

PLANNING COMMITTEE

Minutes of a meeting held on 8th February, 2018.

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, Mrs. R. Nugent-Finn, A.C. Parker, R.A. Penrose, L.O. Rowlands, N.C. Thomas and E. Williams.

Also present: Councillors V.J. Bailey, S.J. Griffiths, K.P. Mahoney and A.R. Robertson.

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mr. R. Grigg	2017/01136/HYB - Former St. Cyres Lower School, Murch Road, Dinas Powys	Objector or their representative
Mr. R. Harrod	2017/01136/HYB - Former St. Cyres Lower School, Murch Road, Dinas Powys	Objector or their representative
Mr. R. Pattenden	2017/01136/HYB - Former St. Cyres Lower School, Murch Road, Dinas Powys	Objector or their representative
Mrs. Z. Aubrey	2017/01136/HYB - Former St. Cyres Lower School, Murch Road, Dinas Powys	Applicant or their representative

Councillors V.J. Bailey, V.P. Driscoll, S.J. Griffiths and A.R. Robertson spoke on the following application in their capacity as a Vale of Glamorgan Member, 2017/01136/HYB - Former St. Cyres Lower School, Murch Road, Dinas Powys.

670 ANNOUNCEMENT -

Prior to the commencement of business of the Committee, the Chairman read the following statement:

“May I remind everyone present that the meeting will be broadcast live via the internet and a recording archived for future viewing.”

671 APOLOGIES FOR ABSENCE -

These were received from Councillors M. Lloyd and Mrs. M.R. Wilkinson.

672 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 11th January, 2018 be approved as a correct record.

673 DECLARATIONS OF INTEREST -

Councillor V.P. Driscoll declared an interest in respect of application number, 2017/01136/HYB - Former St. Cyres Lower School Site, Murch Road, Dinas Powys. The nature of the interest was that Councillor Driscoll lived in close proximity to the development boundary. Councillor Driscoll was able to speak on the application but was not able to vote. Councillor Driscoll withdrew once he had made his representations.

674 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 Section A of the report be noted.
- (2) T H A T the rejected building applications as listed in Section B of the report be noted.
- (3) T H A T the serving of Notices under Building (Approved Inspectors Etc.) Regulations 2000, as listed in Section C of the report.

675 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

2013/00862/5/N MA	A	Channel View, off Somerset Way, Ogmore By Sea	Non Material Amendment to planning permission ref. 2013/00862/RES - to relocate and rotate a bench seat and plant a short privet hedge (beech) to the newly installed play area at Ogmore Ocean View.
2015/00647/4/N MA	A	2, Stanwell Road, Penarth	Non Material Amendment to planning permission 2015/00647/FUL - Variation of Condition 10 (Drainage).
2015/00707/1/N MA	A	Rosedew Farm. Llantwit Major	Demolition of two agricultural buildings, part demolition and reinstatement of end elevation of one agricultural building to accommodate storage area and biomass heating system together with construction of twelve log cabins and associated works
2015/00744/3/C D	A	Bassett Road, Sully	Discharge of Condition 7-Samples. Two detached houses
2016/00142/1/C D	A	The Old Dairy, Durell Street, Llantwit Major	Discharge of Conditions 5 and 15 - Proposed 2 new build houses at land adjacent to the Old Dairy Site, Durrell Street, Llantwit Major

2016/00142/1/N MA	A	The Old Dairy, Durell Street, Llantwit Major	Non Material Amendment - Seeking to amend the wording of Conditions 5 and 15 of Planning permission ref. 2016/00142/FUL: Proposed 2 new build houses
2016/00219/2/C D	A	United Reformed Church, Windsor Road, Barry	Discharge of Condition 6 - Conversion and minor extension to the existing church and school buildings to create live-work units (C3), office space (B1a) and associated works.
2016/01105/1/N MA	A	Church House, Llanmaes	Non Material Amendment - Revised South West wall details, with the wall height reduced by 220mm. Planning permission ref. 2016/01105/FUL: Enlargement of the existing porch to front elevation and single storey extension to the rear of property
2017/00517/1/N MA	A	39, Heol Peartree, Rhoose	To show corrected reference to the existing ground level near to the proposed wall forming the boundary to the south side
2017/00547/FUL	A	King Fox, 6, High Street, Cowbridge	Ground and first floor alterations, first floor mezzanine extension and loft conversion to provide additional domestic accommodation

2017/00640/FUL	R	Streetworks on the footpath of Bron Y Mor at the junction with Lakeside, Barry	Installation of a 12.5m mock telegraph pole, supporting shrouded antennas, 2 no. transmission dishes, 2 no. equipment cabinets and ancillary development thereto.
2017/00666/RES	A	South Quay Waterside, Barry Waterfront, Barry	Construction of spine road to provide access to South Quay Waterside
2017/00689/LBC	A	The Lodge, Cottrell Park, St. Nicholas	The removal and replacement of the existing apsidal porch to the eastern elevation. The removal of existing ceiling joists to entrance lobby. The removal of existing ceiling joists and replacement with half the floor area replaced to form a gallery and double height space
2017/00788/FUL	R	Stangate House, Stanwell Road, Penarth	Proposed change of use and conversion of 1st and 2nd floors from office suites to 4 no. self contained apartments
2017/00833/FUL	A	12, Pembroke Terrace, Penarth	Replacement of doors and windows, new balcony to rear
2017/00835/FUL	A	111, Tynwydd Road, Barry	Rear, single storey extension with flat roof to make up balcony, obscure glazing handrail to be used on neighbouring side. Insertion of second window to side elevation, ground floor
2017/00938/FUL	R	3, The Cottages, Pen Y Turnpike Road, Dinas Powys	New detached dwelling at the side of 3, The Cottages

2017/00951/FUL	A	2, Heol Corswigen, Barry	Erection of a balcony to the rear of property from first floor kitchen. (French doors already in situ)
2017/00960/FUL	A	Glebe House, Victoria Park Road, Barry	Demolish existing rear extension and rebuild. Raise the level of the existing shed and extend with combined greenhouse, pitched roofs, solar panels and access steps.
2017/00969/FUL	A	Bakehouse, Plassey Street, Penarth	Conversion of the existing 2 storey structure into a single two bed residential unit, and the extension of the remainder of the existing ground floor into another separate two bed residential unit.
2017/00998/FUL	R	Little West Apartments, Main Road, Southerndown	The construction of a building to house 4 two-bedroom apartments.
2017/01000/RG3	A	2, Heol Cae Gwyn, St. Brides Major	Two storey side and rear extension plus internal alterations and all associated works to improve access, safety and comfort for disabled occupant
2017/01004/FUL	A	77, Crompton Way, Ogmore By Sea	Supply and install galvanised metal railings to the perimeter of the property.
2017/01020/FUL	A	24, Evenlode Avenue, Penarth	Variation of Condition 2 (to amend approved plans) and removal of Conditions 3, 4 and 5 (relating to code for sustainable homes) of planning permission 2013/01275/FUL (replacement dwelling)

2017/01064/FUL	A	Plot 9, Channel View, Ogmore By Sea	Proposed alteration of approved dwelling to include rear conservatory extension
2017/01096/LAW	A	Land to the South of Sealands Farmyard, Sealands Farm, St. Brides Major	Agricultural fertiliser lagoon
2017/01099/FUL	R	The Coach House, Beach Lane, Penarth	To clad all sides of the house from first floor up, (excluding areas of stone wall). To change windows to front of house from existing pvc-u to sash windows. To have flue for log burning stove rising from flat roof. Replacement of existing balustrade
2017/01109/FUL	R	1, Craven Walk, Penarth	Construction of single storey garden room of 9m ² with linking corridor to existing main house
2017/01111/FUL	R	Bonvilston Hall, Bonvilston	First floor apartment (subservient annex) with ground floor link to the existing house

2017/01113/LAW	R	R S Porsche, Railway Terrace, Penarth	The property was previously a workshop and garage/ with an informal conversion to a residential flat on the first floor. The proposal would require a certificate of permitted development to be issued and further refurbishment of the first floor is planned to ensure compliance with building regulations. The refurbished property will be for general housing market use and will compose 2 bedrooms, kitchen and bathroom accommodation plus living space.
2017/01115/FUL	A	Springhill, 9, The Meadows, Penllyn	Proposed kitchen extension and alterations
2017/01117/FUL	A	The Royal India, 213, Cardiff Road, Dinas Powys	Conversion of first floor to create additional flat and ground floor alterations, and first floor extension to create new access to first floor
2017/01126/FUL	A	Brynglas, Little Hill, Barry	External alterations to include; new flat roof terrace with frameless glass balustrade / new balcony with frameless glass balustrade and external staircase (to include new bi-fold door from house) / removal of existing window to rear elevation with the addition of a new slot window

2017/01131/FUL	A	24, Clos Y Fulfran, Barry	Conversion of garage with raised roof to provide new family room above and utility room to rear. Rev B - 25 Oct 17. Change to front elevation. Corner window added to living area. Change to rear elevation. Bi-fold doors added to kitchen. Utility external door removed
2017/01133/FUL	A	4, Parc Clwyd, Barry	Proposed single storey rear extension, conversion of garage and first floor side extension
2017/01135/FUL	A	Inglenook, Sully Road, Penarth	Proposed demolition of garage, porch and partial demolition of rear extension and erection of two storey extension to side with Juliet balcony and single storey extension to rear
2017/01140/FUL	A	Cross Trees, 1, Cefn Mount, Dinas Powys	Roof conversion into a master bedroom and rear dormer extension
2017/01142/FUL	A	6, Nash View, Pentre Meyrick	Part single and part two storey rear extension
2017/01143/FUL	A	Robgill, Gwern Y Steeple, Peterston Super Ely	Rear single storey extension
2017/01147/FUL	A	54, Clos Yr Wylan, Barry	Extension forming porch and incorporating cloakroom
2017/01151/FUL	A	Middle Lodge, Clemenstone	Proposed extension at ground floor level to form a new garden/family room, off the existing kitchen and dining area
2017/01153/FUL	A	20, Paget Road, Penarth	Rear 2 storey extension

