

## PLANNING COMMITTEE

Minutes of a meeting held on 28<sup>th</sup> June, 2018.

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

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mrs. T. Lakin	S.116 - Highways Act 1980 Application to Extinguish Part of the Highway at Highlight Lane, off Lakin Drive, Highlight Park, Barry	Applicant or their representative
Mr. R. Hort	S.116 - Highways Act 1980 Application to Extinguish Part of the Highway at Highlight Lane, off Lakin Drive, Highlight Park, Barry	Objector to application and/or their representative

### 101 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.”

### 102 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 7<sup>th</sup> June, 2018 be approved as a correct record.

### 103 DECLARATIONS OF INTEREST -

Councillor A.C. Parker declared an interest in respect of Application No. 2018/00398/RG3, Brecon Court, Barry. The nature of the interest was that Councillor Parker was the Cabinet Member for Housing and Building Services and the development therefore sat within his Cabinet portfolio. Councillor Parker withdrew from the meeting whilst this application was being considered.

Councillor Mrs. C.A. Cave declared an interest in respect of Application No. 2018/00133/FUL, United World College of the Atlantic, East Drive, St. Donats. The nature of the interest was that the applicant was a client of Councillor Cave.

Councillor Cave withdrew from the meeting whilst this application was being considered.

Councillor R.A. Penrose declared an interest in respect of Application No. 2018/00133/FUL, United World College of the Atlantic, East Drive, St. Donats. The nature of the interest was that Councillor Penrose was a Board Member of St. Donats Art Centre which was part of Atlantic College. Councillor Penrose withdrew from the meeting whilst this application was being considered.

#### 104 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.

#### 105 PLANNING APPLICATIONS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS (HRP) –

RESOLVED – T H A T the report on the following applications as determined under the above delegated powers be noted:

#### **Decision Codes**

A - Approved	O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement)
C - Unclear if permitted (PN)	B - No observations (OBS)
EB EIA (Scoping) Further information required	E Split Decision
EN EIA (Screening) Not Required	G - Approved the further information following "F" above (PN)
F - Prior approval required (PN)	N - Non Permittal (OBS - objections)
H - Allowed : Agricultural Condition Imposed : Appeals	NMA – Non Material Amendments
J - Determined by NAFW	Q - Referred to Secretary of State for Wales (HAZ)
L - Approved <u>AND</u> refused (LAW)	S - Special observations (OBS)
P - Permittal (OBS - no objections)	U - Undetermined
R - Refused	RE - Refused (Enforcement Unit Attention)
	V - Variation of condition(s) approved
2009/00946/8/C A South Quay, Barry	Discharge of Condition 49 -
D Waterfront, Barry	Archaeological Watching

Brief, insofar as it relates to South Quay. Planning Permission ref.

2009/00946/OUT :

Development of vacant land at Barry Waterfront for residential (C3), retail (A1), cafes, bars and restaurants (A3), hotel (C1), offices (B1) and community and leisure uses (D1 and D2). Development of vehicular and pedestrian/cycle access including a new link road, re-grading of site to form new site levels and associated infrastructure works, parking, servicing, landscaping, public realm and public open space provision.

2014/00933/1/N MA	A	Land at Pentre Meyrick	<p>Non-Material Amendment - To amend the wording of Condition 3 (Off-site Highway Works) to read; 'No dwelling hereby approve shall be occupied until the associated off-site highway works, which include, a Puffin crossing of the A48, the widening of the existing and the provision of new pedestrian footways along the adjacent highway, and additional street lighting facilities, have been implemented in full, in general accordance with Dwg. No. (PA)1007C, Highway Works, received on 29 March 2018, and subject to the agreement of the Local Planning Authority.' Planning Permission ref. 2014/00933/FUL : Development of 13 affordable homes, access arrangements and associated works, including off-site highway improvements.</p>
2015/00960/7/C D	A	Land at Sycamore Cross, Pendoylan Lane and North of A48, Bonvilston	<p>Discharge of Condition 3 - Materials Schedule - permission 2015/00960/FUL - 120 homes, highway improvement and all associated works.</p>
2015/01072/2/C D	A	Golwg y Mor, Porthkerry Road, Rhose (Land North of the railway line (West))	<p>Discharge of Condition 5 - Materials (Resubmission-change of main brick due to shortage of approved type). Planning Permission ref. 2018/00162/RES : The development of 227 dwellings with associated access, roads and</p>

			footpaths, drainage works, landscaping, public open space and other ancillary works.
2016/00053/1/C D	A	Hillside, Wine Street, Llantwit Major, CF61 1RZ	Discharge of Conditions 3 - Obscure Glazing in Windows and 4 - Schedule of Materials (Proposed Timber Cladding). Planning Permission ref. 2016/00053/FUL : Single storey extension, loft conversion and roof extension to raise ridge height and include three traditional style dormers.
2016/00080/FUL	A	Llwynhelig, Cowbridge	Erection of an agricultural building for free range egg production, together with associated feed bins, hardstandings and access road.
2016/00305/1/N MA	A	Land adjacent A4226 Five Mile Lane, Barry	Non-Material Amendment - Variation of Conditions 3 and 18 to amend timescale for submission of details. Planning Permission ref. 2016/01305/RG3 : Proposal is for on line improvements to the existing A4226 between Waycock Cross Roundabout in Barry and the lay-by to the north of the Welsh Hawking Centre and an off line new road provision to the east of the existing A4226 which will reconnect with the existing A4226 just to the south of Blackland Farm.

