

No.

PLANNING COMMITTEE

Minutes of a meeting held on 6th July, 2017.

Present: Councillor B.T. Gray (Chairman); Councillor V.P. Driscoll (Vice-Chairman); Councillors J.C. Bird, L. Burnett, Mrs. C.A. Cave, Mrs. P. Drake, N.P. Hodges, Dr. I.J. Johnson, P.G. King, M. Lloyd, Mrs. R. Nugent-Finn, A.C. Parker, R.A. Penrose, L.O. Rowlands, N.C. Thomas and E. Williams.

109 APOLOGIES FOR ABSENCE –

These were received from Councillor Mrs. M.R. Wilkinson

110 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 15th June, 2017 be approved as a correct record.

111 DECLARATIONS OF INTEREST –

Name of Councillor	Nature of Interest
Councillor J.C. Bird	Agenda Item No. 10 – Planning Applications: <ul style="list-style-type: none">• 2016/01287/OUT – An acquaintance who resided to the rear of the site• 2017/00328/FUL – The Member was the planning applicant.
Councillor V.P. Driscoll	Agenda Item No. 9 – Enforcement Action – the nature of the interest was that the Member was an acquaintance of the person subject to the planning enforcement action.
Councillor Dr. I.J. Johnson	Agenda Item No. 10 – Planning Applications Nos. 2017/00260/RG3 and 2016/01287/OUT – the nature of the interest was that the Member was a Member of Barry Town Council's Planning Committee who had been consulted on the applications and that he had no interest in these matters.
Councillor A.C. Parker	Agenda Item No. 9 – Enforcement Action – the nature of the interest was that the Member was an acquaintance of the person subject to the planning enforcement action. Agenda Item No. 10 – Planning Applications Nos. 2017/00260/RG3 – the nature of the Member's interest was that he was the Cabinet Member for Housing

No.

	2017/00328/FUL – the nature of the interest was that the applicant for planning permission was a personal friend.
--	---

N.B. Councillors Bird, Driscoll and Parker vacated the room whilst the relevant applications pertaining to them were under consideration by the Committee.

112 SITE INSPECTIONS (MD) –

RESOLVED – T H A T the attendance of the following Councillors at the sites indicated below on 15th June, 2017 be noted:

Apologies for all the Site Visits [(a) to (c)] were received from Councillors N.P. Hodges, M. Lloyd, Mrs. R. Nugent-Finn and R.A. Penrose.

Apologies for Site (b) only were received from Councillors L. Burnett, Mrs. A. Moore, N. Moore and N.C. Thomas.

Apologies for Site (c) only were received from Councillors L. Burnett, Dr. I.J. Johnson, Mrs. A. Moore, N. Moore and N.C. Thomas.

(a)	Unit 6, Ty Verlon Industrial Estate, Barry	Councillor B.T. Gray (Chairman), Councillor V.P. Driscoll (Vice Chairman); Councillors J.C. Bird, L. Burnett, Mrs. C.A. Cave, Mrs. P. Drake, Dr. I.J. Johnson, L.O. Rowlands, N.C. Thomas, Mrs. M.R. Wilkinson and E. Williams. Also present: Councillors Mrs. A. Moore and N. Moore.
(b)	332 Holton Road, Barry	Councillor B.T. Gray (Chairman), Councillor V.P. Driscoll (Vice- Chairman); Councillors J.C. Bird, Mrs. C.A. Cave, Mrs. P. Drake, Dr. I.J. Johnson, L.O. Rowlands, Mrs. M.R. Wilkinson and E. Williams.
(c)	Tresilian Wood, Dimlands Road, St. Donats	Councillor B.T. Gray (Chairman), Councillor V.P. Driscoll (Vice- Chairman); Councillors J.C. Bird, Mrs. C.A. Cave, Mrs. P. Drake, L.O. Rowlands, Mrs. M.R. Wilkinson and E. Williams.

No.

		Also present: Councillors Mrs. S.M. Hanks, G. John and Mrs. J.M. Norman.
--	--	--

113 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 approved Building Regulation Applications as listed in the report be noted.
- (2) T H A T the refused Building Regulation Applications as listed in the report be noted.
- (3) T H A T the serving 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.

114 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 the above 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 |

No.

2015/01192/2/N MA	R	41, Llwyn Passat, Portway Marina, Penarth	Non-material Amendment - Amend balcony over porch, amend window layout and increase patio door opening. Proposed two storey side extension and first floor extension over existing porch.
2016/00107/1/N MA	A	Unit 2a. Culverhouse Cross Retail Park, Culverhouse Cross	Non material amendment - Proposed alterations to units 2A/2B, including new service pod, and alterations to roof, elevations, car parking and external areas in order to accommodate requirements of new user - Aldi store food retailer at Units 2A/2B, Brooklands Terrace, Culverhouse Cross.
2016/00322/1/N MA	A	10A, Seaview Drive, Ogmore By Sea	Non material amendment - Demolition and replacement of a fire damaged dwelling Planning permission ref. 2016/00322/FUL- Demolition and replacement of a fire damaged dwelling.
2016/00842/FUL	A	Broad Street Car Wash, Broad Street, Barry	To obtain planning permission for car wash as set out, including new entrance.
2016/01073/1/N MA	A	Barry Sports Centre, Colcot Road, Barry	Non material amendment to allow approval of additional information relating to the planning conditions imposed on application 2016/01073/RG3, following the commencement of works in February 2017.