2017/01158/FUL	A	27, High Street, Cowbridge	Proposed 4 no. new external AC condenser units to rear elevation
2017/01159/LBC	A	27, High Street, Cowbridge	Proposed new signage, internal alterations and AC units
2017/01165/FUL	A	Beechmont, 11, Cefn Mount, Dinas Powys	Erection of front single storey garden shed
2017/01166/FUL	A	34, College Road, Barry	Side and rear two storey extension to form kitchen and bedroom. Single storey living room extension and porch
2017/01171/FUL	A	13, Maillards Haven, Penarth	Proposed ground floor extension to form sun room
2017/01178/FUL	A	26, Tair Onen, St. Hilary	Extension of residential curtilage
2017/01179/FUL	A	Mariners Reach, 13, Lynmouth Drive, Sully	Outbuilding to rear garden
2017/01181/FUL	A	Doprey Cottage, Tre Aubrey Lane, Llantrithyd	Extension to existing dwelling
2017/01184/FUL	A	The Bungalow, Fox Hollows, Slon Lane, Ogmore By Sea	The demolition of the external conservatory, removal of the low pitch roof and the installation of a new pitched roof to create a new first floor to the bungalow. Proposal is to reduce the bedroom number down from 2 to 3 and to include a new stairs and two rear sea view timber flat roof dormers and a new modern entrance porch directly off the high-level driveway

2017/01189/ADV	A	27, High Street, Cowbridge	Proposed new shop front externally illuminated fascia pod, descriptor and externally illuminated projecting sign
2017/01190/FUL	A	28, Seaview Drive, Ogmore By Sea	Flat roof dormer extension
2017/01192/FUL	A	15, Tewdrig Close, Llantwit Major	Demolish existing conservatory. Proposed construction of single storey rear extension and internal alterations
2017/01195/FUL	A	Barn Cottage, St. Mary Church	Change of use of land for use as domestic garden associated with Barn Cottage
2017/01197/RG3	A	Land to the East of Holm View Leisure Centre, Skomer Road, Barry	Variation of Condition 2 of planning permission 2017/00260/RG3 - Revision to design of dwelling at Plot 8
2017/01200/FUL	A	MOD St. Athan, Cowbridge Road, Barry	Proposed part demolition of existing water tower and associated works
2017/01204/FUL	A	5, Castle Precinct, Llandough	Timber frame outbuilding with sedum green roof
2017/01206/FUL	A	47, Porthkerry Road, Rhoose	A double storey extension over the existing garage to create a master bedroom and en-suite bathroom. A utility room to be made using some space in the garage and the remaining garage space will remain as garage/storage room
2017/01210/ADV	A	Waitrose, Birds Lane, Cowbridge	Adding, replacing and removing a number of signs around the Waitrose site

2017/01212/FUL	A	27, Cae Canol, Penarth	The installation of an external flue on the gable wall of the house to serve a log burner
2017/01213/FUL	A	12, Murch Crescent, Dinas Powys	Single storey side and rear extension and extension to front of the property
2017/01218/FUL	A	16, Hickman Road, Penarth	Repair and replacement of the existing roof to include a new rear facing dormer window and raising the ridge level over the side gable to facilitate a family bathroom in an existing roof space
2017/01219/FUL	A	13, Fennel Close, Cogan, Penarth	Proposed internal alterations, demolition of existing garage, proposed garden room / storage and proposed loft conversion with dormer extension
2017/01220/FUL	A	24, Whitcliffe Drive, Penarth	Replacement rear single storey garden room and replacement garage with bedroom above
2017/01222/FUL	A	The Stables, City	Replacement of existing windows with new grey Aluminium windows. Enlargement of existing windows with floor to ceiling openings and glazed aluminium frames
2017/01225/FUL	A	35, Murch Crescent, Dinas Powys	First floor rear extension
2017/01226/FUL	A	4, Per Close, Dinas Powys	Single storey side extension

2017/01230/FUL	A	St. Josephs Convent, 14, Cherwell Road, Penarth	Replacement roof to existing porch. Replacement windows and external wall finish. New single storey extension to rear
2017/01245/FUL	A	79, Broadway, Llanblethian, Cowbridge	Demolition of the existing single garage, to be relocated and replaced with a double garage; external works to the front garden, driveway and main access route; changes to the main entrance porch roofline; and improvement works to the finishes of the front facade, including replacing windows, the introduction of cladding panels, and replacing the roof finish.
2017/01251/PNA	A	Land to the east of The Old Vicarage, St. Hilary	Agricultural building
2017/01254/LAW	A	9, Ewenny Cross, Ewenny	Single storey extension to house
2017/01267/FUL	A	12, Newbarn Holdings, St. Athan Road, Flemingston	Construct riding manege (25m x 40m) with surrounding post and rail fencing
2017/01271/PNA	A	Land at Wallas Fach Cottage, Wick Road, Ewenny	Erection of agricultural building for machinery storage
2017/01281/FUL	A	53, Fitzhamon Avenue, Llantwit Major	Erection of garden studio
2017/01289/FUL	A	2, The Meadows, Penllyn	Garage conversion
2017/01290/FUL	A	7, Purcell Road, Penarth	Demolition of garage and construction of single storey ground and side extension with two storey rear extension

2017/01295/FUL	A	16, Plas St. Andresse, Penarth	Install French doors with a glass panel Juliet balcony to the first floor front bedroom window
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676 APPEALS (HRP) -

RESOLVED -

- (1) T H A T the appeals received following the refusal of the Council to grant planning permission as detailed in Section A of the report be noted.
- (2) T H A T the enforcement appeals received as detailed in Section B of the report be noted.
- (3) T H A T the statistics relating to appeals for the period 1st April, 2017 to 31st March, 2018 as detailed in Section E of the report be noted.

677 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	

2017/00877/TPO	A	Land adjacent to 11, Main Avenue, Peterston Super Ely	None at present - trees within TPO no.2 1959
2017/00964/TCA	A	4, Park Road, Penarth	Reduction in Yew, Holly and Bay trees within Penarth Conservation Area
2017/01040/TCA	A	3, Park Road, Penarth	Coppice Yew in Penarth Conservation Area
2017/01061/TPO	A	Greenfield, East Street, Llantwit Major	Work to trees covered by TPO 1977 No 3 A56 and within the Llantwit Major Conservation Area

2017/01084/TPO	A	19A, Britway Road, Dinas Powys	Works to trees
2017/01116/TPO	A	Style Garden Centre / The Grange, Port Road, Wenvoe	Work to trees covered by TPO 2012 No 8 G12
2017/01119/TPO	A	43, Millbrook Road, Dinas Powys	Work to trees covered by TPO 1973 No 14 G11
2017/01137/TPO	A	4, Sycamore Lodge, Mill Lay Lane, Llantwit Major	1 x Sycamore. Crown thin by 20% and reduce three horizontal lower limbs by 2.5m to a suitable growing point
2017/01141/TPO	R	7, Chestnut Close, Dinas Powys	Fell Ash tree at front gate of 7, Chestnut Close, Dinas Powys. There is a young Ash tree which has taken root and is flourishing in the garden about 10 metres away, which would replace this and be safer
2017/01154/TCA	A	45, Middlegate Court, Cowbridge	To pollard the scrub / seedlings trees that border 45 Middlegate Court and the Cowbridge Town Hall Car Park to a height of about 6 feet.
2017/01177/TPO	A	8, Cliffside, Penarth	Work to tree covered by TPO 1988 No 1 G05 - Fell Horse Chestnut and plant something else
2017/01187/TCA	A	48, Clive Place, Penarth	Work to a tree in the Penarth Conservation Area - Remove a Sycamore
2017/01191/TPO	A	Marks and Spencer Plc, Access Roads Tesco and Marks & Spencer, Culverhouse Cross, Cardiff	Work to tree covered by TPO 1994 No 12 A01

2017/01194/TPO	A	Conifers, A48, St. Nicholas	Works to trees affected by Tree Preservation Order No. 5, 1972
2017/01209/TCA	A	Ash Cottage, 5, Cardiff Road, Cowbridge	T1 Ash reduce stem over road. Remove T2 Ash
2017/01227/TPO	A	12, Ger Y Llan, St. Nicholas	Works to trees
2017/01239/TCA	A	Pendoylan School, Main Road, Pendoylan	Works to trees
2017/01243/TPO	A	Land South of Old Grammar School, Cowbridge	Works to trees TPO no. 4 2008.
2017/01258/TCA	A	5, Cold Knap Way, Barry	Works to trees
2017/01265/TPO	A	12-13, Old Grammar School, Church Street, Cowbridge	Works to 2 Magnolia trees within the Cowbridge Conservation Area and protected by TPO 2008 No 11 T001 and T002
2017/01273/TCA	A	Fferm Wen, Flemingston	Removal of 2 trees and cutting back of one tree in Flemingston Conservation Area
2017/01287/TCA	A	12-13, Old Grammar School, Church Street, Cowbridge	Works to Sycamore tree within Cowbridge Conservation Area

(ii) To Confirm Tree Preservation Order No. 2, 2017 For Trees at Y Bwthyn, St. Hilary -

The trees were located in the front garden of Y Bwthyn, St. Hilary, a detached dwelling located in the countryside. The dwelling was set back from the adopted highway with a garden laid to lawn. The three trees relevant to this Order were located within this garden close to the front boundary with the highway and a side boundary with the adjoining neighbouring property. As all the trees were within the conservation area they were statutorily protected albeit given the authority limited control in respect of the work to or removal of the trees. The trees related to three semi mature Fir trees.

An email dated 8th November 2017, from Ms. C. Evans, the owner of the site which objected to the Tree Preservation Order (TPO). The reasons for the objections were as follows:

- “1. The trees are very overgrown and tower over surrounding properties. The branches are already falling off the trees onto the adjacent highways which can cause damage to both pedestrians and vehicles. They have become top heavy and as such are even beyond cutting back to a reasonable height.
2. The trees and their branches are located within the walled boundary of Y Bwthyn as shown on the map sent to us. They are within six inches and 12 inches of historic walls which are considered to be of special value to St. Hilary, and have been maintained according by ourselves for the past 19 years. One tree overlaps substantially into the gardens of Tythe Barn. These walls could potentially be damaged by the three trees.
3. The photos I attached with my original request show the sheer scale of the trees in relation to the BT pole. They have now grown around and above, and during times in inclement weather, may damage the BT pole, cutting of telephone lines within the village.
4. Had there been an option to cut back the trees then we would have suggested that, but in our opinion, they are far too overgrown even for that. The cost of their removal is substantial, and our request to remove them, was not taken lightly.
5. There is also ivy growing on the trees which would also have a negative impact on them.
6. No liability for any damage these trees may cause in the future will be accepted. The Vale of Glamorgan Council shall provide adequate insurance should there be a claim against them. As we consider them beyond saving, they will remain untouched and there will be no request to cut them back.”

In conclusion, it was reported that the trees concerned contributed to the immediate area and to the St. Hilary Conservation Area. The specimens were semi mature and even though some lower limbs had been removed, the trees were still able to survive with new lower limb growth. With good arboricultural care in the future and with a Tree Preservation Order in effect, the trees could be safely retained and continue to serve as a valuable feature in the landscape of the St. Hilary Conservation Area. The objections raised were disputed and did not overcome the reason for the recommendations to confirm the TPO.

