

## PLANNING COMMITTEE

Minutes of a meeting held on 28<sup>th</sup> February, 2019.

Present: Councillor B.T. Gray (Chairman); Councillor V.P. Driscoll (Vice-Chairman); Councillors J.C. Bird, L. Burnett, Mrs. P. Drake, N.P. Hodges, Dr. I.J. Johnson, P.G. King, Ms. 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.

<b>Name of Speaker</b>	<b>Planning Application No. and Location</b>	<b>Reason for Speaking</b>
Mr. J. Hurley	2018/01358/OUT - The Goods Shed, Hood Road, Barry	Applicant or their representative
Mr. J. Hurley	2018/01359/OUT - Land East of Goods Shed, Hood Road, Barry	Applicant or their representative
Mr. J. Hurley	2018/01108/OUT - Land at Subway Road, Barry	Applicant or their representative

### 789 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.”

### 790 APOLOGY FOR ABSENCE -

This was received from Councillor Mrs. C.A. Cave.

### 791 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 31<sup>st</sup> January, 2019 be approved as a correct record.

### 792 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 the scheme. Councillor Parker was not able to speak or vote on the application and withdrew for the item.

Councillor J.C. Bird declared an interest in respect of Application No. 2018/01358/FUL and 2018/01359/FUL - The Goods Shed and Land East of the Goods Shed, Hood Road, Barry. The nature of the interests were that Councillor

Bird was a Member of the Working Board for the schemes. Councillor Bird was not able to speak or vote on the applications and withdrew for both items.

### 793 SITE INSPECTIONS (MD) -

RESOLVED - T H A T the attendance of the following Councillors at the site visit indicated below on 31<sup>st</sup> January, 2019 be noted:

Apologies for Site visit (a) were received from Councillors L. Burnett, Mrs. P. Drake, Dr. I.J. Johnson, P.G. King, Mrs. R. Nugent-Finn, A.C. Parker, R.A. Penrose, N.C. Thomas and E. Williams.

Apologies for Site visit (b) were received from Councillors L. Burnett, Mrs. C.A. Cave, Mrs. P. Drake, Dr. I.J. Johnson, P.G. King, Mrs. R. Nugent-Finn, A.C. Parker, R.A. Penrose, N.C. Thomas and E. Williams.

(a) Woodside Hamlet, Ham Manor, Llantwit Major	Councillor B.T. Gray (Chairman); Councillor V.P. Driscoll (Vice-Chairman); Councillors J.C. Bird and Mrs. C.A. Cave. Also present: Councillors G. John, Mrs. S.M. Hanks and Mrs. J.M. Norman.
(b) Ty Isaf, Drope Road, Drope	Councillor B.T. Gray (Chairman); Councillor V.P. Driscoll (Vice-Chairman); Councillor J.C. Bird.

### 794 BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS (HRP) -

RESOLVED -

(1) T H A T the passed building regulation applications as listed in Section A of the report be noted.

(2) T H A T the rejected building applications as listed in Section B of the report be noted.

(3) T H A T the serving of Notices under Building (Approved Inspectors Etc.) Regulations 2000, as listed in Section C of the report, be noted.

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

795 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

2015/01403/1/C D	A	Coed y Colwn Barn, Llancarfan	Discharge of Conditions 3 (Panel Height), 4 (Protection of Breeding Birds) and 5 (Landscaping) of planning permission 2015/01043/FUL for a proposed off grid solar panel system and associated plant room, to serve the conversion of a redundant barn to tourist accommodation.
2016/00559/1/C D	A	1, Parkside, Bonvilston	Discharge of Condition 5- Further details re: access of 2016/00559/FUL
2016/00809/6/C D	A	Land to the rear of Westgate (East of Eagle Lane), Cowbridge	Discharge of Condition 19 - Travel Plan - redevelopment to form 37 apartments for the elderly with associated works

2017/00646/1/C D	A	Lane End, Michaelston Le Pit Road, Michaelston Le Pit	Discharge of Conditions 8- Landscaping and Condition 9 - Drainage of planning application 2017/00646/FUL for refurbishment of the existing cottage; provision of an ancillary dwelling; and a replacement barn including the reinstatement of pond
2017/00724/3/N MA	A	Plots 21-25, Caerwent Gardens, off Caerleon Road, Dinas Powys	Non Material Amendment - Repositioning of plots 21 - 25 at Caerwent Gardens, Dinas Powys, by up to 4m and minor amendment to alignment of private drive
2017/00910/3/N MA	A	The Rectory, Port Road, Wenvoe	Non Material Amendment - Regularise the list of approved plans and documents listed under Condition 2 and Condition 12. Planning permission ref: 2017/00910/FUL - Development of 12 dwellings and associated infrastructure at land at The Rectory, Wenvoe
2017/01136/1/N MA	A	Former St. Cyres Lower School, Murch Road, Dinas Powys	Non Material amendment - Amend the wording of Condition 11 (Drainage Strategy). Planning permission ref: 2017/01136/HYB - Hybrid application comprising Full application for residential development for 215 units, highways and drainage infrastructure and associated landscaping; and Outline application in respect of the community and recreational use zone

2017/01337/4/C D	A	St. Pauls Church Hall, Arcot Street, Penarth	Discharge of Condition 15 (Levels) of 2017/01337/FUL
2018/00092/1/C D	A	Provincial House, Kendrick Road, Barry	Discharge of Condition 3 - Materials. Planning Permission ref. 2018/00092/FUL : Change of use and conversion of building to provide 32 affordable residential units, external alterations and associated works
2018/00226/2/N MA	A	Dan Yr Allt, Corntown Road, Corntown	Non-Material Amendment - Smaller scale prestige orangery. Planning ref: 2018/00226/FUL. Rear extension
2018/00461/1/C D	A	Ruscombe House, Westgate, Cowbridge	Proposed extensions and alterations
2018/00559/FUL	A	Church Farm Barns, Adjacent to Heol Las, Monknash	Conversion of existing barns to 4 no. holiday lets with associated parking and ancillary works
2018/00569/LBC	A	Church Farm Barns, Adjacent to Heol Las, Monknash	Conversion of existing barns to 4 no. holiday lets with associated parking and ancillary works
2018/00625/FUL	A	13, Main Avenue, Peterston Super Ely	Demolition of existing garage, construction of new dwelling and associated works
2018/00630/FUL	A	Thompson Street Estate, (Avocet Court/Kingsland Crescent) Barry	Communal bin stores

