

## PLANNING COMMITTEE

Minutes of a meeting held on 7<sup>th</sup> June, 2018.

Present: Councillor B.T. Gray (Chairman); Councillor V.P. Driscoll (Vice-Chairman); Councillors J.C. Bird, 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, E. Williams and Ms. M. Wright.

<b>Name of Speaker</b>	<b>Planning Application No. and Location</b>	<b>Reason for Speaking</b>
Mrs. Z. Aubrey	2017/01136/HYB – Former St. Cyres Lower School, Murch Road, Dinas Powys	Applicant or their representative
Mr. J. Ferreira	2017/01136/HYB – Former St. Cyres Lower School, Murch Road, Dinas Powys	Applicant or their representative
Mr. G. John	2016/01427/OUT – Land off Cowbridge Road, St. Athan	Applicant or their representative
Ms. R. Lees	2018/000784/FUL – 18 Bron Awelon, Barry	Applicant or their representative
Mr. H. Jones	2017/01203/FUL – Application on Waste Water Treatment Works, Cog Moors, Dinas Powys	Applicant or their representative

Councillor V.P. Driscoll spoke on the following application in his capacity as Vale of Glamorgan Member for Dinas Powys Ward, 2017/01136/HYB – Former St. Cyres Lower School, Murch Road, Dinas Powys.

### 61 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.”

### 62 APOLOGIES FOR ABSENCE –

These were received from Councillors L. Burnett and Mrs. M.R. Wilkinson.

### 63 MOMENT’S SILENCE –

Prior to the commencement of the meeting, the Chairman paid tribute to the late former Councillor Mrs. Val Hartrey, and Members stood for a moment’s silence in remembrance.

## 64 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 26<sup>th</sup> April, 2018 be approved as a correct record.

## 65 DECLARATIONS OF INTEREST –

Councillor V.P. Driscoll (Vice-Chairman) declared an interest in respect of application number 2017/01136/HYB, former St. Cyres Lower School, Murch Road, Dinas Powys. The nature of the interest was that Councillor Driscoll lived next to the application site. Councillor Driscoll was able to speak as the local Ward Member but withdrew from the Committee and was not able to vote.

Councillor J.C. Bird declared an interest in respect of application number 2016/01427/OUT, land off Cowbridge Road, St. Athan. The nature of the interest was that Councillor Bird was a close personal friend to the applicant, who was the Council Leader. Councillor Bird withdrew from the Committee whilst this application was being considered.

Councillor A.C. Parker declared an interest in respect of application number 2016/01427/OUT, land off Cowbridge Road, St. Athan. The nature of the interest was that Councillor Parker was a close personal friend of the applicant, who was the Council Leader. Councillor Parker withdrew from the meeting whilst this application was being considered.

Councillor R.A. Penrose declared an interest in respect of application number 2016/01427/OUT, land off Cowbridge Road, St. Athan. The nature of the interest was that Councillor Penrose was a Cabinet Member and the applicant was the Council Leader. Councillor Penrose stated that he did not have a personal or prejudicial interest and so he would remain when this application was being considered.

## 66 SITE INSPECTION (MD) –

RESOLVED – T H A T the attendance of the following Councillors at the site inspection on 20<sup>th</sup> April, 2018 be noted:

Apologies for the site visit were received from Councillors L. Burnett, N.P. Hodges, M. Lloyd, A.C. Parker, R.A. Penrose, L. Rowlands, and E. Williams.

(a) St. Paul's Church Hall, Arcot Street, Penarth	Councillor B.T. Gray (Chairman), Councillors V.P. Driscoll (Vice-Chairman), Mrs. P. Drake, Dr. I.J. Johnson, P. King, R. Nugent-Finn, N.C. Thomas and Mrs. M.R. Wilkinson.
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	Also Present: Councillor S. Sivagnanam
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67 PUBLIC RIGHTS OF WAY SUB-COMMITTEE (MD) –

RESOLVED –

- (1) T H A T the membership of the Public Rights of Way Sub-Committee be confirmed.
- (2) T H A T the Terms of Reference of the Sub-Committee for the Municipal Year 2018/19 as set out in paragraphs 4 and 5 of the covering report be approved.

68 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 be noted.
- (4) T H A T the serving of Notices under Section 32 Building Act 1984, as listed in Section D of the report be noted.

69 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**

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|---|--|
| A - Approved                                  | O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement) |
| C - Unclear if permitted (PN)                 | B - No observations (OBS)  |
| EB EIA (Scoping) Further information required | E Split Decision   |
| EN EIA (Screening) Not Required               | G - Approved the further information following “F” above (PN)                      |
| F - Prior approval required (PN)              |  |

H	- Allowed : Agricultural Condition Imposed : Appeals	N	- Non Permittal (OBS - objections)
J	- Determined by NAFW	NMA	- Non Material Amendments
L	- Approved <u>AND</u> refused (LAW)	Q	- Referred to Secretary of State for Wales (HAZ)
P	- Permittal (OBS - no objections)	S	- Special observations (OBS)
R	- Refused	U	- Undetermined
		RE	- Refused (Enforcement Unit Attention)
		V	- Variation of condition(s) approved

2011/00067/2/C D	A	Golau Caredig, Gladstone Road, Barry	Discharge Condition 3 - Schedule of proposed materials. Planning Permission 2011/00067/FUL - Construction of a new Extra-Care development, to provide 42 flats and associated communal and ancillary spaces at Theatre Royal, Broad Street, Barry
2011/01141/1/N MA	A	Quince Cottage, Heol y Cawl, Llysworney	Non-Material Amendment - Amend the construction of a single garage and car port to a double garage on an identical footprint and location. Two windows and side door to allow natural light and an emergency exit. The side door and windows can only be viewed by the occupiers of Quince Cottage. Planning Permission ref. 2011/01141/FUL : Two storey and single storey extensions towards the rear of the house, including external detached car port

2013/00036/4/N MA	A	10, Park Road, Penarth	Non-Material Amendment - Minor alterations to glazed elements on elevations and to main roof and balcony walls due to constructional techniques. Planning Permission ref. 2013/00036/FUL : New three storey dwelling built over existing pool with access formed off Park Road
2013/00856/1/C D	A	Land off Badgers Brook Rise, Ystradowen, Cowbridge	Discharge of Conditions 6 - Traffic Calming and 18 - Chemical Analysis of Imported Materials. Planning Permission ref. 2013/00856/OUT : Residential development, comprising the erection of dwellings (up to 40) and garages and the construction of roads, footways, footpath and cycleway, drainage and services, landscaping and all associated building and engineering operations
2014/00460/7/N MA	A	Plots 41, 42, 70 and 71, Rhodfar Morwydd, Sully Road, Penarth (Land adjacent St. Josephs School, Sully Road, Penarth)	Non-Material Amendment to change the building material of 4 no. brick properties to render. Planning Permission ref. 2014/00460/FUL : Change of use of agricultural land to residential development (C3) consisting of the demolition of two disused agricultural buildings and the development of residential dwellings, public open space, landscaping, highway improvements and associated engineering works

2014/00460/8/N MA	A	Plot 39, Manor Park, Sully Road, Penarth	Non- Material Amendment - Proposed rear conservatory. Planning Permission ref. 2014/00460/FUL : Change of use of agricultural land to residential development (C3) consisting of the demolition of two disused agricultural buildings and the development of residential dwellings, public open space, landscaping, highway improvements and associated engineering works
2014/00848/1/N MA	A	Engineering Fabrication Ltd., Bevan House, Penarth Road, Penarth	Non-Material Amendment - Looking to down scale the proposed extension considerably. Planning Permission ref. 2014/00848/FUL : Proposed warehouse extension to the side and rear
2014/01079/5/N MA	A	Former ITV Studios, Culverhouse Cross (NMA)	Non material amendment - Change the proposed brick type and colour to: Forterra Oakthorpe Buff Multi - Plots 28-30, 47-51, 55, 59-62, 65-68, 72-73, 97, 116 and 117. Ibstock Grampian Red Mixture - Plots 86-91 and 111-115. Forterra Nottingham Red Rustic - Plots 31-46, 52-54, 56-58, 63-64, 69-71, 92-96 and 98-110. Planning permission ref. 2014/01079/RES: Proposed residential development for 224 new dwellings, associated highways and landscaping (NMA)

