

**PLANNING COMMITTEE**

Minutes of a meeting held on 31<sup>st</sup> July, 2019.

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

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

<b>Name of Speaker</b>	<b>Planning Application No. and Location</b>	<b>Reason for Speaking</b>
Mr. W. Stonehouse	2018/01155/FUL - Tregolan House, Bradford Place, Penarth	Objector to the application or their representative
Mr. L. Jones	2018/01155/FUL - Tregolan House, Bradford Place, Penarth	The applicant or their representative
Mr. J. Lawrence	2018/01383/FUL - St. Pauls Church and Hall, St. Pauls Avenue, Barry	Objector to the application or their representative
Mrs. M. Bennett	2018/01383/FUL - St. Pauls Church and Hall, St. Pauls Avenue, Barry	Objector to the application or their representative
Mr. S. Harries	2018/01383/FUL - St. Pauls Church and Hall, St. Pauls Avenue, Barry	The applicant or their representative
Mrs. R. Taylor	2019/00385/FUL - 16 Tair Onen, Welsh Donats	The applicant or their representative
Mr. G. Hooper	2019/00435/RG3 - Whitmore High School, Port Road West, Barry	The applicant or their representative
Mr. G. Sutton	2019/00520/TPO - Site of Existing Waitrose, Palmerston Road, Barry	The applicant or their representative

Councillor M.J.G. Morgan spoke on the following application in his capacity as local Ward Member, 2019/00385/FUL - 16 Tair Onen, Welsh St. Donats.

**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.”

No.

## MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 26<sup>th</sup> June, 2019 be approved as a correct record subject to an acknowledgement that the fourth public speaker at the meeting was a Mr. C. Pike and not Hike as set out in the minutes.

## DECLARATIONS OF INTEREST -

Councillor L. Burnett declared an interest in respect of Application No. 2019/00435/RG3 - Whitmore High School, Port Road West, Barry. The nature of the interest was that it could be argued that as Cabinet Member for Education it may be viewed that Councillor Burnett was biased in favour of the application. Therefore, following advice from the Council's Monitoring Officer, Councillor Burnett withdrew from the meeting when the item was considered.

Councillor Mrs. C.A. Cave declared an interest in relation to Application No. 2019/00548/FUL - 4 Old Hall, High Street, Cowbridge. The nature of the interest was that Councillor Cave was the applicant for the application. Councillor Cave withdrew from the meeting when the item was considered.

Councillor Dr. I.J. Johnson declared an interest in respect of Application No. 2019/00435/RG3 - Whitmore High School, Port Road West, Barry. The nature of the interest was that Councillor Dr. Johnson was an LEA Governor of the school with an exemption under the Council's Code of Conduct.

Councillor G.C. Kemp declared an interest in respect of Application No. 2019/00439/FUL - 6 St. Nicholas Road, Barry. The nature of the interest was that Councillor Kemp had recently developed a professional interest in the application. Councillor Kemp withdrew from the meeting whilst the item was being considered.

Councillor A.C. Parker declared an interest in respect of Application No. 2019/00385/FUL - 16 Tair Onen, Welsh St. Donats. The nature of the interest was that Councillor Parker was the agent for the applicant. Councillor Parker withdrew from the meeting whilst the item was being considered.

Councillor L.O. Rowlands declared an interest in respect of Application No. 2019/00439/FUL - 6 St. Nicholas Road, Barry. Councillor Rowlands declared a personal and prejudicial interest as the former Director of SLR Hospitality with shares in the company and an interest in the land at St. Nicholas Road. Councillor Rowlands withdrew from the meeting whilst the item was being considered.

## SITE INSPECTIONS (MD)-

RESOLVED - T H A T the attendance of the following Councillors at the site visits indicated below on 26<sup>th</sup> June, 2019 be noted:

No.

Apologies for the Site Visit were received from Councillors B.T. Gray (Vice-Chairman) L. Burnett, Mrs. C.A. Cave, N.P. Hodges, G.C. Kemp, P.G. King, L.O. Rowlands, Mrs. M.R. Wilkinson and E. Williams

(a) 15 Romilly Road, Barry	Councillor J.C. Bird (Chairman); Councillors Mrs. P. Drake, V.P. Driscoll, S.T. Edwards, Dr. I.J. Johnson, A.C. Parker, N.C. Thomas and Ms. M. Wright Also Present - Councillor S.T. Wiliam
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**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.

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

No.

2007/00974/1/C D	A	Land to the rear of Daniel Street, Barry	Discharge of Condition 3 - Highway Engineering Layout. Planning permission ref. 2007/00974/FUL: Erection of 9 detached dwellings and associated site works
2013/00884/2/C D	A	Goldsland Walk, Wenvoe	Discharge of Condition 9 - Drainage of application ref. 2013/00884/OUT: Residential development for up to 140 dwellings with associated access, estate roads and public open space at land to the west of Port Road, Wenvoe
2013/00884/3/N MA	A	Land to the West of Port Road, Wenvoe	Amendment to the wording of condition 9 of Planning Permission 2013/00884/OUT Residential development for up to 140 dwellings with associated access, estate roads and public open space
2013/01279/2/C D	A	Land South of Cog Road, Sully	Discharge of Condition 27 - Ecological Design Strategy. Planning permission ref. 2013/01279/OUT : Residential development with associated access and associated works (max 350 dwellings) at Land south of Cog Road, Sully

No.

2014/00081/2/N MA	A	Weycock Solar Farm, Land off Weycock Road, Barry	Non material amendment to planning permission 2014/00081/FUL, to allow the installation of six pole mounted CCTV cameras, 16 infrared beam detectors and ancillary and related equipment, as shown in submitted plans. Planning Permission ref: 2014/00081/FUL: Solar farm comprising of installation of photo/voltaic panels with a total capacity of up to 7MW, one electrical substation, eight power inverter stations, four pole mounted CCTV cameras, deer stock fencing and ancillary work (NMA)
2014/00229/EAO	A	Land at Barry Waterfront, adjacent to Dock No. 1, Barry	Deletion of Conditions 1 and 2, Variation of Conditions 3, 5, 19 and 20 of 2009/00946/OUT for the development of vacant land at Barry Waterfront for residential (C3), retail (A1), cafes, bars and restaurants (A3), hotel (C1), offices (B1) and community and leisure uses (D1 and D2). Development of vehicular and pedestrian/cycle access including a new link road, re-grading of site to form new site levels and associated infrastructure works, parking, servicing, landscaping, public realm and public open space provision at Land at Barry Waterfront adjacent to Dock No. 1, Barry

No.

2014/00438/1/C D	A	Hen Felin, Claypit Farm, Colwinston	Discharge of Condition 2 - Materials in construction. Planning Permission 2014/00438/FUL: Single storey extension to southern elevation
2014/00452/3/C D	A	Goldsland Walk, Wenvoe	Discharge of Condition 3 (Drainage) for planning permission ref: 2014/00452/RES: Reserved matters for 131 dwellings including details of appearance, landscaping, layout and scale at land to the west of Port Road, Wenvoe
2014/00452/4/N MA	A	Land to the West of Port Road, Wenvoe	Non-Material Amendment - to the wording of Condition 3 - the design calculations, and full Engineering Details. Planning Permission: 2014/00452/RES. Reserved Matters for 131 dwellings, including details of appearance, landscaping, layout and scale
2014/01108/3/C D	A	Former Ogmore by Sea Caravan Park, Main Road, Ogmore by Sea	Discharge of Condition 3 - Site Access. Planning Permission ref. 2014/01108/RES : Redevelopment of caravan site for residential development, with associated open space

No.