2018/00631/FUL	A	The Plug, 13a-15, Station Road, Dinas Powys	Change of use from a hairdressers to a coffee shop. Already an existing coffee shop in 13a which has been extended into 15, Station Road. Also changes to the front elevation of 15
2018/00921/LBC	A	Penllyn Castle, Penllyn	Alterations of part of roof from stone tiles to natural slate
2018/00965/FUL	A	Llwynhelig Cottage, Llwynhelig, Cowbridge	Replacement dwelling
2018/01049/FUL	A	Ewenny Quarry, St. Brides Road, Ewenny	Variation of Condition 28 of Planning Permission 2003/01554/FUL to remove criteria b), c), d) and e) relating to the size of explosive charges, blast unit delay, detonating cord depth and blast hole stemming
2018/01066/FUL	A	5, Old Port Road, Wenvoe	Proposed demolition of rear single storey flat roof extension and rear conservatory. Construction of rear, single storey flat roof extension, single storey front extension and rear flat roof dormer. Erection of rear store and enclosed courtyard with change to door and window arrangement throughout

2018/01103/FUL	A	3, Byrd Crescent, Penarth	Demolition of existing conservatory and the construction of a new two storey extension on the rear of the dwelling, incorporating an enlarged kitchen area, and an additional bathroom and rearranged bedrooms on the first floor. Proposal also includes a new Juliet balcony on the rear elevation and new first floor window on side elevation
2018/01109/FUL	A	Middle Hill, Walterston	Proposed two storey residential extension to existing house
2018/01124/FUL	R	7, Dunster Drive, Sully	First floor extension above existing ground floor bedroom and front dormer roof extension
2018/01127/FUL	A	32, Robert Street, Barry	2 Storey side extension and ground floor rear extension
2018/01139/LBC	A	Woodlands Lodge, Hayes Road, Sully	The conversion of a former mortuary to a dwelling house - seeking retrospective approval of details reserved by Conditions 3 and 5 listed building consent ref: 2017/00679/LBC
2018/01154/FUL	A	2, Cornerswell Place, Penarth	Single extension to side of house for downstairs toilet
2018/01191/FUL	A	61, Redlands Road, Penarth	Dropped kerb (single car width) outside front of house to access new driveway
2018/01198/FUL	A	Land at Lydmore Mill Farm, Dyffryn	Construction of Manege and fencing

2018/01200/FUL	A	17A, Norseman Close, Rhoose	Alteration to existing conservatory to include replacing glass roof with felt, batten and tile with four Velux windows
2018/01201/FUL	A	Westra Court, Dinas Powys	Variation of Condition 7 (screening and balcony safeguarding) of Planning Permission ref. 2009/00377/FUL for two storey, three bedroom house with vehicular access, compliant to code for sustainable homes level 4
2018/01204/LBC	A	Lower Porthkerry Farm, 1, Porthkerry Road, Rhoose	Replace 10 windows from single glazed wood to double glazing wood windows
2018/01206/FUL	A	Kenson Cottage, Barren Hill, Penmark	Erect pitched roof porch. Erect potting shed in garden opposite cottage
2018/01213/FUL	A	3, Seaview Cottages, Twyn Yr Odyn	Free standing balcony
2018/01216/FUL	A	6, Llanmead Gardens, Rhoose	Erection of 1800mm high feather edge timber fence to the rear of the existing footpath to enclose the property's side garden
2018/01217/FUL	A	Broad Street Car Wash, Broad Street, Barry	To reverse the ingress and egress arrangement and allow erection of a semi enclosed valet area to replace the existing mobile valet canopy and allow for the existing mobile canopy to be moved to a range of central positions on the site



2018/01223/FUL	A	2, Ceri Avenue, Rhoose	Two storey extension to side of existing dwelling inc. garage and utility area on ground floor and new bedroom and playroom on first floor. Porch to front.
2018/01229/FUL	A	Unit 6, Cos - The Complete Office Solution, Ty Verlon Industrial Estate, Barry	Change of use of premises to Builders Merchant, external storage yard, single storey front extension and two storey rear extension
2018/01231/1/N MA	A	Canna Studio, Ruthin Road, Llangan	Non Material Amendment - To vary Condition No. 2 (to delete reference to the submitted drainage plans, drawings SK003A and SK005A) and Condition No. 8 (to include a requirement for foul drainage details, as well as the surface water drainage details, to be submitted and agreed by the Local Planning Authority).
2018/01235/FUL	A	174, Westward Rise, Barry	Extension of existing raised patio and creation of store underneath
2018/01246/ADV	R	Nisa, 1, Vere Street, Barry	New fascia and signage
2018/01248/FUL	A	71, Porth-y-Castell, Barry	Renewal of Planning Applications ref. 2013/01096/FUL and 2008/01506/FUL - Kitchen dining room extension
2018/01252/FUL	A	38, Nightingale Place, Dinas Powys	Erection of timber summerhouse and combined garden storage unit at far end of garden
2018/01256/LBC	A	Mount Pleasant Farm, Llangan	Installation of CCTV cameras

2018/01261/FUL	A	24, Harbour Road, Barry	Retrospective application to retain rear replaced conservatory
2018/01263/FUL	A	Maes Y Deri, Gwern Y Steeple, Peterston Super Ely	Addition of second storey to existing dormer bungalow and general remodelling and visual enhancement
2018/01264/FUL	A	Castle Bungalow, Peterston Super Ely	Proposed new roof to include roof extension and dormer windows to front and rear, to provide bedroom accommodation in roof space
2018/01270/LAW	A	97, Cornerswell Road, Penarth	Loft conversion with Hip to Gable and rear dormer
2018/01274/FUL	A	20, Sycamore Crescent, Barry	Material alteration of external appearance and porch extension
2018/01278/FUL	A	45, Pontypridd Road, Barry	New front dormer extension and replacement rear dormer extension
2018/01283/FUL	A	35, Plassey Street, Penarth	Ground floor rear extension and loft conversion with rear dormer
2018/01286/FUL	A	OS field parcel 0946, Newton House Farm, Newton	Stable block with concrete apron to front
2018/01287/FUL	A	3, Croft Street, Cowbridge	Removal of mono pitch roof to ground floor rear extension (existing) with 1st floor bedroom extension above existing kitchen
2018/01289/FUL	A	93A, Westbourne Road, Penarth	Single storey outbuilding to rear garden to provide storage and gym