No.

2016/01091/FUL	A	Former Admiral Public House, Vere Street, Barry	First floor extension over former boxing club to form 2 additional flats.
2016/01200/FUL	A	5, Green Farm, Sigingstone	Retrospective planning application for the replacement of existing patio/decking boards and erection of a new raised decking section.
2016/01402/FUL	A	2, Eastgate, Cowbridge	Reinstatement of two ground floor non-opening, semi-opaque/frosted windows to the left side elevation of the property. Reinstatement of three windows along the right side elevation of a single story rear extension of the property. Insertion of a semi-opaque non opening window at the rear of the single storey extension.
2016/01470/FUL	R	Oriental Diner, 10-11, Broad Street, Barry	Removal of Conditions 8 and 9 of Planning Permission 2005/01699/FUL to allow for a varied use (within the A3 Class) i.e. live music, karaoke, private functions, weddings etc. and variation of Condition 4 to allow the premises hours to open as follows: Sun - Wed 07:00 - 00:30, Thurs - 07:00 - 01:30. Fri and Sat 07:00 - 02:00 and 07:00 - 03:30 when additional temporary events notices are applied to the premises.

No.

2016/01506/FUL	R	The Cottage, St Brides Major	Two storey extension to rear to replace existing conservatory. First floor extension over kitchen. Formation of rear dormer and balcony area.
2016/01524/FUL	A	23, Lynmouth Drive, Sully	Single storey side extension.
2017/00036/FUL	A	Court Farm, Bonvilston	Proposed 2 storey extension to enlarge garage and form additional bedroom to first floor.
2017/00063/1/N MA	A	Pen y Bryn, Cross Common Road, Dinas Powys	Non-material Amendment - Removal of dormers, alteration to windows, minor alteration to footprint. Demolish existing dwelling and construct new dwelling.
2017/00112/FUL	A	8, Cliff Parade, Penarth	Replacement dwelling and garage.
2017/00131/FUL	A	Clark Farm, The Lawns, Cwrt yr Ala Road, Michaelston le Pit	Construction of agricultural building.
2017/00158/FUL	A	Ty Fry Cottage, Pendoylan	Proposed garage conversion and proposed detached garage with hobby room to first floor.
2017/00169/LAW	A	The Walled Garden, Wenvoe	Single storey bedroom and en suite extension.
2017/00179/RES	A	Plot 1, Craig yr Eos Avenue, Ogmores by Sea	Construction of 4 bedroom detached dwelling with integral garage.
2017/00183/FUL	A	2, Gloucester Close, Barry	Retention and completion of new domestic dwelling adjacent to 2 Gloucester Close and rear extension to the existing dwelling at 2, Gloucester Close.

No.

2017/00220/FUL	A	Cowbridge Community Allotment	Erection of two large poly tunnels and three small sheds on current allotment site.
2017/00229/FUL	A	77, Eastgate, Cowbridge	Demolition and re-instatement of rear stone boundary wall; construction of new 1.5-storey garage with accommodation over, plus rear driveway with 3 parking spaces; stripping of existing roof covering to main house and re-instatement of grade 1 natural slate.
2017/00256/ADV	A	Land at North West Cowbridge	Chevron sign is used to create maximum visibility where visitors approach from both directions. In this case, the chevron sign is a two main/front facing sign panels.
2017/00264/LBC	A	77, Eastgate, Cowbridge	Demolition and re-instatement of rear stone boundary wall; construction of new 1.5-storey garage with accommodation over, plus rear driveway with 3 parking spaces; stripping of existing roof covering to main house and re-instatement of grade 1 natural slate.
2017/00267/ADV	A	New Broad Street Motors, Ty Verlon Industrial Estate, Barry	Relocation of existing totem sign.
2017/00279/FUL	A	65, Wenvoe Terrace, Barry	Retention of garden wall.
2017/00289/FUL	A	Rushmoor, The Herberts, St. Mary Church	Erection of store for hay, straw and agricultural machinery.

No.