2015/00601/2/C D	A	Goldslan Walk, Wenvoe	Discharge of Condition 3 (Drainage) of planning permission ref. 2015/00601/RES : Reserved matters for part of site (relating to outline 2013/00884/OUT) for site total of 132 dwellings and associated landscaping and works at land to the west of Port Road, Wenvoe
2015/00601/4/N MA	A	Land to the West of Port Road, Wenvoe	Non-Material Amendment - Amendment to the wording of condition 3 (Drainage) of Planning Permission ref. 2015/00601/RES : Reserved Matters for part of site (relating to Outline consent 2013/00884/OUT) for a site total of 132 dwellings and associated landscaping and works
2015/00960/4/C D	A	Land at Sycamore Cross, Pendoylan Lane and North of A48, Bonvilston	Discharge of conditions 4-Levels, 5-Drainage, 7-Highway engineering works and 17-Means of enclosure - Development of 120 homes and associated works
2015/00960/8/C D	A	Land at Sycamore Cross, Bonvilston	Discharge of Condition 21 - Construction Environmental Management Plan - Planning Permission 2015/00960 FUL for development of 120 homes and associated works.
2016/00896/1/N MA	R	27, Mountjoy Avenue, Penarth	Non-Material Amendment - To extend the length of the proposed extension by 120 cms and to replace the proposed rear door of the extension with a window 75cm wide x 90cm high. Planning Permission ref. 2016/00896/FUL :

No.

			Proposed single storey side extension to form WC and utility
2017/00395/1/C D	A	Land at Brooklands Retail Park, Culverhouse Cross, Cardiff	Discharge of Conditions 3-schedule of materials to be used in construction and 8-scheme for the erection of signage directing customers to car parking areas. Planning Ref: 2017/00395/FUL. New Starbucks drive-through unit
2017/00395/1/N MA	A	Land at Brooklands Retail Park, Culverhouse Cross, Cardiff	Non-material amendment; changes to the approved elevations as shown on PL07 and PL08 to secure the following: Omission of 1st drive thru window ; Relocation of North East elevation exit door; Slight amendments to South East elevation canopy - of planning permission 2017/00395/FUL - Proposed new Starbucks drive-through unit
2017/00564/3/C D	A	Land East of B4265 between Boverton and Eglwys Brewis, St. Athan	Discharge of Conditions 8 - Highway Condition Survey (Pre-Construction) and 23 - Construction Environmental Management Plan. Planning Permission ref. 2017/00564/FUL : Proposed construction of a new highway (called the Northern Access Road) with footways and a cycleway, new junctions, lighting, signs, fencing, flood alleviation works, acoustic barriers and other environmental mitigation measures, landscaping, demolition of garage at Rose Cottage, and all



No.

			associated engineering and building operations
2017/00584/1/N MA	A	174, Redlands Road, Penarth	Non-Material Amendment - Block up existing internal door to new store/garage and form new door opening leading to side footpath on the side elevation. Planning permission ref. 2017/00584/FUL: Proposed single storey side and rear extensions and internal alterations
2017/00647/1/N MA	A	Land at Barry Waterfront, Cliffside Road, Barry	Non-Material Amendment - Amendment to condition 2 of 2017/00647/RES, to alter the phasing of construction of dwellings
2017/00662/1/N MA	A	South Quay Waterside, Barry Waterfront, Barry	Non-Material Amendment - Amendment of condition 2 of planning permission 2017/00662/RES to alter phasing of construction of dwellings
2017/00988/1/C D	A	Ty Mynydd Barn, Ty Mynydd Lane, Welsh St. Donats	Discharge of Conditions 3 - Materials, 4- Windows, rooflights and flue details, 5 - Hard and soft landscaping details, 7 - Means of enclosure and 10 - Light mitigation strategy. Planning permission ref. 2017/00988/FUL : Proposed change of use of existing barn into quality tourist self-catering accommodation

No.

2017/01203/1/N MA	A	Cog Moors Wastewater Treatment Works, Cardiff Road, Dinas Powys	Non-material Amendment- Refined the detailed design of the proposed development. Planning Ref: 2017/01203/FUL: Change of use of land as an extension to the existing wastewater treatment works site and to the compensatory dormouse habitat and for the construction of an Advanced Anaerobic Digestion (AAD) Plant, together with associated landscaping and mitigation measures and the formation of a temporary construction compound at Cog Moors Wastewater Treatment Works (WwTW), Cardiff Road, Dinas Powys
2017/01259/FUL	A	St. Y Nyll Farm, Heol Sant Y Nyll, St. Brides Super Ely	Minor amendments to planning consent 2015/00996/FUL - Change of use and conversion of existing barns to provide a residential dwelling and associated works
2017/01337/3/C D	A	St. Pauls Church Hall, Arcot Street, Penarth	Discharge of Conditions : Condition 9 - details of a scheme of foul, land and surface water drainage and Condition 22 - engineering details of the widening of Chapel Lane of Planning Application 2017/01337/FUL Redevelopment of the former St. Pauls Church site (including demolition of existing building with retention of front church elevation) to create 14 one and two-bedroom affordable housing units; multi-purpose community hall (368 sq.m.);

2017/01337/6/C D	A	St. Pauls Church, Arcot Street, Penarth	landscaping; car/cycle parking; access; and associated works at St. Pauls Church Hall, Arcot Street, Penarth
2018/00004/1/C D	A	1a and 1b, Park Avenue, Barry	Discharge of Condition 3 – Materials. Planning permission ref: 2017/01337/FUL: Redevelopment of the former St. Pauls Church site (including demolition of existing building with retention of front church elevation) to create 14 one and two- bedroom affordable housing units; multi-purpose community hall (368 sq.m.); landscaping; car/cycle parking; access; and associated works
2018/00004/1/C D	A	1a and 1b, Park Avenue, Barry	Discharge of Condition 4 - Cladding Sample. Planning Permission ref. 2018/00004/FUL: Conversion of two apartments to one dwelling with extensions, balcony, new windows and alterations to existing windows
2018/00041/1/N MA	A	Shepherds Rest, Land adjoining Aberthin Lane, Aberthin	Non-material amendment to 2018/00041/FUL (erection of a rural enterprise worker's dwelling): 1) re-align, re-position and resize doors and windows, including garage gable window; 2) re-arrange internal layout; 3) install stone sills and face brick soldier courses on windows and doors; 4) install face brick plinth; 5) install wood stove, liner and chimney; 6) install

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			expansion joints; and 7) remove approved PV panels from roof.
2018/00073/1/C D	A	Vacant Land, Woodlands Road, Barry	Discharge of Conditions 3 - Vehicle tracking, 6 - Contaminated land, 9 - Verification of post noise, 12 - Landscaping and tree protection, 14 - Means of enclosure, 17 - Traffic Regulatory Orders, 19 - Cycle parking, 20 - Parking management and 21 - Lighting of Planning Permission ref. 2018/00073/FUL : Variation of Condition 2 of Planning Permission 2015/00570/FUL (development of 27 new apartments in a 1 bed and 2 bed mix) for external amendments to approved plans and details for drainage, internal noise insulation and ventilation, materials, levels and landscaping
2018/00133/2/C D	A	UWC Atlantic College, St. Donats Castle, St. Donats	Partial Discharge of Condition 19 - Materials Details. Planning Permission ref. 2018/00133/FUL : The demolition of two no. three bed bungalows and single storey garages (1 and 10 Parc Wood) which serves the house parents, site clearance to both sites. The development of two new student dormitory blocks at a two storey height, each accommodating 12 no. four bed dormitory units, communal shared spaces and two no. three bed house parent apartments.