2014/01490/4/N MA	A	Llancadle Farm, Llancadle	Non-Material Amendment - DNO substation height slightly above plan. Replace approved plan with as built plan. Planning Permission ref. 2014/01490/FUL : Installation of ground mounted photovoltaic solar arrays to provide approximately 5MW generation capacity together with power inverter systems; transformer stations; internal access track; landscaping; deer fencing, CCTV and associated access gate
2015/00392/5/C D	A	Land at Cardiff Road/Cross Common Road, Dinas Powys	Discharge of Condition 18 - Protected Species Licence. Planning Permission ref. 2015/00292/OUT : Outline application for residential development for up to 50 dwellings, together with alignment of initial section of highway linking Cardiff Road and Cross Common Road
2015/00806/1/C D	A	Carpe Diem, 42, Fontygary Road, Rhoose	Discharge of condition 9 - Retention and completion of executive detached four bed dwelling

2015/00859/3/N MA	A	Corntown Farm, Corntown	Non-Material Amendment - Additional drainage features and minor modification to internal road at Southern end. Planning Permission ref. 2015/00859/FUL : Construction and operation of a solar photovoltaic farm including site access, internal service roads, perimeter fencing, inverter and transformer stations, below ground cabling, CCTV, Substations, internal access road and landscaping/biodiversity enhancements
2016/00717/1/C D	A	Hellas and adjacent new plot, St. Nicholas	Discharge of Condition 4 - Visibility Splays. Planning permission 2016/00717/FUL : Construction of a single residential dwelling
2016/00717/2/N MA	A	Hellas and adjacent new plot, St. Nicholas	Non-Material Amendment - Amend wording of Condition 4 - Visibility Splays. Planning Permission ref. 2016/00717/FUL : Construction of a single residential dwelling
2016/00778/2/C D	A	Land at Former Bus Depot Site, Chapel Terrace, Twyn Yr Odyn, Wenvoe	Discharge of Conditions 11-Means of enclosure, 14- Biodiversity method statement and 21- Construction Environmental Management Plan - Demolition of existing buildings and residential redevelopment 15 affordable homes and associated works



2016/00778/4/C D	A	The Chapel, Chapel Terrace, Twyn yr Odyn	Discharge of Condition 15 - Scheme to deal with risks of contamination. Planning Permission 2016/00778/FUL residential redevelopment for 15 affordable homes and associated works
2016/00809/8/C D	A	Land to the rear of Westgate (East of Eagle Lane), Cowbridge	Discharge of condition 20- Noise mitigation - Redevelopment to form 37 apartments for the elderly and associated works
2016/00867/1/N MA	A	Land at Court Close, Aberthin	Non material amendment - Proposed residential development (20 No. units) and associated highway and ancillary works. Planning permission ref: 2016/00867/FUL; Proposed residential development (20 No. units) and associated highway and ancillary works
2016/01467/2/C D	A	33, Station Road, Penarth	Discharge of Condition 4 - Means of Enclosure. Planning Permission ref. 2016/01467/FUL : Conversion to existing property to form 2 self contained dwellings
2017/00311/FUL	R	Plot adjacent to The Duchy, Church Close, Ogmere By Sea	Construction of new detached family dwelling
2017/00391/1/N MA	A	Glen View, Croft John, Penmark	Non-Material Amendment: Removal of and changes to the sizes of windows, change the shape of the chimney - Planning Permission ref. 2017/00391/FUL: Proposed two storey extension to the side and rear of the property

2017/00541/3/C D	A	Northcliffe Lodge, Northcliffe Drive, Penarth	Partial discharge of Conditions 14 - Geotechnical Assessment and 15 - Drainage in relation to Northcliffe car park - Demolition of existing and erection of 30 apartments and associated works
2017/00638/FUL	R	Brooklands Farm, Brook Lane, St. Nicholas	Proposed demolition of existing buildings, change of use, conversion and extension of existing barns to create residential dwelling with home office and parking
2017/00647/RES	A	Land at Barry Waterfront, Cliffside Road, Barry	The erection of 163 residential dwellings, landscaping, parking and associated infrastructure
2017/00662/RES	A	South Quay, Barry Dock, Barry	Reserved Matters application for approval for layout, scale, appearance, access and landscaping for 171 dwellings
2017/00848/FUL	R	21, Station Road, Dinas Powys	Proposed extension to rear elevation and roof extension to provide remodelled 1st floor 2 bed apartment and new 2 bed 2nd floor apartment and balconies
2017/00902/1/C D	A	Flanders Barn, Flanders Road, Llantwit Major	Discharge of Conditions 3 (Materials Details) and 4 (CEMP)
2017/00910/FUL	A	The Rectory, Port Road, Wenvoe	Development of 12 dwellings and associated infrastructure at land at The Rectory, Wenvoe

2017/01083/1/C D	A	15, Cae Rex, Cowbridge	Discharge of Conditions 3 - Schedule of Materials, 4 - Levels and 6 - Gas Monitoring. Planning Permission ref. 2017/01082/FUL : Demolition of existing bungalow and erection of new 4 bedroom dwelling
2017/01083/1/N MA	A	15, Cae Rex, Cowbridge	Non-Material Amendment to allow demolition of bungalow to proceed prior to discharge of Condition 5 of the Planning Consent regarding drainage. Planning Permission ref. 2017/01083/FUL : Demolition of existing bungalow and erection of new 4 bedroom dwelling
2017/01121/1/N MA	A	39, Elfed Avenue, Penarth	Non-Material Amendment - Window design change at rear elevation (first floor). Planning permission ref. 2017/01121/FUL : Double storey rear extension and single storey side extension
2017/01205/FUL	A	Caer Wigau Isaf, Pendoylan Road, Pendoylan	Planning and listed building consent for the removal of 4no dormers and construction of 3 dormers, fenestration alterations, construction of a double height porch, construction of a side porch, erection of conservation Velux windows, erection of solar panels, erection of a bat mitigation house and internal alteration works

2017/01223/LBC	A	Caer Wigau Isaf, Pendoylan Road, Pendoylan	Planning and listed building consent for the removal of 4no dormers and construction of 3 dormers, fenestration alterations, construction of a double height porch, construction of a side porch, erection of conservation Velux windows, erection of solar panels, erection of a bat mitigation house and internal alteration works
2017/01248/FUL	A	Plot 97, Tathanias Court, St. Johns View, St. Athan	Proposed alteration of approved dwelling to include rear conservatory extension
2017/01286/FUL	A	Woodlands Cottage, Llandough, Cowbridge	Variation of condition 1 of Planning Permission 2013/00254/FUL (Extension and alterations to dwelling, including a new roof construction and access, plus demolition of existing extensions) to extend expiry date by further 5 years
2017/01297/FUL	A	The Court, 4, Mount Pleasant, Barry	Change of use to B1 classification. Proposed renovation of the existing West coach house to allow for office accommodation, and formation of link between existing West and East coach houses. Existing timber greenhouse to be renovated to allow for office kitchen and WC facilities and sun room. Link to be formed between the East coach house and greenhouse
2017/01310/FUL	R	Post Office, 3, Station Road, Dinas Powys	Change of use of ground floor from A1 (Post Office) to C3 (2 bedroom flat)