2017/00290/FUL	A	14, Cledwen Close, Barry	Proposed single storey rear extension. Demolition of existing conservatory inclusion of office access door to front elevation.
2017/00292/FUL	A	1, Springfield Rise, Barry	Demolition of existing garage to be replaced with an extension to existing dwelling.
2017/00297/FUL	A	Amelia Trust Farm, Five Mile Lane, Barry	Proposed Farm Shop and Welcome Shelter.
2017/00302/FUL	A	62, Broadway, Llanblethian, Cowbridge	Demolition of existing garage and outhouses, construction of 2 storey side extension and other associated works.
2017/00303/FUL	A	Land at Burdons Farm, Wenvoe	Proposed installation of a 27m lattice mast, supporting 3 No. antenna 2 No. 600mm dishes together with associated cabinets and ancillary development.
2017/00305/FUL	A	1, Hazel Grove, Dinas Powys	Single storey front and two storey side extensions and Juliet balcony to existing dwelling.
2017/00309/FUL	A	13, Glastonbury Road, Sully	renewal of Application 12/00104 with increased width to 3.8m on side extension.
2017/00319/FUL	A	18, Darren Close, Cowbridge	Proposed first floor side extension, balcony to front and alterations to the existing dwelling.
2017/00330/FUL	A	50, Redlands Avenue, Penarth	Two storey side extension plus single storey front and rear extension with associated works.

No.

2017/00331/FUL	A	6, Tair Onen, Welsh St. Donats	Proposed alterations and first floor extension over converted garage.
2017/00333/FUL	A	The Old Rectory, St. Brides Super Ely	Renewal of planning permission 2011/01062/FUL for alterations and extensions to existing dwelling.
2017/00335/FUL	A	7, Cwrt y Vil Road, Penarth	Demolish existing garage, construction of new garage with store above.
2017/00336/FUL	A	7, Cwrt y Vil Road, Penarth	Demolition existing lean to extension and construction of new single storey extension.
2017/00342/FUL	A	Pentire, Higher End, St. Athan	First floor side extension.
2017/00343/FUL	A	16, Nelson Road, Barry	Construction of wood decking to front of property.
2017/00346/FUL	A	Tegfan, Peterston Super Ely	Proposed creation of new permeable driveway and associated works.
2017/00350/FUL	A	10, Britway Road, Dinas Powys	Single storey rear extension plus associated works.
2017/00351/FUL	A	21, Brean Close, Sully	Proposed single storey front and first floor side extensions.
2017/00352/ADV	A	Waterfront Retail Park, Heol Ceiniog, Barry	Building mounted and ground mounted signage
2017/00354/RG3	A	Colcot Primary School, Florence Avenue, Barry	Lighting column installation to proposed car park at Colcot Primary School (car park has consent granted).

No.

2017/00355/FUL	A	2, Kennedy Rise, Barry	To raise existing flat roof (single storey) to accommodate roof insulation to form new living room extension to rear of dwelling.
2017/00356/FUL	A	65, Andover Close, Barry	To extend two storey to side of dwelling. To reconstruct / raise flat part of existing single storey construction to rear of dwelling to remove existing tile facade to front of dwelling and render to match new extension.
2017/00363/FUL	A	The Willows, Llancarfan	Alterations to existing dwelling (limited to the kitchen/garage range and link) to include the conversion of the existing internal garage to kitchen/utility, formation of new window and door openings to kitchen/garage range, removal of modern large chimney stack and vacuum tube solar hot water heater and provision of new roof finishes to existing link and kitchen/garage range along with associated rooflights.
2017/00364/FUL	A	Highfield, Cory Crescent, Peterston Super Ely	Demolition of existing ugly dilapidated mono pitched prefabricated concrete garage and replacement with new dual pitched garage built to match materials and construction methods of original house.
2017/00366/FUL	A	3, Suran y Gog, Barry	Alteration to fence to ensure it complies with permitted development.

No.

2017/00374/FUL	A	9, Birch Grove, Barry	New stainless steel flue to side elevation to facilitate new (relocated) wood burning fire, to carry out minor elevational alterations to single storey extension previously approved for planning reference 2015/00170/FUL.
2017/00380/FUL	A	54, Tennyson Road, Penarth	Two storey extension to side dormer to rear of property.
2017/00398/LAW	A	28, Elm Grove Road, Dinas Powys	Single storey side return extension as far as the rear wall of the house. No alteration to access.
2017/00412/FUL	A	Rear of Kingsland Crescent and Merthyr Street, Barry	New application to alter/update previous approval 2012/01036/FUL from erection of 2 no. 2 bedroom semi-detached to erection of 2 no. 3 bedroom semi-detached houses. Also includes alterations to rear and front garden areas.
2017/00414/FUL	A	4, Dros y Mor, Penarth	Single storey rear extension with internal alterations.
2017/00479/FUL	A	Jenner Park, Barry Road, Barry	Erection of a new media box within existing stadia.
2017/00576/OBS	P	Land off Horsefair Road, Waterton Industrial Estate, Bridgend	Vary conditions 1 and 5 of P/16/472/FUL.

No.

