the 'Site Operations Manual - Traffic Management and Dust Suppression Plan', amended document received 7 March 2017, shall be implemented from the date of commencement of the development and complied with at all times in accordance with the approved scheme.

No.

Reason:

In the interests of amenity and to safeguard against pollution in accordance with Policies ENV27 - Design of New Developments, ENV29 - Protection of Environmental Quality, and MIN6 - Environmental Impact of the Unitary Development Plan.

16. The permission hereby granted does not include any consent for blasting, nor the screening, processing or crushing of material on site at any time.

Reason:

In the interests of amenity and to safeguard against pollution in accordance with Policies ENV27 - Design of New Developments, ENV29 - Protection of Environmental Quality, and MIN6 - Environmental Impact of the Unitary Development Plan.

17. All soils, including topsoil and subsoil, shall be permanently retained on site and used in the restoration, and the soils shall be stripped, handled, stored and replaced in accordance with 'Sustainable Use of Topsoil' amended document received on 7 March 2017. In addition the topsoil and subsoil shall be stored in separate mounds which shall:-

(a) Not exceed 3m in height in the case of topsoil, or exceed 5m in height in the case of subsoil;

b) Be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid collection of water in surface undulations;

(c) Not be subsequently moved or added to until required for restoration;

(d) Have a minimum 3m stand-off, undisturbed around each storage mound;

(e) Comprise topsoils on like texture topsoils and subsoils on like texture subsoils.

Reason:

In the interests of amenity and the appropriate restoration of the site for agricultural purposes in accordance with Policies ENV27 - Design of New Developments, ENV29 - Protection of Environmental Quality, and MIN8 - Restoration and After Care of the Unitary Development Plan.

18. During the operation of the extraction of material hereby approved, in accordance with the submitted Noise Impact Assessment, the noise level shall not exceed 55dB LAeq1hr when recorded at any nearby dwelling.

Reason:

In the interests of residential amenity, and in order to comply with the accepted methodology as outlined in the Noise Impact Assessment, in



No.

accordance with Policies ENV27 - Design of New Developments, and ENV29 - Protection of Environmental Quality of the Unitary Development Plan.

19. Before the commencement of development, details in relation to the likely impact of the removal of the waste material and the re-profiling of the land on the noise from the A4232 on the nearby residential occupiers, including noise surveys, and the means of noise attenuation to mitigate increased noise levels including a noise barrier as appropriate, shall be submitted to and agreed in writing by the Local Planning Authority. Any agreed noise attenuation shall be implemented in accordance with the approved details, including the timing and phasing of such works.

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.

20. Within 28 days of the first commencement of extraction, a survey to assess the level of noise cause by the works hereby approved, undertaken at a point to be agreed with the Local Planning Authority shall be carried out by an independent consultant approved by the Local Planning Authority, following the principles in the Good Practice Guidelines. The Local Planning Authority shall be advised of the date that the surveys will take place prior to them being undertaken. A report to detail the findings of the survey shall be submitted within 1 month of the date that the survey was undertaken, detailing the actual measured noise levels and, should the surveys indicate that the noise levels exceed 55 dba LAeq1hr identified in condition 18 above and the report from Hunter Acoustics submitted as part of the application, the extraction and use shall cease until measures to sufficiently reduce the noise level of the operations to within the parameters specified by this consent have been agreed in writing by the Local Planning Authority and the site shall not become operational again until the approved measures have been implemented in full and those measures shall be retained at all times thereafter.

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.

21. No development shall commence until details of a method statement and risk assessment for the protection of the structural condition of the strategic water main crossing the site has been submitted to and approved in writing by the Local Planning Authority. The approved protection measures shall be implemented in full before any other development hereby permitted has commenced, and shall be retained at all times for the duration of the approved operations including the restoration works.

No.

Reason:

To ensure that the proposed development does not affect the integrity of the existing water supply system in the interests of public health and safety in accordance with MIN6 - Environmental Impact of the Unitary Development Plan.