2018/01291/FUL	A	92, Stanwell Road, Penarth	Replacement of wooden sash windows with white uPVC sash windows to rear of dwelling
2018/01293/FUL	A	Rose Cottage, Colwinston, Cowbridge	To replace existing wooden fence at front perimeter of garden with a stone wall, to replace existing garden shed with a summer house and tool store to provide a new garden shed
2018/01298/FUL	A	Manorstone House, Treerhyngyll	Proposed alterations and extensions to existing property
2018/01299/ADV	A	Ty Hafan, 29, High Street, Cowbridge	To remove the shop canopy and replace with fascia sign. To install a sign next to the shop door
2018/01300/FUL	A	32, Clinton Road, Penarth	Proposed two storey front, side and rear extension and other internal alterations
2018/01302/FUL	A	2, Longmeadow Drive, Dinas Powys	Proposed ground floor rear extension
2018/01303/FUL	A	6, Robinswood Close, Penarth	Extension to side of house above existing garage with additional dormer constructions and rooflights
2018/01304/FUL	A	19, Maes Illtuds, Llantwit Major	Proposed single storey extensions to rear and side of property
2018/01308/FUL	A	Chelsea Cottage, 47, Highwalls Avenue, Dinas Powys	Rear single storey extension to replace existing. Garage to replace existing at side rear of property
2018/01309/FUL	A	Iscoed, Rose Lane, Ewenny	Demolition of conservatory and new sun room extension

2018/01320/FUL	A	55, Golwg Y Coed, Barry	Conversion of integral garage to habitable room. Removal of garage door, with installation of window and rendered blockwork to match existing
2018/01321/LAW	A	76, Port Road East, Barry	Construction of single storey rear extension with roof conversion consisting of Hip to Gable to rear roof slope
2018/01322/FUL	A	28, Masefield Road, Penarth	Two storey rear and side extensions with single storey lean to extension to front
2018/01327/FUL	R	Pentre Meyrick House, Ruthin Road, Pentre Meyrick	Change of use of part of existing paddock into residential use. Creation of high quality landscaping on this area of land and the construction of a macadam tennis court with 8 foot chain link fencing enclosing it
2018/01329/FUL	A	New Broad Street Motors, Ty Verlon Industrial Estate, Barry	Division of existing unit with alterations to window and door openings
2018/01331/FUL	A	Kendal House, Penllyn	Demolition of existing single storey rear projection and erection of part two, part single storey rear extension, alterations to fenestration and removal of existing pitched roof to swimming pool and replacement with a flat roof
2018/01332/FUL	A	Ashwood House, Ystradowen	Rear single storey extension
2018/01333/FUL	A	Ty Cerrig, Bonvilston	The widening of an existing agricultural track

2018/01336/FUL	A	192, Lavernock Road, Penarth	Two storey side extension to replace existing single storey side extension, and single storey rear extension
2018/01340/FUL	R	3, Heol Y Mynydd, Welsh St. Donats	New two storey extension to include kitchen and dining area on ground floor and bedroom and bathroom on first floor. New attic store room to include new dormer and roof lights
2018/01341/FUL	A	5, Llys Dwynwen, Llantwit Major	Single storey rear extension and two storey side extension
2018/01347/FUL	A	28, Melyn Y Gors, Barry	Single storey extension and lowering of rear garden level
2018/01353/FUL	A	2, Brynteg Cottages, Tredodridge	Two storey extension on East elevation of existing dwelling and single storey extension to the South front elevation together with general refurbishment of existing dwelling
2018/01357/FUL	A	15, Lynmouth Drive, Sully	Proposed alterations to dwelling including construction of new roof with dormer windows to front
2018/01360/FUL	A	7, Coleridge Avenue, Penarth	Proposed loft conversion with Hip to Gable and rear dormers, single storey rear extension and side extension in place of existing garage. All materials to match the existing
2018/01362/FUL	A	10, Park Road, Penarth	Retrospective permission for balcony on rooftop with glass balustrade

2018/01364/FUL	A	25, Wordsworth Close, Llantwit Major	Proposed alterations and extension to existing property
2018/01366/FUL	A	41-42, Park Crescent, Barry	To part convert existing convenience store/post office with A1 use to new Cafe with A3 usage (existing lock up shop A1 use to remain) - the work would include reinstatement to separate residential occupation of 41 and 42, Park Crescent, Barry
2018/01371/FUL	A	29, West Terrace, Penarth	Loft conversion, rear extension adaptations and additional first floor window to west elevation
2018/01378/FUL	A	27, Glyn Y Gog, Rhoose	Ground floor rear extension
2018/01379/FUL	A	39, Heol Tre Forys, Penarth	Single storey rear extension
2018/01387/LAW	A	13, Dingle Road, Penarth	Construction of two dormers to the rear forming an "L", all windows to face rear garden. New Veluxs installed in the front principle elevation. Removal of chimney breast in bedroom 3 and window relocated to centre of room on rear elevation
2018/01397/LAW	A	32, Dock Street, Cogan, Penarth	Side extension
2018/01398/FUL	A	Hill Cottage, Llantrithyd	Single storey rear extension
2018/01402/LAW	A	9, Regency Close, Llantwit Major	Construction of conservatory addition to rear elevation

2018/01409/FUL A 6, Hastings Place, Penarth Single storey rear and side extension with front porch and associated alterations

796 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 the enforcement appeal as received in Section B of the report be noted.
- (3) T H A T the Planning Appeal decisions as listed in Section C of the report be noted.
- (4) T H A T it be noted that no Enforcement Appeal decisions had been received.
- (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.