Having considered the report, it was

RESOLVED - T H A T the order be confirmed.

Reason for decision

To ensure the long term protection of the trees which were considered to be of significant amenity value.

678 ENFORCEMENT ACTION (HRP) -

(i) Land and Buildings at Maes-y-Fro, Colwinston Lane, Llysworney-

A complaint was received by the Local Planning Authority on 6th December, 2017, regarding the erection of a building on land known as Maes-y-Fro, Colwinston Lane, Llysworney, which was located within the Upper and Lower Thaw Valley Special Landscape Area. The site was also identified as being of a general classification of Grade 5 agricultural land.

The building had been erected on a parcel of land off the through road connecting Llysworney and Colwinston. The site appeared to have once been part of a larger agricultural holding that had been at some point sub-divided, with access to the parcel of land gained from a new gate that had been recently installed adjacent to an existing vehicular access. In addition to the new gate, there was an area of hardcore to the southern part of the field parcel together with a barn.

The site previously came to the attention of the Planning Enforcement Team following unauthorised work undertaken in 2016, however the retrospective planning application was approved for the retention of the access, part of the hard standing and the erection of a barn in connection with the existing agricultural use of the land.

Following a site inspection in December 2017 it was noted that a new timber building was under construction in the south-eastern corner of the field. The building measures approximately 5m x 5m, is single storey and so far measures 2.2m high to the eaves. It is constructed entirely of timber, with timber doors and roof. It has been erected upon a concrete base. It has not been completed and the interior is currently empty.

There exists some permitted development rights for agricultural buildings, however, the timber shed has no ostensible agricultural purpose and has not been designed as an agricultural building. In any case, a new agricultural building here would require the submission of prior notification to the Council and no such notification was given. The building therefore is development that requires the benefit of planning permission.

In addition, it was noted during the site visit that there were additional breaches of planning control. The barn subject of a planning application in 2016 had not been constructed in accordance with the approved plans and details. The barn has been clad in metal sheeting and has two metal doors to the front elevation, whereas the approved building was to be finished in timber. It has also been constructed with a lip canopy to the roof (not part of the approved scheme) and it also measures approximately 6.4m x 12.36m, as opposed to the approved dimensions of 6.08m x 12.19m. It also has a steel cage attached to the building on a concrete base.

Moreover, the building is not being used in connection with agriculture and is being used for the storage of vehicles. A flat-bed truck, (road) motorbike, and two cars and a tractor were being stored in the building at the time of the site visit. A further tractor

and heavy roller were stored externally. It is therefore considered that a breach of planning control has occurred with regard to the construction of the barn and its use for the storage of motor vehicles unconnected to agriculture. It was also noted that no livestock was present during two site visits, albeit three ponies were on the site during the latter visit. The open grassland on the site could still feasibly be used for the purposes of agriculture and there are some hay bales and agricultural equipment on-site. However it is clear the use building is not connected to agriculture.

As the building does not accord with the approved scheme of development and the building is not being used for the purposes authorised in that permission, the building as a whole is considered to be unauthorised and in breach of planning control.

In addition to the above, the information submitted with the recent planning application stated that an area of road plainings deposited on the site (east of the barn) was to be removed. The retention of this area was not authorised by the 2016 planning permission and, as such, this section of road plainings remains unauthorised development. There have also been further patio slabs deposited in this area creating a further extended hard surface area. Accordingly, the three breaches of planning control at the site consist of the timber building currently under construction, the barn (its construction and use) and the hard surfacing.

In conclusion, it was reported that the unauthorised developments were not reasonably necessary for the purposes of agriculture within the site and as unjustified development they consequently had a harmful impact upon the visual amenity of the surrounding countryside and Special Landscape Area.

The development also failed to demonstrate that the working of mineral deposits on the site had not been prejudiced and would not have resulted in the loss of the best and most versatile agricultural land. The unauthorised development was therefore contrary to Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development), MD2 (Design of New Development), MD7 (Environmental Protection), MD14 (New Employment Proposals), MD17 (Rural Enterprise), MG17 (Special Landscape Areas) and MG22 (Development in Minerals Safeguarding Areas).

In the view of issues identified it was considered expedient to pursue action.

RESOLVED -

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

(i) The cessation of the mixed use of the Land for agriculture and vehicle storage.

(ii) The demolition of the timber building and the removal of all materials arising from the demolition.

- (iii) The demolition of the barn and the removal of all materials arising from the demolition.
 - (iv) The removal of all deposited road plainings and patio slabs.
 - (v) The reinstatement the Land to its former condition prior to the commencement of the development.
- (2) 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.

Reasons for decisions

- (1) The unauthorised development is not reasonably necessary for the purposes of agriculture within the site and as unjustified development it consequently has a harmful impact upon the visual amenity of the surrounding countryside and Special Landscape Area. It also fails to demonstrate that the working of mineral deposits on the site have not been prejudiced and results in the loss of the best and most versatile agricultural land. It is therefore contrary to Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development), MD2 (Design of New Development), MD7 (Environmental Protection), MD14 – (New Employment Proposals), MD17 – (Rural Enterprise), MG17 (Special Landscape Areas) and MG22 (Development in Minerals Safeguarding Areas) of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, together with Supplementary Planning Guidance on Design in the Landscape and Sustainability, Planning Policy Wales (Edition 9), Technical Advice Note 6 – Planning for Sustainable Communities (2016) and Technical Advice Note 12 – Design (2016).
- (2) The site is located in a minerals safeguarding area for sand, gravel and limestone. On the face of it, the permanent nature of the unauthorised development would prejudice the viable extraction of these mineral resources in the future. Accordingly, the unauthorised development is contrary to Policy MG22(Development in Mineral Safeguarding Areas) of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, together with Minerals Planning Policy Wales (MPPW) – December 2000 and Minerals Technical Advice Note 1: Aggregates (MTAN1) – March 2004.
- (3) It is considered that the reason for issuing the Enforcement Notice is in accordance 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.

679 GENERAL PLANNING MATTERS (HRP) -

- (i) Review of the Implementation of LDP Policy MG4 and Affordable Housing Supplementary Planning Guidance -

The Council's latest Local Housing Market Strategy (2015-2020) identified a net annual need for 559 Affordable Housing units per annum over the study period

(2015-2020), comprising of 331 social rented, 115 low cost home ownership (LCHO) and 113 intermediate rented dwellings. with the highest areas of need identified in Penarth and Barry, followed by Llantwit Major, Dinas Powys, Cowbridge, Rhoose, Sully, St Athan, Wenvoe, Peterston Super Ely, Llandow/Ewenny and St Bride's Major.

Policy SP4 of the Adopted Vale of Glamorgan Local Development Plan (LDP) sets a target for the provision of 3,252 affordable dwellings over the plan period 2011-2026 to help address the identified affordable housing need. The plan envisaged that the majority of the target (2,627 dwellings) shall be met through the delivery of affordable housing on sites allocated for residential development within the LDP, and the remaining 625 dwellings secured via large and small site windfall contributions. Policy MG4 of the LDP was the Council's primary means of securing of affordable housing through the planning system. The policy identified three tiers of threshold and percentage requirements that were identified in the Council's development viability evidence prepared in support of the LDP. For Barry the requirement was a 30% provision on sites of 5 or more dwellings. For Llantwit Major, Rhoose and St. Athan the requirement was 35% provision, again on sites of 5 or more dwellings. For the areas outside of these settlements Policy MG4 required the provision of 40% affordable housing on sites resulting in a net gain of 1 dwelling (or a net gain of 2 dwellings where the development would involve the conversion of an existing building).

On small sites of less than 10 units the policy indicated that affordable housing contribution may be provided either on site or in the form of a financial contribution, or a combination of both. In all cases the policy indicated that the provision of affordable housing would be considered on a site by site basis taking into account development viability.

Section 38 of The Planning and Compulsory Purchase Act 2004 required that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprised the Vale of Glamorgan Adopted Local Development Plan 2011-2026, which was formally adopted by the Council on 28 June 2017. These policies (including Policy MG4 Affordable Housing) could only be amended through a formal review of the LDP, which included independent examination by an appointed Inspector. It had been anticipated the next formal review of the Vale of Glamorgan Adopted Local Development Plan 2011-2026 would be 4 years following adoption i.e. 2021.

LDP Policy MG4 was supported by the Council's Affordable Housing Supplementary Planning Guidance, which was formally adopted by Cabinet on the 31st July 2017 following public consultation. The SPG provided further detail in respect of how the Council would implement the policy requirements of Policy MG4, and covered matters relating to the Council's use of section 106 agreements; the approach to off-site provision of affordable housing and financial contributions; and development viability. The SPG also provided further explanation of the Council's approach to rural exceptions site affordable housing. Whilst the policy itself was not expected to change until formal plan review in 2021 (and only then if the evidence supported a change) the Council could vary the way in which the policy was implemented through

its Affordable Housing SPG. Therefore, it was important to keep this under review and consider the evidence around its implementation.

It was reported that the requirement to provide affordable housing on major development sites was well established in the Vale of Glamorgan. As a matter of practice, the Council had sought affordable housing on sites of 10 or more dwellings since 2007. In doing so the Council had successfully secured a significant increase in the amount of new affordable housing being delivered through the planning system. However, in setting the threshold at 10, a significant proportion of smaller developments were failing to contribute towards the delivery of affordable homes. Small sites of fewer than 10 dwellings contributed approximately 8% of the housing supply in the Vale of Glamorgan (on average 57 dwellings per year) (LDP Policy MG1 refers).

This review report focused on the impact of the change in policy implementation which sought affordable housing on small sites (fewer than 10 dwellings), as implemented through Policy MG 4 and the Affordable Housing SPG. Anecdotal evidence and feedback received from applicants and planning agents who regularly operated in the Vale of Glamorgan, indicated that they felt the policy was likely to deter self-builders and small / medium housing developers from building in the Vale of Glamorgan. This review had sought to consider whether there was any evidence that this was the case.

Since implementing this policy in January 2016, 7 planning applications for small sites (see Appendix A) had agreed to meet the policy requirements in full securing a total of £444,071.40 which could be used to deliver new affordable housing in the Vale of Glamorgan. It was noted that 1 of these developments had since submitted a new application seeking to remove the affordable housing requirement on the grounds of development viability, this application was undetermined to date.

A further 11 planning applications for small sites (see Appendix A) had not made provision for affordable housing because development viability was demonstrated to be an issue if an affordable housing contribution was required.