2017/01320/FUL	A	The Old Town Mill, Old Town Mill Road, Cowbridge	Proposed extension and internal alterations to provide new kitchen and living area. Linen room, boot room, gym and WC. First floor bedroom, bathroom and dressing room
2017/01327/FUL	A	2a, Cardiff Road, Dinas Powys	Removal of Condition 7 (garden noise level) and variation to the site layout plan of Planning permission 2016/00709/FUL
2017/01342/1/N MA	A	1, Countess Place, Penarth	Non-Material Amendment - Workshop and gate repositioned. Side extension moved in from lane and back door omitted. Planning permission 2017/01342/FUL : Two storey side extension with new detached workshop to rear of garden. Existing vehicular access widened
2018/00016/ADV	A	27, High Street, Cowbridge	Non-illuminated descriptor text mounted onto 5mm clear acrylic panel
2018/00017/LBC	A	27, High Street, Cowbridge	Non-illuminated descriptor text mounted onto 5mm clear acrylic panel
2018/00028/FUL	A	79, Colcot Road, Barry	Proposed single storey extension to rear of existing domestic dwelling
2018/00032/FUL	R	St y Nyll Farm, Heol Sant y Nyll, St. Brides Super Ely	Change of use and alteration of agricultural barn to agricultural machinery store and garage

2018/00058/FUL	A	23, Augusta Crescent, Penarth	Construct roof dormer to accommodate 3 bedrooms /1 shower room. Demolish exiting garage/construct carport and home office. Demolish existing rear ground floor extension /rebuild to extend kitchen/dining/living. Replan hallway with new staircase
2018/00060/FUL	A	24, College Place, Barry	Double storey rear extension with Juliet balconies
2018/00061/FUL	A	Matiana, Main Road, Ogmore By Sea	Alterations to front elevation of property including provision of bay window. Alterations to existing dormer, cladding and reconfiguration of windows; provision of car parking to frontage including associated level changes, alterations to means of enclosure and removal of part existing outbuilding; single storey side extension with roof terrace over; alterations to side elevations of property including reconfiguration of windows and cladding; alterations to the rear elevation of the property including provision of a rear dormer and replacement of full height windows with bi-fold doors and Juliet balconies; landscaping including the extension and reconfiguration of existing terraces, part removal of garage, and provision of a pond; associated miscellaneous alterations.

2018/00070/FUL	A	Masons Moving Group, Unit 1, Priority Business Park, Barry	Replacement of existing Portakabin with new demountable modular cabin and associated access ramps. Replacement of existing bunded fuel tank and pump with fully enclosed tank /pump. Layout of new parking spaces and introduction of new fuel interceptor on existing on- site surface water sewer to catchment area of access yard
2018/00071/FUL	A	Pen Bedw, Bonvilston	Removal of existing garage and construction of two storey rear extension to provide new lobby and utility room to ground floor, with en-suite and dressing room/bedroom No 4 to first floor
2018/00072/FUL	A	The Tower, Tower Hill, Penarth	External and internal alterations
2018/00089/FUL	A	7, Llandaff Close, Penarth	Proposed enlarged dormer and single storey extension to rear with balcony, dormer to front, alterations to windows and doors
2018/00096/FUL	A	West Bank, St Augustine's Path, Penarth	Proposed first floor extension over existing ground floor garden room to create first floor bedroom with Juliet balcony. Proposed single car garage to side/rear of dwelling
2018/00097/FUL	A	Field to West of David Evans (Agric) Ltd., Old Middlehill, Llancafán	Erection of stable block to comprise of two central stables, tack room and fodder store and construction of 3m wide hardcore track

2018/00102/FUL	A	The Granary, St. Marys Well Bay Road, Swanbridge	Construction of double garage with games room to first floor
2018/00109/FUL	A	43, Plas Taliesin, Penarth	Proposed new disability granny flat, single storey rear extension, balconies and windows
2018/00110/FUL	R	54, Plas Taliesin, Penarth	Proposed balconies to the front and rear with interior alterations
2018/00114/FUL	A	6A, Merthyr Street, Barry	Change of use of coach house to ancillary accommodation to house
2018/00115/FUL	A	4, Grants Field, The Downs, St. Nicholas	Single storey rear extension and summer house
2018/00116/LAW	A	14, Salisbury Avenue, Penarth	Hip to gable roof extension and roof light
2018/00127/LBC	A	NatWest, 4, Westgate, Cowbridge	External: Remove existing NatWest brand signage and ATM. Internal: Through-out the building, carefully remove non-original fixtures, fittings, furniture and equipment relating to the operation of the NatWest branch
2018/00128/FUL	A	3, Castle Road, Rhoose	Lower roadside curb to create a driveway onto property
2018/00130/FUL	A	53, The Parade, Barry	Single/two storey rear extension. Existing garage to be rebuilt and extended
2018/00132/FUL	A	41, Winsford Road, Sully	Construction of first floor extension above existing ground floor extension at rear of the property



2018/00135/FUL	A	Tegfan, Lane - Logwood - Jct A48 to Peterston Super Ely, Peterston Super Ely	New rear extension with a variation in roof form to create a dormer and porch
2018/00140/FUL	A	12, Broad Street Parade, Barry	Change of Use from Class A1 Retail to Class A3 (Food & Drink) - Day time Cafe
2018/00145/FUL	A	47, Plymouth Road, Barry	Demolition of existing outhouse and erection of two storey side extension and porch
2018/00149/FUL	A	14, Salisbury Avenue, Penarth	Ground and first floor rear extension
2018/00151/FUL	A	26, Heol Cae Pwll, Colwinston	Proposed garage conversion to the existing property - by the removal of the existing double garage door and the construction of a new stone and brick plinth (to match existing), a new stone central pier and two large double glazed windows into the door opening. The internal walls are to be thermally upgraded and new raised floor to be installed to allow a level finish between the main house and the converted garage space.
2018/00153/FUL	A	Barry Dock Conservative Club, 17 Station Street, Barry	Variation of Condition 2 of planning permission ref. 2014/01300/FUL to remove previously approved balconies

2018/00154/FUL	A	Land at Court Newydd Farm, St. Brides Major	Proposed installation of a 20.0m monopole supporting 3 no. antenna, 2 no. 300mm dishes, together with associated ground based equipment cabinets and ancillary development thereto
2018/00159/FUL	A	Barry Fire Station, Port Road West, Barry	Proposal is for a stand-alone structure which will house two fire vehicles and boat to protect from the elements. There will be a galvanised level platform fitted to the roof, to allow fire fighters to train and simulate rescue scenarios
2018/00162/FUL	A	Arosfa, Sully Road, Penarth	New rear and side single storey extensions and roof conversion to include 2 No. front facing dormer windows and large rear dormer extension
2018/00163/FUL	A	Land adjacent to the side of 31, Cedar Road, Eglwys Brewis, St. Athan	Substitution of house type R1 and M on Plots 6 and 7 with house type MR
2018/00174/FUL	A	Frampton Court, Frampton, Llantwit Major	Proposed extensions
2018/00178/FUL	A	Sully Inn, 4, Cog Road, Sully	Improvements to existing front and side elevations and small alterations to internal floor plans to include the provision of a disabled WC and new lift access to the upper floor
2018/00182/LAW	A	Overton, 28, Llanmaes Road, Llantwit Major	Single storey extension to rear of existing house
2018/00184/FUL	A	12, Pembroke Terrace, Penarth	Retain granted planning permission reference number 2017/00833/FUL and create 2 number flats

2018/00185/FUL	A	5, Cherwell Road, Penarth	Rear and garage extensions and amended dormer
2018/00186/FUL	R	42, Stanwell Road, Penarth	Alteration to existing lower rear dormer to provide a reduced sized dormer on the roof of the existing rear annexe
2018/00187/FUL	A	21, Highwalls Road, Dinas Powys	Proposed two storey extension to side elevation to replace existing dilapidated structure
2018/00189/FUL	A	Land at Middle Hill, Llancarfan	Stable block, ménage and access track for private use and change of use from agriculture to mixed agriculture and equestrian use
2018/00190/FUL	A	1, River View, East Aberthaw	Two storey extension to end of existing dwelling to incorporate new lounge and external store at ground level and 2 no. new bedrooms at first floor. Provision of new porch at ground floor entrance
2018/00191/FUL	A	37, Tair Onen, St. Hilary	Extension of residential curtilage
2018/00193/FUL	A	1, Main Avenue, Peterston Super Ely	Proposed ground floor extension to form a new family room and dining area linked with a new kitchen, plus internal and external remodelling of the dwelling
2018/00194/FUL	A	113, St. Davids Crescent, Penarth	Variation of Condition 2 of planning permission 2005/00231/FUL to convert garage into reception room

