

## PLANNING COMMITTEE

Minutes of a meeting held on 3<sup>rd</sup> January, 2019.

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

Also present: Councillor M.J.G. Morgan.

<b>Name of Speaker</b>	<b>Planning Application No. and Location</b>	<b>Reason for Speaking</b>
Mr. R. Crandon	2018/01231/FUL - Cwrt Canna, Land Adjacent to Llangan Primary School, Llangan	Applicant or their representative

Councillor M.J.G. Morgan spoke on the following application in their capacity as a Vale of Glamorgan Member, 2018/00996/FUL - Clawdd Coch, Pendoylan.

### 617 ANNOUNCEMENT -

Prior to the commencement of the 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.”

### 618 APOLOGIES FOR ABSENCE -

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

### 619 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 29<sup>th</sup> November, 2018 be approved as a correct record.

### 620 DECLARATIONS OF INTEREST -

Councillor A.C. Parker declared an interest in respect of Application No. 2018/00996/FUL - Clawdd Coch, Pendoylan. The nature of the interest was that Councillor Parker was the architect for this scheme. Councillor Parker was not able to speak or vote on this application and he withdrew for this item.

No.

Councillor A.C. Parker also declared an interest in respect of Agenda Item No. 8 - Enforcement Action at Land and Buildings at Land to the Rear of Stalling Down Garage, Stalling Down, Cowbridge. The nature of the interest was that Councillor Parker had previously acted for the landowner. Councillor Parker withdrew for this item and did not vote or speak.

Councillor J.C. Bird declared an interest in respect of Application No. 2018/01232/FUL - Dyffryn Springs, St. Lythans Road, Dyffryn. The nature of the interest was that Councillor Bird was the applicant and he withdrew from the meeting while this item was being considered and so did not speak or vote.

## 621 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.

## 622 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 under the above delegated powers be noted:

### **Decision Codes**

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

No.

2012/01048/2/N MA	A	40, Commercial Road, Barry	Non material Amendment to planning consent 2012/01048/FUL-To allow re position of window on side elevation.
2014/00933/3/C D	A	Land at Pentre Meyrick	Discharge of Condition 9 - Landscape details. Planning Permission ref. 2014/00933/FUL : Development of 13 affordable homes, access arrangements and associated works, including off-site highway improvements
2014/00995/2/N MA	A	Land adjacent to Llantwit Major bypass B4265, Boverton	Non-Material Amendment to provide a 1.2m tall stone wall adjacent to the site entrance: Planning permission ref 2014/00995/FUL - Change of use of agricultural land to residential development (C3) including demolition of a disused building and the development of 65 residential dwellings, public open space, landscaping, highway improvements and associated engineering works
2015/00662/4/N MA	A	Land to the east of Mink Hollow, St. Nicholas	Non material amendment - Planning permission ref: 2015/00662/FUL: Proposed residential development for 17 dwellings and associated highway and ancillary works at Land to the east of Mink Hollow, St. Nicholas.

No.

2015/01070/4/C D	A	Land North of the railway line (West), Porthkerry Road, Rhoose	Discharge of Condition 8 - Means of enclosure. Planning ref: 2015/01070/RES
2016/00305/2/N MA	A	Land adjacent A4226, Five Mile Lane, Barry	Non Material Amendment to vary Condition 17 of planning permission 2016/00305/RG3
2016/00571/FUL	A	New Greenway Farm, Greenway Road, Bonvilston	Conversion of two agricultural units to holiday accommodation
2016/01493/1/N MA	A	5, Holms Court, Minehead Avenue, Sully	Non-Material Amendment to planning permission 2016/01493/FUL to reduce the size of the approved decked area
2017/00767/1/C D	A	Home Farm, Hensol	Discharge of Condition 4 - Materials - planning permission 2017/00767/FUL for two storey side annex extension
2017/01269/1/C D	A	Tresilian Wood, Dimlands Road, St. Donats	Discharge of Conditions: Condition 4 - Levels, Condition 5 - Means of Enclosure, Condition 7 - Sustainable Drainage Systems Possible. 2017/01269/FUL : Conversion of part of existing main building to Managers accommodation (Rural Enterprise Dwelling). Proposed new building adjacent to main building as additional amenity facilities and erection of a 2.0 m high fence along the western boundary at The Hide at St. Donats, Tresillian Wood, Dimlands Road, St. Donats

No.