2016/00570/1/N MA	A	Site at Boverton Road, Boverton	Non-Material Amendment - Proposed reduction of field access and public footpath width from 3m to 2m wide. Planning Permission ref. 2016/00570/FUL : Proposed detached bungalow retaining field access and public footpath.
2017/00129/1/C D	A	Travellers Rest, Felindre Road, St Marys Hill, Llangan	Discharge of conditions 8, 11, 13, 14, 15 and 16 - The use of land for stationing of caravans for the residential purposes for 3 no gypsy pitches together with the formation of hard standing and utility/dayroom ancillary to that use at Travellers Rest.
2017/00263/2/N MA	A	33, Westbourne Road, Penarth	Non-Material Amendment - Additional area of glazing in corner of kitchen to provide extra daylight and a view of the garden from the kitchen. Planning ref. 2017/00263/FUL : Single storey extension to side/ rear. Demolition of existing garage to be replaced by a new double garage with playroom.
2017/00461/1/C D	A	72, Clos Yr Wylan, Barry	Discharge of Condition 4 - Materials Details. Planning ref. 2017/00461/FUL Proposed two storey side extension with accommodation also at second floor level, and new boundary treatments to side and rear.
2017/00476/1/N MA	A	Land at Westhaven (Phase 3) Dockside Quay, Barry Waterfront, Barry	Non-Material Amendment - Approval is sought for an amendment to the parking provision, to increase the provision for plot 446 at the expense of a visitor space.

			Planning Permission ref. 2017/00476/RES : Development of site known as Dockside Quay for residential development, A3 units and associated infrastructure works, parking, and landscaping.
2017/00746/1/C D	A	Land at Cardiff Road/Cross Common Road, Dinas Powys	Discharge of Condition 4 - Construction Traffic Management Plan. Planning Permission ref. 2017/00746/RES : Approval of all matters reserved including Appearance, Landscaping, Layout and Scale and the subsequent discharge of planning conditions 2 (Reserved Matters), 6 (Drainage), 10 (Tree Protection), 12 (Slab levels), 16 (Noise Assessment) attached to the Outline Permission (Ref: 2015/00392/OUT).
2017/00858/FUL	A	Plot 75, Tathanas Court, St Athan	Retrospective conservatory extension to the rear of the property.
2017/00910/1/C D	A	Land at The Rectory, Port Road, Wenvoe	Discharge of Condition 11 - Materials Details. Planning ref. 2017/00910/FUL : Development of 12 dwellings and associated infrastructure at land at The Rectory, Port Road, Wenvoe.
2017/00967/FUL	A	Maes y Ward Farm, Bonvilston	Construction of new access track.
2017/01083/2/C D	A	15, Cae Rex, Cowbridge	Discharge of Condition 5 - Drainage Details. Planning ref. 2017/01083/FUL : Demolition of existing bungalow and erection of new 4 bedroom dwelling.

2017/01331/FUL	A	Porthkerry Leisure Park, Rhoose	Relocation of residential pitch for accommodation of new park manager.
2017/01356/RES	A	Land at Barry Waterfront, Barry	Construction of new District Centre comprising of 57 residential apartments, 1,885sq.m food and drink use (A3), 390sq.m flexible commercial use (D1/D2/A3), together with associated infrastructure works, parking and landscaping.
2018/00059/FUL	A	149, Plymouth Road, Penarth	Demolish existing house. Construct new dwelling as attached plans.
2018/00084/FUL	A	Forge Cottage, Llansannor	Two storey rear extension and new rooflights to front.
2018/00086/FUL	A	Pen Onn Farm, Llancarfan	Garage and stable block.
2018/00119/FUL	A	Wernlas, St. Andrews Road, Dinas Powys	Two storey side extension to provide new kitchen, living area with additional garage facilities and new main entrance for property with master bedroom/ ensuite at first floor.
2018/00146/FUL	A	Dow Corning Ltd., Cardiff Road, Barry	It is proposed to extend an existing manufacturing building within the Dow Performance Silicones site at Barry. The extension would comprise a new loading bay and open-plan steel-framed building to house new manufacturing equipment. The extension, in keeping with the existing adjacent buildings would be single storey.