2018/00198/FUL	A	Plot 95, Tathanias Court, St. Johns View, St. Athan	Proposed alteration of approved dwelling to include rear conservatory extension
2018/00199/FUL	A	27, Heol y Felin, Llantwit Major	Two storey extension including alterations to existing roof
2018/00202/FUL	A	26, Whitcliffe Drive, Penarth	Single storey orangery extension to rear of property
2018/00205/FUL	R	Fern Cottage, Llwyn Nwydog Farm, Cowbridge Road, Ystradowen	Proposed alterations and two storey extension to existing property
2018/00207/FUL	A	172, Redlands Road. Penarth	Proposed new front entrance porch
2018/00208/FUL	A	53, College Road, Barry	Single storey rear extension to replace an existing conservatory
2018/00211/FUL	A	60, Tynewydd Road, Barry	Proposed side gable dormer loft conversion
2018/00214/FUL	A	19, Robinswood Close, Penarth	Proposed works to existing bungalow to comprise rear extension, new gable and dormer to front and existing rear dormer extended. New render finish to front elevation
2018/00216/FUL	A	4, Llys Dwynwen, Llantwit Major	Single storey rear extension, with a log burner. Pitched roof construction. 4.00 x 5.00m.
2018/00217/FUL	A	88, Westward Rise, Barry	Single storey extension to the side and rear including internal alterations. Amended from previous approval 2016/00501/FUL to incorporate Welsh Water conditions for building over a public sewer

2018/00219/FUL	A	6 and 7, Hensol Villas, Hensol	Proposed two storey and single storey extensions at rear to form kitchens, utility rooms, bedroom, bathroom and en-suite
2018/00223/FUL	A	4, Robin Hill, Dinas Powys	Extend kitchen approx. 1.0m towards boundary and remove kitchen door (Amendment to 2016/00668/FUL)
2018/00226/FUL	A	Danyrallt, Corntown Road, Corntown	Rear extension
2018/00227/FUL	A	89, Redlands Road, Penarth	Two storey/single storey rear extension. Proposed entrance porch
2018/00229/LBC	A	Plaisted House, Llanmaes	Existing chimney has been found to be in danger of collapse and needs to be taken down to roof level and rebuilt
2018/00230/FUL	R	21, Colcot Road, Barry	Erection of a part single and part two storey rear extension, a two storey side extension. An attic conversion within the original and proposed roof space, including dormer window to the rear.
2018/00232/FUL	A	128, Plassey Street, Penarth	2 No. skylights to front roof pitch facing Plassey Street. Flat roof dormer extension to the rear
2018/00233/FUL	A	78, Minehead Avenue, Sully	Single storey rear extension
2018/00234/FUL	A	5, Dorset Avenue, Barry	Install bay window to outhouse
2018/00235/FUL	A	7, Glastonbury Road, Sully	Proposed extension to existing garage

2018/00242/FUL	A	Flemingston Grange, Flemingston	Replacement windows to rear of property. South facing aspect of the house has wooden windows which are suffering from severe weather damage. Our intention is to replace all 5 of the upstairs windows to a UVPC wood effect in Chartwell Green. The design of the window is a flush sash wood effect with a single bar across the middle of the window to keep in character with the property.
2018/00243/FUL	A	16, Cwrt Newton Pool, Rhoose	Proposed 2 storey side extension and associated works.
2018/00245/FUL	A	20, Spencer Drive, Llandough, Penarth	Proposed garden store to side of property. Existing garage converted to a habitable room.
2018/00249/FUL	A	22, Whitcliffe Drive, Penarth	Proposed front dormer and front balconies and ground floor extension.
2018/00251/FUL	A	Block D, 13, Beacon House, Ffordd y Mileniwm, Barry	Additional use A2 to cover an Estate and Lettings Agency.
2018/00258/FUL	A	Blodfa, Station Road East, Wenvoe	Detached garage with workshop within roof space.
2018/00259/FUL	A	9, Greenhaven Rise, Llandough, Penarth	Side extension and loft conversion to form larger kitchen and first floor living space and associated site works.

2018/00262/FUL	A	Ivy Cottage, Bakers Lane, Llantwit Major	Refurbishment of deteriorating detached garage. Alteration of garage roof from low pitched corrugated steel sheeting to raised pitch natural reclaimed Welsh slate roof. Replacement of one garden facing window for French doors, double glazed (same width as existing window), and a further two windows of existing dimensions with new soft wood double glazed units. Replacement of front and rear doors with solid soft wood doors of same dimensions as existing
2018/00263/FUL	A	Land off Port Road and at entrance to Redrow Homes (The Grange) development, Wenvoe	Erection of a temporary sales cabin at the entrance to the site
2018/00266/FUL	A	65, Woodham Park, Barry	Two storey side extension
2018/00270/FUL	A	3, Druids Green, Cowbridge	Single storey side extension
2018/00271/FUL	A	23, Fairfield Road, Penarth	Single storey extension to house
2018/00274/LAW	A	Crosslands Agricultural & Stabling, Crosslands Cottage, Llandow	DIY livery for maximum 10 horses, comprising 8 stables an outdoor exercise area and grazing (some seasonal)
2018/00278/FUL	A	1, Springfield Rise, Barry	A wooden outbuilding structure (Wendy House)
2018/00282/LAW	A	45, Broad Street, Barry	Subdivision of dwelling house into 2 flats
2018/00283/FUL	A	34, Smeaton Close, Rhoose	Two storey side and single storey rear extension for registered disabled person

2018/00284/FUL	A	West Cross House, 10, Stanwell Road, Penarth	Replacement of roof weatherings including slate tiles and lead flashings to the main roof. Replacement of sheet lead weathering to the flat roofs. Replacement of rainwater goods. Stone and brickwork cleaning and restoration. Repair of windows and replacement of windows to rear.
2018/00285/FUL	A	157, Redlands Road, Penarth	Single storey rear and side flat roof extensions with orangery roof lantern over dining area and conversion of garage to habitable room
2018/00290/FUL	A	5, Meadow View Court, Sully	Change roofing finish and extend rear conservatory. Build new rear conservatory. Extend front porch and form new balcony to side elevation and new boundary wall
2018/00292/FUL	A	38, Duffryn Crescent, Peterston Super Ely	Proposed single storey extension
2018/00294/FUL	A	Ty Gerrig, Heol y Cawl, Llysworney	Side utility room extension
2018/00296/FUL	A	3, Beaumont Court, Penarth	Lift out and clear front garden area and reserved tarmac parking space. Relay whole area with block paving driveway and dropped kerbs
2018/00299/FUL	A	15, Wick Road, Ewenny	Single storey side extension, front porch and other minor alterations
2018/00300/FUL	A	Nationwide Building Society, 136, Holton Road, Barry	Update of existing shop front



2018/00302/FUL	A	10, Heol Tre Forys, Penarth	Single storey rear extension
2018/00311/FUL	A	Hazelhurst Nursing Home, Sully Road, Penarth	Proposed balconies to North West and South West elevations. 2 No. balcony structures to the North West elevation and 2 no. balcony structures to the South West elevation. Existing windows to form openings for French doors
2018/00312/FUL	A	Glen View, Croft John, Penmark	Change the roof material from clay tiles to slate
2018/00316/FUL	A	14, St. Andrews Road, Barry	Double storey side extension and single storey front extension and alterations to the sizes of existing windows.
2018/00320/FUL	A	3, Victoria Square, Penarth	Extension to domestic dwelling, adding a further 9 sq. m. to an already approved planning application 2016/01098/FUL
2018/00322/FUL	A	44, Kathleen Street, Barry	Two storey rear extension to terrace house
2018/00332/FUL	A	39, St. Davids Crescent, Penarth	Demolition of existing outbuilding. Construction of single storey extension to rear elevation
2018/00333/ADV	A	Nationwide Building Society, 136, Holton Road, Barry	Update of existing signage
2018/00355/PNT	A	Land at Church Road, Llanblethian, Cowbridge	Proposed base station development. Installation of a 15.0m slimline T-Range pole supporting 2 no. antennae, ground based equipment cabinets and ancillary development thereto

2018/00429/OBS	S	Land East of A48 (Crack Hill) Brocastle, Bridgend. CF31 5AU	Reserved matters to P/16/549/OUT for the approval of site layout relating to proposed routes within the development
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## 70 APPEALS (HRP) –

## RESOLVED –

- (1) T H A T the appeals received as detailed in Section A of the report be noted.
- (2) T H A T it be noted that no final Enforcement Appeals had been received.
- (3) T H A T the Planning Appeal decisions as detailed in Section C of the report be noted.
- (4) T H A T it be noted that no Enforcement Appeals decisions had been received.
- (5) T H A T the statistics relating to appeals for the period April 2018 – March 2019 as detailed in Section E of the report be noted.