2018/00059/1/C D	A	149, Plymouth Road, Penarth	Discharge of Conditions 3 - External Materials, Condition 4 - Levels and Condition 5 - CEMP of Planning Permission 2018/00059/FUL - Demolish existing house. Construct new dwelling as attached plans
2018/00059/1/N MA	A	149, Plymouth Road, Penarth	Non-material Amendment for Conditions 4 and 5 of 2018/00059/FUL
2018/00180/1/C D	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 conditions 3, 4, 6, 7 and 8
2018/00183/LBC	A	1, Westgate, Cowbridge	Internal renovation and remodelling of commercial premises and second storey apartment

No.

2018/00196/1/N MA	A	1, River View, East Aberthaw	Non Material Amendment amend the specification for a portion of paved parking area that falls outside of the tree root protection area, from a permeable product as specified and approved, to a non- permeable type of paving. The area of parking within the RPA is to remain as that specified. It is also intended to provide a flush drainage to channel to discharge within the site across the width of the opening onto the public highway, thus avoiding rainwater run off onto the public highway: - Planning Permission-Demolition of boundary wall and new vehicle crossing to provide access to a proposed parking area for 2 no. cars
2018/00224/FUL	A	Land at Slon Lane, Ogmore by Sea	Erection of community village hall, incorporating cafe, multipurpose space and the renovation of the existing public toilet block
2018/00272/FUL	A	Tudor Garage, Ystradowen	Proposed extension to existing garage/workshop. Demolition of substandard dwelling and replacement with new energy efficient 4 bedroomed house plus disabled toilet to petrol station

No.

2018/00350/1/N MA	A	16, Lon Fferm Felin, Barry	Non-Material Amendment - Outside finish to be changed from facing brick to match existing to a block and render finish of a neutral colour. Increase number of Velux roof windows from 2 to 3. Planning Permission ref. 2018/00350/FUL : Erect a single storey extension to rear of property
2018/00398/1/N MA	A	Brecon Court, Barry	Non Material Amendment - We are looking to substitute the white brickwork with white render : Planning Permission 2018/00398/RG3 - Proposed residential development comprising 28 dwellings along with associated parking, highway and ancillary works
2018/00417/FUL	A	Greenfields, Church Lane, St. Athan	Proposed change of use of front room for dog grooming parlour
2018/00473/1/N MA	A	168, Westbourne Road, Penarth	Non-Material Amendment - All windows to be in grey UPVC not white as original application. Ground floor bi-fold doors to be in grey aluminium and not in white UPVC. Planning permission ref. 2018/00473/FUL : Proposed two storey rear extension and side garage
2018/00560/FUL	A	15, High Street, Cowbridge	Change of use application to A1/A3

No.

2018/00575/FUL	A	2, Button Ride, St. Nicholas	Loft extension to terraced house. The front of the house which faces the street is proposed to have a pair of roof lights, while the rear of the house is proposed to have a cape dormer with Juliet balcony
2018/00583/FUL	A	20, Cedar Way, Penarth	Two storey ground and first floor rear extension
2018/00696/FUL	A	23, Station Road, Dinas Powys	Replacement garage at rear of property, and works in connection therewith
2018/00731/FUL	A	Tudor Lodge, A48, Bonvilston	Re-opening of existing vehicular driveway access off the A48
2018/00808/FUL	A	Tinkinswood Farm, Duffryn Lane, St. Nicholas	Conversion of redundant single storey agricultural out-building to 2 bed living accommodation, ancillary to the main dwelling
2018/00816/FUL	A	Old Farmhouse, Llandow	Change of use of land to domestic garden and the placement of a Shepherds Hut
2018/00866/FUL	A	21, Cedar Road, Eglwys Brewis	Proposed two storey side and single storey rear extension. Demolition of existing conservatory and construction of new garage - PLEASE NOTE AMENDED DESCRIPTION
2018/00903/FUL	A	Millbrook, 2, Mill Lay Lane, Llantwit Major	First floor balcony with French doors, ground floor bifold doors. New windows front and rear with new material (grey aluminium). New roof with change of materials on tiles and to both front and rear dormers (slate and wood cladding)



No.