2018/00133/4/C D	A	UWC Atlantic College, St. Donats Castle, St. Donats	<p>Proposed external landscaping to both buildings to be minimal and to compliment the natural surroundings of both sites</p> <p>Discharge of Conditions 13 - Contaminated Land 2 and 14 - Remediation Scheme 2. Permission reference 2018/00133/FUL - The demolition of two no. three bed bungalows and single storey garages (1 and 10 Parc Wood) which serves the house parents, site clearance to both sites. The development of two new student dormitory blocks at a two storey height, each accommodating 12 no. four bed dormitory units, communal shared spaces and two no. three bed house parent apartments. Proposed external landscaping to both buildings to be minimal and to compliment the natural surroundings of both sites</p>
2018/00222/1/C D	A	Scout Hall, 9, Highwalls, Dinas Powys	<p>Discharge of Condition 6- Tree works-Arbo. Planning ref 2018/00222/FUL: Demolition of existing single storey rear extension and construction of a two storey rear extension including access ramp and erection of flag pole.</p>
2018/00279/2/C D	A	The car park, rear of 2, Stanwell Road, Penarth	<p>Discharge of Condition 13 - CEMP and Condition 14 - Means of Enclosure of Planning permission 2018/00279/FUL - pair of semi-detached 2 bedroom dwellings</p>

No.

2018/00592/RES	A	South Haven Phase 2, Barry Waterfront, Barry	Approval is sought for the access, appearance, landscaping, layout and scale for a residential development and associated infrastructure
2018/00681/FUL	A	Pasture Land, Peterston Super Ely	Creation of private (non-commercial) facilities (stables, open-fronted barn, riding area, and gravel parking areas) for keeping and riding horses. Associated works including repair of track between site entrance and riding area
2018/00747/1/C D	R	Bargain Booze, 27, Eastgate, Cowbridge	Discharge of Condition 3 - Further details. Planning Permission ref. 2018/00747/FUL: A change of use from a vacant A1 retail unit to residential C3 use with external alterations and associated works
2018/00798/1/N MA	A	30, Borough Avenue, Barry	Non-material Amendment-Change the side elevation material of extension from 'match those used in the existing dwelling' to a block and render in a light colour render and change the roof tiles of extension from 'match those used in the existing dwelling' to suitable tile that can be used on low pitch roofing. Planning ref: 2018/00798/FUL-Single storey side extension and front porch
2018/00865/1/N MA	A	45, Plassey Street, Penarth	Addition of high-level, obscurely glazed window on west elevation of extension. Planning permission ref.

No.

			2018/00865/FUL: Demolition of existing two storey rear annex and the construction of new single and two storey rear extension
2018/01007/1/C D	A	12, St. Bleddian Close, Cowbridge	Discharge of Condition; Condition 4: Dormer Details of planning permission 2018/01007/FUL - Side extension with front, rear and side dormers and associated fenestration alterations
2018/01264/1/N MA	A	Castle Bungalow, Peterston Super Ely	Non-material Amendment - Amendment to design to increase ridge height by 6.5cm. Planning permission ref. 2018/01264/FUL: Proposed new roof to include roof extension and dormer windows to front and rear, to provide bedroom accommodation in roof space
2018/01417/FUL	R	Land at the rear of No. 27 High Street, Cowbridge	Construction of a detached building to provide office space
2018/01419/RES	A	Land to rear of Seaton Hoe, Pen Y Turnpike Road, Dinas Powys	Reserved matters application (appearance, landscaping, layout and scale) for single dwelling as approved under outline permission 2015/00534/OUT
2019/00075/1/N MA	A	Pantwilkin Farm Stables, Llanquian Road, Aberthin	Non-Material Amendment - Provision of a 90KW thermal capacity wood chip boiler in place of stables 39 and 40 with the only external change being a flue. Planning Permission ref. 2019/00075/FUL:

No.

			Erection of stables and associated works
2019/00080/FUL	A	Land off Heol Las, Wick, Cowbridge	Use of land for the stationing of caravans for residential purposes for 1 no. Gypsy pitch
2019/00104/FUL	A	1-14, Britway Court, Britway Road, Dinas Powys	Replacement of original roadside wooden windows with UPVC windows designed to closely match existing.
2019/00110/1/N MA	A	Tree Tops, Penylan Road, St Brides Major	Non-Material Amendment - Material changes from that of permitted under 2019/00110/FUL - to include changes to: roof type finish, window and door finish / colour, fascias / soffits / gutters
2019/00115/FUL	R	43, Llwyn Y Gog, Rhoose	Replacement fence to incorporate area of land to the side of the property as garden space
2019/00137/FUL	A	Broadway House, 86, Broadway, Llanblethian, Cowbridge	External works to the existing garage, to include extension of existing dormer on the north-facing roof plane, entrance porch and associated fenestration alterations, to form a granny annex incidental to the main dwelling house.
2019/00183/LBC	A	4, Plymouth Road, Penarth	Retrospective application for replacement bay window to top floor rear elevation of property
2019/00195/CAC	A	Ancient Druid, 44, Eastgate, Cowbridge	To demolish the brick and corrugated iron built garage and the stone shed at the rear of the property in order to extend the parking area to



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			accommodate a second car. The adjoining walls will be made good and the area will be finished stone with chippings
2019/00213/FUL	A	55, Hinchsliff Avenue, Barry	Single storey front elevation and two storey side and rear extension
2019/00242/FUL	A	28, Whitcliffe Drive, Penarth	Proposed extensions to front elevation at first floor complete with balconies. Single storey rear extension. Existing dwelling to be remodelled complete with existing external finishes being replaced
2019/00244/FUL	A	Unit D, Valegate Retail Park, Culverhouse Cross, Cardiff	Variation of Condition 2 (sale of food or drink) of Planning Permission ref. 2010/00214/FUL
2019/00273/FUL	A	5, Heath Avenue, Cogan, Penarth	Replacing the existing front porch with new extension
2019/00299/FUL	R	The Old Hilary Filling Station, Welsh St. Donats	Change of use of land to Drive-Thru Coffee Hut with ancillary parking
2019/00311/FUL	A	UWC Atlantic College, St. Donats Castle, St. Donats	Variation of Conditions 2 and 7 of planning application 2018/00133/FUL for two student dormitory blocks to facilitate additional tree works and reposition the proposed building on Site K
2019/00314/FUL	A	3, Thaw Close, St. Mary Church	To turn/move fence, to enclose part of the drive to create a garden space
2019/00318/FUL	A	West Aberthaw Farm, West Aberthaw	Erection of porch/store

No.

2019/00319/LBC	A	West Aberthaw Farm, West Aberthaw	Internal alterations to include reinstatement of spiral staircase; creation of a new doorway to lean-to kitchen; installation of a log burner; replace rotten casement windows in lean-to kitchen; alterations to partition walls and construction of a porch/store. External repairs and alteration to existing retaining wall
2019/00320/FUL	A	33, Seaview Place, Llantwit Major	Change of use. Internally from a garage to hair salon, exterior remains the same
2019/00335/LBC	A	Penllyn Castle, Penllyn	Refurbishment of garage building
2019/00344/OUT	R	The Meadow Vale, Cowbridge Road, Ystradowen	Construction of a new dwelling and associated works to existing public house
2019/00345/FUL	A	19, Seaview Place, Llantwit Major	Demolish existing garage and outbuilding and construction of pair of semi-detached dwellings with on-site car parking and parking for existing dwelling
2019/00347/FUL	R	Church Hall, Chapel Row, Dinas Powys	Change of use from a chapel (D1 Non-residential institution) to an office (B1 Business)
2019/00361/FUL	A	New Jerusalem Church, Tynewydd Road, Barry	The existing single storey building to the rear is to be refurbished internally with a new porch to front property. Also existing door to be replaced with window and also front window reduced in size

No.