797 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

2018/01211/TPO	A	Greystones House, Llanmaes	Work to trees covered by TPO No. 1 of 1977
2018/01225/TPO	A	4, Campbell Court, St. Nicholas	Felling and removal of diseased, dying and dangerous single Ash tree located to the rear garden boundary

2018/01250/TPO	A	Beechwood College Ltd, Hayes Road, Sully	Work to trees covered by TPO No.4 of 2001 - Removal of dead wood, fell dead/dying/diseased trees and reduce height
2018/01260/TPO	A	The Captains Wife, Beach Road, Swanbridge	Works to trees covered by TPO No. 6, 1952 - Pollard Sycamore Tree
2018/01301/TPO	A	Hillbrow, Colhugh Street, Llantwit Major	Work to Trees covered by TPO No.3 of 1977 - Remove Cherry, crown lift Sorbus, reduce Ash and Sycamore
2018/01323/TPO	A	Long Acre, Highlight Lane, Barry	Work to Trees covered by TPO No. 7 of 2006 - Cut back all trees to boundary line & re-balance. Crown Reduction of 30% including height reduction of 3 metres (TPO covers 5 sycamores)
2018/01326/TCA	A	The Lindens, Bradford Place, Penarth	Work to trees in Penarth Conservation Area
2018/01339/TPO	A	1, Maillards Haven, Penarth	Works to Lime tree covered by TPO number 1 of 1988
2018/01344/TCA	A	11, Church Avenue, Penarth	Work to Trees: To reduce the sides of the crown by a third, Pollard the top to the previous pollarded point. Tree located in the front property
2018/01345/TPO	A	The Lindens, Bradford Place, Penarth	Work to trees
2018/01349/TPO	A	September View, 4, Ashgrove, Dinas Powys	Work to Trees (TPO No. 02 of 1954)
2018/01351/TCA	A	Woodlands House, Bonvilston	Works to trees in the Bonvilston Conservation Area



2018/01367/TCA	A	Beech Tree House, Great House Meadows, Llantwit Major	Reduction of cherry tree by 25%. Reduction of Oak tree by 25% and crown lift. Reduction of Sweet Chestnut by 25%
2018/01372/TPO	A	Front garden of 61, Walston Road, Wenvoe	Work to Ash tree covered by TPO No. 01 of 2003, reduce due to proximity to cracked wall
2018/01375/TCA	A	27, Victoria Road, Penarth	Work to trees in Penarth Conservation Area - Reduce apple tree and remove Horse Chestnut in rear garden
2018/01394/TPO	A	Llanblethian Playing Fields, Piccadilly, Llanblethian, Cowbridge	Works to trees covered by TPO number 7 of 1973 - Reduce line of semi mature Ash trees to 3 ft.
2018/01395/TCA	A	Holy Cross Church, Church Street, Cowbridge	Work to trees in Cowbridge Conservation Area - Reduction of Yew tree
2018/01399/TCA	A	To Hesg, Colhugh Street, Llantwit Major	Work to Trees: Removal of two Leylandii trees on the boundary between To Hesg and Croft Cottage, Colhugh Street, Llantwit Major. The trees are on the To Hesg side of the boundary

#### 798 PLANNING APPLICATIONS (HRP) -

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

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

**2018/01358/FUL** Received on 17 December 2018

(p30)

**Applicant:** DS Properties (Goods Shed) Ltd, c/o Agent

**Agent:** Miss Louise Darch WYG, 5th Floor, Longcross Court, 47, Newport Road, Cardiff, CF24 0AD

**The Goods Shed, Hood Road, The Innovation Quarter, Barry**

Change of use, conversion and alterations to the Goods Sheds to provide a mixed use scheme comprising 11 live-work units (sui generis/ Class C3 use), restaurant (Class A3 use), technology hub/community workshop (Class A1, A2, B1 and/or D1 use) and flexible events space (Class A1, A2, A3 and/or D1 use), erection of entrepreneurial incubator business units not exceeding 68 units (converted shipping containers) (Class A1, A3, B1, D1 and/or D2 use), drive-thru coffee shop (Class A3), outdoor cinema (Class D2), farmers market/pop-up street food area (Class A1 and/or Class A3), children's playground (Class D2), access and servicing arrangements, car parking and associated works.

**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:

A126 A, A127, A128 A, A129, A130, A131, A132, A133, A134, A135, A136, A137, A138, A139, A140 and A141.

Reason:

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

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

Reason:

To safeguard local visual amenities, as required by Policies SP1 and MD2 of the Local Development Plan.

4. The 'live-work' units hereby approved shall be used for residential purposes falling within Class C3 of the Town and Country Planning (Use Classes) Order 1987 or as live/work units falling within Class B1(a) and C3 of the Town and Country Planning (Use Classes) Order 1987.

Reason:

In order to ensure a satisfactory and sustainable form of development which will support and enhance the local rural community and in order for the development to comply with Policies SP1, MD2 and MD7 of the Local Development Plan.

5. The converted Goods Shed and the steel container village shall only be used for the following uses, from the Town and Country Planning (Use Classes) Order 1987:

Converted Goods Shed ground floor-

Uses within classes A3, B1 and D1 or D2.

Steel container village-

Ground floor- up to 20% in use class A1 and the remainder in use class A3. First and second floors combined – Uses within classes A1, A2, A3, B1, D1 or D2 (of which no more than 20% in total shall be in use class A1). Third floor- Uses within class A3 for the unit identified on plan A134 as 'unit 36' and uses within classes A2, A3, B1, D1 or D2 for the remaining third floor units.

Reason:

In order to ensure that the development is composed of an appropriate mix of uses, to control retail impact and to ensure compliance with Policies SP1, MD2 and MG13 of the Local Development Plan.

6. 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) the delivery routes and delivery timings for all plant, materials and steel containers

- iv) storage of plant and materials used in constructing the development;
- v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi) wheel washing facilities;
- vii) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- ix) hours of construction;
- x) lighting;
- xi) the location of any site compound
- xii) management, control and mitigation of noise and vibration;
- xiii) odour management and mitigation;
- xiv) diesel and oil tank storage areas and bunds;
- xv) how the developer proposes to accord with the Considerate Constructors Scheme ([www.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)) during the course of the construction of the development; and
- xvi) a system for the management of complaints from local residents which will incorporate a reporting system.

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

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policy / Policies SP1 (Delivering the Strategy) / MD7 (Environmental Protection) of the Local Development Plan.

7. Prior to any use commencing (with the exception of the residential/live work uses in the upper floors of the Goods Shed) details of the hours of opening/operation for that use (for staff and customers) shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the hours of use for the outdoor spaces, including the space between the Goods Shed and the container village (identified on plan A130 as kids park/performance space), any outdoor seating areas associated with commercial uses and the farmers market.

The uses shall only be carried out in accordance with the approved hours.