#### Reason for decision

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

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

Having regard to policies ENV1 - Development in the Countryside, ENV2 - Agricultural Land, ENV3 - Green Wedges, ENV4 - Special Landscape Areas, ENV7 - Water Resources, ENV10 - Conservation of the Countryside, ENV11 - Protection of Landscape Features, ENV16 - Protected Species, ENV17 - Protection of Built and Historic Environment, ENV20 - Development in Conservation Areas, ENV26 - Contaminated Land and Unstable Land, ENV27 - Design of New Developments, ENV29 - Protection of Environmental Quality, EMP2 - New Business and Industrial Development, TRAN10 - Parking, MIN6 - Environmental Impact, MIN8 - Restoration and After Care, WAST1 - Provision of Waste Management Facilities, WAST2 - Criteria for Assessing Waste Management Facilities, and Strategic Policies 1 and 2 - The Environment, 5 - Business and Industrial Uses, 8 - Transportation, 12 - Minerals, and 13 - Waste Management of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance on Biodiversity and Development, Design in the Landscape, Trees and Development, Parking Standards, Conservation Areas in the Rural Vale and the Drope Conservation Area Appraisal and Management Plan; and national guidance contained in Planning Policy Wales (Edition 9, 2016) and TAN5 - Nature Conservation and Planning, TAN11 - Noise, TAN12 - Design, TAN18 - Transport, TAN21 - Waste, TAN23 - Economic Development, and MTAN1 - Aggregates, it was considered that, based on the material considerations outlined within the report, the proposal represented an acceptable and sustainable form of mineral extraction/waste recycling that would have no significant adverse impact.

No.

**2016/01390/FUL** Received on 21 November 2016

(P. 141)

Mr. David Johns-Powell, Cottrell Park Ltd., Cottrell Park Golf Club, St. Nicholas, Vale of Glamorgan, CF5 6SJ

Mr. Simon Kennedy Duffryn Design, The Studio, Duffryn Mawr Farm, Pendoylan, Vale of Glamorgan, CF71 7UP

**Cottrell Lodge, St. Nicholas**

Demolition of existing out houses and construction of a single storey 2 bedroom 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 and documents: Drawing nos. 01, 02, 03, 04, 05, 06 and 07 received on 13 March 2017, and the Design and Access Statement received on 11 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 submitted plans, prior to their use details of the proposed windows, glazed link and rainwater goods, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and shall thereafter be so retained.

Reason:

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

4. Prior to work commencing on the external facing of the development hereby permitted, details of the following shall be approved in writing by the Local Planning Authority:

No.

1. a sample of the type of stone proposed;
2. a sample panel of stonework;
3. description of the joints proposed;
4. details of the mortar mix, profile and finish.

Reason:

To enable the quality of the masonry to be inspected in the interests of the visual quality of the work and to accord with the objectives of Policy ENV 27 of the Unitary Development Plan.

5. The demolition of the outbuildings shall not be undertaken before a contract for the carrying out of the works for redevelopment of the site has been made in accordance with the proposals (or subsequent planning permissions amending this consent). The Local Planning Authority shall be advised as to the completion of such a contract prior to the demolition taking place, and written approval of the phasing and timing of works involved shall be given by the Local Planning Authority before any part of the demolition hereby approved first commences. All works shall then be carried out in accordance with the approved timetable.

Reason:

To ensure that the demolition only occurs as the immediate precursor to redevelopment, having regard to the listed status of the building and to accord with advice in Welsh Office Circular 61/96 and Policy ENV 17 of the adopted Unitary Development Plan.

#### Reason for decision

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

Having regard to Policies ENV1 - Development in the Countryside, ENV4 – Special Landscape Areas, ENV17 - Protection of Built and Historic Environment, ENV18 – Archaeological Field Evaluation, 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), and the Council's Supplementary Planning Guidance on Design in the Landscape, it was considered that the proposal would preserve the special interest of the listed building and would comply with local and national planning policies designed to control the extension of rural buildings and was therefore considered acceptable.

No.

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.

**2016/01394/LBC** Received on 10 January 2017

(P. 155)

Mr. David Johns-Powell Cottrell Park Ltd, Cottrell Park Golf Club, St. Nicholas, Vale of Glamorgan, CF5 6SJ

Mr. Simon Kennedy Duffryn Design, The Studio, Duffryn Mawr Farm, Pendoylan, Vale of Glamorgan, CF71 7UP

### **Cottrell Lodge, St. Nicholas**

Demolition of existing out houses and construction of a single storey two bedroom extension.