## 71 TREES (HRP) -

(i) Delegated Powers –

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

**Decision Codes**

A - Approved  
E Split Decision

R - Refused

2018/00056/TPO	A	Old Mill Cottage, Mill Road, Dinas Powys	TPO no. 14 1973 - Dead Pine - Fell to 500mm above ground front garden willow - Re pollard at old points front garden.
2018/00104/TPO	A	Bryneithin Retirement Housing, St. Andrews Road, St. Andrews Major, Dinas Powys	Removal of Pine Tree - TPO no 2 1954.

2018/00170/TPO	A	60, Victoria Road, Penarth	Work to trees covered by TPO No. 15 2010 Gp01 - Remove Oak in back garden.
2018/00210/TCA	A	Stourbridge House, Llysworney	Work to trees in Llysworney Conservation Area - 20% crown reduction to two trees.
2018/00265/TCA	A	Westbury, Factory Road, Llanblethian, Cowbridge	Work to tree within the Llanblethian Conservation Area - Reduce Beech tree.
2018/00286/TPO	A	Northcliffe Lodge, Northcliffe Drive, Penarth	Works to trees in TPO references No. 11 2015 and No. 0 1970.
2018/00298/TCA	A	Lower House Farm, Rhoose Road, Rhoose	Work to trees in the Rhoose Conservation Area : T1 - Prunus avium - 2m lateral reduction; T2 - Betula pendula - 3m height and 1m lateral reduction; T3 - Ilex aquifolium (var.) - remove and grind out stump; T4 - Cotinus coggygria - remove leaning limb and reduce to 3m height; T5 - Larix decidua - remove and grind stump (dead so exempt); T6 - Fraxinus excelsior - crown lift to statutory limits - 2.4m footpath and 5.2m highway.
2018/00308/TCA	A	Tuar Gaer, St. Nicholas	Work to trees in the St. Nicholas Conservation Area - Remove Holly tree. Remove Cherry tree. Reduce Yew by 1m all round.
2018/00313/TCA	A	Rock House, 9, Beach Road, Penarth	Work to tree in the Penarth Conservation Area - Remove Pear tree in front garden.

2018/00325/TCA	A	15, Heol St. Cattwg, Pendoylan	Pendoylan Conservation Area - Chop down Cherry tree to ground level and re-seed as grass. The tree is dead and located in front garden of property.
2018/00343/TCA	A	Langlands House, 1, Kymin Road, Penarth	Work to trees in Penarth Conservation Area.
2018/00344/TCA	A	1, Pant y Coed, Llanbethery	Work to trees in Llanbethery Conservation Area.
2018/00354/TCA	A	Westgate Cottage, 23, Westgate, Cowbridge	Works to trees in the Cowbridge Conservation Area : rear garden - one Silver Birch tree to have 5 branches removed by crown raising.
2018/00378/TCA	A	Ty Mawr, Llanbethery	Removal of Oak (Quercus robur) numbered T5 in Tree Survey prepared by Treescene Arboricultural Consultants (enc) and shown on attached photograph plus removal of Sycamore T6. There is no TPO affecting either tree.
2018/00411/TCA	A	28, Plymouth Road, Penarth	Works to Pittosporum trees within the Penarth Conservation Area.

## 72 GENERAL PLANNING MATTERS (HRP) –

(i) 2017/01136/1/CD – Discharge of Condition 24 – Construction Traffic Management Planning. Planning Permission ref. 2017/01136/HYB – Former St. Cyres Lower School, Murch Road, Dinas Powys –

The application was required to be determined by Planning Committee under the Council's approved scheme of delegation because in determination of application 2017/01136/HYB at the Committee meeting on 8<sup>th</sup> February, 2018, Members requested that a number of the conditions be reported to a future meeting of the Planning Committee for approval. These included Conditions 20 – Travel Plan, 24 – Construction Traffic Management Plan, and Conditions 33 to 37 – Drainage.

The report sought Planning Committee's approval of the details submitted in relation to Condition 24 – Construction Traffic Management Plan (CTMP) under application reference 2017/01136/1/CD.

Following consultation and negotiation between the applicants and the Council's Highways Team, Highways have confirmed that the final version of the CTMP submitted in relation to Condition 24 was acceptable.

In addition, the Committee was asked that the amended Residential Travel Plan be agreed by the Committee in relation to discharge of Condition 20. Furthermore, it was requested that officer delegated powers be reinstated for Conditions 33 to 37 – Drainage which would be fully assessed by the Council's drainage section, and any amendments / additional information sought if necessary.

Having considered the request, it was

RESOLVED –

- (1) T H A T officer delegated power be reinstated to discharge Conditions 20 and 24, subject to consultation with local Ward Members and the Cabinet Member for Regeneration and Planning.
- (2) T H A T officer delegated powers be reinstated to discharge Conditions 33 to 37 (drainage).

#### Reasons for decisions

- (1) In view of the fact that the Council's Highway Development Team had confirmed that the Construction Traffic and Management Plan and the Residential Travel Plan had been considered acceptable.
- (2) That as Conditions 33 to 37 related to drainage, were very technical issues and so would rely on the expertise of the Council's Drainage Section to fully access. It was also noted from the original Planning Committee report on the application, that the Council's Drainage Section did not raise an objection to the overall strategy.

#### (ii) 20180/00240/RES – Phase 2 of the development consisting of 306 new homes, new public open space, landscaping and highways infrastructure – Land at North West Cowbridge –

At the Committee meeting on 26<sup>th</sup> April, 2018, Members resolved to grant planning permission for application 2018/00240/RES (for Phase 2 of the development consisting of 306 new homes at Land at North West Cowbridge) subject to a deed of variation of the Section 106 legal agreement attached to permission 2014/01505/OUT.

The report sought Planning Committee's authorisation to allow the approval of planning application reference 2018/00240/RES without the requirement to enter into a Deed of Variation of the legal agreement attached to permission 2014/01505/OUT.

Having considered the request, it was

RESOLVED – T H A T application 2018/00240/RES be approved in accordance with the previous resolution of 24<sup>th</sup> April, 2018, save for the requirement for a Deed of Variation of the legal agreement relating to application reference 2014/01505/OUT.

Reason for decision

In view of the fact that the Council's Senior Lawyer and Housing Section were satisfied with the affordable housing mix detailed within the submitted documents which were reflected within the legal agreement.

73 PLANNING APPLICATIONS (HRP) –

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

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

**2018/00078/FUL** Received on 23 January 2018  
(P. 63)

Mr. Richard Wells C/o Agent

Mr. David Thomas DTB Design, 286, North Road, Cardiff. CF14 3BN

**18, Bron Awelon, Barry**

Ground and first floor rear extension.