A number of applications have been refused planning permission because the applicant was unwilling to contribute towards affordable housing, and failed to present an appropriate viability case, and where they have appealed the results are summarised at Appendix A. They showed that prior to the adoption of the LDP, various appeal decisions gave no weight to the draft affordable housing SPG or emerging LDP policy which clearly weakened the Council's ability to successfully implement the policy and draft SPG at that time. However, since the adoption of the LDP in June 2017, the Council had received support from the Planning Inspectorate in terms of its application of LDP Policy MG4.

The evidence demonstrated the policy was working effectively at present and there was no indication that the policy was deterring small sites from coming forward for development. However, this review had highlighted a number of ways in which the SPG could be amended to redress some of the concerns raised by the developers of small sites. These were set out throughout the report and included in an amended SPG attached at Appendix B.

In reply to a question regarding when builders would know the contribution required to pay, the Operational Manager for Planning and Building Control advised that this would be determined at the time of the planning application. Builders would be encouraged to seek pre-application advice in advance with the contribution based on the housing need to that particular area. The Member later asked whether there was any evidence of those who had not gone past the application stage. The Operational Manager for Planning and Building Control clarified that this information was not collected, but there was no evidence to show a drop off in applications for small housing developments.

The Committee queried the definition of a self-build. In reply, the Operational Manager for Planning and Building Control advised that this was a completely new process for the Council. In terms of how this would operate, it was being suggested that this copied the system in England through the Community Infrastructure Levy regulations (where a self-build exemption also applies). This meant that if a person had a plot of land and built a house; they would need to be the first person to live in that property and for a minimum period of 3 years. The Operational Manager added that there were a number of legal mechanisms in place which required the person to keep notifying the Department that they were still the occupiers. She also advised that if the person moved out or a tenant moved in then the owner would go back to square one and the self-build exemption would fall.

A Member then asked a number of questions. His first was whether the £444k referred to on page 47 of the report was in the "bank". In reply, the Operational Manager for Planning and Building Control stated that this was not in the bank, but was the total amount agreed to be paid upon the signing of the Section 106 agreements. To date, the amount received was £87k which related to the Llwyn Nwydog Farm site.

The Member's second question was how would this money fit into the overall house building strategy in the Vale. The Operational Manager for Planning and Building Control advised that this wasn't the only source of money and contributions were being made through the development of larger sites. It would then be up to the Housing Team to determine how the housing need in the Vale would be met, following the protocol for spend of Section 106 contributions.

Thirdly, the Member queried the process around the use of the money from a self-build in Barry. The Member also queried whether more could be done to encourage self-builders. In reply, the Operational Manager for Planning and Building Control stated that the policy for affordable housing contributions only applied in the Barry area for developments with a net gain of 5 or more dwellings due to market conditions. That however, did not mean that money could not be spent in Barry with Members being aware of previous proposals to spend Section 106 monies having been agreed by the Cabinet Member. With regard to encouraging more self-builds, the Operational Manager stated that the Council was waiting for the findings from the Welsh Government's review of Planning Policy Wales into how this area of the market would be "reignited".

Having considered the report it was

RESOLVED - T H A T the findings of the Review and the proposal to endorse amendments to the Supplementary Planning Guidance attached at Appendix B be noted.

Reason for decision

Having considered the findings of the Review and to support amendments to the Council's Affordable Housing SPG.

680 PLANNING APPLICATIONS (HRP) -

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

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

2017/01136/HYB Received on 30 October 2017

(P95)

BDW South Wales Zoe Aubrey, Oak House, Village Way, Tongwynlais, Cardiff, CF15 7NE

BDW South Wales Zoe Aubrey, Oak House, Village Way, Tongwynlais, Cardiff, CF15 7NE

Former St. Cyres Lower School, Murch Road, Dinas Powys

Hybrid application comprising Full application for residential development for 215 units, highways and drainage infrastructure and associated landscaping; and Outline application in respect of the community and recreational use zone.

RESOLVED - T H A T subject to the interested person(s) first entering into a Section 111 Agreement requiring the developer to enter into a Section 106 Legal Agreement to include the following necessary planning obligations:

- Procure that 40% (86 units) of the dwellings built on the site pursuant to the planning permission are built and thereafter maintained as affordable housing units in perpetuity.
- Pay a contribution of £1,758,366 for the provision or enhancement of education facilities to meet the needs of future occupiers.
- Pay a contribution of £160,000 to enhance existing off site provision such as the Murch Play Area
- Provide public art to the value of 1% of project costs in accordance with details to be submitted for approval.

- Pay a contribution of £494,500 to improve sustainable transport provision within the vicinity of the site. to provide or enhance sustainable transport facilities in the vicinity of the site to be spent on one or more of the following; walking and cycling improvements throughout the village of Dinas Powys, to key destinations such as the village centre; the local primary schools and park areas. provision of new bus stop outside of the Medical Centre, contribution towards an extension to a local bus service up to the proposed bus stop and improvements to local bus stops, enhancements to Ash Path, Watery Lane and the bridleway between Sunnycroft Lane and Cross Common Road;
- Pay a contribution of £270,900 to provide community facilities /enhancements serving the development.

APPROVED subject to the following condition(s):

FOR THE OUTLINE CONSENT ONLY

1. Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason:

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

2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason:

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

3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

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

4. The development shall be carried out in accordance with the parameters specified in the "Design and Access Statement" dated October 2017, amended document received 19 January 2018.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and to ensure a satisfactory form of development in accordance with Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, and MD2-Design of New Development of the Local Development Plan.

5. The development shall be carried out in line with the submitted Dormouse Mitigation Strategy dated October 2017, the submitted Section 5 Ecological Appraisal dated October 2017 and the submitted Detailed soft landscape plan, dated October 2017.

Reason:

To safeguard and mitigate for the ecology and biodiversity interests on the site in accordance with Policies SP10-Built and Natural Environment, MG21-Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, and MD9-Promoting Biodiversity of the Local Development Plan; TAN5-Nature Conservation and Planning; and the Conservation of Habitats and Species Regulations 2010 as amended.

6. Before the commencement of development, a long-term Management Plan that builds upon the principles set out in the Dormouse Mitigation Strategy shall be submitted to and agreed in writing with the Local Planning Authority. The plan should include, but not exclusively, a drawing/plan confirming the areas of the site that will be subject to the management plan and illustrating the distribution of each habitat type; a description of each habitat type to be managed and their desired condition; the nature of management operations required to both deliver and subsequently maintain the desired condition; appropriate scheduling and timing of activities; monitoring to assess the development of and on-going suitability of the habitats present to support dormice; proposals for on-going review of management and remedial action where problems are identified by habitat and/or population monitoring.

Reason:

To ensure the favourable management of habitats for dormice within the scheme in accordance with Policies SP10-Built and Natural Environment, MG21-Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, and MD9-Promoting Biodiversity of the Local Development Plan; TAN5-Nature Conservation and Planning; and the Conservation of Habitats and Species Regulations 2010 as amended.

7. Full details of the enclosure of the community facilities land, including height and materials, shall be submitted to and agreed in writing with the Local Planning Authority. The enclosures shall be erected in accordance with a

schedule of timescales that shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development on any part of the dwellings or highways adjacent to the community facilities land.

Reason:

In the interests of visual amenity and the security of the site in accordance with Policies SP1-Delivering the Strategy, SP10-Built and natural Environment, and MD2-Design of New Development of the Local Development Plan.

FOR THE FULL CONSENT

8. The development shall begin no later than five years from the date of this decision.

Reason:

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

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

- Site Location Plan, Drg. No. 101 Rev B, amended plan received 19 December 2017;
- Planning Layout, Drg. No. 100 Rev M, amended plan received 17 January 2018;
- External Work Layout Sheet 1, amended plan received 17 January 2018;
- External Work Layout Sheet 2, amended plan received 17 January 2018;
- External Work Layout Sheet 3, amended plan received 17 January 2018;
- Materials Layout, Drg. No. 103 Rev E, amended plan received 17 January 2018;
- Storey Heights Layout, Drg. No. 104 Rev D, amended plan received 17 January 2018;
- Affordable Housing Layout, Drg. No. 105 Rev D, amended plan received 17 January 2018;
- Parking Strategy, Drg. No. 106 Rev D, amended plan received 17 January 2018;
- Adoption Layout, Drg. No. 108 Rev D, amended plan received 17 January 2018;
- Street Scenes, Drg. No. 109 Rev B, amended plan received 19 January 2018;
- Site Access General Arrangement, Drg. No. 10069-002-1-E, amended plan received 18 January 2018;
- Site Access Tracking, Drg. No. 10069-002-02-B, amended plan received 18 January 2018;
- Exeter Plans and Elevations, Drg. No. 200-1, amended plan received 19 December 2017;

- Exeter Plans and Elevations, Drg. No. 200 Rev A, amended plan received 19 December 2017;
- Exeter Plans and Elevations, Drg. No. 201-1, amended plan received 19 December 2017;
- Exeter Plans and Elevations, Drg. No. 201 Rev A, amended plan received 19 December 2017;
- Layton Plans and Elevations, Drg. No. 202-1, amended plan received 19 December 2017;
- Layton Plans and Elevations, Drg. No. 202 Rev A, amended plan received 19 December 2017;
- Layton Plans and Elevations, Drg. No. 203-1, amended plan received 19 December 2017;
- Layton Plans and Elevations, Drg. No. 203 Rev A, amended plan received 19 December 2017;
- Chelworth Plans and Elevations, Drg. No. 204-1, amended plan received 19 December 2017;
- Chelworth Plans and Elevations, Drg. No. 204-2, amended plan received 19 December 2017;
- Chelworth Plans and Elevations, Drg. No. 204 Rev A, amended plan received 19 December 2017;
- Chelworth Plans and Elevations, Drg. No. 205-1, amended plan received 19 December 2017;
- Chelworth Plans and Elevations, Drg. No. 205 Rev A, amended plan received 19 December 2017;
- Holden Plans and Elevations, Drg. No. 206-1, amended plan received 19 December 2017;
- Holden Plans and Elevations, Drg. No. 206 Rev A, amended plan received 19 December 2017;
- Holden Plans and Elevations, Drg. No. 207-1, amended plan received 19 December 2017;
- Holden Plans and Elevations, Drg. No. 207 Rev A, amended plan received 19 December 2017;
- Cornell Plans and Elevations, Drg. No. 208-1, amended plan received 19 December 2017;
- Cornell Plans and Elevations, Drg. No. 208 Rev A, amended plan received 19 December 2017;
- Cornell Plans and Elevations, Drg. No. 209-1, amended plan received 19 December 2017;
- Cornell Plans and Elevations, Drg. No. 209 Rev A, amended plan received 19 December 2017;
- Bradgate Plans and Elevations, Drg. No. 210-1, amended plan received 19 December 2017;
- Bradgate Plans and Elevations, Drg. No. 210 Rev A, amended plan received 19 December 2017;
- Washington Plans and Elevations, Drg. No. 211-1, amended plan received 19 December 2017;
- Washington Plans and Elevations, Drg. No. 211 Rev A, amended plan received 19 December 2017;
- Larch Plans and Elevations, Drg. No. 212-1, amended plan received 19 December 2017;