2018/00923/OUT	A	Vale Farm, Flemingston	Erection of rural worker's dwelling, bio-disc drainage
2018/00969/FUL	A	6, Button Ride, St Nicholas	Rear double storey extension with Juliet balcony
2018/00970/FUL	A	18B, Holton Road, Barry	Change of use from a one bedroom flat into a storeroom
2018/00972/FUL	A	8, Glas Y Llwyn, Barry	Single storey rear extension to create lounge and store/garage
2018/00975/FUL	A	Cross Cottage, Stallcourt Close, Llanblethian, Cowbridge	Change of windows from white 1980's wooden windows to traditional grey aluminium windows
2018/00983/FUL	A	Danygraig, Sutton Road, Ogmore By Sea	Replace an existing boundary wrought iron fence with a 30 metre stone wall along the front of our property running along Sutton Road and install a 1.5 metre wide gate into one end of the wall for access
2018/00989/FUL	A	Ty Llewes, Hebbles Lane, Coldbrook Road West, Barry	Demolition of existing single storey extension on front elevation, and construction of new two storey side extension and single storey front extension. New two storey extension to include Juliet balcony on rear elevation
2018/00992/FUL	A	Aston Martin Lagonda, Eglwys Brewis Road, St Athan	Build a sub-station to facilitate an increase in electrical supply capacity to the Aston Martin manufacturing facility

No.

2018/01006/FUL	A	Land off Well Lane, St. Nicholas	Construction of a Type 2 Foul Pumping Station, foul water sewer/lateral drain, foul water rising main and foul water manhole
2018/01011/FUL	A	Ael Y Bryn, Victoria Park, Barry	Side garage/stores and associated groundworks
2018/01014/FUL	A	MOD, St. Athan	Installation of an air skills tower, associated access stairs, platforms and foundations
2018/01019/FUL	A	Castle Brook, Llanmaes	Proposed timber framed garden room
2018/01020/RG3	A	Wick and Marcross Primary School, Church Street, Wick	Proposed extension to existing school to provide new classrooms and ancillary rooms. External works to provide additional hard play areas, additional car park spaces and upgrade of surface water drainage system
2018/01024/FUL	A	St. Peters Church, Church Road, Rhoose	Alterations and extension to St. Peters Church, to improve facilities at the church. These include new kitchen, meeting rooms and hall to the North of the church and a new vestry and meeting room to the East
2018/01028/FUL	R	15, Lynmouth Drive, Sully	Proposed alterations to dwelling including construction of new roof with dormer window to front, new vehicle cross-over with new driveway, new location of garage, enlarged roof terrace, new timber cladding, and proposed new decked area

No.

2018/01031/LAW	A	22, Baron Road, Penarth	Proposed loft conversion complete with hip to gable and dormer to rear
2018/01032/FUL	A	Southlands, Town Mill Road, Cowbridge	Proposed alterations and extensions, to include a new two storey side extension with a garage, a new porch, and single storey rear extension
2018/01033/FUL	A	2, Council Houses, Graig Penllyn	Detached garage, studio and hardstanding
2018/01038/FUL	A	1, Twyn Yr Eglwys, Colwinston	Proposed internal and external remodelling of the dwelling, to include a two storey side extension, single storey rear extension and front porch
2018/01039/FUL	A	11, Cwrt Y Vil Road, Penarth	Single storey extension to rear. Additional roof light to front elevation
2018/01040/FUL	A	72, Clos Yr Wylan, Barry	Proposed side extension, 2 storey with accommodation in roof. New boundary treatments to sides, rear and front. Change of render colour to existing dwelling, replace front 1st floor window with bi-fold doors
2018/01042/FUL	A	33, Brenig Close, Barry	Proposed dormer to rear and loft conversion for existing domestic dwelling
2018/01045/FUL	A	Yr Hen Dy Ffarm, Chapel Road, Broughton	Single storey rear extension
2018/01048/FUL	A	23/28, Plas St. Pol De Leon, Penarth	Replacement of timber balustrading on existing balconies with glass
2018/01050/FUL	A	Newton House Farm, Lane, Newton	Removal of old Dutch hay barn and erection of new implement shed

No.

2018/01051/FUL	R	88, Wordsworth Avenue, Penarth	Proposed single storey 1 bed residential unit to rear of house
2018/01055/FUL	A	12, Fairfield Rise, Llantwit Major	Proposed replacement of outbuilding flat roof with pitched roof and other alterations
2018/01057/FUL	A	Waterfront Retail Park, Heol Ceiniog, Barry	InstaVolt are proposing to install two rapid electric vehicle charging stations within the car park of Waterfront Retail Park, Barry. Two existing parking spaces will become EV charging bays, along with associated equipment
2018/01059/FUL	A	The Manse, Llanbethery	New single storey timber garden studio to rear courtyard with garden landscaping and raised patio
2018/01064/FUL	A	7 Uphill Close, Sully, Penarth	New detached single garage
2018/01065/FUL	A	287, Barry Road, Barry	Demolish existing outbuildings adjacent the rear of the house. Construct lean-to single storey extension to rear of property
2018/01068/FUL	A	Osmond Drake Opticians, 107, Glebe Street, Penarth	Upgrade to shop front and traditional Victorian awning (projecting logo sign and signage to be dealt with via Advertisement Consent application)
2018/01069/ADV	A	Osmond Drake Opticians, 107, Glebe Street, Penarth	Non-illuminated aluminium sign tray powder coated in black with white letters and advertisement canopy

No.