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:

BZC4/4 Rev D Proposed Ground Floor received 24 April 2018

BZC4/6 Rev H Proposed Elevations received 24 April 2018

BZC4/5 Rev E Proposed First Floor received 24 April 2018

BZC4/3 Rev A Existing Ground Floor Plans received 30 April 2018

BZC4/2 Rev A Existing First Floor Plans received 30 April 2018

## BZC4/1 Site Location Plan & Existing Elevations

### 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. Any part of the first floor rear elevation window in the extension hereby approved that is below 1.7m in height above the level of the floor in the room that it serves shall be obscurely glazed to a minimum of level 3 of the "Pilkington" scale of obscuration and fixed pane at the time of installation, and so retained at all times thereafter.

### Reason:

To ensure that the privacy and amenities of adjoining occupiers are safeguarded, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) 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 Policy SP1 –Delivering The Strategy, Policy SP10 – Built And Natural Environment, Policy MD2 – Design of New Development, Policy MD5 – Development Within Settlement Boundaries and Policy MD8 – Historic Environment of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice contained within the Council's Supplementary Planning Guidance on Barry Development Guidelines, Barry Garden Suburb, Residential and Householder Development and Parking Guidelines, Planning Policy Wales 9<sup>th</sup> Edition and Technical Advice Note 12 – Design, the development is considered acceptable in terms of its scale, design, impact on neighbours, parking and impact on amenity space 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.

**2017/01203/FUL** Received on 11 April 2018

(P. 78)

Dwr Cymru Welsh Water Ty Awen, Spooner Close, Coedkernew, Newport,  
NP10 8FZ

Mr Howard Jones Unit 14, St. Asaph Business Park, St. Asaph, Denbighshire,  
LL17 0LJ

### **Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys**

Change of use of land as an extension to the existing wastewater treatment works site and to the compensatory dormouse habitat and for the construction of an Advanced Anaerobic Digestion (AAD) Plant, together with associated landscaping and mitigation measures and the formation of a temporary construction compound at Cog Moors Wastewater Treatment Works (WwTW), Cardiff Road, Dinas Powys

APPROVED subject to the following conditions:

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:

- Air Quality Assessment, November 2017
- Design and Access Statement, November 2017
- Noise Impact Assessment, November 2017
- Proposed Site Layout Plan Sheet 4 of 4. 06109 Rev P02
- Elevation Looking South Sheet 1 of 2. 06110 Rev P02
- Elevation Looking South Sheet 2 of 2. 06111 Rev P02
- Elevation Looking North Sheet 1 of 2. 06112 Rev P02
- Elevation Looking North Sheet 2 of 2. 06113 Rev P02
- Elevation Looking West Sheet 1 of 2. 06114 Rev P02
- Elevation Looking West Sheet 2 of 2. 06115 Rev P02
- Elevation Looking East Sheet 1 of 2. 06116 Rev P02
- Elevation Looking East Sheet 2 of 2. 06117 Rev P02
- Proposed Structure Sections through Stack 300m. 06140 Rev P02
- Proposed Structure Sections through Stack 500m and 1000m. 06141 Rev P02
- Existing Structure Sections through Stack 300m. 06142 Rev P02
- Existing Structure Sections through Stack 500m and 1000m. 06143 Rev P02
- Exhaust Stack Section Location. 06144 Rev P02
- View towards Pop Hill. 06145 Rev P02
- Construction Traffic Management Plan, November 2017
- Odour Assessment, November 2017 (Figure 3 superseded by 06120 Rev P03)
- Pre-Application Consultation Report
- Drainage Strategy, November 2017
- Tree Report and Arboricultural Impact, November 2017
- Preliminary Ecological Appraisal, October 2016



- Landscape Mitigation Plan 06127 Rev P06 (including dormouse nest boxes) within Habitat Management Plan, Dormouse Report and Biodiversity Strategy
- Transport Statement, January 2018
- Waste Planning Assessment, January 2018
- Letter from Arcadis, dated 21 March 2018, enclosing FCA
- Project Environmental Management Plan, 3rd April 2018
- Supporting Planning Statement, April 2018
- ZVI. 06119 Rev P04
- Landscape Mitigation Plan. 06127 Rev P06
- Landscape Planting Plan. 06133 RevP02
- Site Location Plan. 06100 Rev P02
- Planning Application Site Boundary. 06101 Rev P02
- Existing Site Layout 1. 06102 Rev P02
- Existing Site Layout 2. 06103 Rev P02
- Existing Site Layout 3. 06104 Rev P02
- Proposed Site Layout 1. 06106 Rev P03
- Proposed Site Layout 2. 06107 Rev P03
- Proposed Site Layout 3. 06108 Rev P03
- Proposed Site Layout 3. 06109 Rev P02
- Proposed Site Development. 06120 Rev P03
- Photomontages. 06128 – 06132 (All Rev P2)
- Site Development Area. 06149 Rev P02
- Bat Activity Survey Report, March 2018
- Bat Tree Roost Assessment Report, March 2018
- Dormouse Survey Report, March 2018
- Reptile Survey Report, March 2018
- Badger Report, March 2018
- SINC Botanical Survey Report, March 2018
- Addendum Preliminary Ecology Appraisal, March 2018
- Biodiversity Strategy. March 2018
- Habitat Management Plan, March 2018
- Landscape Management Plan, March 2018
- Landscape and Visual Impact Assessment, March 2018
- Great Crested Newt Survey Report, March 2018
- Non-Technical Summary, March 2018

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 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 in key areas for wildlife, and any operational measures necessary to ensure that dormouse habitats are not illuminated. The scheme should address the construction and operational phases of the development. 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 wildlife and 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.

4. Site clearance must be undertaken in accordance with the Method Statement as per the Dormouse European Protected Species NRW licence and in accordance with Section 9 of the Great Crested Newt Survey March 2018

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.

5. The construction and operational phase of the development shall protect and reinstate the Site of Importance for Nature Conservation in full accordance with the measures detailed in Section 8 of the Habitat Management Plan; March 2018 by Arcadis. Report ref 4798-S-202-HYD-XX-XX-RP-XX-10199, V2 and the Biodiversity Strategy; March 2018.

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. Notwithstanding the submitted plans and details, within 12 months of the commencement of development on site, a long term management plan to ensure the favourable management of habitat for dormice on site shall be submitted to and approved in writing by the Local Planning Authority. The plan should include, but not exclusively, a description of new and existing habitats and their desired condition, the nature of management operations required to deliver and maintain the desired condition, appropriate scheduling and timing of activities, proposals for the periodic reporting of the results of monitoring to NRW and the Local Planning Authority, proposals for ongoing

review of management and remedial action to be undertaken where problems are identified by the dormouse monitoring scheme. Management of the habitat shall thereafter be in fully accordance with the agreed long term management plan.

Reason:

To safeguard the long term ecology 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.

7. No drainage works on the site shall take place until a detailed scheme for the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Any calculations for onsite attenuation or discharge and compensatory storage should also be included, along with full engineering details of drainage assets. A management plan for the ongoing maintenance of the system shall also be included. The approved scheme must be implemented prior to beneficial occupation of new assets on site and thereafter no further surface water shall be allowed to connect directly or indirectly with the public sewerage system.

Reason:

To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased elsewhere and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Local Development Plan.

8. All site clearance and construction works shall be undertaken in full accordance with the Construction Traffic Management Plan and the Project Environmental Management Plan.

Reason:

To ensure that the amenities of residents are safeguarded and in the interests of highway safety and to meet the requirements of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

9. 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 Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

10. The remediation scheme approved by condition 9 must be fully undertaken in accordance with its terms prior to the occupation of any part of the development. 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 Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

11. 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 Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

12. Any topsoil [natural or manufactured], or subsoil or aggregate (other than virgin quarry stone), 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 Local Planning Authority.

Reason:

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

13. 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 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, SP8 – Sustainable Waste Management, SP9 – Minerals, SP10 – Built and Natural Environment, MG19 – Sites and Species of European Importance, MG20 – Nationally Protected Sites and Species, MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species Extraction), MG22 – Development in Minerals Safeguarding Areas, MD1 – Location of New Development, MD2 – Design of New Development POLICY MD7 – Environmental Protection, MD8 – Historic Environment, MD9 – Promoting Biodiversity and MD20 – Assessment of Waste Management Proposals, the proposal, subject to the compliance with conditions and necessary mitigation and management, is considered acceptable having regard to its visual and wider landscape impacts. In addition the proposal would not be detrimental to residential amenity, in terms of odour, noise and air quality, nor cause an impact on the local highway network, nor prejudice the minerals resource and would ensure the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

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.