- Larch Plans and Elevations, Drg. No. 212 Rev A, amended plan received 19 December 2017;
- Ashtree Plans and Elevations, Drg. No. 213-1, amended plan received 19 December 2017;
- Ashtree Plans and Elevations, Drg. No. 213 Rev A, amended plan received 19 December 2017;
- Shenton Plans and Elevations, Drg. No. 214-1, amended plan received 19 December 2017;
- Shenton Plans and Elevations, Drg. No. 214 Rev A, amended plan received 19 December 2017;
- Barton Plans and Elevations, Drg. No. 215-1, amended plan received 19 December 2017;
- Barton Plans and Elevations, Drg. No. 215 Rev A, amended plan received 19 December 2017;
- Moresby Plans and Elevations, Drg. No. 220 Rev A, amended plan received 19 December 2017;
- Moresby Plans and Elevations, Drg. No. 221-1, amended plan received 19 December 2017;
- Moresby Plans and Elevations, Drg. No. 221 Rev A, amended plan received 19 December 2017;
- Alderney Plans and Elevations, Drg. No. 222-1, amended plan received 19 December 2017;
- Alderney Plans and Elevations, Drg. No. 222-2, amended plan received 19 December 2017;
- Alderney Plans and Elevations, Drg. No. 222 Rev A, amended plan received 19 December 2017;
- Alderney Plans and Elevations, Drg. No. 223-1, amended plan received 19 December 2017;
- Alderney Plans and Elevations, Drg. No. 223 Rev A, amended plan received 19 December 2017;
- Andover Plans and Elevations, Drg. No. 224-1, amended plan received 19 December 2017;
- Andover Plans and Elevations, Drg. No. 224 Rev A, amended plan received 19 December 2017;
- Buchanan Plans and Elevations, Drg. No. 225-1, amended plan received 19 December 2017;
- Buchanan Plans and Elevations, Drg. No. 225 Rev A, amended plan received 19 December 2017;
- Buchanan Plans and Elevations, Drg. No. 226-1, amended plan received 19 December 2017;
- Buchanan Plans and Elevations, Drg. No. 226-2, amended plan received 19 December 2017;
- Buchanan Plans and Elevations, Drg. No. 226 Rev A, amended plan received 19 December 2017;
- Collaton Plans and Elevations, Drg. No. 227-1, amended plan received 19 December 2017;
- Collaton Plans and Elevations, Drg. No. 227 Rev A, amended plan received 19 December 2017;

Continued see Condition 10.

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.

10. The development shall be carried out in accordance with the following approved plans and documents:
- Eskdale Plans and Elevations, Drg. No. 228-1, amended plan received 19 December 2017;
 - Eskdale Plans and Elevations, Drg. No. 228-2, amended plan received 19 December 2017;
 - Eskdale Plans and Elevations, Drg. No. 228 Rev A, amended plan received 19 December 2017;
 - Eskdale Plans and Elevations, Drg. No. 229-1, amended plan received 19 December 2017;
 - Eskdale Plans and Elevations, Drg. No. 229-2, amended plan received 19 December 2017;
 - Eskdale Plans and Elevations, Drg. No. 229-3, amended plan received 19 December 2017;
 - Eskdale Plans and Elevations, Drg. No. 229 Rev A, amended plan received 19 December 2017;
 - Kingsley Plans and Elevations, Drg. No. 230-1, amended plans received 19 December 2017;
 - Kingsley Plans and Elevations, Drg. No. 230 Rev A, amended plan received 19 December 2017;
 - Maidstone Plans and Elevations, Drg. No. 231-1, amended plan received 19 December 2017;
 - Maidstone Plans and Elevations, Drg. No. 231-2, amended plan received 19 December 2017;
 - Maidstone Plans and Elevations, Drg. No. 231 Rev A, amended plan received 19 December 2017;
 - Maidstone Plans and Elevations, Drg. No. 232-1, amended plan received 19 December 2017;
 - Maidstone Plans and Elevations, Drg. No. 232-2, amended plan received 19 December 2017;
 - Maidstone Plans and Elevations, Drg. No. 232 Rev A, amended plan received 19 December 2017;
 - Richmond Plans and Elevations, Drg. No. 235-1, amended plan received 19 December 2017;
 - Richmond Plans and Elevations, Drg. No. 235 Rev A, amended plan received 19 December 2017;
 - Ennerdale Plans and Elevations, Drg. No. 237-1, amended plan received 19 December 2017;
 - Ennerdale Plans and Elevations, Drg. No. 237 Rev A, amended plan received 19 December 2017;
 - Washington Plans and Elevations, Drg. No. 238-1, amended plan received 19 December 2017;

- Washington Plans and Elevations, Drg. No. 238 Rev A, amended plan received 19 December 2017;
- Alder Plans and Elevations, Drg. No. 239-1 Rev A, amended plan received 12 January 2018;
- Alder Plans and Elevations, Drg. No. 239 Rev B, amended plan received 12 January 2018;
- Olive Plans and Elevations, Drg. No. 240-1, amended plan received 19 December 2017;
- Olive Plans and Elevations, Drg. No. 240-2, amended plan received 19 December 2017;
- Olive Plans and Elevations, Drg. No. 240 Rev A, amended plan received 19 December 2017;
- Larch Plans and Elevations, Drg. No. 241-1, amended plan received 19 December 2017;
- Larch Plans and Elevations, Drg. No. 241 Rev A, amended plan received 19 December 2017;
- Cherry Plans and Elevations, Drg. No. 242-1, amended plan received 19 December 2017;
- Cherry Plans and Elevations, Drg. No. 242 Rev A, amended plan received 19 December 2017;
- Kingsville Plans and Elevations, Drg. No. 243-1, amended plan received 19 December 2017;
- Kingsville Plans and Elevations, Drg. No. 243 Rev A, amended plan received 19 December 2017;
- Thornton Plans and Elevations, Drg. No. 244-Rev A, amended plan received 19 December 2017;
- Garage Plans and Elevations Sheet 1, Drg. No. 250, amended plan received 19 December 2017;
- Garage Plans and Elevations Sheet 2, Drg. No. 251, amended plan received 19 December 2017;
- Garage Plans and Elevations Sheet 3, Drg. No. 252, amended plan received 19 December 2017;
- Garage Plans and Elevations Sheet 4, Drg. No. 253, amended plan received 19 December 2017;
- Garage Plans and Elevations Sheet 5, Drg. No. 254, amended plan received 19 December 2017;
- Garage Plans and Elevations Sheet 6, Drg. No. 255, amended plan received 19 December 2017;
- Enclosure Details Sheet 1, Drg. No. 260, amended plan received 19 December 2017;
- Enclosure Details Sheet 2, Drg. No. 261, amended plan received 19 December 2017;
- Enclosure Details Sheet 3, Drg. No. 262, amended plan received 19 December 2017;
- Enclosure Details Sheet 4, Drg. No. 263, amended plan received 19 December 2017;
- Engineering Layout Planning Sheet 1 of 2, Drg. No. 10069-001-06 Rev C, amended plan received 19 December 2017;
- Engineering Layout Planning Sheet 2 of 2, Drg. No. 10069-001-07 Rev B, amended plan received 19 December 2017;

- Development Areas, Drg. No. 10069-100, received 19 December 2017;
- Flood Exceedance Plan, Drg. No. 10069-101, received 19 December 2017;
- Attenuation Cross Section, Drg. No. 10069-102, received 19 December 2017;
- Appendix F In Situ Soakaway Test Results, received 19 December 2017;
- Approximate Location of Site Investigation Work, Drg. No. G/NC832/03A, received 19 December 2017;
- Site Cross Section Sheet 1 of 2, Drg. No. 10069-103-01, received 9 January 2018;
- Site Cross Section Sheet 2 of 2, Drg. No. 10069-103-02, received 9 January 2018;
- Working Areas Subject to NRW Development License for Dormouse, Drg. No. edp3927_d009, received 12 January 2018;
- Swept Path Fire Tender Sheet 1 of 4, Drg. No. 10069-003-01, received 30 October 2017;
- Swept Path Fire Tender Sheet 2 of 4, Drg. No. 10069-003-02, received 30 October 2017;
- Swept Path Large Refuse Sheet 3 of 4, Drg. No. 10069-003-03, received 30 October 2017;
- Swept Path Large Refuse Sheet 4 of 4, Drg. No. 10069-003-04, received 30 October 2017;
- Soft Landscape Strategy Sheets 1 to 7, Drg No. EDP3927/03d, amended plans received 12 January 2018;

Continued see Condition 11.

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.

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

- Planning Statement, RPS (October 2017), received 30 October 2017;
- Design & Access Statement, RPS (October 2017), amended details received 19 January 2018;
- Transport Assessment, RPS, (October 2017), received 30 October 2017;
- Response to Vale of Glamorgan Council Comments – Technical Note (JNY8501-04A), RPS January 2018, received 3 January 2018;
- Residential Travel Plan, EDP, (October 2017), received 30 October 2017;
- Ecological Appraisal, RPS, October 2017, received 30 October 2017;
- Dormouse Mitigation Strategy, EDP, (October 2017), received 30 October 2017;
- Landscape and Visual Assessment, RPS, (October 2017), received 30 October 2017;
- Archaeological Desk-Based Assessment, CgMs (July 2017), received 30 October 2017;

- Drainage Strategy and Flood Risk Assessment Rev C, Phoenix Design, (October 2017), received 19 December 2017;
- Report on Site Investigations, JPB, (July 2014), received 19 December 2017;
- Arboricultural Impact Assessment, RPS, (December 2017), amended details received 19 December 2017;
- Agricultural Land Classification and Soil Resources Report, Reading Agricultural Consultants Ltd (March 2017), received 30 October 2017;
- Air Quality Assessment, RPS, (January 2018), received 15 January 2018,
- Supplementary Statement on Geo-Environmental Issues, JPB, (January 2018), received 17 January 2018;
- Pre-Application Consultation Report, RPS (October 2017), received 30 October 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.

12. The development to be carried out in line with the submitted Dormouse Mitigation Strategy dated October 2017, the submitted Section 5 Ecological Appraisal dated October 2017 and the submitted Detailed soft landscape plan, dated October 2017.

Reason:

To safeguard and mitigate for the ecology and biodiversity interests on the site in accordance with Policies SP10-Built and Natural Environment, MG21-Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, and MD9-Promoting Biodiversity of the Local Development Plan; TAN5-Nature Conservation and Planning; and the Conservation of Habitats and Species Regulations 2010 as amended.