115 APPEALS (HRP) –

RESOLVED –

- (1) T H A T it be noted that no planning appeals or enforcement appeals had been received at the time of the meeting taking place.
- (2) T H A T the planning appeals decisions as detailed in Section (c) of the report relating to the United Reformed Church, Windsor Road, Barry, be noted.
- (3) T H A T the enforcement appeal decision as detailed in section (d) of the report relating to land at Canbra, 16 Cae Rex, Llanblethian, Cowbridge be noted.
- (4) T H A T the statistics relating to appeals for the period 1st April 2017 to March 2018 as detailed in the report be noted.

116 TREES (HRP) –

(i) Delegated Powers –

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

Decision Codes

A - Approved

R - Refused

E Split Decision

2017/00326/TCA	A	Marie Curie Hospice, Bridgeman Road, Penarth	Fell Silver Birch within the Penarth Conservation Area.
2017/00345/TCA	A	Garden Cottage, Colwinston	Removal of Larch in the Colwinston Conservation Area.
2017/00348/TPO	A	Ty Pica Farm, Station Road East, Wenvoe	Works to trees on grounds of highway safety.

No.

2017/00360/TCA	A	37, Plymouth Road, Penarth	Fell and dismantle 1 Lime tree, 3 Ash trees, 1 Apple tree and 1 Sycamore to the rear boundary of the property. Prune Tulip tree and reduce in height by approximately 12 ft and a small prune to a Magnolia tree.
2017/00381/TCA	A	The Horizon, 7, Church Place South, Penarth	Proposal is to clear front garden of existing Conifer tree and overgrown shrubbery around perimeter and relay with new lawn and decorative Magnolia or Cherry blossom as a feature in the centre of the garden.
2017/00390/TPO	A	Wyatt House, Hensol Castle Park (South), Hensol	Work to trees covered by TPO no 4 – 2003.
2017/00392/TCA	A	Pleasant View, Aberthin Lane, Pen Y Lan Road, Aberthin	Removal of tree in front garden.

No.

2017/00404/TCA	A	39, Plymouth Road, Penarth	Work to 5 trees in the Penarth Conservation Area - Trees located in the rear garden of 39 Plymouth Road, against the boundary wall, which also branch out over Berkeley Drive. The trees are 2 mature Sycamores, 1 large Ash Tree, 1 Lime tree and one tree shrouded in ivy, which appears to be dead. The trees currently branch out over the garden of 39 Plymouth Road and overhang Berkeley Drive, causing disruption to parking there. The proposal is to remove the dead tree and pollard back the other ones to about 35ft. The trees are the only ones on the border of the conservation area that have not been removed or pollarded. The intention is to keep the trees, but manage them more appropriately. There are no TPOs on the trees.
2017/00423/TCA	A	St. Andrews House, Bradford Place, Penarth	Work to Beech tree in Penarth Conservation Area. The Beech tree is in the front of St. Andrews House. The proposed works are as follows:- One Beech tree to have - approx. 2 metre all over crown reduction and reshape.
2017/00485/TCA	A	Stradey Lodge, Llancadle	Work to tree in Llancadle Conservation Area. Crown reduce one semi mature Sycamore tree, located on South boundary at rear of property.

117 ENFORCEMENT ACTION (HRP) –

(i) Land and Buildings at Upper Langcross Farm, Leckwith, Cardiff

The breach of planning control related to the siting of an unauthorised caravan for residential purposes at the above location. Committee was informed that the planning permission had previously been granted, at appeal, for a temporary rural workers' dwelling on the land. The Council had originally refused that temporary consent on the basis that the enterprise to which it related was not planned on a sound financial basis. Subsequently, the appointed Inspector considered that there were grounds to allow the caravan for a temporary period to test the evidence of financial soundness. That temporary consent had now expired but the caravan remained on site and in use for residential purposes.

The Committee was further informed that the caravan was located in a small area of land adjacent to the wider lawful farmstead, which itself was located in the open countryside to the west of Leckwith Road. In addition, the land was located within the Cwrt yr Ala Special Landscape Area. The breach of planning control related to the residential use of the land by virtue of the siting of the caravan. This resulted in a material change of the use of the land from agriculture to a mixed use comprising residential and agriculture.

The Committee was also apprised of the action pursued to date by its officers following the expiry of the temporary consent in January 2014. It was noted that the caravan was continuing to be used for residential purposes and as such constituted a material change of use of the land that required the benefit of planning permission. Following discussions with the owner / occupier of the site, an application was subsequently submitted to the Council for planning approval for a permanent dwelling on the land. This application was subsequently refused in April 2017 and no appeal had been made in respect of that refusal.

In view of the issues detailed within the report, it was considered expedient to pursue action to require the removal of the breach of planning control identified.

RESOLVED –

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

- (i) The cessation of the use of the land for residential purposes;
- (ii) The removal of the residential caravan, extension and associated paraphernalia.

(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.

No.