**2017/00955/FUL** Received on 1 March 2018  
(P. 116)

Pure Commercial Finance c/o Agent  
Mrs. Arran Dallimore C2J Architects & Town Planners, Unit 1A Compass Business Park, Pacific Road, Ocean Park, Cardiff, CF24 5HL

**Former RS Garage, Windsor Road, Penarth**

Proposed alteration to existing G/F retail unit and change of use to D2 (Gym), part demolition of existing 1<sup>st</sup> floor side and 3<sup>rd</sup> floor extension to form 12 residential units, on site basement parking, cycle and refuse storage and 1st floor amenity areas

APPROVED – Subject to the applicant first entering into a Section 106 Agreement to secure the following:

- Provide an off-site contribution of £24,264 towards affordable housing; and,
- Securing completion of the development within 24 months, or reviewing the viability of the scheme.

APPROVED – Subject to the following conditions:

1. The development shall begin no later than 18 months from the date of this decision.

Reason:

To ensure that development commences in a timely manner in light of viability matters and comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

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

AL(90)02  
 AL(01)10 Revision B  
 AL(01)11  
 AL(01)12  
 AL(01)13  
 AL(01)20  
 AL(01)21  
 AL(01)20 Revision A  
 Vehicle Priority System Document

Reason:

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

3. The ground floor of the building, labled "Unit 1" on plan reference AL(01)10 Revision B, shall be used for gym only and for no other purpose (including any other purpose in Class D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

Reason:

To control the precise nature of the use of the site, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD8 (Environmental Protection) of the Local Development Plan.

4. No development shall commence until an assessment of the nature and extent of contamination affecting the application site area AL(90)02 has been 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)

Investigation of Potentially Contaminated Sites Code of Practice 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,
  - groundwater 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 Welsh Local Government Association and the Environment Agency Wales' 'Development of Land Affected by Contamination: A guide for Developers' (2012).

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

5. 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.



Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

6. The remediation scheme as approved by the Local Planning Authority must be fully undertaken in accordance with its terms prior to the occupation of any part of the development. 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.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

7. Notwithstanding the details submitted, prior to the commencement of development, full details of a scheme of cleaning and restoration of the front facade of the building shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be completed in accordance with the approved details.

Reason:

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

8. Notwithstanding the details submitted, prior to the commencement of development, further detail of the balconies hereby approved shall be submitted to, and approved in writing by the Local Planning Authority. Details shall include glazing and balustrade detail. Development shall be completed in accordance with the approved details.

Reason:

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

9. All windows on the side elevations of the building shall be obscurely glazed to a minimum of level 3 of the " Pilkington " scale of obscuration and fixed pane at the time of installation, and so retained at all times thereafter.

Reason:

To ensure that the privacy and amenities of adjoining occupiers are safeguarded, and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

10. No air conditioning or other plant shall be installed on or in the building.

Reason:

To protect the amenity of the neighbouring properties, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

11. No amplified music shall be played in the ground floor gym outside the following times 08:00 and 19:00.

Reason:

In the interests of residential amenity, 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.

12. The drainage scheme for the site shall 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 SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Local Development Plan.

13. No construction work associated with the development hereby approved shall take place on the site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Friday	0800 – 1800
Saturday	0800 – 1300

Any foundation works, other piling or ground drilling works shall be limited to:

Monday to Friday 0830 – 1730

Reason:

To safeguard the amenities of local residents, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

14. 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) a system for the management of complaints from local residents which will incorporate a reporting system;
  - 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) how the developer proposes to accord with the Considerate Constructors Scheme ([www.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)) during the course of the construction of the development;
  - ix) lighting;
  - x) management, control and mitigation of noise and vibration;
  - xi) odour management and mitigation; and,
  - xi) diesel and oil tank storage areas and bunds.

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.

15. 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 Local Planning Authority.

Reason:

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

16. 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 Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

17. Notwithstanding the submitted plans, details of both hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- i) means of enclosure and retaining structures;
- ii) other vehicle and pedestrian access and circulation areas;
- iv) hard surfacing materials;

Soft landscape works shall include planting plans; written specifications; schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate.

The scheme shall include an implementation programme (including phasing of work where relevant).

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment) and MD2 (Design of New Developments) of the Local Development Plan.

18. The landscaping works shall be carried out in accordance with the approved details and agreed implementation programme. The completed scheme shall be managed in accordance with an approved scheme of management.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with the terms of 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.

19. Prior to the first beneficial occupation of the residential element of development, the amenity areas indicated on plan reference AL(01)11 shall be laid out and thereafter retained.

Reason:

To ensure that satisfactory amenity space is provided for 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.

20. Notwithstanding the details submitted, prior to the first beneficial occupation of the third floor unit, details of a balcony screen to the east elevation shall be submitted to and approved in writing by the Local Planning Authority. The screen shall thereafter be erected in accordance with the approved plans prior to beneficial occupation of that unit and thereafter retained.

Reason:

To ensure the protection of amenity of the neighbouring property, as required by Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

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

Reason:

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

22. Prior to the first beneficial occupation of the residential element of the development, the bin stores and cycle parking provision illustrated on drawing reference AL(01)10 Revision B shall be laid out on site and made available for that use and thereafter retained for their respective uses at all times.

Reason:

So that adequate waste provision and cycle parking is provided 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.

23. The residential element development hereby approved shall not be occupied until the parking layout, access and traffic light signal system shown on drawing number AL(01)10 Revision B and document titled Vehicle Priority Systems, has been laid out and implemented. The basement parking area shall be occupied by residential occupiers of the development only. The gym element of the development hereby approved shall not be occupied until the parking layout on drawing number AL(01)10 Revision B has been laid out and delineated. The parking area located to the front elevation of the development shall be occupied by the ground floor users only. The traffic light system shall be operational in perpetuity.

Reason:

To ensure the provision on site of parking, turning facilities and facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

24. Prior to the commencement of the development hereby approved, a Travel Plan shall be prepared to include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use. The Travel Plan shall thereafter be 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), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

25. The gym use shall not be occupied until facilities for the secure storage of cycles have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority and they shall be retained in perpetuity. The submitted scheme shall accommodate a minimum of five bikes.

Reason:

To ensure that satisfactory parking for cycles is provided on site to serve the development, 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.

#### 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, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG7 – Provision of Community Facilities, MD1 – Location of New Development, MD2 – Design of New Development, MD3 – Provision for Open Space, MD5 – Development within Settlement Boundaries, MD6 – Housing Densities and MD7 – Environmental Protection of the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Supplementary Planning Guidance relating to Amenity Standards, Affordable Housing, Parking Standards and Sustainable Development – A Developer's Guide and Planning Policy Wales (Edition 9, 2016) and Technical Advices Note 2 – Planning and Affordable Housing (2006), TAN Note 11 – Noise (1997), TAN 12 – Design (2016) and TAN 18 – Transport (2007), the proposed redevelopment of this brownfield site is considered acceptable in respect of the scale and design of the building, its impact on the character of Windsor Road and the wider character of the area, access and provision of parking and impact on the amenities of nearby residential occupiers.

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

**2016/01427/OUT** Received on 12 December 2016  
(P. 114)

Edenstone Homes Ltd. and Mr. John Thomas, C/o Agent.  
Geraint John Planning Ltd., 33, Cathedral Road, Cardiff, CF11 9HB

**Land off Cowbridge Road, St. Athan**

Residential development of up to 253 units and associated work, including the provision of public open space and strategic access points

For part of the discussion on this application, the Committee agreed to enter into Part II with the press and public excluded. This was in order for the Committee to consider commercially sensitive information in pursuance of Section 100A(4) of the Local Government Act 1972 and on the ground that it involved the likely disclosure of exempt information as defined in Part 4 of Schedule 12A, paragraph 14.