13. Prior to their erection on site, a lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The scheme should include details of the type of lighting to be used; appropriate siting of lights; drawings setting out light spillage to demonstrate that all areas proposed as dormouse habitat are not illuminated and maintained as dark areas/corridors. The lighting thereafter installed shall be in full accordance with the agreed details and thereafter maintained.

Reason:

To ensure that lighting measures do not conflict with the dormouse use of the site in accordance with Policies SP10-Built and Natural Environment, MG21-Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, and MD9-Promoting Biodiversity of the Local Development Plan; TAN5-Nature

Conservation and Planning; and the Conservation of Habitats and Species Regulations 2010 as amended.

14. Before the commencement of development a long-term Management Plan that builds upon the principles set out in the Dormouse Mitigation Strategy shall be submitted to and agreed in writing with the Local Planning Authority. The plan should include, but not exclusively, a drawing/plan confirming the areas of the site that will be subject to the management plan and illustrating the distribution of each habitat type; a description of each habitat type to be managed and their desired condition; the nature of management operations required to both deliver and subsequently maintain the desired condition; appropriate scheduling and timing of activities; monitoring to assess the development of and on-going suitability of the habitats present to support dormice; proposals for on-going review of management and remedial action where problems are identified by habitat and/or population monitoring.

Reason:

To ensure the favourable management of habitats for dormice within the scheme in accordance with Policies SP10-Built and Natural Environment, MG21-Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, and MD9-Promoting Biodiversity of the Local Development Plan; TAN5-Nature Conservation and Planning; and the Conservation of Habitats and Species Regulations 2010 as amended.

15. The development shall be implemented in accordance with the recommendations made in the Ecological Appraisal, and a Bird Box Strategy to be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To safeguard and mitigate for the ecology and biodiversity interests on the site in accordance with Policies SP10-Built and Natural Environment, MG21-Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, and MD9-Promoting Biodiversity of the Local Development Plan; TAN5-Nature Conservation and Planning; and the Conservation of Habitats and Species Regulations 2010 as amended.

16. Prior to the commencement of development on dormouse habitat (as identified on Working Areas Subject to NRW Development License for Dormouse, Drg. No. edp3927_d009, received 12 January 2018), the Local Planning Authority shall be provided with a copy of the licence issued by Natural Resources Wales pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017.

Reason:

To safeguard and mitigate for the ecology and biodiversity interests on the site in accordance with Policies SP10-Built and Natural Environment, MG21-Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, and MD9-Promoting Biodiversity of the Local Development Plan; TAN5-Nature Conservation and Planning; and the Conservation of Habitats and Species Regulations 2010 as amended.

17. Full engineering details and associated calculations of the proposed highway works, incorporating vision splays, street lighting, road signs, surface water drainage strategy and any retaining structures retaining or adjacent to the highway/public open space, which shall be in general accord with Planning Layout Drg. No. 100 Rev M, Site Access General Arrangement Drg. No. 10069-002-1-E, and Site Access-15m Coach Tracking Drg. No. 10069-002-2-B, including details of any necessary Traffic Regulation Orders (TROs), shall be submitted to and agreed in writing with the Local Planning Authority before their implementation on site. The development shall be completed thereafter in accordance with the approved details.

Reason:

In the interests of highway safety in accordance with Policy MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

18. The approved access, internal road layout and car parking provision, including private curtilage parking and on road bays (as identified on Parking Strategy Layout Drg. No. 106 Rev D) shall be completed before the occupation of the residential units that they serve. The car parking provision shall thereafter be retained and maintained for use exclusively in connection with the residential units that they serve, and the wider development in relation to visitor spaces.

Reason:

To ensure adequate access and parking is provided and maintained in the interests of highway safety in accordance with Policies MD2-Design of New Development and MD5-Development within Settlement Boundaries of the Local Development Plan.

19. The alterations and improvements to the existing highway, as shown on Site Access General Arrangement, Drg. No. 10069-002-1-E, shall be completed in accordance with a phasing plan to be submitted to and agreed in writing by the Local Planning Authority.

Reason:

In the interests of highway safety in accordance with Policy MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

20. Notwithstanding the submitted details, before the commencement of the development hereby approved, a revised Travel Plan shall be submitted to include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use. The Travel Plan shall thereafter be completed in accordance with the approved details.

Reason:

To ensure the development accords with sustainability principles and that site is accessible by a range of modes of transport in accordance with Policies SP1-Delivering the Strategy), MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

Discharge of Condition 20 to be reported to Planning Committee for approval.

21. Notwithstanding the submitted details, and prior to their use, a full schedule of materials (including samples) to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason:

In the interests of local visual amenities in accordance with Policies SP10-Built and Natural Environment, MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

22. No development shall commence until details of existing ground levels within and adjacent to the site and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that visual, neighbouring, and general amenities are safeguarded in accordance with Policies SP10-Built and Natural Environment, MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

23. Notwithstanding the submitted plans, further details of the means of enclosure, and their specific location, shall be submitted to and agreed in writing by the Local Planning Authority. The means of enclosure shall be

completed in accordance with the approved details prior to the first beneficial use of that part of the development to which it relates.

Reason:

To safeguard local visual amenities in accordance with Policies SP10-Built and Natural Environment, MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

24. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of parking for construction traffic, safeguarding of the access to the medical centre, the proposed routes for heavy construction vehicles, timings of construction traffic (which shall seek to avoid peak traffic times and school pick-up and drop-off times as appropriate) and means of defining and controlling such traffic routes and timings; Traffic Regulatory Orders (TROs); pre construction road condition surveys and details of timings of the submission of post construction surveys and any remedial works; and wheel cleansing. The development shall be carried out in accordance with the approved Management Plan.

Reason:

In the interests of highway safety in accordance with Policy MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

Discharge of Condition 24 to be reported to Planning Committee for approval

25. No development shall commence, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
 - viii) hours of construction;
 - ix) lighting;
 - x) 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 the development;

- xi) measures to manage silt and surface water runoff during construction phase of the development;
- xii) demonstrate how silt build up within the drainage system shall be dealt with upon completion of the site;
- xiii) include a phasing plan to clearly demonstrate when drainage assets shall be constructed on site;
- xiv) demonstrate how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorscheme.org.uk) during the course of the construction of the development; and
- xv) a system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the development shall be undertaken in accordance with the approved CEMP.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1- Delivering the Strategy, SP10-Built and Natural Environment, and MD7- Environmental Protection of the Local Development Plan.

26. Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site.

The report of the findings shall include:

- (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;
- (iii) an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and

- any other receptors identified at (i)

(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (2012), unless the Local Planning Authority agrees to any variation.

* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

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 Policy / Policies SP1 (Delivering the Strategy) / MD7 (Environmental Protection) of the Local Development Plan.

27. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document ' Land Contamination: A guide for Developers' (July 2012), unless the Local Planning Authority agrees to any variation.

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 Policy / Policies SP1 (Delivering the Strategy) / MD7 (Environmental Protection) of the Local Development Plan.

28. The remediation scheme approved by condition 27 above must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WAG / EA guidance document 'Land Contamination: A guide for Developers' (July 2012), unless the Local Planning Authority agrees to any variation.

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 Policy / Policies SP1 (Delivering the Strategy) / MD7 (Environmental Protection) of the Local Development Plan.

29. 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 in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place until a scheme to deal with the contamination found has been submitted to and approved in writing by the Local Planning Authority. 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 Policy / Policies SP1 (Delivering the Strategy) / MD7 (Environmental Protection) of the Local Development Plan.

30. Any topsoil [natural or manufactured], or subsoil, to be imported 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 Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, 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 LPA.

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with Policy / Policies SP1 (Delivering the Strategy) / MD7 (Environmental Protection) of the Local Development Plan.

31. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported 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 Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, 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 LPA.

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with Policy / Policies SP1 (Delivering the Strategy) / MD7 (Environmental Protection) of the Local Development Plan.

32. 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.

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with Policy / Policies SP1 (Delivering the Strategy) / MD7 (Environmental Protection) of the Local Development Plan.

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

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policies SP10-Built and Natural Environment and MD7-Environmental Protection of the Local Development Plan.

Discharge of Condition 33 to be reported to Planning Committee for approval.

34. Only foul water from the development site shall be allowed to discharge to the public sewerage system and this discharge shall be made at:
- i) A point of connection on the public sewerage system identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the local planning authority. Thereafter the connection shall be made in accordance with the recommended connection options following the implementation of any necessary improvements to the sewerage network as may be identified by the hydraulic modelling assessment.
 - or
 - ii) The 150 mm foul sewer at manhole reference number ST16714001 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

No building shall be occupied until it is served by the approved connection.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policies SP10-Built and Natural

Environment and MD7-Environmental Protection of the Local Development Plan.

Discharge of Condition 34 to be reported to Planning Committee for approval.

35. The details of surface water drainage submitted under Condition 33, showing how road and roof/yard water will be dealt with, shall be designed so that flooding does not occur on any part of the site for a 1 in 30 year rainfall event plus climate change and not in any part of any building for the 1 in 100 year rainfall event plus climate change. Any calculation for onsite attenuation or discharge should also be included. Good practice guidelines should be followed for the use of SuDS techniques on the site.

Reason:

In the interests of public health and safety and to ensure no pollution or detriment to the environment in accordance with Policies SP10-Built and Natural Environment and MD7-Environmental Protection of the Local Development Plan.

Discharge of Condition 35 to be reported to Planning Committee for approval.

36. The details of surface water drainage submitted under Condition 33 shall include surface water runoff treatment measures to ensure that the development does not have a detrimental effect on water quality. The proposed measures shall be based on those suggested within The Ciria SuDS Manual and the Interim Non-Statutory Standards for SuDS in Wales.

Reason:

In the interests of public health and safety and to ensure no pollution or detriment to the environment in accordance with Policies SP10-Built and Natural Environment and MD7-Environmental Protection of the Local Development Plan.

Discharge of Condition 36 to be reported to Planning Committee for approval.

37. No development shall commence until a SuDS management plan, which includes details on future management responsibilities for the site and its drainage assets, has been submitted to and approved in writing by the Local Planning Authority. This plan shall detail the strategy that will be followed to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime. The management plan shall be implemented in full accordance with the agreed terms and conditions for the lifetime of the development.

Reason:

In the interests of public health and safety and to ensure no pollution or detriment to the environment in accordance with Policies SP10-Built and

Natural Environment and MD7-Environmental Protection of the Local Development Plan.

Discharge of Condition 37 to be reported to Planning Committee for approval.