2018/01076/FUL	A	Pheasant Acre Plants, Llangan	Erection of glasshouses, polytunnels and a monopitch steel portal framed building
2018/01079/FUL	A	39, Llys Dwynwen, Llantwit Major	Garage conversion - Remove garage door, replace with brickwork and windows (double doors already to rear) damp proof course and insulate
2018/01080/FUL	A	Wernlas, St. Andrews Road, Dinas Powys	Two storey extension at the side of existing dwelling and detached double garage
2018/01082/LBC	A	Penarth Eye Centre, 7, Windsor Road, Penarth	Internal re-model and re-fit, including removal of stair and wall and re-making finished floor levels
2018/01085/FUL	A	Foxglove Cottage, 1, Castle Mews, Llanblethian, Cowbridge	Loft conversion to domestic dwelling - proposed dormer to rear and side
2018/01087/LAW	A	The Bothy, Port Road, Wenvoe	Remove existing porch and replace with single storey extension to the rear of the house to create a new garden room. Materials to match that of the existing house
2018/01088/FUL	A	15, Maes Y Gwenyn, Rhoose	Proposed internal and external remodelling of the dwelling, plus a single storey rear ground floor extension to form a family room and dining area linked with the new kitchen
2018/01089/FUL	A	48, Glyndwr Avenue, St. Athan	Proposed two storey dwelling with minor amendments to existing dwelling
2018/01091/LAW	A	31, Llanmead Gardens, Rhoose	To fit a new window on existing side wall

No.

2018/01092/FUL	A	Springfield, Drope Road, St. Georges Super Ely	Proposed demolition of single storey mono pitched kitchen extension and construction of two storey extension to match existing in materials and design, to provide kitchen to ground floor and bathroom at first floor levels
2018/01096/FUL	A	12, Walker Road, Barry	Proposed single storey extension to rear and off-road parking to front
2018/01098/LAW	A	2, Aubrey Terrace, Cowbridge	Proposed single storey rear extension
2018/01107/FUL	A	St. Lythans Service Reservoir, St. Lythans	Erection of security fencing
2018/01111/FUL	A	Daly and Associates Dental Surgery, 77, Tynewydd Road, Barry	Change of use of previous dentist building (P.T Daly Dentist) into dwelling / house
2018/01122/FUL	A	Efail Y Roper, Mountain Road from Llansannor School to Jct A4222, Aberthin, Ystradowen	Ground floor extension to side elevation, with a new roof terrace at first floor level, and an extension at first floor level on the rear elevation, to provide an additional bedroom
2018/01128/FUL	A	Rose Cottage, Treoes	Alteration/extension
2018/01130/FUL	A	7, Church Avenue, Penarth	Proposed ground floor garage and first floor storage
2018/01133/PNA	A	Treguff Cottage, Treguff	Proposed building for cultivation of mushrooms
2018/01134/FUL	A	Gardd Y Gegin, St Hilary	Two storey extension to front elevation

No.

2018/01135/FUL	A	3, Lavernock Road, Penarth	Demolition of existing single storey lean-to extension to rear of property, to be replaced by the construction of new single storey rear dual-pitched extension
2018/01140/FUL	A	10, Spencer Drive, Llandough	Single storey sunroom extension to rear
2018/01143/LAW	A	10, Royal Close, Penarth	New lean-to conservatory on rear elevation
2018/01145/FUL	A	19, Greenfield Avenue, Dinas Powys	Single storey rear extension
2018/01147/FUL	A	6, Broadway, Cowbridge	Proposed internal alterations and new porch
2018/01163/FUL	A	39, Plymouth Road, Barry	Proposed internal kitchen and bedroom alterations and new windows
2018/01165/FUL	A	Land at 10, Park Road, Penarth	Conversion of basement supporting structure (foundations) to residential use
2018/01167/FUL	A	6, Kymin Terrace, Penarth	Replace 7 existing sliding box sash white wood windows to front of property
2018/01168/FUL	A	30, Timbers Green, Llangan	Division of detached garage into residual storage area at front (including retaining original garage doors) and insulated habitable space at rear to function as a hobby-room/gym. Building work to include installation of 2 no. Velux windows in the roof and a window and patio doors to rear
2018/01179/LAW	A	23, Hillside Drive, Cowbridge	Single storey rear extension

No.