Reason:

In the interests of public and residential amenity and to ensure compliance with Policies MD2 and MD7 of the Local Development Plan.

8. Prior to their erection/installation, details of any fume extraction and odour attenuation equipment associated with the A3 units shall be submitted to and approved in writing by the Local Planning Authority.

## Reason

To ensure that the amenity of the area is safeguarded and to ensure the development accords with Policies SP1 and MD7 of the Local Development Plan.

9. Prior to the first beneficial use of the ground floor units in the Goods Shed and any unit in the container village, details of a scheme of noise attenuation (to include details of the floor between the residential/live-work units and commercial units in the Goods Shed) shall be submitted to and approved in writing by the Local Planning Authority. The noise attenuation shall be carried out prior to the first beneficial use of the commercial/non-residential use/unit that it relates to and so retained at all times thereafter.

## Reason:

To safeguard residential amenity and to ensure compliance with the terms of Policies SP1, MD2 (Design of New Developments) and MD7 of the Local Development Plan.

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

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwaters and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- ecological systems,
- archaeological sites and ancient monuments; and
- any other receptors identified at (i)

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017),, unless the Local Planning Authority agrees to any variation.

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

Reason:

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

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

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

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) 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 (to include details of procedures for sampling) 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.

Reason:

To ensure that the safety of future occupiers is not prejudiced and to ensure compliance with Policy MD7 of the LDP.

14. Any means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority, prior to their erection/implementation.

Reason:

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

15. No development shall commence until details of a scheme of foul, land and surface water drainage has been submitted to and agreed in writing by the Local Planning Authority. The scheme (which shall include details of the perpetual management and maintenance of the system) shall be implemented in accordance with the approved details prior to the first beneficial use of the part of the development that it relates to, and it shall be so retained in perpetuity.

Reason:

To prevent hydraulic overloading of the public sewerage system, pollution of the environment and to protect the health and safety of existing residents and ensure no detriment to the environment and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Local Development Plan.

16. The development shall at all times be carried out in accordance with the measures and recommendations as set out in the Wildwood Ecology Ecological Impact Assessment (WWE18158 ECIA REV B). The enhancement measures listed in the assessment shall be retained at all times thereafter.

Reason:

In the interests of ecology and to ensure compliance with Policy MD9 of the LDP.

17. Prior to their use in the development hereby approved, further details of all doors, windows, rooflights and rainwater goods, and sections of the construction of the glazed extension and glazed canopy to the Goods Shed shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason:

In the interests of visual amenity and to ensure compliance with Policy MD2 of the LDP.

18. Prior to the first beneficial use of the steel container village, further details of the external treatment of the steel containers (to include colours, orientation (i.e. the pattern of fronts and backs) of the units on the Hood Road elevation, specific details of artwork/decoration on the ground floor elevation facing Hood Road, and the colour and external appearance of the drive-thru unit)



shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out and maintained in accordance with those details.

Reason:

In the interests of visual amenity and to ensure compliance with Policies MD2 and MD5 of the LDP.

19. Prior to the first beneficial use of the development, further details of the external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority, and the development shall thereafter be carried out and at all times maintained in accordance with the approved details.

Reason:

In the interests of visual and residential amenity and to ensure compliance with Policies MD2 and MD7 of the LDP.

20. Prior to the first beneficial occupation of the development, a scheme of landscaping (to include details of soft planting and hard landscaping materials) shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

21. 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 building that the landscaping relates to, 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. The hard landscaping shall be carried out in accordance with the approved details prior to the first beneficial use of the part of the site that it relates to and it shall be so maintained at all times thereafter.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policy MD2 (Design of New Developments) of the Local Development Plan.

22. Notwithstanding the submitted plans and prior to the first beneficial use of the development, the vehicular accesses from Hood Road, the internal site roads and the two parking areas shall be fully completed in accordance with further details, that shall have first been submitted to and approved in writing by the

Local Planning Authority, prior to the commencement of work to construct them. The accesses and parking areas shall be retained at all times thereafter, to serve the development.

Reason:

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

23. Notwithstanding the submitted details, a parking management plan shall be submitted to and approved in writing by the Local Planning Authority, and this shall include details of which parking spaces will serve which element of the development hereby approved, their hours of use, and the means to allocate and enforce parking allocations for the residential properties.

Reason:

In order to ensure that the respective parts of the development are served by adequate parking, and to ensure compliance with Policy MD2 of the LDP.

24. Prior to its first beneficial use, an operation plan for the drive thru unit shall be submitted to and approved in writing by the Local Planning Authority, to include measures to minimise queuing towards the highway, details of any customer waiting areas, location of the collection/payment kiosk, management of the internal access road and circulation areas.

Reason:

In the interests of highway safety and to ensure compliance with Policies MD2 and D5 of the LDP.

25. Prior to the first beneficial use of any element of the development hereby approved, further details of proposed arrangements for commercial deliveries, servicing and all waste collection (to include hours/timings) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be operated and serviced in accordance with the approved details.

Reason:

In the interests of highway safety and to ensure compliance with policies MD2 and MD5 of the LDP.

26. Prior to the first beneficial use of the development hereby approved, a scheme for the regulation of on street parking along Hood Road (including timescales for implementation) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented (by means of

a Traffic Regulation Order if necessary) in accordance with the approved details.

Reason:

In the interests of highway safety and the free flow of traffic and to ensure compliance with Policies MD2 and MD5 of the LDP.

27. Prior to the first beneficial use of the development hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, which shall include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use. The Travel Plan shall thereafter be completed in accordance with the approved details.

Reason:

To ensure the development accords with sustainability principles and that site is accessible by a range of modes of transport in accordance with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

28. Prior to the first beneficial use of the development hereby approved, a management/operation plan for the outdoor spaces within the site shall be submitted to and approved in writing by the Local Planning Authority, and the development shall only be operated in accordance with the approved details. The details shall include hours of use of all outdoor areas, the specific location of the farmers market, the nature/range and timing of events within the 'performance space', details of any play equipment, details of the location and type of any cinema screen, and details of the amplification of sound or music associated with an outdoor cinema or any other activity within the site.

Reason:

In the interests of residential amenity and to ensure compliance with Policy MD2 of the Local Development Plan.