38. No development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

The scheme of landscaping shall include woodland bulbs planted at a minimum of 30/m² (not 4-6m² as indicated) in natural drifts of single species rather than multiple mixes as indicated

Reason:

To safeguard local visual amenities in accordance with Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

39. 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 5 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.

Reason:

To ensure satisfactory maintenance of the landscaped area in accordance with Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, MD2-Design of New Development, and MD5-Development within Settlement Boundaries of the Local Development Plan.

40. The Tree Protection measures included within the Arboricultural Impact Assessment, including the Drg. Nos. 710 Rev B and 711 Rev B, shall be implemented on site before the commencement of development. The scheme of tree/hedgerow protection shall be so retained on site for the duration of development works.

Reason:

To ensure the existing trees/hedgerows to be retained are safeguarded and in the interests of visual amenity and the ecology/biodiversity of the site in accordance with Policies SP10-Built and Natural Environment, MG21-Sites of Importance for Nature Conservation, Regionally Important Geological and

Geomorphological Sites and Priority Habitats and Species, MD2-Design of New Development, MD5-Development within Settlement Boundaries, and MD9-Promoting Biodiversity of the Local Development Plan; TAN5-Nature Conservation and Planning; and the Conservation of Habitats and Species Regulations 2010 as amended.

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 for the area 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 SP1-Delivering the Strategy, SP3-Residential Requirement, SP4-Affordable Housing Provision, SP7-Transportation, SP10-Built and Natural Environment, MG1-Housing Supply in the Vale of Glamorgan, MG2-Housing Allocations, MG4-Affordable Housing, MG7-Provision of Community Facilities, MG21-Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, MD2-Design of New Development, MD3-Provision for Open Space, MD4-Community Infrastructure and Planning Obligations, MD5-Development Within Settlement Boundaries, MD6-Housing Densities, MD7-Environmental Protection, MD8- Historic Environment and MD9-Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; Supplementary Planning Guidance on Amenity Standards, Affordable Housing, Biodiversity and Development, Design in the Landscape, Model Design Guide for Wales, Parking Standards, Planning Obligations, Public Art, Sustainable Development, and Trees and Development; and national guidance contained in Planning Policy Wales, TAN1-Joint Housing Land Availability Studies, TAN2-Planning and Affordable Housing, TAN5-Nature Conservation and Planning, TAN12-Design, TAN16-Sport, Recreation and Open Space, TAN18-Transport and TAN24-The Historic Environment, it is considered that the proposal represents an acceptable and sustainable form of mixed residential development with community and recreational use, that should have no significant adverse impact on the character and appearance of the area, highway safety, neighbouring and general amenities on the site, drainage, and other environmental factors. The proposal meets the requirements of all 'three tests' for derogation specified under the Conservation of Habitats and Species Regulations 2010. The proposal is therefore in line with both national and local policy.

2017/00066/FUL Received on 26 January 2017

(P173)

B&K Future Ltd.,

Mr. Steffan Harries, LRM Planning Ltd., 22, Cathedral Road, Cardiff. CF11 9LJ

Tathan Hall, 6, Rectory Drive, St Athan

Refurbishment of existing Tathan Hall to provide seven flats, construction of nine dwellings and associated works

RESOLVED - T H A T subject to the relevant person(s) first entering into a Section 106 Legal Agreement or undertaking to include the following necessary planning obligations:

- That the development be complete and ready for occupation within 3 years of the planning permission.

APPROVED subject to the following condition(s):

1. The development shall begin no later than three years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 and provide a time limited consent reflecting the viability constraints on the site and associated relaxation in planning obligation requirements.

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

121 – AL(90)01 – Topographical Survey;
121 – AL(90)01(E) – Revised Proposed Site Layout (received 25 Oct 2017);
121 – AL(99)02 – Proposed Ground Floor;
121 – AL(99)03 – Proposed First Floor;
121 – AL(99)05 – Proposed Elevations;
121 – AL(99)06 – Section A-A & B-B;
121 – AL(99)07 – Section C-C & D-D;
121 – AL(99)08 – Proposed Plans and Elevations, Plot 1 - 3;
121 – AL(99)09 (A) – Proposed Plans and Elevations, Plot 4 & 5, 6 & 8 (received 25 Aug 2017);
121 – AL(99)10 (A) – Proposed Plans and Elevations, Plots 9 - 10 (received 25 Aug 2017);
121 – AL(99)11 (A) – Proposed Context Elevations (received 25 Aug 2017)

Structural Survey, Planning Statement, Design and Access Statement, Heritage Impact Assessment and Bat Mitigation Report (received 19 December 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 windows, doors, roof coverings and rain water goods shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed and maintained at all times thereafter in accordance with the approved details.

Reason:

To safeguard visual amenity and to preserve the setting of the listed building, as required by Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD2 (Design of New Development) and MD8(Historic Environment) of the Local Development Plan.

4. Notwithstanding the submitted details, a schedule (and samples) of materials to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. prior to their use. The development shall be completed and maintained at all times in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD2 (Design of New Development) and MD8 (Historic Environment) of the Local Development Plan.

5. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. The means of enclosure shall be completed in accordance with the approved details prior to the first beneficial use of the development.

Reason:

To safeguard local visual amenities, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwelling house, other than those approved under the terms of condition 5 of this permission.

□

Reason:

To safeguard local visual amenities, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

7. No dwelling shall be occupied until the parking spaces, access and turning area have been laid out within the site in accordance with drawing no 121 - AL(90) 02 Rev E and those spaces shall be kept available for the parking of vehicles / such purposes in perpetuity.

Reason:

To ensure that satisfactory vehicle parking and turning facilities is provided on site to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

8. Prior to the first beneficial occupation of the development, 4 No. "Sheffield" type cycle stands shall be provided and secured within the boundary of the site for the use associated with the proposed apartments (in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority) and thereafter maintained and retained at all times for the use of the development.

Reason:

To ensure adequate cycle parking facilities are provided to severe the development, in accordance with the councils parking standards, in accordance with policy MD 2 of the LDP.

9. Notwithstanding the submitted plans, full engineering details of the new vehicular / pedestrian access points in to the site 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 the access and internal road. The development shall be implemented thereafter in accordance with the approved details.

Reason:

In the interests of highway safety in accord with Policy MD2 of the Local Development Plan.

10. A landscaping scheme 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 the terms of Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

11. 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 5 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.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

12. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

13. The scheme shall be implemented in accordance with the mitigation measures set out in Sections E and F of the report 'Application for Bat Development Licence Method Statement. Tathan Hall', prepared by Sylvan Ecology, dated 22 June 2017 (received via email on 11 December 2017).

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) / MD9 (Promoting Biodiversity) / MG19 (Sites and Species of European Importance) / MG20 (Nationally Protected Sites and Species) of the Local Development Plan.

14. Prior to the commencement of development a light mitigation strategy, including measures to ensure lighting measures do not conflict with the bat use of the site, shall be submitted to and approved in writing by the Local Planning Authority.

The scheme should include:

- Details of appropriate siting and type of external lighting to be used;
- Any operational measures;
- Drawings setting out light spillage in key areas for bats to demonstrate that the southern and eastern elevations of the Tathan Hall building, the western elevation of plot 6 and the dark corridors as indicated in Section E of the bat method statement are not illuminated by external lighting and that disturbance to flight paths of bats will therefore be avoided; and
- Remedial action to be undertaken where problems are identified by the monitoring scheme.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) / MD9 (Promoting Biodiversity) / MG19 (Sites and Species of European Importance) / MG20 (Nationally Protected Sites and Species) of the Local Development Plan.

15. No development shall commence until details of existing ground levels within and adjacent to the site and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that [x] are safeguarded, and to ensure the development accords with Policy MD2 (Design of New Development) of the Local Development Plan.

16. Prior to the commencement of development, a phasing plan of the proposed works demonstrating that the works to the listed building shall be undertaken alongside the delivery of the new build houses hereby approved, shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be carried out in accordance with the approved details.

Reason:

To ensure the comprehensive development of the site in its entirety, ensuring the works to the listed building are carried out alongside the facilitating development.

17. No development shall commence, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:
- i) the parking of vehicles for site operatives and visitors, and the location of any site compound;

- ii) the siting and means of loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- viii) hours of construction;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorscheme.org.uk) during the course of the construction of the development; and
- xiii) a system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the development shall be undertaken in accordance with the approved CEMP.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and 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 for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

Having regard to Policies SP1-Delivering the Strategy, SP3-Residential Requirement, SP4-Affordable Housing Provision, Policy SP7-Transportation, SP10-Built and Natural Environment, MG1-Housing Supply in the Vale of Glamorgan, MG4-Affordable Housing, MG19-Sites and Species of European Importance, MG20-Nationally Protected Sites and Species, MD2-Design of New Development, MD3-Provision for Open Space, MD4-Community Infrastructure and Planning Obligations, MD5-Development Within Settlement Boundaries, MD6-Housing Densities, MD7-Environmental Protection, MD8-Historic Environment, and MD9-Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; Supplementary Planning Guidance, including Amenity Standards, Trees and Development, Biodiversity and Development, Affordable Housing, Planning

Obligations, Parking Standards and Model Design Guide for Wales; and national guidance contained in Planning Policy Wales, TAN1-Joint Housing Land Availability Study, TAN2-Planning for Affordable Housing, TAN5-Nature Conservation and Planning, TAN10-Tree Preservation Orders, TAN12-Design, TAN14-Coastal Planning, TAN16-Sport, Recreation and Open Space, and TAN24-Historic Environment, it is considered that the proposal represents an acceptable form of residential redevelopment of the site that should not result in any significant harm to the visual amenity of the area and would preserve the setting of the listed building. The proposal is also considered acceptable in respect of neighbouring and general residential amenities of the area and highway safety. In addition, subject to appropriate conditions, there should be no detriment to ecology interests on the site.

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.

2017/00497/FUL Received on 24 May 2017
(P205)

Loosemore Bryneithin Ltd., 1, Pontcanna Street, Cardiff, Vale of Glamorgan. CF11 9HQ

Nigel Arnold Architects The Studio, 5, Penarth Head Lane, Penarth, Vale of Glamorgan. CF64 1BB

Bryneithin Home for the Elderly, St. Andrews Road, Dinas Powys

Retention of the development for 24 residential units granted planning permission by virtue of applications 2015/00954/FUL and 2016/00494/FUL with an amendment to the parking layout to serve that development

RESOLVED - T H A T subject to the relevant person(s) first entering into a deed of variation in order to bind all relevant person(s) to the terms of the Section 106 Legal Agreement relating to the 2015/00954/FUL and 2016/00494/FUL planning permissions.