2018/00148/FUL	A	4, The Glades, Penarth	Additional garage and two storey extension.
2018/00149/FUL	A	14, Salisbury Avenue, Penarth	Ground and first floor rear extension.
2018/00180/FUL	A	Land at the rear of 45, Fontygary Road, Rhoose	Proposed redesign of development site, approved under planning application number 2016/01254/FUL to accommodate a pair of semi detached dwellings.
2018/00196/FUL	A	1, River View, East Aberthaw	Demolition of boundary wall and new vehicle crossing to provide access to a proposed parking area for 2 no. cars.
2018/00209/FUL	R	Arcadia, Port Road West, Barry	Proposed demolition of existing dwelling/ outbuilding. Construction of pair of semi detached 3 storey houses with access and parking.
2018/00221/FUL	A	Land adjacent to Westra Stables, Westra, Dinas Powys	Proposed new stable block for stabling horses.
2018/00254/FUL	A	17, Bedlington Terrace, Barry	Proposed single storey rear extension and loft conversion with associated works.
2018/00260/FUL	A	36, Windsor Terrace, Penarth	Conversion of first and second floor from Office to mixed use: Office and a single C3 dwelling.
2018/00267/FUL	A	The Croft, Burdens Hill Lane, Wenvoe	Front/side extension with raising of roof ridge height and construction of a detached garage.
2018/00275/FUL	A	Navron, Boverton Road, Boverton, Llantwit Major	The introduction of a two-storey rear extension to the house following demolition of the rear single-storey

			wing; associated internal and external alterations; and general refurbishment works.
2018/00276/FUL	A	Santander UK Plc, 140, Holton Road, Barry	Shop front refurbishment including new internally illuminated ATM with red dotted vinyl with red/white gradient vinyl to the inside of the glazing around the machine; installation of Digital Media TV screen; new shop front glazing panels; new stainless letter box; replacement of door for a new automatic swing door; timber repairs to fascia and soffit required; new lead flashing above timber fascia; underside of bay projection to be re-clad to match existing and replace existing granite tiles with new Bianco crystal granite cladding..
2018/00281/FUL	A	31, Heol Pilipala, Rhoose Point, Rhoose	Convert one integral garage to living space. Remove metal door and brick up gap with window to match room above.
2018/00293/FUL	A	19, Windsor Terrace, Penarth	Removal and replacement of chimney stack to front elevation.
2018/00295/FUL	R	Ishton Barn, Lon Cwrt Ynyston, Leckwith	Rear extension and front hall extension.
2018/00297/ADV	A	Santander UK Plc, 140, Holton Road, Barry	Internally illuminated signage for a new ATM and also the installation of a 46" TV within a metal shroud at the front elevation showing static Santander marketing campaigns.

2018/00305/FUL	A	White House, Augusta Road, Penarth	First floor side extension to provide shower room/ dressing room.
2018/00306/LBC	A	Navron, Boverton Road, Boverton, Llantwit Major	The introduction of single-storey rear extension to the house following demolition of the rear single-storey wing; associated internal and external alterations; and general refurbishment works.
2018/00307/LBC	A	Cogan Station Approach Road, Cogan, Penarth	Remedial works to footbridge, including strengthening steel lattice parapets and the addition of a hand rail.
2018/00309/FUL	A	Abbey Road, Ewenny	Amendment to Condition 1 of Planning Permission ref. 2017/00365/RES to include amended site layout and additional house type.
2018/00315/FUL	A	57, Craig yr Eos Road, Ogmore By Sea	Reinstatement of existing first floor window and proposed new first floor window to north elevation and new window to gable wall on west elevation.
2018/00318/FUL	A	14, Clinton Road, Penarth	Replacement Dwelling Due To Demolition under Section 78 Building Act 1984.
2018/00323/FUL	A	20, Ravenshoe Road, Barry	Proposed single storey rear kitchen and extension, and front entrance porch extension.
2018/00326/FUL	A	1, Dunster Drive, Sully	Construction of a single storey contemporary glazed extension to the rear of an existing double storey residential property in place of an existing conservatory extension.

2018/00327/FUL	A	17B, High Street, Cowbridge	Conversion of existing A1 shop to mixed use A1/A3.
2018/00329/FUL	A	69, Plymouth Road, Penarth	Single storey side/rear extension with raised terrace complete with privacy screening.
2018/00334/FUL	A	15, Craven Walk, Penarth	Rear ground floor extension and annex extension.
2018/00335/FUL	A	St. Jude, Barren Hill, Penmark	Existing greenhouse to be replaced.
2018/00336/FUL	A	74, Cae Canol, Penarth	Single storey extension to rear and convert part of garage to utility room.
2018/00337/FUL	R	19, Portland Drive, Barry	Metal fencing to front garden.
2018/00347/FUL	A	Jeff White Motors Limited, Gileston Road, St. Athan	Installation of new shopfront in connection with the Class A1 use.
2018/00350/FUL	A	16, Lon Fferm Felin, Barry	Erect a single storey extension to rear of property.
2018/00360/FUL	A	Whitethorns, Marine Parade, Penarth	Small single storey extension to principal elevation. Reinstall front gates to driveway and create new pedestrian access. Insert new front access to dwelling with new small gable over.
2018/00362/FUL	A	4, Lime Grove, Eglwys Brewis	Demolition of front door porch and kitchen door porch and out house and extending dwelling to form en-suite accessible bedroom at ground floor.
2018/00365/FUL	A	Southcot, 27, Cog Road, Sully	Improvement to natural light and ventilation levels within interior. (Variation of Condition 2 of Planning ref.