APPROVED – subject to the following conditions:

1. The Local Planning Authority shall be notified in writing by the developer or his agent of the proposed commencement date of the works hereby granted consent. The notification shall be provided not less than 14 days prior to the commencement of work on site.

Reason:

To ensure that all conditions relating to this consent are discharged appropriately, and to ensure for the preservation of the special character of this building in this respect.

2. The development shall be carried out in accordance with the following approved plans and documents: Drawing nos. 01, 02, 03, 04, 05, 06 and 07 received on 13 March 2017, and the Design and Access Statement received on 11 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. The demolition of the outbuildings shall not be undertaken before a contract for the carrying out of the works for redevelopment of the site has been made in accordance with the proposals (or subsequent planning permissions amending this consent). The Local Planning Authority shall be advised as to the completion of such a contract prior to the demolition taking place, and written approval of the phasing and timing of works involved shall be given by the Local Planning Authority before any part of the demolition hereby

No.

approved first commences. All works shall then be carried out in accordance with the approved timetable.

Reason:

To ensure that the demolition only occurs as the immediate precursor to redevelopment, having regard to the listed status of the building and to accord with advice in Welsh Office Circular 61/96.

4. Before any work hereby authorised begins a method statement detailing the works to be carried out in creating the new opening between the existing building and the proposed extension shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure the special interest of the listed building is preserved.

5. Notwithstanding the submitted plans, prior to their use details of the proposed windows, glazed link and rainwater goods, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and shall thereafter be so retained.

Reason:

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

6. Prior to work commencing work on the external facing of the development hereby permitted, details of the following shall be approved in writing by the Local Planning Authority:

1. a sample of the type of stone proposed;
2. a sample panel of stonework;
3. description of the joints proposed;
4. details of the mortar mix, profile and finish.

Reason:

To enable the quality of the render to be inspected in the interests of the visual quality of the work and to preserve the special interest of the listed building.

7. Notwithstanding the submitted plans prior to the commencement of works full details of the junction between the proposed glazed link and the existing building shall be submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details and shall thereafter be so retained.

No.

Reason:

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

Reason for decision

The decision had been made having regard to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act, 1990. In consideration of whether to grant listed building consent this required the Local Planning Authority to have special regard to the desirability of preserving the building, or its setting, or any features of architectural or historic interest that it possessed.

The proposed extension was considered acceptable in terms of its siting, design, materials and finishes. The proposal as a whole was considered to preserve the special interest of the Listed Building (Cottrell Lodge) and its setting.

It was considered that the decision complied 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.

**2017/00086/FUL** Received on 13 February 2017  
(P. 167)

Mr. Tom Parker, Tresilian Wood, Dimlands Road, St Donats, Vale of Glamorgan, CF61 1ZB

Mr. Tom Parker, Tresilian Wood, Dimlands Road, St Donats, Vale of Glamorgan, CF61 1ZB

**Tresilian Wood, Dimlands Road, St. Donats**

Proposed change in height to three lodges and conversion of two Cabans to proposed Shepherds Huts tourist accommodation with self-contained kitchen and bathroom facilities. Proposed extension of operating season to cover the whole year for Cabans and Shepherds Huts.

DEFERRED – For site visit.

**2017/00142/FUL** Received on 23 February 2017  
(P. 184)

Mr Kevin Oliver Pen y Malt, Marcross, Llantwit Major, CF61 1ZG

Mr Kevin Oliver Pen y Malt, Marcross, Llantwit Major, CF61 1ZG

**Land to the rear of Pen Y Malt, Beach Road, Junction Horse Shoe Inn to End, Marcross**

No.

A change of use of area to the east of dwelling to garden. Retention of patio area and garden shed.

Relocation but retention of the yoga shed to area to the south west, at the boundary with the existing garden and just to the south of the dwelling.

RESOLVED –

(1) T H A T planning permission for the change of use of the land and retention of the outbuilding be refused.

(2) 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 as garden;
- (ii) The removal of the outbuildings and patio area.