2018/01185/FUL	A	Lansdowne, St Hilary Village, St Hilary	Replacement of an existing flat roof rear extension. Installation of insulated render to the rear single storey building, replacement of external windows to the existing single storey extension together with various internal renovations and variation to the inner `Secondary` front door and glazing
2018/01197/LAW	A	19, Baron Road, Penarth	Extension of existing hipped roof to gable end roof and rear dormer as an attic extension to an existing attic room
2018/01205/FUL	A	Crofta (formerly Fernhill), St. Quentins Close, Llanblethian, Cowbridge	Rear and side extensions, new access point, porch, windows and other minor alterations
2018/01253/OBS	P	Land off Horsefair Road, Waterton Industrial Estate, Bridgend	Variation of conditions 1 and 5 of P/16/472/FUL (Amended Plan Received 25 October 2018)
2018/01281/OBS	B	Land off Parc Crescent, Waterton Industrial Estate, Bridgend	Variation of Condition 2 of P/16/833/FUL to include the storage of soil

623 APPEALS (HRP) -

RESOLVED -

- (1) T H A T the appeals received following the refusal of the Council to grant planning permission as detailed in Section A of the report be noted.
- (2) T H A T it be noted that no 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 at the time of the meeting taking place.



No.

(5) T H A T the statistics relating to the appeals for the period April 2018 – March 2019 as detailed in Section E of the report be noted.

624 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

2018/00847/TPO	A	18, Le Sor Hill, Peterston Super Ely	Work to Trees covered by TPO No. 6 of 2012 – One Oak tree on rear boundary to have overhanging limb removed. One Oak tree to have 10-20% crown raise the branches overhanging the greenhouse
2018/00962/TPO	A	1, Court Drive, Llansannor	Works to trees protected by TPO No. 11, 1992. Trees within G1 and G2 of the Order to the front and rear of the property
2018/01061/TPO	A	Brooklands Retail Park, Culverhouse Cross, Card	Tree works described as desirable and essential in the attached tree report
2018/01093/TPO	A	Hensol Castle Park North, Hensol	Works to Turkey Oak covered by TPO No. 4, G1 of 2003
2018/01094/TCA	A	4, Coopers Lane, Cowbridge	Remove 2 no. Cypress in front of house and replant with specimen tree
2018/01110/TCA	E	36, Plymouth Road, Penarth	Works to trees in Penarth Conservation Area. Reduce one Copper Beech and one Genko

No.

2018/01120/TCA	A	4, Stanwell Road, Penarth	Work to three trees in Penarth Conservation Area
2018/01121/TCA	A	3, Church Place South, Penarth	Cut branches to reduce height and width of Ash tree. Prune 4 no. apple trees as required. Removal of apple tree No. 2 if dying
2018/01152/TCA	A	Littlemoor Farm, Squire Street, Llysworney	Work to a tree within the Llysworney Conservation Area - Remove lower limb of Willow
2018/01156/TCA	A	4, Park Road, Penarth	Work to Trees in the Penarth Conservation Area: Reduce apple tree in rear garden
2018/01161/TPO	A	Llandough Hospital, Penlan Road, Llandough	Work to trees covered by TPO no.13 of 2006
2018/01172/TCA	A	5, Plymouth Road, Penarth	Works to trees in Penarth Conservation Area - Remove Bay and Laurel from rear garden
2018/01173/TCA	A	13, Plymouth Road, Penarth	Work to Trees in Penarth Conservation Area - Reduce birch in rear garden and lightly reduce upper crown of willow in rear garden
2018/01174/TCA	A	41, Plymouth Road, Penarth	Work to trees in Penarth Conservation Area
2018/01175/TCA	A	43, Plymouth Road, Penarth	Work to trees in Penarth Conservation Area - Remove Cedar and Birch from front garden and cedar from rear garden
2018/01227/TCA	A	34, Victoria Road, Penarth	Works to trees in Penarth Conservation area
2018/01259/TPO	A	Northcliffe Lodge, Penarth	Works to trees in TPO reference No. 11 2015

625 ENFORCEMENT ACTION (HRP) -

(i) Land and Buildings at Land to Rear of Stalling Down Garage, Stalling Down, Cowbridge -

The Planning Authority became aware that a development for a new building for use to compliment a tyre service and car washing business at the rear of Stalling Down Garage, Stalling Down, Cowbridge had not been erected in accordance with the approved plans for Planning Application 2014/01399/FUL.