			2017/00738/FUL : Replacement of a dwelling (formerly semi-detached) with new semi-detached dwellings).
2018/00367/FUL	R	Side garden of Glenview, 99, Penlan Road, Llandough	Variation of Condition 2 of Planning Permission 2018/00055/FUL to alter pitch of roof and to include open gables.
2018/00368/FUL	A	Yr Ysgubor, St. Lythans Road, St. Lythans	Decommissioning existing domestic cesspit and installing either new septic tank or new domestic package sewage treatment plant and all associated drainage fields within the confines of the rear garden.
2018/00369/FUL	A	14, White House, The Knap, Barry	Erection of rear extension with first floor veranda and rear elevation alterations.
2018/00370/FUL	A	21, Fairfield Rise, Llantwit Major	Proposed single storey rear extension, dormer loft extension and internal alterations.
2018/00371/FUL	A	25A, Archer Road, Penarth	Extensions and modifications to existing dwelling including extension to front and single storey extension to rear elevation to incorporate Granny Annexe.
2018/00376/FUL	A	35, Purcell Road, Penarth	Retention of single storey orangery extension to rear of property.
2018/00377/ADV	A	87, Eastgate, Cowbridge	Provision of main fascia signage with ancillary window graphics and projecting sign.

2018/00383/FUL	A	Kymin Cottage, 7, Beach Lane, Penarth	Replacement and repair of roof tiles.
2018/00384/FUL	A	24. Baruc Way, Barry	Proposed garage conversion.
2018/00391/LAW	A	75, Monmouth Way, Llantwit Major	Existing garage to be converted into a Ground Floor bedroom. Existing concrete base to be taken up and new insulated floor to be installed. Doorway from hallway into new bedroom and shower area. New driveway laid to allow for wheelchair access into property.
2018/00393/FUL	A	Tyn y Coed Farm, Bonvilston	Proposed demolition of conservatory and erection of single and two storey extensions to existing house.
2018/00396/FUL	R	West Farm House, Southerndown	Storm porch to rear elevation.
2018/00399/FUL	A	9, River Walk, Llantwit Major	Demolition of garage and erection of single storey extension.
2018/00418/FUL	A	2, Petrel Close, Penarth	A single storey side extension to create an en-suite and store to the bedroom.
2018/00419/FUL	A	59, Purcell Road, Penarth	Demolition of existing outhouse and erection of single storey rear extension for use as kitchen/dining/living area.
2018/00425/FUL	A	Hunters Lodge, 8, Newbarn Holdings, St. Athan Road, Flemingston	Application to vary Condition 2 of Planning Permission ref. 2016/00266/FUL to retain works as built.

2018/00440/FUL	A	6, St. Johns Close, Cowbridge	Replacement front porch and rear utility room. Conversion of existing garage to study.
2018/00441/FUL	A	26, Pontypridd Road, Barry	Proposed single storey sitting room, utility and bathroom extension.
2018/00452/LAW	A	52, Court Road, Barry	Proposed rear dormer extension as per drawing A100.
2018/00475/LAW	A	19, Clos y Fulfran, Nells Point, Barry	Increase size of 4 upper windows and install glass Juliet balconies.
2018/00542/LAW	A	Mill Lodge, Windmill Close, Wick	Removal of an existing uPVC conservatory complete and the erection of a replacement single- storey rear sunroom extension.