2019/00378/FUL	A	Cwm Derwen Farm, Waycock Road, Barry	Erection of single storey pre-fabricated extensions to existing farm building. This will provide facilities for indoor lambing and secure storage for fodder and machinery
2019/00386/FUL	A	The Herberts Farmhouse, St. Mary Church	Proposed alterations and extensions to existing farmhouse to provide attached granny annexe
2019/00387/FUL	A	6, Tair Onen, Welsh St. Donats	Proposed alterations and first floor extension over converted garage of existing property
2019/00388/FUL	A	The Herberts Farmhouse, St. Mary Church	Proposed new garage with loft storage over
2019/00389/FUL	A	34, Cae Canol, Penarth	Proposed single storey extension at rear
2019/00390/FUL	A	3, Greenway Close, Llandough, Penarth	Proposed entrance porch
2019/00398/CAC	A	Ty Mawr, Llanbethery	Demolition of part of garden wall to create new vehicle entrance
2019/00406/FUL	A	Windmill Park, Hayes Road, Barry	Proposed erection of Class B1/B2/B8 Development (Phase 2), together with associated parking and access arrangements
2019/00408/FUL	A	38, Stanwell Road, Penarth	Strip existing roof, replace felt and battens and change existing concrete tiles with manmade slates and terracotta tiles. Insert three Velux rooflights size CK04 to the upper rear mansard roof
2019/00417/FUL	A	9, Kymin Terrace, Penarth	Replacement of majority (17 in number) of existing window sashes by new sashes (wooden), double

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			glazed but otherwise identical to replaced sashes
2019/00418/FUL	A	The Grange, Bonvilston	Construction of an outdoor riding area (Menage) suitable for the practice and training of the owner's horses for dressage competitions together with associated stables
2019/00428/FUL	A	Florantina, 115A, Park Crescent, Barry	Change of use from A1 to A2 office
2019/00430/FUL	A	70, Westward Rise, Barry	Erection of a two story rear extension
2019/00433/FUL	A	31, Channel View, Ogmore By Sea	Replacement garage doors and the addition of a side door for access from garden. New roller doors to be fitted
2019/00443/FUL	A	6, Ewenny Road, Wick	Single storey front and rear extensions to a ground floor flat
2019/00444/FUL	A	Communication Station, Priority Business Park, Barry	The removal of the existing 14m monopole, replaced with a 20.2m slim line lattice tower with 6 no. apertures (or airspace) measuring 3m x 0.55m, each of which can house 2 no. antenna and 4 ground based antennas in the existing compound
2019/00445/FUL	A	Tyn Y Cae Cottage, Peterston Super Ely	Demolition of rear lean to conservatory, replacement with new single storey conservatory. External alterations

No.

2019/00448/FUL	A	Site of existing Waitrose, Palmerston Road, Barry	Proposed external alterations to existing building and change of use of restricted Class A3 Cafeteria to Class A1 Retail Use
2019/00456/FUL	A	Glyndwr Vineyard, Llanblethian	Proposed reception/ office unit
2019/00460/FUL	A	8, Meadow Vale, Barry	Single storey extension to create a bedroom at ground floor
2019/00462/FUL	A	7, Heol Corswigen, Barry	Garage conversion
2019/00463/FUL	A	The Garth, 48, Broadway, Llanblethian, Cowbridge	Proposed single storey extension to the rear of the property
2019/00464/FUL	A	6, Windy Ridge, Dinas Powys	Proposed two storey side extension and new windows
2019/00465/FUL	A	26, John Batchelor Way, Penarth	Proposed glass infinity balcony
2019/00466/FUL	A	27, John Batchelor Way, Portway Marina, Penarth	Proposed glass infinity balcony
2019/00468/FUL	A	Oddfellows Lodge, Monknash	Parking area in the form of a layby immediately adjacent to property
2019/00469/FUL	A	26, Perclose, Dinas Powys	Rear ground floor extension for registered disabled person
2019/00470/FUL	R	18, Stallcourt Avenue, Llantwit Major	First floor extension to the rear above existing single storey to create two additional bedrooms
2019/00472/LBC	A	Penllyn Castle, Penllyn	Internal alterations and alterations to windows
2019/00474/FUL	A	32, Salop Place, Penarth	Proposed two and single storey side extensions and rear single storey side extension. Re roofing to

No.

			existing single storey rear extension
2019/00475/FUL	A	2, Argoed Cottages, Llanharry	Proposed internal and external remodelling of the dwelling, to include a two storey side extension, plus a detached double garage for the storage of classic cars
2019/00476/FUL	A	12, Mountjoy Place, Penarth	Proposed two storey side extension
2019/00478/LBC	A	Penllyn Castle, Penllyn	Re roofing of stables block
2019/00481/FUL	A	45, Stanwell Road, Penarth	Replacement of UPVC windows with new box sash UPVC windows
2019/00484/FUL	A	37, Glen Mavis Way, Barry	Replacement of existing lean-to to rear and alterations to front to include relocation of front door
2019/00485/FUL	A	McDonalds Restaurant, Valegate Retail Park, Culverhouse Cross, Cardiff	Refurbishment of the restaurant with minor alterations to elevations to include extensions totalling 37.8 sq.m., replacement drive thru booths with the addition of grey cladding and a section of new shopfront with associated works to the site. The refurbishment of both Customer Order Displays (COD) and overhead Canopies. The installation of a Goal Post height restrictor and a new signage suite.
2019/00486/ADV	A	McDonalds Restaurant, Valegate Retail Park, Culverhouse Cross	New signage associated with refurbishment of the restaurant

No.

2019/00490/FUL	A	49, Byrd Crescent, Penarth	Proposed single and two storey extension to rear
2019/00491/ADV	A	WM Morrison Supermarkets Plc, Heol Ceiniog, Barry	Signage associated with refurbishment of store and petrol filling station
2019/00492/FUL	A	7, Tair Gwaun, Penarth	Proposed single-storey rear extension and part garage conversion (and associated alteration works)
2019/00493/FUL	A	3, Ger Y Llan, St. Nicholas	Extended new front porch
2019/00494/FUL	A	13, Plas St. Pol De Leon, Penarth	1 No. new metal balcony to the front of the property
2019/00495/FUL	A	2, St Nicholas Close, Dinas Powys	Single storey rear extension
2019/00496/FUL	A	51, Broadway, Llanblethian	Proposed internal alterations to existing property, including bay and porch to front ground floor and 2 storey rear extension
2019/00497/FUL	A	By-Ways, 48, Fontygary Road, Rhoose	Rear two storey extension to existing house
2019/00499/FUL	A	21, Falcon Road, Barry	Two storey extension to side of existing domestic dwelling
2019/00500/FUL	A	21, Rheidol Drive, Barry	Single storey extension to rear of existing domestic dwelling
2019/00505/FUL	A	9, Rhos Ddu, Penarth	Loft conversion to include three new pitched roof dormers to front elevation and all associated works
2019/00506/FUL	A	Morrisons, Heol Ceiniog, Barry	Amendment to internal site vehicle circulation
2019/00507/FUL	R	7, Sycamore Close, Llandough, Penarth	Part three storey part two storey rear extension with raising of ridge height and alteration works

No.