### Reason for decision

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan 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, SP10 – Built and Natural Environment, SP11 – Tourism and Leisure, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG13- Edge and Out of Town Retailing Areas, MD1 - Location of New Development, MD2 - Design of New Development, MD3 - Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD5 - Development within Settlement Boundaries, MD6 - Housing Densities, MD7 - Environmental Protection, MD8 - Historic Environment, MD9 - Promoting Biodiversity, MD13 - Tourism and Leisure, MD14 - New Employment Proposals and MD16 - Protection of Existing Employment Sites and Premises of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, PPW Edition 10, Technical Advice Notes 2, 11, 12, 15, 16, 18 and 24, the Council's Supplementary Planning Guidance on Affordable Housing, Barry Development Guidelines, Biodiversity and Development, County Treasures, Parking Standards, Planning Obligations, Public Art in New Development, Residential and Householder Development, Sustainable Development - A Developer's Guide and Travel Plan, and Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the proposed development is considered acceptable in terms of the principle of the uses, design and visual impact, impact on the setting of the Pumphouse, retail impact, residential amenity, parking, traffic, highway safety, ecology, drainage and affordable housing.

(Note: Local Members to be consulted in respect of condition discharge applications for Conditions 6 and 23).

**2018/01359/FUL** Received on 10 December 2018  
(p66)

**Applicant:** DS Properties (Goods Shed) Limited and Newydd Housing Association, C/o Agent

**Agent:** Miss Louise Darch WYG, 5th Floor, Longcross Court, 47, Newport Road, Cardiff, CF24 0AD

### **Land East of the Goodsheds, Hood Road, The Innovation Quarter, Barry**

Erection of a five storey residential block to comprise 23 affordable and 19 market units with undercroft car parking and associated works

During debate on this item, Cllr Margaret Wilkinson requested that her concerns over the lack of parking available for social tenants be put on record.

**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:

A126 A, A127, A128 A, A129, A130, A131, A132, A133, A134, A135, A136, A137, A138, A139, A140 and A141.

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 the visual amenities of the area are safeguarded, and to ensure the development accords with Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

4. Prior to beneficial occupation of any of the dwellings, a scheme for the provision of affordable housing shall be submitted to and approved in writing by the local planning authority. The affordable housing 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 be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of the Welsh Government Technical Advice Note 2 on Affordable Housing, or any future guidance that replaces it. The scheme shall include:

i) the arrangements for the management of the affordable housing;

ii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

iii) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason:

To ensure that the development is kept in perpetuity as an affordable housing scheme, and to ensure compliance with PPW and TAN 2.

5. Notwithstanding the submitted details, a schedule and samples of the external materials to be used in the construction of the development hereby approved

shall be submitted to and approved in writing by the Local Planning Authority, prior to their use. The development shall be completed and at all times thereafter maintained in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policies SP1 and MD2 of the Local Development Plan.

6. 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) the delivery routes and delivery timings for all plant and materials
- iv) storage of plant and materials used in constructing the development;
- v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi) wheel washing facilities;
- vii) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- ix) hours of construction;
- x) lighting;
- xi) the location of any site compound
- xii) management, control and mitigation of noise and vibration;
- xiii) odour management and mitigation;
- xiv) diesel and oil tank storage areas and bunds;
- xv) how the developer proposes to accord with the Considerate Constructors Scheme ([www.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)) during the course of the construction of the development; and
- xvi) a system for the management of complaints from local residents which will incorporate a reporting system.

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

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policy / Policies SP1 (Delivering the Strategy) / MD7 (Environmental Protection) of the Local Development Plan.

7. Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by

the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person \* in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;

(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;

(iii) an assessment of the potential risks to:

- human health,
- groundwaters and surface waters
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- ecological systems,
- archaeological sites and ancient monuments; and
- any other receptors identified at (i)

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

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

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

Reason:

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

8. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works

to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

9. 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.

10. 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 (to include details of procedures for sampling) 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.

Reason:

To ensure that the safety of future occupiers is not prejudiced and to ensure compliance with Policy MD7 of the LDP.

11. Any means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority, prior to their erection/implementation.

Reason:

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

12. No development shall commence until details of a scheme of foul, land and surface water drainage has been submitted to and agreed in writing by the Local Planning Authority. The scheme (which shall include details of the perpetual management and maintenance of the system) shall be implemented in accordance with the approved details prior to the first beneficial use of the part of the development that it relates to, and it shall be so retained in perpetuity.

Reason:

To prevent hydraulic overloading of the public sewerage system, pollution of the environment and to protect the health and safety of existing residents and ensure no detriment to the environment and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Local Development Plan.

13. The development shall at all times be carried out in accordance with the measures and recommendations as set out in the Wildwood Ecology Ecological Impact Assessment (WWE18158 ECIA REV B), and prior to the first beneficial use of the development, enhancement measures shall be carried out in accordance with details that shall first be submitted to and approved in writing by the Local Planning Authority. The enhancement measures shall be retained at all times thereafter.

Reason:

In the interests of ecology and to ensure compliance with Policy MD9 of the LDP.

14. Prior to their use in the development hereby approved, further details of all doors, windows, rooflights and rainwater goods, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason:

In the interests of visual amenity and to ensure compliance with Policy MD2 of the LDP.

15. Notwithstanding the submitted plans and prior to the first beneficial use of the development, the vehicular access from Hood Road, the internal site road and the parking area shall be fully completed in accordance with further details, that shall have first been submitted to and approved in writing by the Local Planning Authority, prior to the commencement of work to construct them. The access and parking area shall be retained at all times thereafter, to serve the development.

Reason:

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

16. Notwithstanding the submitted details, a parking management plan shall be submitted to and approved in writing by the Local Planning Authority, and this shall include details of which parking spaces will serve which element of the development hereby approved, their hours of use, and the means to allocate and enforce parking allocations for the residential properties.

Reason:

In order to ensure that the respective parts of the development are served by adequate parking, and to ensure compliance with Policy MD2 of the LDP.

17. Prior to the first beneficial use of the development hereby approved, a scheme for the regulation of on street parking along Hood Road (including timescales for implementation) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented (by means of a Traffic Regulation Order if necessary) in accordance with the approved details.

Reason:

In the interests of highway safety and the free flow of traffic and to ensure compliance with Policies MD2 and MD5 of the LDP.

18. Prior to the first beneficial use of the development hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, which shall include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use. The Travel Plan shall thereafter be completed in accordance with the approved details.