#### 106 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.

## 107 TREES (HRP) -

(i) Delegated Powers –

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

**Decision Codes**

A - Approved

R - Refused

E Split Decision

2018/00261/TPO	A	Highbank, 3, Heol Ty Mawr, Pendoylan	Work to Tree covered by TPO no. 4 1972 G8 - Work to T2 Oak in rear garden.
2018/00353/TCA	A	Old Barn Cottage, Church Road, Llanblethian, Cowbridge	Two Fir trees at the edge of my property that need to be removed as their roots are pushing the boundary stone wall onto the roads that run past my property. Please see plan in Supporting Documents.
2018/00356/TPO	A	46, Stanwell Road, Penarth	Work to trees in TPO No 17 1998.
2018/00394/TCA	A	Whitethorns, Marine Parade, Penarth	Work to trees in the Penarth Conservation Area - fell Cypress and Sycamore.
2018/00423/TCA	A	Mount Farm House, 23, Station Road, Dinas Powys	Fell Ash tree covered by TPO 1973 No. 14 T29.
2018/00424/TCA	A	Tara, 4, Maes y Felin, Llandow	Work to trees in the Llandow Conservation Area - Fell 1 Ash and reduce 1 Yew.
2018/00426/TPO	A	Fields adjoining Gileston Village opposite Manor House	Work to trees covered by TPO 1962 No1 T84 - Reduce 1 Sycamore.
2018/00464/TCA	A	Mount Farm House, 23, Station Road, Dinas Powys	Reduce crown of Yew tree within the Dinas Powys Conservation Area.



2018/00505/TCA A 1, Victoria Avenue, Penarth Work to a Sycamore tree within Penarth Conservation Area.

108 GENERAL PLANNING MATTERS (HRP) -

(i) S.116 Highways Act 1980 Application to Extinguish Part of the Highway at Highlight Lane, off Lakin Drive, Highlight Park, Barry -

The purpose of the report was to consider the proposed application to be made by the Council pursuant to S.116 of the Highways 1980 to extinguish part of the highway at Highlight Lane, off Lakin Drive, Highlight Park, Barry as set out in the Officer's report at Appendix A. Also, to consider the proposed amendment to said application to determine whether the Council should proceed to:

- make the application;
- make the application with the amendments proposed; or
- not make either the application or the amended application.

The Council had received a request from the owner of Highlight Farm pursuant to S.117 of the Act to stop up a section of adopted highway pursuant to S.116 of the Act known as Highlight Lane.

The section of Highlight Lane which was the subject of the application was a surface adopted single track road of varying width and was approximately 150 meters in length with no formal vehicular turning facility along its length or at its termination point at the side of the property known as Swallow Cottage at which point full highway rights changed to a Public Right of Way (foot only).

S.116 (4) of the Act provided that the stopping up/extinguishment of a highway could be made subject to the reservation of a footpath.

The Council received an objection contained in Appendix C of the Officer's report on 30th May 2018 which objected on the basis that the proposed extinguishment could have the effect of preventing vehicles entering Highlight Lane from having sufficient space to turn around in the remaining Highway and potentially using or blocking the objectors drive to enable them to turn around. Having reviewed the objection and considered the merits thereof, officers contacted the objector to see whether an amendment to the proposed extinguishment would make the proposal acceptable. On 11<sup>th</sup> June, 2018 the Council received confirmation that subject to the proposed amendment shown on the Plan at Appendix B being made to the Application, the objection would be removed. Following confirmation to the Objector that the recommendation to the Planning Committee was for the amended Application to be made the Objector formally removed the objection on 20<sup>th</sup> June, 2018.

The Council received a notice of potential objection from Dwr Cymru, subject to further information being provided, due to the location of Dwr Cymru apparatus being located in part of the highway to be extinguished. Following the Council providing the

required additional information to Dwr Cymru the objection was formally removed on 13<sup>th</sup> June, 2018.

The Council received an objection, contained in Appendix D of the Officer's report on 13<sup>th</sup> June, 2018. The objection was on similar themes to the objection in Appendix C, although it also cited a loss of parking areas as an additional concern. The Council wrote to the Objector to explain the proposed amendments to the initial Application but the Council had not received a response as at the date of the Report.

The Highways Authority had considered the objection received and contained in Appendix D and noted that in respect of the three main points raised therein:

(a) The Council was not selling the land and all references to a sale of the land were incorrect. The land belonged to the owners of Highlight Farm and the Highways Authority were responsible for the maintenance of the land as it was highway maintainable at the public expense.

(b) There was no formal area for turning within the adopted Highway and therefore the extinguishment of the highway as set out in the Application (as amended) did not exacerbate an existing issue.

(c) There was no formal right to park on the adopted highway. The Highway Authority was of the opinion that the area comprised in the Application would not be suitable for parking within the highway and noted the owner of Highlight Farm's complaints regarding the parking of vehicles within the Application area causing an obstruction to farm access.

RESOLVED - T H A T the application subject to an amendment to reduce the area of highway to be extinguished in accordance with amended draft orders and plans attached at Appendix B of the officer's report be approved.

#### Reasons for decision

(1) To approve the making of the application as amended in order for the Council, as Highways Authority, to extinguish that part of the highway which is considered unnecessary.

(2) To approve the amendments to the application as set out in Appendix B of the officer's report to take into account the objection received at Appendix C which the objector had agreed to remove subject to the amendment being made.