2019/00509/FUL	A	79, Heol Y Frenhines, Dinas Powys	Replacement garage incorporating an art studio and replacement front porch
2019/00510/FUL	A	Golau Fryn, Ruthin Road, St. Mary Hill	Two storey side and rear extension, extension of garden area, with internal re-modelling and removal of front bay and conservatory
2019/00511/FUL	A	38, Adenfield Way, Rhoose	Single storey extension to side of bungalow, with new porch to front elevation of bungalow. Removal of garage. Extension to incorporate enlarged lounge, kitchen and new bedroom
2019/00513/FUL	R	Apple Blossom Cattery, Land at Nant Rhydhalog, Cowbridge	To convert a section of existing animal grooming parlour to new ladies/unisex hairdresser. Class usage A1 (refers to planning consent 18/00735/FUL)
2019/00515/FUL	A	71, Lavernock Road, Penarth	Extended roof from hip to gable on both sides and install rear dormer
2019/00516/LAW	A	Littlewood Cottage, Wick Road, St. Brides Major	Install additional first floor window on the rear elevation of the property
2019/00518/FUL	R	34, Grove Place, Penarth	Proposed Dormer to rear annexe roof
2019/00522/FUL	A	14, Readers Way, Rhoose	Single storey ground floor side extension
2019/00523/FUL	A	The Butterleys, 29, Westgate, Cowbridge	Proposed single storey general use building (garden room/office/changing area for pool)



No.

2019/00524/FUL	A	Murch Farm Manse, Wesley Court, Dinas Powys	Demolition of existing single storey kitchen and construction of a ground and first floor side and rear extension. Construction of a new porch and external works
2019/00525/FUL	A	51, Plymouth Road, Penarth	Single storey replacement glazed conservatory and single storey rear kitchen extension.
2019/00526/FUL	A	19, Pioden For, Barry	Remodelling of the master bedroom including glazing to the front elevation with Juliet Balcony
2019/00529/LAW	A	17, Grange Gardens, Llantwit Major	Proposed rear conservatory, proposed elevations attached to application
2019/00530/FUL	A	Marco's Cafe, The Promenade, Barry Island	Single storey extension to provide additional storage for existing cafe
2019/00531/FUL	A	Beach Road, Swanbridge, Penarth	Replacement of existing 15m structure with proposed new 22.5m high monopole supporting 6 no. new antennas, 3 no. new No. 600mm diameter dishes, 1 no. relocated 600mm diameter dish (relocated from existing structure), 7 no. equipment cabinets within extended compound, plus associated ancillary works
2019/00533/FUL	R	Land rear of Church Road, Rhoose	Demolition of existing garage and erection of new garage

No.

2019/00534/FUL	A	1A and 1B, Park Avenue, Barry	Alterations to original roof line from "lean to" to apex to provide new apex roof - amendment to original application 2018/00004/FUL
2019/00537/FUL	A	27, Vincent Close, Barry	Single storey side extension and new front porch
2019/00538/FUL	A	25, Tair Onen, Nr. Cowbridge	Construction of single garage with storage
2019/00540/FUL	A	53, Illtyd Avenue, Llantwit Major	New front porch
2019/00541/FUL	A	Claygate House, Sully Road, Penarth	Replacement dwelling and garage (Amended design to that granted permission on 13 February 2019, Ref 2018/01355/FUL).
2019/00543/FUL	A	104, Woodlands Road, Barry	Single storey rear extension
2019/00554/FUL	A	15, Plas Pamir, Penarth	Proposed first floor balcony to south elevation
2019/00563/ADV	A	Swansea Building Society, 75 High Street, Cowbridge	Two internal, outward facing televisions screens
2019/00571/FUL	A	16, Evenlode Avenue, Penarth	To convert a single storey bungalow into a two storey dormer bungalow with First Floor in the roof space, with single storey maintained at the rear

APPEALS (HRP) -

RESOLVED –

(1) T H A T the planning appeals received as set out in Section A of the report be noted.

(2) T H A T it be noted that no enforcement appeals had been received.

No.

(3) T H A T that Planning Appeal decisions as set out in Section C of the report be noted.

(4) T H A T the Enforcement Appeal decisions as set out in Section D of the report be noted.

(5) T H A T the statistics relating to the appeals for the period April 2019 – March 2020 as detailed in Section E of the report be noted.

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

2019/00452/TCA	A	Leys Cottage, Factory Road, Llanblethian, Cowbridge	Reduce mature Beech away from boundary wall, reduce overall crown by 2m. Reduce Sycamores away from boundary wall whilst retaining good branch tracery
2019/00453/TPO	A	7, Church Rise, Wenvoe	Work to trees covered by TPO No. 04 of 1951: Rear garden - One Sycamore tree to have all over hanging branches cut back to main trunk
2019/00457/TPO	A	Cwrt Yr Ala, Michaelston Le Pit	Work to Tree covered by TPO No.2 of 1954: Fell and replant one Ash and dead Beech
2019/00514/TCA	A	25b, Archer Road, Penarth	Work to Trees: Ash tree reduce all round by removing 1-1.5m and shape
2019/00521/TCA	A	Poppins, Llysworney	Work to Trees in Llysworney Conservation

No.

			Area : Betula Pendula reduce 2 no. limbs and Salix Sepulcralis remove under exception (dead) both in rear garden
2019/00544/TCA	A	39, Eastgate, Cowbridge	Work to trees in Cowbridge Conservation Area: Remove Ficus against North West boundary wall
2019/00557/TPO	A	4, Robin Hill, Dinas Powys	Work to Trees covered by TPO No. 7, 1986: Removal of dangerous dead/dying limb under exemption due to imminent risk. This is a large Oak tree in the rear of our garden
2019/00558/TPO	A	4, Robin Hill, Dinas Powys	Work to Trees covered by TPO No. 7, 1986: 20% reduction of crown and also reduce overhanging limbs from neighbour's Oak
2019/00569/TCA	A	17 Archer Road, Penarth	Work to trees in Penarth Conservation Area: Fell and replace one Prunus Nigra and remove one Fagus (dead so exempt), both in rear garden
2019/00575/TCA	A	Alexandra House, 2, Beach Road, Penarth	Works to trees in Penarth Conservation Area; Fell 1 Large Sycamore, 1 Ash and Sycamore Saplings
2019/00602/TCA	A	Pwll-Sarn, St Nicholas	Work to trees in St. Nicholas Conservation Area: Fell two Conifers
2019/00609/TCA	A	Cross House, Aberthin	Work to Trees: Crown reduction of Sycamore tree
2019/00631/TCA	A	23, Victoria Square, Penarth	Work to tree in Penarth Conservation Area: Sycamore Tree - Reduce crown by 20-25% by volume by shortening all limbs up to 3m ensuring a

No.

wall balance reduced  
crown remains

## GENERAL PLANNING MATTERS (HRP) -

### (i) Update on Enforcement Action - Land at Barry Waterfront, Barry -

The Operational Manager for Planning and Building Control advised that a Breach of Condition Enforcement Notice and a Stop Notice in respect of the breach of conditions of the planning permissions for development at the Barry Waterfront was authorised by the Committee on 29<sup>th</sup> November, 2018. The breach related to the delivery of certain elements of the District Centre and the report at the time noted the impact of the breach on the delivery of a comprehensive form of redevelopment that was a strategic site within the key settlement of Barry.