The site was land at an existing petrol filling station at Stalling Down, near Cowbridge. To the rear of the filling station was an area of land with a part gravel or disrupted tarmac service which was used to wash cars and sell Christmas trees in winter. The site was within the countryside, although adjacent to a road junction with the A48. The site fell within the Upper and Lower Thaw Valley Special Landscape Area.

The 2014 planning application was submitted in January, 2015 for a larger 'L' shaped building that would have included a tyre sale area, staff facilities, a valeting bay and car washing bays. The principle of providing such a building was considered acceptable with it being noted that the land to the rear had been used for several years for the washing of cars. It was also proposed to make improvements to the site access, layout and surfacing.

Members were advised that the building that had been erected on the site was in a different location to that of the approved building and was also smaller in size. The building erected on the site was a rectangle shape measuring approximately 20m x 8.3m. It was also a single storey building.

The building had not been erected in accordance with the plans approved by virtue of the 2014/01399/FUL planning application. It had been erected approximately 8m to the north and 3m to the west of the approved location. As the building did not benefit from the 2014 planning permission granted due to the substantial deviations from the approved plans as noted above. Furthermore, the deviations were not considered to be so minor as to be non material amendments. As such, the building as a whole was unauthorised and not subject to any of the conditions imposed on the 2014 planning permission.

In addition to this, the building and the land associated with the building was being used for hand car washing and valeting. This use was understood to have taken place on the site prior to the erection of the building. This use of the land was also considered to be a breach of planning control either as a stand alone use or as a use of the building and its curtilage.

An Enforcement Warning Notice was served on 13<sup>th</sup> September, 2017 in respect of the erection of the building. This was not complied with, in that an application for planning permission had not been submitted in an attempt to retain the development.

No.

Accordingly, it was considered expedient to pursue action in respect of the building and the use of the land and building for car washing and valeting. As it was not possible to impose unnecessary conditions to mitigate the impact of the development on an Enforcement Notice, the only resolution to the breach of planning control would be to require the removal of the building from the site. However, such a notice would not prevent the developer from submitting the necessary planning application to regularise the development, subject to the imposition of appropriate conditions.

RESOLVED -

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

- (i) the removal of the building from the land.
- (ii) the cessation of the use of the land and building for the purposes of car washing and valeting.

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

#### Reasons for decisions

(1) Without the benefit of planning permission and the conditions that could be imposed on such a grant of permission to control the development and mitigate its impact, the unauthorised building and use for car washing and valeting was considered to be unacceptable in terms of design, visual impact, highway safety and site drainage. The development was therefore, considered to conflict with policies SP1 - Delivering the Strategy, MG12 - Retain Hierarchy, MG13 - Edge and out of Town Retailing Areas, MD1 - Location of New Development, MD2 - Design of New Development and MD7 - Environmental Protection of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, as well as Planning Policy Wales (Edition 10).

(2) It was considered that the decision complied with the Council's wellbeing objectives and the sustainable development principle in accordance with the requirements of the Wellbeing of Future Generations (Wales) Act 2015.

626 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.

No.

**2018/01231/FUL Received on 5 November 2018**

(p37)

Applicant : Messrs Crandon and Newydd Housing Association c/o Agent

Agent : Mr Owain Griffiths GVA, One Kingsway, Cardiff, CF10 3AN

**Cwrt Canna, Land Adjacent to Llangan Primary School, Llangan**

Residential-led mixed use development comprising of 13 affordable homes, 2 additional office buildings, a community building and ancillary development including landscaping, drainage, car parking, creation of a new vehicular access and other associated infrastructure

APPROVED subject to the following condition(s):

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

Reason:

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

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

TDA.2432.02, LLAN/001, 1725-P02, 1725-P03, 1725-P04, 1725-P05, 1725-P06, 1725-P07, 1725-P08, 1725-P09, 1725-P101, 1725-P00, SK003A, SK005A and C1103C-SK006.

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. No development shall commence on the construction of any of the new buildings 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 the visual amenity of the area is safeguarded, and to ensure the development accords with Policy MD2 (Design of New Development) of the Local Development Plan.

4. The means of enclosure associated with the development hereby approved shall be in accordance with a scheme that shall be submitted to and approved

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in writing by the Local Planning Authority prior to the first beneficial occupation of any dwelling.

Reason:

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

5. Notwithstanding the submitted plans and prior to the commencement of the construction of the site access and internal site roads, further details of the proposed access into the site (to include provision for a pedestrian footway into the site on the southern side of the access and a crossing point across the internal access road) and all surface materials to be used in the parking areas and carriageways within the site, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety and to ensure compliance with Policies MD1 and MD2 of the LDP.