#### 109 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.

**2011/00991/OUT** Received on 6 October 2011  
(p62)

Mr. David Evans, Pen Onn Farm, Llancarfan, Vale of Glamorgan, CF62 3AG  
Reading Agricultural Consultants, Gate House, Beechwood Court, Long Toll,  
Woodcote, RG8 0RR

**Pen Onn Farm, Llancarfan**

New dwelling for agricultural worker

APPROVED subject to the following conditions(s):

1. No development that is the subject of this permission shall commence until such time as the external elevations of Buildings B, C, D, E, F and G approved by planning permission ref. 2011/01021/FUL have been constructed and all livestock currently housed at Pen Onn Farm have been permanently transferred to the application site.

Reason:

In order to ensure that the essential functional need for the dwelling hereby approved is fully transferred to the proposed location before works commence on the dwelling, since the dwelling would otherwise fail to comply with advice in Technical Advice Note 6 - Planning for Sustainable Rural Communities and Policy MD1 of the Local Development Plan.

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

Reason:

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

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

Reason:

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

4. The development to which this permission relates must be begun not later than whichever is the later of the following dates:

- (a) The expiration of five years from the date of this permission.

(b) The expiration of two years from the date of the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matters to be approved.

Reason:

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

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

Reason:

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

6. The occupancy of the dwelling shall be restricted to:

a) a person solely or mainly working, or last working on a rural enterprise in the locality, or a widow, widower or surviving civil partner of such a person, and to any resident dependants;

or if it can be demonstrated that there are no such eligible occupiers,

b) a person or persons who would be eligible for consideration for affordable housing under the Local Authority's housing policies, or a widow, widower or surviving civil partner of such a person, and to any resident dependants.

Reason:

Since a dwelling in this rural location would not be permitted unless justified for rural enterprise, and in order to ensure that the dwelling is kept available to meet the needs of other rural enterprises in the locality, in accordance with advice in Technical Advice Note 6 - Planning for Sustainable Rural Communities.

7. The dwelling hereby permitted shall not exceed a gross floorspace of 200 square metres

Reason:

The dwelling is approved solely on the basis of an agricultural justification and therefore should be of a scale that is commensurate with the size of holding and supporting justification within the application, and to meet the requirements of advice in Technical Advice Note 6 - Planning for Sustainable

Rural Communities and Policies MD1 and MD2 of the Local Development Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting that Order with or without modification) the dwelling hereby approved shall not be extended or altered in any way without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of dwelling and ensure it remains commensurate with the size of the agricultural holding, and to ensure compliance with advice in Technical Advice Note 6 - Planning for Sustainable Rural Communities and Policies MD1 and MD2 of the Unitary Development Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no building, structure or enclosure required for a purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected, or placed within the curtilage of the dwellings hereby approved without the prior written consent of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to control the scale of development in the interests of protecting the countryside, to ensure the dwelling and its associated buildings are not unaffordable to prospective occupiers that would comply with the rural enterprise condition, and to ensure compliance with Policies MD1 and MD2 of the Local Development Plan.

10. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason:

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

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

Reason:

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

Reason for decision

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

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

Having regard to policies SP1 – Delivering the Strategy, MG17 – Special Landscape Areas, MG22 – Development in Mineral Safeguarding Areas, MD1 – Location of New Development, MD2 – Design of New Development, MD7 – Environmental Protection, MD12 – Dwellings in the Countryside and MD17 – Rural Enterprise, and the advice contained within Planning Policy Wales and Technical Advice Notes 6 and 12, the proposed development is considered acceptable in principle and in terms of agricultural justification, visual impact, highway safety and impact on residential amenity.

**2017/00892/FUL** Received on 25 August 2017  
(p116)

Mr Richard Jeremy 4, Whitcliffe Drive, Penarth, Vale of Glamorgan, CF64 5RY

**246, Holton Road, Barry**

Rear extension and conversion of shop and flat to 5 self contained flats

RESOLVED -

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

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

- (i) The cessation of the residential use of the ground floor of the building and use of the first and second floors of the building as three self-contained flats.

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

Reasons for decisions

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

It is considered that the recommendation 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.

(2&3) The development fails to provide the occupiers of three of the five flats with direct access to an area of amenity space. The proposed development would be therefore a substandard form of living accommodation that fails to meet the basic amenity requirements of the occupiers. The development is therefore contrary to Policies SP1 – Delivering the Strategy; MD2 – Design of New Development and MD7 – Environmental Protection of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, as well as advice in the Council's approved Supplementary Planning Guidance on Residential and Householder Development and national guidance found in Planning Policy Wales (9<sup>th</sup> Ed).