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

#### Reason for decision

(1) The change of the use from agriculture to garden, of the field to the southeast of Pen Y Malt, fundamentally domesticated the land and had a significant detrimental effect on the appearance and rural character of the site and its surroundings, as well as resulting in the loss of high quality agricultural land. The change of use therefore represented an unjustified and insensitive residential incursion into the rural landscape, that was within the Countryside and designated as part of the Glamorgan Heritage Coast for its special environmental qualities. The development was therefore contrary to Policies ENV1 (Development in the Countryside); ENV2 (Agricultural land); ENV5 (The Glamorgan Heritage Coast); ENV8 (Small Scale Rural Conversions); and HOUS7 (Replacement and extension of dwellings in the countryside), of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as advice in the Council's approved Supplementary Planning Guidance on the Conversion of Rural Buildings and guidance found in Planning Policy Wales (2016).

(2) The domestic patio, garden shed and 'Yoga Shed' were an unjustified development within the countryside and were highly visible from surrounding public viewpoints, out of keeping with the context of the environment, and served to overly domesticate the land. Retention of the structures therefore had a significant negative affect on the appearance and rural character of the site and its surroundings and represented an inappropriate form of development that had a detrimental impact on an area of high quality landscape. The proposal was therefore contrary to Policies ENV1 (Development in the Countryside); ENV5 (The Glamorgan Heritage Coast); ENV10 (Conservation of the Countryside); and ENV27 (Design of new developments); of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011.



No.

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

(P. 205)

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.

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

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

Reason:

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

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

- Barn Floor Plans, Dwg. No. AL(00)01, amended plans received 15 February 2017;
- Site Layout, Dwg. No. AL(90)02, amended plans received 3 March 2017;
- Site Location Plan, Dwg. No. AL(90)01, amended plans received 15 February 2017;
- Plan of Medieval Village, received 7 November 2016;
- Supporting statement dated February 2017, amended plans received 15 February 2017; and
- Access Statement, amended plans received 15 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. The development hereby permitted shall not include the use of the buildings for civil marriage ceremonies on any Bank Holiday.

No.

Reason:

To ensure adequate on-site car parking is retained for the wider use of Cosmeston Country Park as a whole, in the interests of highway safety and in accord with Policies TRAN10 - Parking and ENV27 - Design of New Developments of the Unitary Development Plan.

4. The use hereby permitted shall not be implemented until the highway improvements shown on the Site Layout, Dwg. No. AL(90)02, amended plan received 3 March 2017, have been completed in full.

Reason:

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

5. No amplified music shall be played within the two buildings, the subject of this application, at any time.

Reason:

To safeguard the amenities of nearby residential properties in accordance with Policy ENV29 – Protection of Environmental Quality of the Unitary Development Plan.

6. Only wedding or civil marriage ceremonies will be permitted to take place within the Tithe Barn and Reeves Barn and the barns shall not be used for any subsequent function or party without the written consent of the Local Planning Authority.

Reason:

To retain control of the use of the site in accordance with Policies ENV27 and ENV29 of the UDP.

#### Reason for decision

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

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

No.

Having regard to Policies ENV1 - Development in the Countryside, ENV7 - Water Resources, ENV10 - Conservation of the Countryside, ENV11 - Protection of Landscape Features, ENV14 - National Sites of Nature Conservation Importance, ENV18 - Archaeological Field Evaluation, ENV19 - Preservation of Archaeological Remains, ENV27 - Design of New Developments, ENV28 - Access for Disabled People, ENV29 - Protection of Environmental Quality, EMP2 - New Business and Industrial Development, TOUR5 - Non-Residential Tourist Attractions, TRAN10 - Parking, REC1 - Protection of Existing Recreational Facilities, REC11 - Informal Public Open Space and Country Parks, and Strategic Policies 1 and 2 - The Environment, 5 - Business and Industrial Uses, 6 - Tourism, 8 - Transportation and 11 - Sport and Recreation of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011; Supplementary Planning Guidance including Biodiversity and Development, Design in the Landscape, and Parking Standards; and national guidance contained in Planning Policy Wales, TAN5 - Nature Conservation and Planning, TAN11 - Noise, TAN12 - Design, TAN13 - Tourism, TAN15 - Development and Flood Risk, TAN16 - Sport, Recreation and Open Space, and TAN23 - Economic Development; it was considered that the proposal was an acceptable and justified, part-time change of use of part of the existing Medieval village, that would serve to support and enhance the existing facilities at the Cosmeston Country Park, without causing any detriment to the character and appearance of the surrounding countryside, neighbouring and general amenity, or highway safety.