6. No development shall commence until a scheme has first been submitted to and approved by the Local Planning Authority, to remove part of the existing layby to the front of Llangan Primary School that lies within an 82m vision splay from the site access (measured at 3m x 82m and as shown on plan C1103 C-SK006) and the scheme thereby approved shall be completed, prior to the commencement of any of buildings hereby approved and thereafter maintained in perpetuity.

Reason:

In the interests of highway safety and to ensure compliance with Policies MD1 and MD2 of the LDP.

7. Prior to the first beneficial occupation of any of the dwellings or new offices, a timing plan for the stopping up of the existing vehicular access to Cwrt Canna shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be stopped up in accordance with the approved timescales.

Reason:

In the interests of highway safety and to ensure compliance with Policies MD1 and MD2 of the LDP

8. Full details of a scheme for surface water drainage (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. The details shall include an

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assessment of the potential to dispose of surface and land water by sustainable means and the scheme shall ensure that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

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.

9. Prior to the commencement of development, a water quality risk assessment and construction environmental plan, which consider any potential risks to groundwater, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with any recommendations and measures contained in the approved risk assessment and construction environmental plan.

Reason:

In the interests of environmental protection and to ensure compliance with Policy MD7 of the LDP.

10. 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 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.

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

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the

No.

environment and to ensure the development accords with Policies MD2, MD5 and MD7 of the Local Development Plan.

12. Prior to the commencement of the development, a detailed contamination remediation scheme and verification 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 / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017),, 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, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policy MD7 of the LDP.

13. The remediation scheme approved by condition 12 above must be fully undertaken in accordance with its terms prior to the occupation of any part of the development, or in accordance an alternative set of timescales that shall first be approved in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of the 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 / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017),, 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



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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, and to ensure compliance with Policy MD7 of the LDP.

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

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policies MD2, MD5 and MD7 of the Local Development Plan.

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

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 and to ensure compliance with Policies MD1 and MD7 of the LDP.

16. Prior to the first beneficial occupation of any of the dwellings, a scheme for the provision and maintenance of all public open spaces (including the layout of the children's play equipment, the timing of its provision and any enclosures around the pond) shall be submitted to and approved in writing by the Local Planning Authority.

No.

Reason:

To ensure the timely provision of the public open space and to ensure compliance with Policies ENV 27 and REC 3 of the Unitary Development Plan.

17. Prior to the first beneficial occupation of any dwelling, a scheme of landscaping (including details of the perpetual management and maintenance of the landscaping areas) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees 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 MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

18. 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 MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

19. Prior to the commencement of development, a scheme for the protection and enhancement of biodiversity on site to be submitted to, and approved by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved scheme.

Reason:

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

20. The residential units hereby approved shall be delivered by a Housing Association Partner (Hafod Housing, Newydd Housing, United Welsh Housing or Wales & West Housing) of the Vale of Glamorgan Council and shall only be occupied as affordable housing that meets 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.

No.

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.

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, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG7 – Provision of Community Facilities, MG17 – Special Landscape Areas, MG22 – Development in Minerals Safeguarding Areas, MD1 - Location of New Development, MD2 - Design of New Development, MD3 - Provision for Open Space MD4 - Community Infrastructure and Planning Obligations, MD6 - Housing Densities, MD7 - Environmental Protection, MD8 - Historic Environment, MD9 - Promoting Biodiversity MD10 - Affordable Housing Developments outside Settlement Boundaries, MD14 - New Employment Proposals of the Vale of Glamorgan Adopted Local Development plan 2011-2026, and the advice within Planning Policy Wales 10th Edition, Technical Advice Notes 2, 6, 12, 16 and 23, and the Council's Supplementary Planning Guidance on Affordable Housing, Biodiversity and Development, Design in the Landscape, Parking Standards (Interactive Parking Standards Zones Map), Planning Obligations, Residential and Householder Development, Sustainable Development - A Developer's Guide and Trees, Woodlands, hedgerows and Development, the proposed development is considered acceptable in terms of the principle of the uses, design and visual impact, sustainability, highway safety, parking, impact on neighbours, amenity space provision, drainage ecology and open space.

**2018/00996/FUL Received on 6 September 2018**

(p70)

Applicant :Mr. and Mrs. Graham-Wride c/o Agent

Agent : Andrew Parker Architect, The Great Barn, Lillypot, Bonvilston, Vale of Glamorgan, CF5 6TR

No.