**2018/00133/FUL** Received on 26 March 2018  
(p127)

United World College - Atlantic College Mr. Mike Baldwin, UWC Atlantic College, St. Donats Castle, St. Donats, Vale of Glamorgan, CF61 1WF  
Mr. Darren Knight Rio Architects Limited, The Studio, 21a, Allensbank Road, Heath, Cardiff, CF14 3PN

**United World College of the Atlantic, East Drive, St. Donats**

The demolition of two no. three bed bungalows and single storey garages (1 and 10 Parc Wood) which serves the house parents, site clearance to both sites. The development of two new student dormitory blocks at a two storey height, each accommodating 12 no. four bed dormitory units, communal shared spaces and two no. three bed house parent apartments. Proposed external landscaping to both buildings to be minimal and to compliment the natural surroundings of both sites

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:

DR-A-90001  
 DR-A-05000  
 DR-A-90004  
 DR-A-90005  
 DR-A-01000  
 DR-A-01001  
 DR-A-01002  
 DR-A-01003  
 DR-A-02000  
 1775701/P/GA/003  
 SK02 Rev P1  
 E1775701/Doc 02  
 12102/LP/17/DS  
 Arboricultural Implications Assessment and Method Statement Nov 2017

Reason:

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

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

Reason:

To ensure that visual amenity and tree protection are safeguarded and to ensure the development accords with Policies SP1 (Delivering the Strategy), MD2 (Design of New Development) and MD8 – Historic Environment of the Local Development Plan.

4. No development approved by this permission shall commence until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall be submitted by the applicant and approved in writing by the Local Planning Authority and the programme and scheme shall be fully completed as defined in the approved details.



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.

5. 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) wheel washing facilities;
- v) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- vii) hours of construction;
- viii) lighting;
- ix) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) 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, the environment and the historic environment and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD7 (Environmental Protection) and MD8 – Historic Environment of the Local Development Plan.

6. Details of foundation design and drainage (including sectional details) to take account of existing trees, tree removal and future tree planting shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development. Development shall thereafter take place in accord with the approved details.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development), MD2 (Design of New Developments) and MD8 (Historic Environment) of the Local Development Plan.

7. The development, including all demolition and site clearance, shall be carried out in full accordance with the measures recommended within the Arboricultural Implications Assessment and Method Statement dated November 2017. The measures shall include:

- a) the protection of trees shown to be retained on drawing number 1775701/P/GA/003;
- b) the proposed pruning, felling or other tree work to be carried out by a professionally qualified tree surgeon and in accordance with BS 3998:2010;
- c) the appointment of a Project Arborist responsible for the marking of trees to be felled, monitoring the implementation of all tree protection measures, demolition activity and foundation works and keeping an auditable record of monitoring.
- d) the full implementation of all recommended barrier fencing and ground protection measures
- e) the removal and installation of all hard surfacing, drainage excavations and specialist foundation to be undertaken in accordance with the recommended construction techniques and working methodology

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development), MD2 (Design of New Developments), MD8 (Historic Environment) of the Local Development Plan.

8. A tree planting scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the first beneficial use of the development. The scheme shall include details of trees to replace those lost during the course of the development, including the location of new trees and hedgerows, their spread, size and species and timing of the planting works. The development shall be completed in accordance with the approved details.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD1 (Location of New Development), MD2 (Design of New Developments), MD8 (Historic Environment) of the Local Development Plan.

9. If within a period of 5 years from the date of the planting of any tree proposed as part of the landscaping and tree replacement scheme, or any tree planted in replacement of it, is removed, uprooted or destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective,

another tree of the same species and size as that originally planted shall be planted at the same place during the next planting season immediately following the death / removal or destruction of that tree.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development), MD2 (Design of New Developments) and MD8 (Historic Environment) of the Local Development Plan.

10. A scheme of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented prior to the first beneficial use of the buildings. These details of the scheme shall include:
- i) means of enclosure and any required retaining structures;
  - ii) other vehicle and pedestrian access and circulation areas;
  - iii) hard surfacing materials;
  - iv) minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, etc.), and
  - v) Soft landscape areas

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD1 (Location of New Development), MD2 (Design of New Developments) and MD8 (Historic Environment) of the Local Development Plan.

11. No development shall commence until a light mitigation strategy and plan, including measures and modelling designed to reduce light spillage onto foraging habitats for bats, has been submitted to and approved in writing by the Local Planning Authority.

Reason:

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

12. The mitigation scheme shall be completed in accordance with the details and phasing outlined in Section 5.6 of the Extended Phase 1 Habitat Survey E1775701/doc 02 and thereafter be retained in perpetuity in accordance with the approved details.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) and MG19 (Sites and Species of European Importance) of the Local Development Plan.

13. No development shall commence until an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings shall include a an intrusive investigation to assess the extent, scale and nature of contamination which may be present; an assessment of the potential risks, and; an appraisal of remedial options and in the event contamination is found, a detailed scheme of remediation.

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

14. In the event that contamination is identified, the remediation scheme as approved by the LPA 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.

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place until a scheme to deal with the contamination found has been submitted to and approved in writing by the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be

submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason:

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

16. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason:

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

17. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason:

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

18. 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.