Reason:

To ensure the development accords with sustainability principles and that site is accessible by a range of modes of transport in accordance with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

### 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, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MD1 - Location of New Development, MD2 - Design of New Development, MD3 - Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD5 - Development within Settlement Boundaries, MD6 - Housing

Densities, MD7 - Environmental Protection, MD8 - Historic Environment and MD9 - Promoting Biodiversity, of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, PPW Edition 10, Technical Advice Notes 2, 11, 12, 15, 16, 18 and 24, the Council's Supplementary Planning Guidance on Affordable Housing, Barry Development Guidelines, Biodiversity and Development, County Treasures, Parking Standards, Planning Obligations, Public Art in New Development, Residential and Householder Development, Sustainable Development - A Developer's Guide and Travel Plan, and Section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the proposed development is considered acceptable in terms of the principle of the uses, design and visual impact, impact on the setting of the Pumphouse, retail impact, residential amenity, parking, traffic, highway safety, ecology, drainage and affordable housing.

**2018/01108/FUL** Received on 5 October 2018  
(p96)

**Applicant:** JEHU and Wales & West c/o Agent

**Agent:** Mr. Jon Hurley, WYG Planning and Environment, 5th Floor, Longcross Court, 47, Newport Road, Cardiff, CF24 0AD

### **Land at Subway Road, Barry**

Demolition of existing buildings and erection of 80 affordable housing units, cycle bicycle store, waste store, surface level car park and associated works.

RESOLVED - T H A T subject to the applicant/developer first entering into a Section 106 legal agreement to secure the following:

- The retention of the units as affordable in perpetuity.
- £108,100 towards upgrading sustainable transport facilities in the vicinity of the site.
- £41,900 towards public open space/community facilities provision in the local area.
- A clause requiring the payment of a fee to monitor and implement the legal agreement (£4,400 in this case).

**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:
  - PL03D Proposed Site Plan
  - PL04D Proposed Boundaries and Material Plan
  - PL05D Apartment Block 1 Plans

- PL06D Apartment Block 1 Plans
- PL07D Apartment Block 2 Plans
- PL08D Apartment Block 2 Plans
- PL12D Proposed Site Sections
- PL15F Block 1 Proposed Elevations and Street Elevations Block 1-2
- PL16F Block 2 Proposed Elevations

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 plan PL12 D, or in accordance with 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. The development shall thereafter be carried out and maintained 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 Plan PL04 D, or in accordance with an alternative scheme of enclosures, the details of which shall be submitted to and approved in writing by the Local Planning Authority, prior to the first beneficial occupation of any of the buildings. The means of enclosure shall be erected in full prior to the first beneficial occupation of the development, and so retained 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. 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, details of site lighting, the levels of the footway and footway/cycleway along the frontage of the site on Subway Road (including the location of tactile paving crossing points on both sides of Subway Road), details of the railings to be erected along the footway on Subway 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. the development shall thereafter be carried out and maintained in accordance with the approved details.

Reason:

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

6. Full details of a scheme for foul and 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 assessment of the potential to dispose of surface and land water by sustainable means (including percolation test results and hydraulic calculations) and a management and maintenance plan for the drainage system.

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.

7. 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.

8. 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 details of the proposed demolition works/methodologies, 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 (for demolition and construction). 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 environment and to ensure the development accords with Policies MD2, MD5 and MD7 of the Local Development Plan.

9. Prior to the commencement of the development, an assessment of site contamination (to be carried out by a suitably qualified competent person in accordance with BS10175(2011) ) shall be submitted to and approved in writing by the Local Planning Authority. Following the approval of the assessment, a detailed contamination remediation scheme and verification plan shall be submitted to and approved in writing by the Local Planning Authority, also prior to the commencement of development. 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.

10. The remediation scheme approved by condition 9 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 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.

11. 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.

12. 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.

13. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases\* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to and approved in writing by the Local Planning Authority.

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases, and to prevent lateral migration of gases into or from land surrounding the application site, shall be submitted to and approved in writing by the Local Planning Authority. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

\* 'Gases' include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and or BS8485 year 2007 Code of Practice for the Characterization and Remediation from Ground Gas in Affected Developments,.

Reason:

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

14. Prior to the commencement of development, an independent highway maintenance consultant shall be appointed to carry out a condition survey of Subway Road and the survey shall be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of development.

Reason:

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

15. Following the construction of the development and prior to its first beneficial occupation, an independent maintenance consultant shall be appointed to carry out a survey of Subway Road, so as to identify any difference in the condition of the highway since the commencement of the construction of the development, and any repairs required as a consequence. The survey shall

be submitted to and approved in writing by the Local Planning Authority prior to the first beneficial occupation of the development.

Reason:

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

16. Following the construction of the development and prior to the first beneficial occupation of the development, the developer shall carry out any repairs to Subway Road identified as being necessary in the second survey required by Condition No. 15 above.

Reason:

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

17. Prior to the first beneficial occupation of any of the residential units, a scheme of landscaping (including details of the perpetual management and maintenance of the landscaped 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. The development shall be carried out in accordance with the David Clements Ecology Biodiversity Strategy (February 2019), and all recommendations and measures in the strategy shall be carried out and maintained at all times.

Reason:

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

20. No demolition works shall take place to the two red brick buildings in the northern part of the site until an appropriate programme of historic building recording and analysis has been secured and completed in accordance with a written scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The final report on such recording shall be submitted in writing to the Local Planning Authority prior to first beneficial use of the development hereby approved, in order that it may be forwarded to the Historic Environment Record, operated by the Glamorgan Gwent Archaeological Trust (Heathfield House, Heathfield, Swansea SA1 6EL Tel: 01792 655208).

Reason:

The building is of significance and the specified records are necessary to ensure that any features of archaeological interest are recorded, and to ensure compliance with Policies SP1 (Delivering the Strategy) / SP10 (Built and Natural Environment) and MD8 (Historic Environment) of the Local Development Plan.

21. The development shall be carried out in full accordance with the measures and recommendations set out in the Acoustics Consultants Ltd Noise Assessment 7205/BL/pw (July 2018).

Reason:

In the interests of residential amenity and to ensure compliance with Policy MD2 of the LDP.

22. Prior to the first beneficial occupation of the development, swift boxes and house sparrow boxes shall be provided within the site, in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority. The boxes shall be retained at all times thereafter.