Reason for decision

(1) The residential use of the land is considered to be an unjustified and an unsustainable form of development that causes harm to the character and appearance of this rural location recognised for its attractive special landscape features defined. Accordingly, the residential use is considered to conflict with Local Development Plan policies SP1 – Delivering the Strategy, MG17 – Special Landscape Areas, MD1 – Location of New Development and MD2 – Design of New Developments as well as the guidance contained in the Council’s Adopted Supplementary Planning Guidance on Sustainability. The development is also considered to conflict with the principles of the. The development is also considered to be contrary to the guidance provided in Planning Policy Wales and Technical Advice Note 6: Planning for Sustainable Rural Communities.

(2) The development is considered to occupy an unsustainable location, where day to day services, facilities and access to public modes of transport is not readily available, promoting the use of the private motor vehicle. As such the development is considered to be contrary to the sustainable development and well-being principles of the Wellbeing and Future Generations (Wales) Act 2015, and contrary to the principles of the development plan by reason of LDP Policy MD1 and the sustainable development principles of PPW.

(3) 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 Wellbeing of Future Generations (Wales) Act.

118 PLANNING APPLICATIONS (HRP) –

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

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

2017/00260/RG3 Received on 15 March 2017

(P. 44)

Ms. H. Glasworthy Vale of Glamorgan Council, c/o Agent

Mr. Geraint John Geraint John Planning Ltd, 33, Cathedral Road, Cardiff, CF11 9HB

Land to the East of Holm View Leisure Centre, Skomer Road, Barry

Proposed residential development comprising 11 affordable dwellings along with associated parking, highway and ancillary works, including a new vehicular access/egress for Holm View Leisure Centre.

No.

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. This consent shall only relate to the following plans and documents:

14th March 2017: A001B, A003, A004A, A005, A006, A007A, A008A, A009, A010, A011A, A012A, A012A, A013B, A014A, A015. Drainage Strategy-Lodestone letter and plan 16052-P01 A, Treescene Arboricultural impact Assessment, Treescene Tree Survey June 2015, Acstro Transport Statement June 2016, Ian Farmer Associates Report on Ground Investigation 70274, Terraqua Ecological Assessment.

9th June 2017: A002L, Visibility Splay layout 16052-08, refuse vehicle swept path 003A, Coach swept path 004A, single deck bus swept path 005A, external works layout 16052-01A.

12th June 2017: David Clements Ecology Biodiversity Strategy June 2017.

27th June 2017: A016D

The development shall be carried out strictly in accordance with these details.

Reason:

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

3. The dwellings shall be constructed to the levels shown on plans A014A and A015, or an alternative set of levels, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of any of the buildings or the road, and the development shall be carried out in full accordance with the approved details.

Reason:

To ensure that the visual amenity of the area and residential amenity are safeguarded, and to ensure the development accords with Policies MD2 and MD5 of the Local Development Plan.

4. All means of enclosure associated with the development hereby approved shall be in accordance with the schedule and details contained on plan A010

No.

D, or an alternative schedule of enclosures, details of which shall be submitted to and agreed in writing by the Local Planning Authority. The means of enclosure shall be implemented in accordance with the approved details prior to first beneficial occupation of the dwelling that those enclosures relate to, and so maintained at all times thereafter.

Reason:

To safeguard local visual amenities, and to ensure compliance with Policies MD2 and MD5 of the Local Development Plan.

5. The landscaping scheme for the site shall be in accordance with the details shown on plan A016 D, or an alternative landscaping scheme, details of which shall be submitted to and approved in writing by the Local Planning Authority, prior to the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Reason:

To safeguard local visual amenities, and to ensure compliance with Policies MD2 and MD5 of the Local Development Plan.

6. 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 MD2 and MD5 of the Local Development Plan.

7. Full details of a scheme for the drainage of the site (foul sewerage and surface water and including details of the perpetual management of the drainage system) shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented and maintained at all times thereafter in accordance with the approved details.

Reason:

To ensure the adequate drainage of the site, and to ensure compliance with Policies MD2 and MD5 of the Local Development Plan.

8. Notwithstanding the submitted plans and prior to their use in the construction of the dwellings hereby approved, further details and samples of the external

No.

materials to be used on the dwellings shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out and maintained at all times in accordance with the approved details.

Reason:

In the interests of visual amenity and to ensure compliance with Policies MD2 and MD5 of the Local Development Plan.

9. None of the dwellings hereby approved shall be brought into beneficial use until such time as the parking area(s) to serve that dwelling have been laid out in full accordance with the layout shown on plan A002 L, and the parking areas shall be so retained at all times thereafter to serve the development hereby approved.

Reason:

In the interests of highway safety and to ensure compliance with Policies MD2 and MD5 of the Local Development Plan.

10. 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 construction working hours, and details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated. The CEMP will utilise the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure the development accords with Policies MD2, MD5 and MD7 of the Local Development Plan.