The Breach of Condition Enforcement Notices and Stop Notices were issued on 3<sup>rd</sup> and 4<sup>th</sup> December, 2018 respectively requiring either the cessation of the occupation of certain units within the development or the cessation of the construction of certain elements of the development until such time as specific retail units within the District Centre were delivered. Since then, the developers did cease further occupation and construction in accordance with the Notices however, there was some continued construction which accorded with the terms of the agreed phasing at that time, and did not breach the Notices.

Officers continued to monitor the site whilst negotiating a revised phasing plan to ensure the timely delivery of the comprehensive redevelopment of Barry Waterfront, focussing particularly on the delivery of the commercial units in the District Centre. The negotiations had now concluded and revised planning permissions had been issued. Officers continued to monitor compliance and good progress had been made on the construction of the District Centre. The latest estimates from the developers were that the District Centre commercial units would be built to 'shell and core' specification by the end of 2019.

Since issuing the Enforcement Notices in December 2018, the consortium of developers had been keen to work with the Council to reach an acceptable solution. Construction of the district centre blocks commenced with piling the foundations in March 2019. The foundations were well underway and the steel frames for the ground floor were in place for 1 of the 3 main blocks.

Planning permission was therefore granted for the Section 73 application which sought to vary a number of conditions of the outline permission (ref 2014/00229/EAO) on 27<sup>th</sup> June 2019 with a condition (19) tying the developers to the revised phasing plan at Appendix A to the officer's report. In addition reserved matters applications and NMA applications had been granted for the individual parcels on South Quay Waterside that also tie into the same Phasing Plan for completeness.

More recently, a Breach of Condition Notice was being prepared to be served under delegated powers on Barratt Homes for breaching the time limits on construction

No.

hours at their South Quay Waterside site. Other developers were being closely monitored in this regard following a number of public complaints.

RESOLVED –

(1) T H A T the progress made in resolving the breaches of planning at Barry Waterfront be noted.

(2) T H A T the progress made on the delivery of the District Centre to date be welcomed.

#### Reason for decisions

To apprise Members of the latest progress in terms of the delivery of a comprehensive mixed use development at Barry Waterfront in accordance with the Vale of Glamorgan Adopted Local Development Plan 2011-2026; strategic policies SP1 – Delivering the Strategy, SP2 – Strategic Sites, SP6 - Retail and MG3 Strategic Site at Barry Waterfront of the Plan, as supported by the Council's Supplementary Planning Guidance on Barry Development Guidelines; and the wider principles of good design set out in policies MD1 – Location of New Development and MD2 – Design of New Development of the Plan.

#### 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.

#### 2018/01155/FUL

Received on 17 October 2018

(P54)

**APPLICANT:** Mr. J. McQuade Oakleigh House Developments Ltd, c/o Agent

**AGENT:** Mr. Lloyd Jones LRJ Planning Ltd, Pen-y-Rhiw, Redbrook Road, Newport, NP20 5AB

#### **Tregolan House, Bradford Place, Penarth**

Refurbishment of existing building containing 4 No. flats to form additional 2 No. self contained flats, associated side and rear extensions, vehicular access and external works

#### APPROVED subject to the following condition(s):

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

No.

Reason:

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

2. The development hereby approved shall only relate to the following approved plans and documents (with the exception of the parking area/ landscaped area shown on plan ref. A101D) :

Tree Survey (Received on 16/10/18)

Site Location Plan (Received on 16/10/2018)

A100 – Existing Floor Plans & Elevations (Received on 18/01/2019)

A101G-Proposed Floor Plans & Elevations (Received on 08/07/2019)

A102C- Proposed Site Plan & Sections (Received on 08/07/2019)

A103A- Proposed Glazed Link & Oriel Window Details (Received on 08/07/2019)

L100B-Proposed Landscape Details (Received on 08/07/2019)

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 and prior to their use on site, samples of materials and finishes 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 prior to the first beneficial occupation of any of the additional residential units.

Reason:

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

4. Prior to their occupation, all flats shown to be fitted with obscure glazing shall be fitted with obscured fixed (non opening) glass to a minimum of level 3 of the "Pilkington" scale of obscuration and shall thereafter be retained in perpetuity.

Reason:

In the interests of privacy and to ensure compliance with Policy MD2 (Design of New Development) of the Local Development Plan.

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

No.

following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development), MD2 (Design of New Developments) and MD8 (Historic Environment) of the Local Development Plan

6. No development shall take place, nor any demolition works or site clearance, until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme for the protection of trees and any associated remedial works to trees shown to be retained within and adjoining the site. The approved scheme shall be carried out during the demolition of the buildings and throughout the course of the development.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD2 (Design of New Developments) and MD9 (Historic Environment) of the Local Development Plan.

7. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Reason:

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

8. Prior to their occupation, all flats shown to be fitted with "fixed full height glazing with casements to top sections" shall be fitted with these fixed glazed units (except for the opening high level casements) as detailed in the elevation drawings, and at no time shall these windows be altered to allow any access onto any flat roof area and shall thereafter be retained in perpetuity.

Reason:

In the interests of privacy and to ensure compliance with Policy MD2 (Design



No.

of New Development) of the Local Development Plan.

9. The additional/reconfigured flats hereby approved shall not be occupied until the amenity space to the rear and the front has been laid out in accordance with the approved landscaping plan.

Reason:

To ensure that the future occupiers are served by adequate provision of amenity space and to ensure compliance with Policy MD2 (Design of New Development) of the Local Development Plan.

### Reasons for decision

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

Having regard to Policies SP1 – Delivering The Strategy, SP10 - Built and Natural Environment; MG1 – Housing Supply in the Vale of Glamorgan; MD1 – Location of New Development; MD2- Design of New Development, MD5 - Development Within Settlement Boundaries; MD7 – Environmental Protection; MD8 - Historic Environment; of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the Councils Supplementary Planning Guidance on Residential and Householder Development (2018); Penarth Conservation Area Appraisal and Management Plan and the advice within Planning Policy Wales (Edition 10), Technical Advice Note 5 (Nature Conservation and Planning); Technical Advice Note 12 (Design) and Technical Advice Note 24 (The Historic Environment) it is considered that the proposed development is considered acceptable in terms of its impact on host dwelling, street scene and wider conservation area; highways and will not unacceptably detract from the amenity enjoyed by neighbouring properties.

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

**2018/01383/FUL**

Received on 12 December 2018

(p80)

**APPLICANT:** Hale Construction and Hafod Housing Association C/o Agent

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

**St. Pauls Church and Hall, St. Pauls Avenue, Barry**

Proposed demolition of existing church and hall; development of 27 flats and associated works

No.

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.
- £4,600 towards upgrading sustainable transport facilities in the vicinity of the site.
- £2,520 towards community facilities provision in the local area.
- £5,336 towards public open space in the local area.
- A clause requiring the payment of a fee to monitor and implement the legal agreement (£4,400 in this case).
- The developer shall provide public art on the site to the value of 1% of the build costs or otherwise pay a contribution to the same value to the Council.
- The Legal Agreement will include the standard clause requiring the payment of a fee to monitor and implement the legal agreement.

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: A115 Rev A, A116 Rev A, A119 Rev C, A120 Rev D, A121 Rev E, A122 Rev D, A124 Rev C and A125 Rev C.

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

Reason:

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

3. No development shall commence 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 character of the area is 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. The site enclosures shall be in accordance with those shown on plan A119 Rev B (with the railings painted black), or an alternative schedule of

No.

enclosures, details of which shall be submitted to and approved in writing prior to their erection. 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 road, further engineering details of the proposed access into the site and all surface materials to be used in the parking areas and carriageways within the site shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

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

6. The site access, internal road, turning areas and parking areas shall be laid out in accordance with plan A119 Rev B and the details approved under the terms of condition 5 of this planning permission (and in accordance with any TROs as necessary), prior to the first beneficial occupation of any of the units, and the access, internal road, turning areas and parking spaces shall be retained at all times thereafter to serve the development.