Reason:

In the interests of biodiversity and to ensure compliance with Policy MD9 of the LDP.

### Reason for decision

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

Development Plan 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, MD1 - Location of New Development, MD2 - Design of New Development, MD3 - Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD5 - Development within Settlement Boundaries, MD6 - Housing Densities, MD7 - Environmental Protection, MD8- Historic Environment , MD9 - Promoting Biodiversity and MD16- Protection of Existing Employment Sites and Premises of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Planning Policy Wales (Edition 10), Technical Advice Notes 2, 12, 15, 16, 18 and 24, the Council's Supplementary Planning Guidance on Residential and Householder Development, Affordable Housing, Barry Development Guidelines, Biodiversity and Development , Parking Standards (Interactive Parking Standards Zones Map), Planning Obligations, Public Art and Sustainable Development - A Developer's Guide and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposed development is considered acceptable in respect of the design, scale and visual impact on the buildings, the impact on the setting of listed buildings, impact on residential amenity and privacy, parking, highway safety, traffic, ecology, drainage and the loss of existing commercial units.

**2018/00996/FUL** Received on 6 September 2018  
(p128)

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

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

### **Clawdd Coch, Pendoylan**

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

RESOLVED - T H AT the application be approved contrary to officer recommendation and subject to the applicant first entering a S106 legal agreement relating to an affordable housing/self-build exemption.

APPROVED subject to the following condition(s):

#### Conditions

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

Reason:

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

2. The development shall be carried out in accordance with the following approved plans and documents:
  - Site Location Plan, amended plan received 17 January 2019;
  - Existing Site Layout, Drg. No. 712/P/01, received 29 October 2018;
  - Existing Agricultural Buildings, Drg. No. 712/P/02, received 6 September 2018;
  - Proposed Site Plan, Drg. No. 712/P/10 B, received 14 February 2019;
  - Proposed House Plans, Drg. No. 712/P/11 B, received 14 February 2019;
  - Proposed House Elevations, Drg. No. 712/P/12 B, received 14 February 2019; and
  - Planning Design Statement, received 18 September 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. The new vehicular access, vision splays, and on-site parking and turning space, as shown on Drg. No. 712/P/10A, received 29 October 2018, shall be implemented in full before the first beneficial occupation of the dwelling hereby permitted. The access, vision splays, and on-site parking/turning space shall be retained thereafter.

Reason:

In the interests of highway safety in accordance with Policies SP1-Delivering the Strategy, MD1-Location of New Development, and MD2-Design of New Development of the Local Development Plan.

4. A schedule of materials to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. 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, SP10-Built and Natural Environment, MG17-Special Landscape Areas, MD1-Location of New Development and MD2-Design of New Development of the Local Development Plan.

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

shall be completed in accordance with the approved details prior to the first beneficial use of the development.

Reason:

To safeguard local visual amenities, as required by Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, MG17-Special Landscape Areas, MD1-Location of New Development, and MD2-Design of New Development of the Local Development Plan.

6. 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 safeguard local visual amenities, as required by Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, MG17-Special Landscape Areas, MD1-Location of New Development, and MD2-Design of New Development of the Local Development Plan.

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

Reason:

To safeguard local visual amenities, as required by Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, MG17-Special Landscape Areas, MD1-Location of New Development, and MD2-Design of New Development of the Local Development Plan.

8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1-Delivering the Strategy, SP10-Built and Natural Environment, MG17-Special Landscape Areas, MD1-Location of New

Development, and MD2-Design of New Development of the Local Development Plan.

9. No development shall commence until details of a scheme of foul, land and surface water drainage has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details prior to the first beneficial occupation of the development hereby permitted and retained in perpetuity.

Reason:

To prevent pollution of the environment and to protect the health and safety of existing residents and ensure no detriment to the environment, in accordance with Policies SP1-Delivering the Strategy, MD1-Location of New Development, and MD7-Environmental Protection of the Local Development Plan.

10. 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.

11. Any soils/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.

12. Notwithstanding the provisions of schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no extensions shall be erected to the building other than those expressly authorised by this permission and no buildings shall be erected other than those expressly authorised by this permission.

Reason:

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

### Informatives

1. Where the work involves the creation of, or alteration to, an access to a highway the applicant must ensure that all works comply with the appropriate standards of the Council as Highway Authority. For details of the relevant standards contact the Visible Services Division, The Vale of Glamorgan Council, The Alps, Wenvoe, Nr. Cardiff. CF5 6AA. Telephone 02920 673051.
2. With respect to the discharge of effluent to ground or surface water, the Applicant will need to apply for an environmental permit or register an exemption with Natural Resources Wales (NRW). The Applicant must obtain any necessary permit or exemption prior to commencement of work on site. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met. Please note, should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussions with NRW's Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements. More information, including a step by step guide to registering and the relevant application forms are available on NRW's website. Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standards 6297 and Approved Document H of the Building Regulations.
3. The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due



diligence when assessing these impacts, however you are minded that the responsibility for

(i) determining the extent and effects of such constraints;  
 (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;

- Unprocessed / unsorted demolition wastes.
  - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
  - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

### Reason for decision

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

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

Having regard to Policies SP1-Delivering the Strategy, SP3-Residential Requirement, SP4-Affordable Housing Provision, SP10-Built Natural Environment, MG1-Housing Supply in the Vale of Glamorgan, MG4-Affordable Housing, MG17 - Special Landscape Areas, MD1-Location of New Development, MD2-Design of New Development, MD4-Community Infrastructure and Planning Obligations, and MD7-Environmental Protection of the Vale of Glamorgan Adopted Local Development Plan 2011-2026; Supplementary Planning Guidance, including Affordable Housing, Design in the Landscape, Parking Standards, Planning Obligations, Residential and

Householder Development, and Trees, Woodlands, Hedgerows and Development; and national guidance contained in Planning Policy Wales, TAN1-Joint Housing Land Availability Study, TAN2-Planning and Affordable Housing, TAN6-Planning for Sustainable Rural Communities, and TAN12-Design, it is considered that the replacement of the derelict farm buildings and yard with a new dwelling, the benefits of which outweigh the unsustainable location of the site. In addition the proposal will have no adverse impact on the character and appearance of the surrounding countryside, including the Ely Valley and Ridge Slopes Special Landscape Area, nor should it detract from neighbouring amenity or highway safety.