11. Notwithstanding the submitted plans, full engineering details of the new vehicular / pedestrian access points in to the site, any new pedestrian footways within the adopted highway and internal roads within the site, incorporating turning facilities and vision splays, and including sections, street lighting, surface water drainage and details of the location and design of all rumble strips, shall be submitted to and approved in writing by the Local Planning Authority prior to any works to construct / alter new/existing access points or roads within the site. The development shall be implemented thereafter in accordance with the approved details.

No.

Reason:

In the interests of highway safety in accord with Policies MD2 and MD5 of the Local Development Plan

12. Notwithstanding the submitted plans, prior to any works to construct the retaining walls at the eastern side of the leisure centre car park and in front of the dwellings at plots 1-7, further details (to include sections, elevational plans and structural calculations) of those retaining walls shall be submitted to and approved in writing by the Local Planning Authority. The walls shall thereafter be constructed and maintained at all times thereafter in accordance with the approved details.

Reason:

In the interests of visual amenity, highway safety and the stability of the walls, and to ensure compliance with Policies MD2 and MD5 of the Local Development Plan.

13. Prior to the first beneficial occupation of any of the dwellings hereby approved, an uncontrolled crossing point shall be provided across Skomer Road in the vicinity of the site, in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of pedestrian safety and comprehensive pedestrian links, and to ensure compliance with Policies MD2 and MD5 of the Local Development Plan.

14. In the event that contamination is found at any time when carrying out the development that was not previously identified, it shall be reported 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 approved in writing by the local planning authority. The scheme shall include an investigation and risk assessment and where remediation is necessary a remediation scheme and verification plan shall 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, prior to the first beneficial occupation of any of the dwellings approved.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and

No.

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 MD2, MD5 and MD7 of the Local Development Plan.

15. Any topsoil (natural or manufactured), subsoil, aggregate (other than virgin quarry stone) or recycled aggregate material to be imported to the site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation and sampling which shall be submitted to and approved in writing by the Local Planning Authority prior to 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.

Reason:

To ensure that the safety of future occupiers is not prejudiced and to ensure compliance with Policies MD2, MD5 and MD7 of the Local Development Plan.

16. Prior to the erection of any fences, a scheme showing the nature and location of hedgehog accesses in all site fences shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to the first beneficial use of the dwelling that each fence relates to.

Reason:

In the interests of ecology and to ensure compliance with Policy MD9 of the Local Development Plan.

17. The recommendations contained in the David Clements Ecology Biodiversity Strategy June 2017 shall be implemented in full.

Reason:

In the interests of ecology and to ensure compliance with Policy MD9 of the Local Development Plan.

Reason for decision

The decision to recommend 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 Local Development Plan 2011-2026.

No.

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.

Having regard to Policies SP1- Delivering the Strategy, SP3- Residential Requirement, SP4- Affordable Housing Provision, MG2- Housing Allocations, MG4- Affordable Housing, MD2- Design of New Development, MD3- Provision of Open Space, MD4- Community Infrastructure and Planning Obligations, MD5- Development within Settlement Boundaries, MD6- Housing Densities and MD7- Environmental Protection of The Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice within Planning Policy Wales 9th Edition, Technical Advice Notes 1 – Joint Housing Land Availability Study (2015), 2 – Planning and Affordable Housing (2006), 12 – Design (2016) and 16 - Sport, Recreation and Open Space (2009), and the Council's Supplementary Planning Guidance on Amenity Standards, Affordable Housing, Barry Development Guidelines, Parking Standards (Interactive Parking Standards Zones Map) and Sustainable Development, the proposed development is considered acceptable in respect of the principle of the development, loss of open space, design and layout, impact on neighbours, parking, amenity space and drainage.

2016/01287/OUT Received on 4 January 2017

(P. 69)

Mr. Martin Stokes Baobab, Highlight Lane, Barry, Vale of Glamorgan, CF62 8AA
Mr. Sean Taylor ST Planning, 155, Chapelwood, Llanedeyrn, Cardiff, CF23 9EH

Land to the rear of Baobab, Highlight Lane (site fronting Buckingham Place).

Erection of 3 new dwellings and associated works.

APPROVED subject to the following conditions(s):

1. Approval of the appearance and landscaping of the development (hereinafter called "the reserved matters") shall be submitted to and approved by the Local Planning Authority before any development is commenced.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters hereinbefore referred to must be made not later than the expiration of three years beginning with the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

No.

3. The development to which this permission relates must be begun not later than whichever is the later of the following dates:
 - (a) The expiration of five years from the date of this permission.
 - (b) The expiration of two years from the date of the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matters to be approved.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

4. Plans and particulars of the reserved matters referred to in condition 1 above shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason:

The application was made for outline planning permission and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

5. The development shall be carried out in accordance with the following approved plans and documents: 160914/AR/PL/201 P04 (received 19 June 2017), Amended Design and Access Statement and Supporting Statement (ST Planning - Received 15 May 2017) and Arboricultural Report (Graham Chesterton Arboriculture - Received 9 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.

6. Full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details prior to the first occupation of the dwellings hereby approved.