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

Reason:

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

20. The development shall be occupied as student accommodation associated with Atlantic College only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept at the student accommodation hereby permitted and be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and expected departure from the accommodation.

Reason:

To enable the Local Planning Authority to maintain control over the nature of the use of this site which is located outside of a defined settlement and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Local Development Plan.

### Reason for decision

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

Having regard to Policies SP1 – Delivering the Strategy, SP10 – Built and Natural Environment, MG4 – Affordable Housing, MG19 – Sites and Species of European

Importance, MG22 – Development in Minerals Safeguarding Areas, MG27 – Glamorgan Heritage Coast, MD1 – Location of New Development, MD2 – Design of New Development, MD4 – Community Infrastructure and Planning Obligations, 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, Biodiversity and Development, Design in the Landscape, Parking Standards and Trees and Development and national guidance contained in Planning Policy Wales (9<sup>th</sup> Ed.), TAN5 – Nature Conservation and Planning, TAN10 – Tree Preservation Orders, TAN12 – Design and TAN24 – Historic Environment, it is considered that the proposal represents an acceptable and sustainable form of development on an existing educational site, without an unacceptable adverse impact on the character and appearance of the area, Glamorgan Heritage Coast and would preserve the character of Historic Park and Garden and nearby listed buildings in compliance with Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is also considered acceptable in relation to parking and highway safety, neighbouring and general amenities on the site, drainage, impact to ecology and protected species and impact upon the TPO woodland. 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.

**2018/00398/RG3** Received on 19 April 2018

(p151)

Vale of Glamorgan Council C/o Agent

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

### **Brecon Court, Barry**

Proposed residential development comprising 28 dwellings along with associated parking, highway and ancillary works

Deemed planning consent be GRANTED subject to the following condition(s):

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

Reason:

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

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

A002 Rev A, A003 Rev A, A004 Rev A, A005, A006 Rev A, A007, A008 Rev A, A009, A010, A011, A016 Rev A, David Clements Biodiversity Strategy November 2017, Arbtech Bat Presence Likely Absence Survey June 2016, Lodestone Drainage Strategy, Acstro TS May 2018.

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

Reason:

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

3. The development shall be constructed to the levels shown on plans A011, or an alternative set of levels, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the construction of any of the buildings or the road, and the development shall be carried out in full accordance with the approved details.

Reason:

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

4. All means of enclosure associated with the development hereby approved shall be in accordance with the schedule and details contained on plan A016 A, or an alternative schedule of enclosures, details of which shall be submitted to and agreed in writing by the Local Planning Authority. The means of enclosure shall be implemented in accordance with the approved details prior to first beneficial occupation of the dwelling that those enclosures relate to, and so maintained at all times thereafter.

Reason:

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

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

Reason:

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

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons



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

Reason:

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

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

Reason:

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

8. Notwithstanding the submitted plans and prior to their use in the construction of the dwellings hereby approved, further details and samples of the external materials to be used on the dwellings (including details of the mortar colour to be used on the brickwork) shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out and maintained at all times in accordance with the approved details.

Reason:

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

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

Reason:

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

10. No Development shall take place until there has been submitted to, approved in writing by the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include construction working

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

Reason:

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

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

Reason:

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

12. In the event that contamination is found at any time when carrying out the development that was not previously identified, it shall be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place (unless otherwise agreed in writing) until a scheme to deal with the contamination found has been approved in writing by the Local Planning Authority. The scheme shall include an investigation and risk assessment and where remediation is necessary a remediation scheme and verification plan shall be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority, prior to the first beneficial occupation of any of the dwellings approved.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be

carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policies MD2, MD5 and MD7 of the Local Development Plan.

13. Any topsoil (natural or manufactured), subsoil, aggregate (other than virgin quarry stone) or recycled aggregate material to be imported to the site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation and sampling which shall be submitted to and approved in writing by the Local Planning Authority prior to its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Reason:

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

14. The recommendations contained in the David Clements Ecology Biodiversity Strategy November 2017 and the Arbtech Bat Presence and Likely Absence Survey June 2016 shall be implemented in full.

Reason:

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

#### Reason for decision

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

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

Having regard to policies SP1– Delivering the Strategy, SP3 – Residential Requirement, SP4 – Affordable Housing Provision, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MD2 – Design of New Development, MD3 – Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD5 – Development within Settlement Boundaries, MD6 – Housing Densities, MD7 – Environmental Protection and MD9 – Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, the advice within Planning Policy Wales, Technical Advice Notes 12 and 16 and the Council's SPG on Affordable Housing (2018), Barry Development Guidelines, Biodiversity and

Development (2018), Parking Standards (Interactive Parking Standards Zones Map) and Residential and Householder Development (2018), the proposed development is considered acceptable in principle and in terms of design and visual impact, residential amenity, parking, highway safety, ecology and drainage.