RESOLVED – T H A T subject to a Section 106 Legal Agreement to secure the following planning obligations:

- Provide and maintain in perpetuity 17% of the total number of units as social rented tenure affordable housing;
- To pay £1,980,877 as a contribution towards enhancing educational facilities;
- Provide Public Open Space on site comprising a Neighbourhood Equipped Area of Play (NEAP), Locally Equipped Area of Play (LEAP) and Local Area of Play (LAP)
- A strip of land adjacent to the highway (between the main roundabout site access and the western boundary of the site) to be offered to the Council for future adoption and provision of a footway if required.
- Requiring the developer to carry out the Highway Works to provide access to the site and improve capacity at the Gilestone Cross-road junction including covering the costs of any necessary Traffic Regulation Orders.

AND, in the event that the development is not completed within 59 months of commencement, the trigger of a development viability review mechanism

APPROVED subject to the following conditions(s):

1. Details of the 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. The development shall begin before the expiration of two years from the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and to ensure the development commences within 2 years to reflect the concessions made for planning obligations in light of



development viability constraints which may be subject to change in the longer term.

3. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than one year from the date of this permission.

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and to ensure the reserved matters application is made with sufficient time to enable the development to commence within 2 years to reflect the concessions made for planning obligations in light of development viability constraints which may be subject to change in the longer term.

4. The development shall be carried out in accordance with the scale parameters as submitted with the table received 12 December 2016.

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 Policy MD2 (Design of New Development) of the Local Development Plan.

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

1617 100 Revision G (Illustrative Masterplan)  
 Primary Access General Arrangement - 0991-013-K  
 Primary Access Geometry 0991-023-E  
 Gileston Road Junction General Arrangement - 0991-024-C

Speed Limit Transition Gateway 0991-020-C  
 Offsite Highway Works 0991-014-G  
 Secondary Access 0991-011-I

Reason:

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

6. Prior to commencement of development, a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of the Welsh Government Technical Advice Note 2 on Affordable Housing or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 17% of housing units/bed spaces;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no RSL involved);
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason:

In order to ensure that the site delivers appropriate provision of affordable housing to meet the identified need and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), SP4 (Affordable Housing Provisions), MG4 (Affordable Housing) and MD4 (Community Infrastructure and Planning Obligations) of the Local Development Plan.

7. Details of existing ground levels within and adjacent to the site and proposed finished ground and floor levels shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of that part of the development to which they relate. The development shall thereafter be carried out in accordance with the approved details.

Reason:

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

8. No development shall commence until details of a scheme of foul, land and surface water drainage has been submitted to and agreed in writing by the Local Planning Authority, including details of the adoption, maintenance and management of the system. The scheme 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. Evidence of infiltration tests and full engineering details and hydraulic calculations shall also be submitted. The scheme shall be completed in accordance with the approved details prior to the first beneficial use of the development and thereafter retained in perpetuity.

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 SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Local Development Plan.

9. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which shall be submitted by the applicant and approved in writing by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason:

In order that archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD8 (Historic Environment) of the Local Development Plan.

10. No development shall take place, including any site clearance, until a wildlife and habitat protection and management plan has been submitted to and approved in writing by the Local Planning Authority. The wildlife and habitat protection plan shall include:
- i) Details of sensitive site clearance with respect to reptiles and breeding birds, and a strategy for dealing with reptiles;
  - ii) Details of newt friendly drainage.
  - iii) A plan showing wildlife and habitat protection zones, if appropriate;
  - iv) Details of development and construction methods within wildlife and habitat protection zones and measures to be taken to minimise the impact of any works;
  - v) Details of the management of ecology features to maximise biodiversity;
  - vi) Measures to be undertaken to enhance biodiversity on site;
  - vii) A lighting scheme for the site in order to ensure minimal light spillage onto adjoining vegetation and to ensure that wildlife corridors/mitigation habitats are not illuminated; and
  - viii) A detailed method statement for the management of Corn Buttercup and Shepherds Needle, including areas from which soil shall be transposed from, volumes and depths of soils, timings of the works and post transposition works and aftercare.
  - ix) Details of site and vegetation clearance, including timings.

The protection and management plan shall then be completed in accordance with the details and timings approved by the Local Planning Authority.

Reason:

In the interests of ecology and to ensure compliance with Policy SP1 (Delivering the Strategy), MD9 (Promoting Biodiversity), MG19 (Sites and Species of European Importance) and MG20 (Nationally Protected Sites and Species) and MG21 (Sites of Importance for Nature, Regionally Important

Geological and Geomorphical Sites and Priority Habitats and Species) of the Local Development Plan.

11. No development 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.

Reason:

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

12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 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) and MD2 (Design of New Developments) of the Local Development Plan.

13. 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, including means for the protection of the adjacent brook from contamination;
- 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;
- xi) diesel and oil tank storage areas and bunds;

- xii) how the developer proposes to accord with the Considerate Constructors Scheme ([www.considerateconstructorscheme.org.uk](http://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.

14. 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, the proposed routes for heavy construction vehicles, timings of construction traffic and means of defining and controlling such traffic routes and timings. The development shall be carried out in accordance with the approved Management Plan.

Reason:

To ensure that the parking provision and highway safety in the area are not adversely affected by the construction of the development and to meet the requirements of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

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

Reason:

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

16. Notwithstanding the submitted plans, full engineering detail of the pedestrian and cycle routes to link the development to the existing highway network to the south east, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into beneficial use until the cycle and footway routes have been constructed in accordance with the approved details.

Reason:

In the interest of highway and pedestrian safety and 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.

17. The site vehicular accesses shall be completed in accordance with the detailed arrangements shown in the approved plans prior to the first beneficial occupation of the phase of the development that they serve and shall be thereafter retained at all times.

Reason:

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

18. The alterations to the junction of Gileston Road and the B4265 as illustrated on plan 0991 024 Rev C shall be constructed in accordance with the approved details prior to the first beneficial occupation of the development.

Reason:

In the interests of traffic flows and highway safety and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

19. 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 Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

20. 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 Local Planning Authority.

Reason:

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

21. 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 Local Planning Authority.

Reason:

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

22. The reserved matters submissions shall ensure that no buildings or dwellings are located within a C2 Flood Zone.

Reason:

In order to minimise flood risk and to ensure compliance with Policies MD2 and MD7 of the LDP.

Reason for decision

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

Having regard to Policies SP1-Delivering the Strategy, SP2 – Strategic Sites, SP3 – Residential Requirement, SP4 – Affordable Housing Provision, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG2 – Housing Allocations, MG4 – Affordable Housing, MG17 – Special Landscape Areas, 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, MD9 – Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; Supplementary Planning Guidance on Householder and Residential Development, Affordable Housing, Biodiversity and Development, Design in the Landscape, Model Design Guide for Wales, Parking Standards, Planning Obligations, Public Art, Conservation Areas in the Rural Vale, Flemingston Conservation Area Appraisal and Management Plan, Trees and Development and Sustainable Development; national guidance contained in Planning Policy Wales, TAN1 Joint Housing Land Availability Study, TAN2 – Planning and Affordable Housing, TAN5 – Nature Conservation and Planning, TAN6 – Planning for Sustainable Rural Communities, TAN12 – Design, TAN15 – Development and Flood Risk, TAN16 – Sport Recreation and Open Space, TAN18 – Transport and TAN24 – Historic Environment, it is considered that the proposal represents an acceptable and sustainable form of residential development that meet an identified housing need on an allocated residential site, without an unacceptable adverse impact on the character and appearance of the area, Special Landscape Area and would preserve the character of the Flemingston Conservation Area and archaeological resource. It is also considered acceptable in relation to the site access and highway safety, neighbouring and general amenities on the site, drainage, impact to ecology and protected species and other relevant environmental factors such as drainage and flood risk. 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 compliant with relevant legislation and both national and local planning policy.

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.