Reason:

To ensure a suitable drainage scheme, and to ensure compliance with the terms of Policies MD1 and MD2 of the Local Development Plan.

7. 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

No.

160914/AR/PL/201 P04, 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 MD2 of the Local Development Plan.

8. All means of enclosure associated with the each dwelling 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 first occupation of the dwelling they relate to, 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 MD2 of the Local Development Plan.

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

Reason:

To ensure that visual and neighbour amenities are safeguarded, and to ensure the development accords with Policy MD2 of the Local Development Plan.

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

No.

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 MD2 of the Local Development Plan.

11. Prior to the commencement of development, an Arboricultural Method Statement and a Tree Protection Plan, together with an arboricultural site supervision model, shall be submitted to and approved in writing by the Local Planning Authority to demonstrate the protection of the two trees identified in the submitted Arboricultural Report (Graham Chesterton Arboriculture). The development shall thereafter be carried out in accordance with the agreed tree protection measures set out in the approved details.

Reason:

To ensure the protection of the trees identified in the submitted Arboricultural Report (Graham Chesterton Arboriculture) being set partially or wholly within neighbouring land, in the interests of visual amenities and in accordance with MD2 of the adopted Local Development Plan.

12. Prior to the first beneficial occupation of any of the dwellings, details of the re-located positions of the telegraph pole and lamp post (that are currently outside the side frontage on Buckingham Place) shall be submitted to and approved in writing by the Local Planning Authority. The telegraph pole and lamp post shall thereafter be moved in accordance with the approved details, prior to the occupation of any dwelling whose driveway is within 1m of either of those items.

Reason:

To ensure suitable levels of visibility clear of obstructions for vehicles entering and exiting the plots, in accordance with policy MD2 of the adopted Local Development Plan.

13. Notwithstanding the submitted details, the subsequent Reserved Matters application shall include details of pedestrian visibility splays of 2m x 2m in each direction either side of the accesses to the plots hereby approved. Within these vision splays there shall be no obstructions, car parking or planting that exceeds 0.6m in height. The agreed pedestrian vision splays shall be implemented before the first beneficial occupation of the dwellings hereby approved and maintained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

No.

Reason:

In the interests of highway safety and to ensure compliance with policy MD2 of the Local Development Plan.

Reason for decision

The decision to recommend 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 Local Development Plan 2011-2026.

Having regard to Policies MD 1 – Location of New Development, MD 2 – Design of New Development, MD 5 - Development Settlement Boundaries, and MD 6 – Housing Densities of the Vale of Glamorgan Deposit Local Development Plan 2011 – 2026, and it is considered that the proposals are acceptable, by reason of their appropriate design, materials and scale, with no detrimental impact to the character of the area or the amenities of neighbouring occupiers. The proposals therefore comply with the relevant planning policies and supplementary planning guidance.

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.

2017/00328/FUL Received on 26 April 2017
(P. 96)

Mr Jonathan Bird Home Farm, Dyffryn, St Nicholas, Cardiff, CF5 6SU
Reading Agricultural Consultants Gate House, Beechwood Court, Long Toll,
Woodcote, RG8 0RR

Dyffryn Springs, St Lythans Road, Dyffryn

Construction of a building to serve as a wedding venue.

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.

No.

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

- Location Plan, received 5 April 2017;
- Site Plan, received 26 June 2016;
- Ground floor plan, Drg. No. 3118-01 Rev A, received 21 April 2017;
- First floor plan, Drg. No. 3118-02 Rev A, received 21 April 2017;
- Elevations and section, Drg. No. 3118-03 Rev A, received 21 April 2017;
- Floor plans with existing building, Drg. No. 3118-04 Rev A, received 21 April 2017;
- Floor plan sketches, Drg. No. 3118-04, received 21 April 2017;
- Photo montages, received 5 April 2017;
- Access Statement, received 26 April 2017; and
- Supporting statement prepared by Reading Agricultural Consultants, received 5 April 2017.

Reason:

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

3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any Order amending, revoking or re-enacting that Order, the principal uses of the development hereby permitted shall be to serve the existing Dyffryn Springs fishery and wedding venue businesses, and any other use shall be solely ancillary to those uses, and this consent shall not relate to any other use falling within Class D2.

Reason:

The site is located within the countryside where development is only justified in connection with the existing rural enterprise in accordance with Policy MD17-Rural Enterprise of the Local Development Plan, and national guidance contained in Planning Policy Wales and TAN6 - Planning for Sustainable Rural Communities.

4. No part of the site shall be externally illuminated without the prior written consent of the Local Planning Authority.

Reason:

To control light pollution and in the interests of visual amenity and the character and appearance of the Dyffryn Basin and Ridge Slopes Special Landscape Area in accordance with Policies MG17-Special Landscape Areas; MD2-Design of New Development; and MD7-Environmental Protection of the Local Development Plan.