### **Clawdd Coch, Pendoylan**

Proposed demolition of agricultural barn and outbuildings. Proposed new dwelling with detached garage with hobby room over

#### **DEFERRED**

With a view to approve the application contrary to officers recommendation and to allow the consideration of the following:

- (i) Relevant necessary planning conditions
- (ii) Receive confirmation from the applicant that they will enter into a S106 for affordable housing/self-build exemption
- (iii) Consider any other outstanding matters relevant should the application be approved.

#### **2018/01232/FUL Received on 13 November 2018**

(p89)

Applicant : Mr Jonathan Bird Dyffryn Springs, 1, Home Farm Bungalow, St Lythans Road, Dyffryn, CF5 6SU

Agent : Mr Tasos Asprou 1010 Architects, Studio 1, The Coach House, Stanwell Road, Penarth, CF64 3EU

### **Dyffryn Springs, St. Lythans Road, Dyffryn**

Construction of a two storey building with a wedding venue function

#### **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:

- Location Plan, Drg. No. ES 01;
- Existing Elevations, Drg. No. EE 01;
- Proposed Site Plan, Drg. No. AS 01;
- Proposed Elevation South West Facing, Drg. No. AE 01 Rev 2;
- Proposed Elevation North East Facing, Drg. No. AE 02 Rev 2;
- Proposed Elevations South East North West Facing, Drg. No. AE 03 Rev 2;
- Proposed Elevations Section, Drg. No. AE 02;
- Proposed Ground Floor Plan, Drg. No. AL 01 Rev 1;
- Proposed First Floor Plan, Drg. No. AL 02 Rev 1;

No.

- Proposed Roof Plan, Drg. No. AL 03;
- All received 5 November 2018; and
- Design and Access Statement, received 28 November 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. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, or any Order amending, revoking or re-enacting that Order, the principal uses of the development hereby permitted shall be to serve the existing Dyffryn Springs fishery and wedding venue businesses, and any other use shall be solely ancillary to those uses, and this consent shall not relate to any other use falling within Class D2.

Reason:

The site is located within the countryside where development is only justified in connection with the existing rural enterprise in accordance with policies SP1-Delivering the Strategy, and MD17-Rural Enterprise of the Local Development Plan, and national guidance contained in Planning Policy Wales and TAN6-Planning for Sustainable Rural Communities.

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

Reason:

To control light pollution and in the interests of visual amenity and the character and appearance of the Dyffryn Basin and Ridge Slopes Special Landscape Area in accordance with Policies SP1-Delivering the Strategy, MG17-Special Landscape Areas; MD1-Location of New Development, MD2-Design of New Developments, and MD7-Environmental Protection of the Local Development Plan.

5. No development shall commence on site until a detailed scheme for the surface water drainage of the site, showing how road and roof/yard water will be dealt with, has been submitted to and approved in writing by the Local Planning Authority. The details shall include field percolation tests; calculation for any onsite attenuation or discharge; and full engineering details of drainage assets and a written declaration detailing responsibility for the adoption and maintenance of all elements of the drainage system prior to beneficial occupation. The development shall be implemented in full accordance with the approved scheme of drainage, prior to the first beneficial use of the building here by permitted.

Reason:

No.

To ensure the effective drainage of the site and that no adverse impact occurs to the environment, including the increase of flood risk elsewhere in accordance with SP1-Delivering the Strategy, MD1-Location of New Development, and MD7-Environmental Protection of the Local Development Plan.

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

Reason:

To safeguard the watercourse from pollution in accordance with Policies SP1-Delivering the Strategy, MD1-Location of New Development, 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.

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, SP9-Minerals, SP10-Built Natural Environment, SP11-Tourism and Leisure, MG17 - Special Landscape Areas, MG22-Development in Minerals Safeguarding Areas, MG29-Tourism and Leisure Facilities, MD1-Location of New Development, MD2-Design of New Development, MD7-Environmental Protection, MD8-Historic Environment, MD13-Tourism and Leisure, MD14-New Employment Proposals, and MD17-Rural Enterprise of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; Supplementary Planning Guidance, including Design in the Landscape, Minerals Safeguarding, and Parking Standards; and national guidance contained in Planning Policy Wales (Edition 10, 2018), TAN6-Planning for Sustainable Rural Communities, TAN12-Design, TAN13-Tourism, TAN15-Development and Flood Risk, TAN23-Economic Development, and TAN24-The Historic Environment, it is considered that this revised proposal still represents an acceptable form of farm diversification, the benefits of which outweigh any limited adverse visual impact the proposal will have on the character and appearance of the surrounding countryside, including the Dyffryn

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Basin and Ridge Slopes Special Landscape Area. The proposal should also not result in any harmful impact on neighbouring amenity or highway safety.