APPROVED subject to the following condition(s):

1. The development shall be completed in accordance with the following approved plans and documents:

- 39314:AP27 - Site Location Plan
- 39314:AP32 Rev B - Site Layout Plan
- 39314:AP19 - House Types
- 39314:AP20 - House Types
- 39314:AP21 - House Types
- 39314:AP24 - Rev B House Types
- BS5837 2012 Tree Information Report 1.2015 prepared by James Pinder
- BS 5837 Tree data plan dated 23/05/2016
- Tree Survey and Arboriculture Impact Assessment for Revised Parking dated 03/07/2017

- Tree Survey and Arboriculture Impact Assessment for Revised Parking dated 11/09/2017
- 39314:AP07 Rev. A. Plan to accompany Tree Survey and Arboriculture Impact Assessment for Revised Parking
- BS5837 Tree Data and document 'Tree Protection Fencing for rooting areas and CEZ'
- TDA.2204.01 Rev A - Landscaping Plan
- 'Texas Best Fence' and 'Si00:x Gallery' - Fencing Details
- Construction Environmental Management Plan dated May 2016
- Construction Traffic Management Plan dated 14/06/2016
- IN0020/LP-01/ - Site Logistics Plan
- Vehicle Wheel Cleaning / Washing During the Construction note
- Addendum to Site Logistics Plan - showing wheel washing area
- C15241 710 Rev T3 – Site Entrance Works
- 39314:AP25 – Details of Bat Boxes
- Wildlife Protection Plan dated April 2017
- C15241 505 C2 Drainage Construction Details Sheet 1
- C15241 506 C3 Drainage Construction Details Sheet 2
- C15241 507 C4 Drainage Construction Details Sheet 3
- C15241 508 C1 Drainage Construction Details Sheet 4
- C15241 Rep01 A SUDS Maintenance Strategy
- C15241 500 C3 Drainage Layout
- G/PC060/03 Approximate Location of Site Investigation Works
- PC006 Summary of rates of infiltration rates
- Micro Drainage Infiltration Details
- 39314:SITE/03 - Refuse Store

25/01/2018

- **C15241 703 C2 External Works Construction Details**

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.

2. All planting, seeding or turfing comprised in the details of landscaping shown on drawing number TDA.2204.01 Rev A 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 5 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.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and

Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

3. The scheme of tree protection shall be implemented and retained in accordance with plan number BS5837 Tree Data and the document entitled 'Tree Protection Fencing for rooting areas and CEZ' for the duration of the completion of the development.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

4. All works within the vicinity of the trees identified as T4 to T7 on the plan that accompanied both documents entitled 'Tree Survey and Arboriculture Impact Assessment for Revised Parking' dated 03/07/2017 and 11/09/2017 shall be carried out in accordance with recommendation 8 d) of the Tree Survey and Arboriculture Impact Assessment for Revised Parking dated 11/09/2017 in that the works within the root protection areas of those trees shall be carried out using the "No Dig" method in accordance with BS5837:2012.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

5. All works to be undertaken within the Root Protection Area of the trees identified within the group G3 on the Plan that accompanied the documents entitled 'Tree Survey and Arboriculture Impact Assessment for Revised Parking' dated 03/07/2017 and 11/09/2017 shall be carried out in accordance with an Arboricultural Method Statement, the details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

6. No works shall be undertaken within the Root Protection Area of the tree identified as T2 and the north-western most trees within the group identified as G3 on the Plan that accompanied the documents entitled 'Tree Survey and

Arboriculture Impact Assessment for Revised Parking' dated 03/07/2017 and 11/09/2017 until such time as a scheme of remedial arboricultural works to those trees has been completed, the details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

7. Prior to the occupation of the development hereby approved, the traffic calming close to the entrance of the site shall be completed in accordance with drawing number C15241 710 Rev T3 and C15241 703 Rev C2 and shall thereafter be retained in perpetuity.

Reason:

In the interest of highway safety, including that within the site, to ensure a satisfactory form of access to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

8. Prior to the occupation of the development all areas of external hard surfacing shall be completed in accordance with the details shown on plan number 39314:AP32 Rev B, save for the areas identified as 'Passing Bay' and 'Chippings for Manoeuvring' which shall be completed prior to the occupation of the development in a bound material to match the 'Golden Gravel' material details provided on plan number 39314:AP32 Rev B.

Reason:

To ensure that satisfactory form of internal highway, vehicle parking and turning facilities are provided on site to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) of the Local Development Plan.

9. The development shall not be occupied until the parking spaces have been laid out within the site in accordance with drawing no 39314:AP32 Rev B. All parking spaces shall thereafter be kept available for the parking of vehicles in perpetuity.

Reason:

To ensure that satisfactory vehicle parking and turning facilities is provided on site to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

10. All fencing comprised in the means of enclosure shown on plan number 39314:AP32 Rev B shall be constructed with a 15cm high gap at the base of the fence and shall be retained thereafter as such in perpetuity.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD9 (Promoting Biodiversity) of the Local Development Plan.

11. All bat boxes shown on plan number 39314:AP25 and all works recommended in part 2 of the 'Wildlife Protection Plan' dated April 2017 shall be completed prior to the occupation of the development.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD9 (Promoting Biodiversity) of the Local Development Plan.

12. Notwithstanding the provisions of schedule 2, Part 1, classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), the development hereby approved shall not be altered in any way.

Reason:

To enable the Local Planning Authority to control the scale of development and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected on site other than those expressly authorised by this permission.

Reason:

To safeguard local visual amenities, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

14. The construction of the development hereby approved shall be completed in accordance with the Construction Environmental Management Plan dated May 2016 Construction Traffic Management Plan dated 14/06/2016.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and 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 for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

Having regard to Policies SP1 – Delivering the Strategy, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG20 – Nationally Protected Sites and Species, MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, MD1 - Location of New Development, MD2 - Design of New Development, MD3 - Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD5 - Development within Settlement Boundaries, MD6 - Housing Densities, MD7 - Environmental Protection and MD9 - Promoting Biodiversity, as well as Supplementary Planning Guidance in the form of Amenity Standards, Affordable Housing, Biodiversity and Development , Model Design Guide for Wales, Parking Standards (Interactive Parking Standards Zones Map), Planning Obligations, Public Art, Sustainable Development - A Developer's Guide, and Trees and Development and national planning guidance in the form of Planning Policy Wales (Edition 9, 2016), Technical Advice Note 2 – Planning and Affordable Housing (2006), Technical Advice Note 5 – Nature Conservation and Planning (2009), Technical Advice Note 12 – Design (2016), Technical Advice Note 15 – Development and Flood Risk (2004), Technical Advice Note 16 - Sport, Recreation and Open Space (2009), Technical Advice Note 20 – Planning and the Welsh Language (2017), and Manual for Streets 1 & 2, the retention and completion of the development as proposed is considered acceptable in planning terms, including in respect of the details of its design, effect on highway safety, impact on protected trees, impact on visual amenities of the wider area and impact on ecology and protected species.

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.

2017/01229/FUL Received on 21 November 2017
(P230)

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

C2J Architects & Town Planners Mr Robert Chichester, Unit 1A Compass Business
Park, Pacific Road, Ocean Park, Cardiff. CF24 5HL

Church Cottage, Aberthin Lane, Aberthin

Proposed demolition of existing dwelling and outbuildings. Construction of 2 new
detached dwellings with improved site access

APPROVED subject to the following condition(s):

1. The development shall begin no later than five years from the date of this
decision.

Reason:

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

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

AL(00)01 'Site Location Plan'; AL(00) 03 'Topographical Survey'; AL(01)01
Rev D 'Plot 1 - Proposed Floor Plans'; AL(01)02 Rev D 'Plot 2 - Proposed
Floor Plans'; AL(01) 08 Rev A 'Proposed Elevations Plot 1; AL(01)09 Rev A
'Proposed Elevations Plot 2'; and AL(90)01 Rev D 'Proposed Site Plans'
received 20 November 2017.

Reason:

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

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

Reason:

To ensure a satisfactory standard of development and to ensure compliance
with Policy MD2 of the Local Development Plan.

4. No part of the development hereby approved shall be brought into beneficial use until such time as the parking areas, including all associated access and turning areas, have been laid out in full accordance with the details shown on AL(90)01 Rev D received 20/11/2017 and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policy MD2 of the Local Development Plan.

5. The dwellings hereby approved shall be constructed in accordance with the slab levels and ridge heights as set out on AL(01) 08 Rev A 'Proposed Elevations Plot 1 and AL(01)09 Rev A 'Proposed Elevations Plot 2' received 20 November 2017.

Reason:

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

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

Reason:

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

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

Reason:

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

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a

period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies MD2 and MD5 of the Local Development Plan.

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

Reason:

As the building is of significance the specified records are necessary in order that records are kept of any features of archaeological interest and to ensure compliance with Policy MD8 of the Local Development Plan.

10. The implemented drainage scheme for the site should ensure that all foul and surface water discharges separately from the site and that land drainage run-off shall not discharge, either directly or indirectly, into the public sewerage system.

Reason:

To prevent hydraulic overloading of the public sewerage system, pollution of the environment and to protect the health and safety of existing residents and ensure no detriment to the environment and to comply with the terms of Policies MD2 and MD5 of the Local Development Plan.

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

Reason:

In order to ensure that no protected species are adversely affected by the development and to ensure compliance with Policy MD9 of the Local Development Plan.

12. Prior to the commencement of development, details of the finished levels of the site, parking areas and garden areas in relation to existing ground levels and the adjacent highway, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full accordance with the approved details.

Reason:

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

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

Reason:

To enable the Local Planning Authority to control the scale of development in the interests of visual amenity, due to the prominent and sensitive setting of the site, in accordance with Policy MD2 of the Local Development Plan.

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

Reason:

In the interests of highway safety in accordance with policy MD2 of the Local Development Plan.

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

Reason:

To ensure the means of access to the site is provided and constructed in accordance with the Council's standard details for adoption, in the interests of highway safety in accordance with policy MD2 of the Local Development Plan.

16. Notwithstanding the details submitted, no development shall take place until there has been submitted to, approved in writing by the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated and confirm the delivery route (including a plan) to and from the site for plant and materials along the adjacent highway network, the provision of associated traffic management, wheel washing and road sweeping facilities. The CEMP will utilise the Considerate Constructors Scheme (www.considerateconstructorscheme.org.uk). 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, in the interests of highway safety and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies MD2, MD5 and MD8 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 for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

Having regard to Policies SP1 – Delivering the Strategy, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG17 – Special Landscape Areas,, MD1 - Location of new Development, MD2 - Design of New Development, MD5 - Development within Settlement Boundaries, MD6 – Housing Densities, MD7 - Environmental Protection and MD8 – Historic Environment, the proposal is considered as an appropriate form of residential development in terms of its siting, scale, design and materials, impacts on the amenities of neighbouring occupiers and parking provision.

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.