5. No development shall commence on site until a detailed scheme for the surface water drainage of the site, showing how road and roof / yard water will

No.

be dealt with, has been submitted to and approved in writing by the Local Planning Authority. The details shall include field percolation tests; calculation for any onsite attenuation or discharge; and full engineering details of drainage assets and a written declaration detailing responsibility for the adoption and maintenance of all elements of the drainage system prior to beneficial occupation. The development shall be implemented in full accordance with the approved scheme of drainage, prior to the first beneficial use of the building here by permitted.

Reason:

To ensure the effective drainage of the site and that no adverse impact occurs to the environment, including the increase of flood risk elsewhere in accordance with Policies MD2-Design of New Development and MD7-Environmental Protection of the Local Development Plan.

6. Before the commencement of development a Construction Environmental Management Plan, for the protection of the adjacent brook from pollution during the course of construction, shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall assess the risks from all pollution sources and pathways (including silt, cement and concrete, oils and chemicals, herbicides, aggregates, contaminated land and waste materials) and describe how these risks will be mitigated for this development. The development shall be implemented in accordance with the approved details.

Reason:

To safeguard the watercourse from pollution in accordance with Policy MD7-Environmental Protection of the Local Development Plan.

Reason for decision

The decision to recommend 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 Local Development Plan 2011-2026.

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.

Having regard to Policies SP10-Built Natural Environment, SP11-Tourism and Leisure, MG17 - Special Landscape Areas, MG20-NATIONALLY PROTECTED SITES AND SPECIES, MD1-Location of New Development, MD2-Design of New Development, MD7-Environmental Protection, MD8-Historic Environment, MD13-Tourism and Leisure, MD14-New Employment Proposals, and MD17-Rural

No.

Enterprise of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; Supplementary Planning Guidance, including Design in the Landscape, and Parking Standards; and national guidance contained in Planning Policy Wales, TAN6- Planning for Sustainable Rural Communities, TAN12-Design, TAN13-Tourism, TAN15-Development and Flood Risk, and TAN23-Economic Development, it is considered that the proposal represents an acceptable form of farm diversification, the benefits of which outweigh any limited adverse visual impact the proposal will have on the character and appearance of the surrounding countryside, including the Dyffryn Basin and Ridge Slopes Special Landscape Area. The proposal should also not result in any harmful impact on neighbouring amenity or highway safety.

119 MATTER WHICH THE CHAIRMAN HAD DECIDED WAS URGENT –

RESOLVED – T H A T the following matter which the Chairman had decided was urgent for the reason given beneath the minute heading be considered.

120 ADOPTION OF LOCAL DEVELOPMENT PLAN AND UPDATED REASONS TO ISSUE ENFORCEMENT NOTICES AND PLANNING APPLICATIONS SUBJECT TO SECTION 106 LEGAL AGREEMENTS (HRP) –
(Urgent by virtue of the need to make a decision before the next Committee)

Authority was sought to amend the reasons for issuing Enforcement Notices and reasons for approval and planning permissions on planning applications subject to Section 106 Legal Agreements, relating to those decisions made by the Planning Committee prior to the adoption of the Vale of Glamorgan Local Development Plan 2011-2026 (LDP).

The Committee was reminded that the Council had formally adopted the LDP as the Statutory Development Plan for the purposes of Section 38 of the Planning and Compulsory Purchase Act 2004 on 28th June, 2017 and this therefore replaced the former Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 (UDP).

As a consequence of the above delegated authority was sought to be granted to the Head of Regeneration and Planning or the Operational Manager for Planning and Building Control, to update the reasons for issuing Enforcement Notices and reasons for approval and planning conditions on planning applications subject to Section 106 Legal Agreements, relating to those decisions made by the Planning Committee prior to the adoption of the LDP where the relevant Notices had not yet been formally issued.

The Committee, having considered the report,

RESOLVED –

(1) T H A T the Head of Regeneration and Planning or the Operational Manager for Planning and Building Control, be granted delegated authority on behalf of the Planning Committee to update the reasons for issuing Enforcement Notices and reasons for approval and planning conditions on planning applications subject to

No.

Section 106 Legal Agreements, relating to those resolutions made by the Committee prior to the adoption of the Vale of Glamorgan Local Development Plan 2011-2026 (LDP) where the relevant Notices have not yet been formally issued to date and there had been no material change in the policy position in the LDP relevant to that matter.

(2) T H A T, in cases where there had been a material change in the policy position in the LDP relevant to the matter, it be reported back to the Planning Committee for further consideration.

Reasons for decisions

(1) To ensure the reasons for issuing Enforcement Notices and decisions on planning applications subject to Section 106 Legal Agreements, correctly quoted the relevant Development Plan policies at the time of issue, i.e. the LDP rather than the UDP.

(2) To ensure that those enforcement cases and planning applications previously resolved by the Planning Committee in a materially different planning policy context, were reconsidered prior to issuing the formal Enforcement Notice or Decision Notice.