Reason:

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

7. Notwithstanding the submitted plans and prior to their erection, further details of the cycle storage areas shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage shall be provided prior to the first beneficial occupation of any of the units and so retained at all times thereafter.

Reason:

In order to ensure that adequate cycle storage is provided and to ensure compliance with Policy MD2 of the LDP.

8. Any part of the following windows that are below 1.7m in height above the level of the floor in the rooms that they serve shall be obscurely glazed to a minimum of level 3 of the "Pilkington" scale of obscuration and fixed pane at the time of installation, and so retained at all times thereafter:

- Side window in flat 17 facing towards no. 9 St. Paul's Avenue
- Rear side elevation window in flat 18 facing towards no. 9 St. Paul's Avenue.

No.

- Side window in flat 26 facing towards no. 9 St. Paul's Avenue
- Rear side elevation window in flat 27 facing towards no. 9 St. Paul's Avenue.
- Front window in flat 10 facing towards St. Paul's Avenue.

(as shown on plans A120 Rev D and A121 Rev E)

Reason:

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

9. Notwithstanding the submitted plans and details, and prior to the commencement of development, 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. The approved scheme shall be fully implemented prior to the first beneficial occupation of any of the units 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 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.

10. Notwithstanding the submitted plans/forms and prior to their use in the construction of the development hereby approved, further details and samples of the external materials to be used (including the block work to be used for the parking bays) shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out and maintained at all times in accordance with the approved details.

Reason:

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

11. No development shall commence, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative

No.

- displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- viii) hours of construction and hours of deliveries to site;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) diesel and oil tank storage areas and bunds (where appropriate);
- xiii) how the developer proposes to accord with the Considerate Constructors Scheme ([www.considerateconstructorscheme.org.uk](http://www.considerateconstructorscheme.org.uk)) during the course of the construction of the development; and
- xiii) a system for the management of complaints from local residents which will incorporate a reporting system.
- xiv) routes for construction vehicles accessing the site.

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

Reason:

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

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 until a scheme to deal with the contamination found has been submitted to and 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 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.

No.

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 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.

14. Prior to the first beneficial occupation of any of the residential units, a scheme of landscaping (including details of the 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.

15. 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.

16. The development shall be carried out in accordance with the Pure Ecology Biodiversity Enhancements Plan dated 10th July 2019 and all

No.

recommendations and measures in the strategy shall be carried out and maintained at all times, including the provision of 9 swift boxes, prior to the first beneficial occupation of any of the flats.

Reason:

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

17. Prior to the first beneficial occupation of any dwelling hereby approved, full details of a public art strategy and the timing of provision, shall be submitted to and approved in writing by the Local Planning Authority. The Public Art shall thereafter be implemented in accordance with the approved details.

Reason:

To ensure the delivery of Public Art on the site in accordance with the Council's Public Art Supplementary Planning Guidance, and to ensure compliance with Policy MD2 of the Local Development Plan.

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

Reason:

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

### Reasons for decision

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

Having regard to Policies SP1 – Delivering the Strategy, SP3 – Residential Requirement, SP4 – Affordable Housing Provision, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG7 – Provision of Community Facilities, MG20 – Nationally Protected Sites and Species, MD1 – Location of New Development, MD2 – Design of New Development, MD3 – Provision for Open Space, MD4 – Community Infrastructure and Planning Obligations, MD5 – Development within Settlement Boundaries, MD6 –

No.

Housing Densities, MD7 – Environmental Protection and MD9 – Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Planning Policy Wales (Edition 10, 2018), Technical Advice Notes 1, 2, 5, 12 and 16 and the Council's SPG on Affordable Housing, Biodiversity and Development, Parking Standards, Planning Obligations, Public Art in New Development, Renewable Energy, Residential and Householder Development, Sustainable Development – A Developer's Guide and Travel Plans, the proposed development is considered acceptable in principle and in terms of design, layout, residential amenity, parking, highway safety, drainage and ecology.

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.

**2019/00385/FUL**

Received on 2 April 2019

(p123)

**APPLICANT:** Mr. and Mrs. Taylor 16 Tair Onen, Welsh St. Donats, CF71 7LA

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

### **16, Tair Onen, Welsh St. Donats**

Demolition of existing stable block and replacement with proposed retirement dwelling

### **REFUSED**

1. The proposed dwelling represents an unjustified development in an unsustainable, rural location which would prejudice the character and setting of the countryside. The proposal is contrary to policies SP1 (Delivering the Strategy) and MD1 (Location of New Development) of the Vale of Glamorgan Local Development Plan 2011 – 2026 and paragraphs 3.35 and 3.56 and the transport-related objectives of chapter four (Active and Social Places) of Planning Policy Wales (Edition 10, December 2018).

### **Reasons for decision**

The decision to recommend refusal of 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.

This 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.



No.

**2019/00435/RG3**

Received on 17 April 2019

(p141)

**APPLICANT:** Vale of Glamorgan Council Civic Offices, Holton Road, Barry, Vale of Glamorgan, CF63 4RU

**AGENT:** Mr. Gareth Hooper, DPP Planning, Sophia House, 28, Cathedral Road, Cardiff, CF11 9LJ

**Whitmore High School, Port Road West, Barry**

Construction of a replacement secondary school building with associated playing fields and parking at the site of the existing Whitmore High School and the demolition of the existing secondary school building upon completion

Deemed planning consent be GRANTED 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:

- 26W006-ATK-0-XX-DR-L-X-9001 Rev P03
- 26W006-ATK-X-XX-DR-A-PL-0600 Rev P03
- 26W006-ATK-X-00-DR-A-PL-1150 Rev P03
- 26W006-ATK-0-XX-DR-L-X-9005 Rev P04
- 26W006-ATK-0-XX-DR-L-X-9106 Rev P05
- 26W006-ATK-0-XX-DR-L-X-9400 Rev P05
- 26W006-ATK-0-XX-DR-L-X-9505 Rev P05
- 26W006-ATK-X-01-DR-A-PL-1151 Rev P03
- 26W006-ATK-X-02-DR-A-PL-1152 Rev P03
- 26W006-ATK-X-RF-DR-A-PL-1350 Rev P03
- 26W006-ATK-X-XX-DR-A-PL-0410 Rev P04
- 26W006-ATK-X-XX-DR-A-PL-0400 Rev P03
- 26W006-ATK-X-XX-DR-A-EL-1450 Rev P04
- 26W006-ATK-X-XX-DR-A-EL-1451 Rev P04
- 26W006-ATK-X-XX-DR-A-EL-1452 Rev P05
- 26W006-ATK-X-XX-DR-A-EL-1453 Rev P05

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.

No.

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

Reason:

To safeguard local visual amenities, as required by Policy MD2 (Design of New Development) of the Local Development Plan.

4. Notwithstanding the submitted plans, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of any element of the development hereby approved. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason:

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

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

Reason:

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

6. No part of the development hereby approved shall be brought into beneficial use (and no new hard surfaces shall be laid, until 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 use of the development and 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

No.

Policies MD2 of the Local Development Plan.

7. The development shall be carried out at all times in accordance with the Aecom Travel Plan (Project number: 60571313): February 2019.

Reason:

In the interests of sustainable travel and to ensure compliance with Policies MD2 and MD5 of the LDP.

8. Prior to the first beneficial use of the development hereby approved, the new parking and drop off areas shall be constructed and laid out in full, and they shall be retained at all times thereafter to serve the school.

Reason:

In the interests of highway safety and to ensure compliance with Policies SP1, MS2 and MD5 of the LDP.

9. No development shall commence, including any works of demolition, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- viii) hours of construction and demolition;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xi) 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
- xii) 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

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neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

10. The development shall be carried out in accordance with the document "Whitmore High School Geotechnical and Geo-environmental Interpretative Report (Project number: 60571313) November 2018" and all recommendations with that document shall be carried out.

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.

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

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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. The development shall be carried out in accordance with the recommendations and measures contained in:

- Whitmore High School - Reptile Method Statement 16 July 2019.
- Aecom Preliminary Ecological Appraisal and BREEAM Ecology Report July 2018
- Aecom Ysgol Gymraeg Bro Morgannwg and Whitmore High School Bat Activity Survey Report November 2018

Reason:

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

14. Prior to the erection of any external lighting around the 3G pitch, further details of the proposed lights (and a schedule of proposed hours of use of the lights and the 3G pitch itself) shall be submitted to and approved in writing by the Local Planning Authority. The pitch and lights shall thereafter only be used/operated in accordance with the approved details.

Reason:

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

### Reasons for decision

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

Having regard to Policies SP1 – Delivering the Strategy, MG6 – Provision of Educational Facilities, MG7 – Provision of Community Facilities, MG16 – Transport Proposals, MD2 – Design of New Development, MD5 – Development within Settlement Boundaries, MD7 – Environmental Protection and MD9 – Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Planning Policy Wales (Edition 10, 2018) (PPW), Technical Advice Notes 11, 12, 16

No.

and 18 and the Council's Supplementary Planning Guidance on Biodiversity and Development, Parking Standards, Sustainable Development – A Developer's Guide, Travel Plans and Trees, Woodlands, Hedgerows and Development , the proposed development is considered acceptable in terms of design, impact on residential amenity, highway safety, traffic, parking, drainage, play/sport space and ecology.

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.

**2019/00439/FUL**

Received on 25 June 2019

(165)

**APPLICANT:** Mr. Samuel Lewis SLR Hospitality, 6, St. Nicholas Road, Barry, Vale of Glamorgan, CF62 6QW

**AGENT:** Mr. Samuel Lewis SLR Hospitality, 6, St. Nicholas Road, Barry, Vale of Glamorgan, CF62 6QW

**6, St. Nicholas Road, Barry**

Change of use of the property from A1 (Retail) to A3 (Food and Drink) to setup as a coffee shop during the day and a wine bar during the evening

**RESOLVED -**

- (1) T H A T planning permission for the retention of the change of use be refused.
- (2) T H A T the Head of Legal Services be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:
  - (i) The cessation of the unauthorised use of the building as a coffee shop and wine bar.
- (3) T H A T in the event of non-compliance with the Notice, authorisation is also sought to take such legal proceedings as may be required.

**REFUSED**

1. Having regard to the Policies MD2 – Design of New Development, MD5 – Development within Settlement Boundaries and ENV7 – Environmental Protection of the Vale of Glamorgan Local Development Plan 2011-2026, as well as the advice and guidance set out in Planning Policy Wales (10th Edition) and Technical Advice Note 11 – Noise, the change of use would result in unacceptable levels of noise and disturbance from the playing of music, flow of patrons and other comings and goings, that would adversely affect the amenity of neighbouring occupiers at unsociable hours.

No.

Reasons for decision

The decision to recommend refusal of 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.

**2019/00520/TPO**

Received on 10 May 2019

(p181)

**APPLICANT:** Anlo Properties LLP C/o Agent

**AGENT:** Miss. Sian Thomas DPP Planning, Sophia House, 28, Cathedral Road, Cardiff, CF11 9LJ

**Site of existing Waitrose, Palmerston Road, Barry**

Work to trees under TPO No.5 of 2013. Clearance of trees G3 (7 alders) and G4 (8 Alders)

**APPROVED**

The **APPROVAL** of the removal of trees 18-24 (as shown on 'Drwg. No. 19/690/01' of the Mackley Davies Associates Tree Survey Report March 2019), subject to the following conditions:

1. The work shall be carried out in accordance with accepted rules and practices of good tree surgery to conform to B.S. 3998 – Recommendations for Tree Work.

Reason:

To ensure the work is carried out to an acceptable standard.

2. The work hereby approved shall be carried out by a suitably qualified professional tree surgeon.

Reason:

To ensure the continued health of the tree and therefore, that the visual amenities of the area are protected.

3. The work hereby approved shall be carried out within 12 months of the date of this consent.

No.

Reason:

To ensure the work is completed within a reasonable time limit

4. The following shall be planted within the site during the next available planting season (October to March) following felling and shall be properly staked and watered during periods of drought for a period of five years.
  - 14 replacement trees comprising either Betula Pendula or Carpinus Betulus Fastigiata, in 14 of the locations shown on the plan titled 'Proposed Planting Plan' from the 'Mackley Davies Associates Ltd Landscape Planting Proposals Scheme April 2019'.

In the event that any of the trees become diseased or die, another similar sized tree shall be planted in its place in the following planting season, and these shall be properly staked and watered during periods of drought for a period of five years.

Reason:

To ensure that the visual amenities of the area are protected.

### **REFUSED**

The **REFUSAL** of the removal of trees 11-17 and 25 (as shown on 'Drwg. No. 19/690/01' of the Mackley Davies Associates Tree Survey Report March 2019), for the following reason:

1. There is insufficient justification for the removal of trees 11-17 and 25 (as indicated on plan 'Drwg. No. 19/690/01' of the Mackley Davies Associates Tree Survey Report March 2019) and their removal would adversely impact upon the character and appearance of the site and the wider area, contrary to Policies SP1 and MD2 of the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

### **Reasons for decision**

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.

**2019/00548/FUL**

Received on 28 May 2019

(p193)

**APPLICANT:** Mrs Christine Cave 18, East View, Llandow Village, Nr Cowbridge, CF71 7NZ

**AGENT:** Mrs Christine Cave 18, East View, Llandow Village, Nr Cowbridge, CF71 7NZ

**4, Old Hall, High Street, Cowbridge**



No.

Change of use from B1 general office space to Class D1 counselling services

APPROVED subject to the following condition(s):

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

Reason:

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

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

- Location plan;
- e-mail from applicant to Vale of Glamorgan Council (subject: 'FW: FW: 2019/00548/FUL: 4 Old Hall, High Street, Cowbridge - application for planning permission for change of use'; date: 03.07.2019; time: 08:45).

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 unit may be used only as a counselling centre shown and described in the approved plans and documents. It may not be used for any other purpose falling under Use Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or the corresponding use class of any piece of legislation which might replace the 1987 Order).

Reason:

To protect the living conditions of neighbours, to protect the character of the Cowbridge Conservation Area, and to prevent the proposal from having an unacceptable effect on highway safety, in accordance with policies SP1, SP10, MD2, MD5, and MD8 of the Vale of Glamorgan Local Development Plan.

Reasons for decision

The decision to recommend that planning permission be granted 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.

No.

Having regard to policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development), MD2 (Design of New Development), MD5 (Development within Settlement Boundaries), MD7 (Environmental Protection), MD8 (Historic Environment), and MD16 (Protection of Existing Employment Sites and Premises), the proposed change of use of part of the first floor of the Old Hall for a counselling service is not considered to impact on the viability of the existing employment premises, and the use is considered acceptable in respect of its impacts on the amenities of the nearby residential occupiers and would not impact on highway safety.

This 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.