

PLANNING COMMITTEE

Minutes of a virtual meeting held on 15th July, 2020.

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

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mr Ian Perry	2019/01031/RG3 - Land to North of Maes y Ffynnon, Bonvilston	Objectors to the application or their representative
Mr Jeremy Peter	2019/01263/FUL - 7 John Batchelor Way, Penarth	Objectors to the application or their representative
Mr Kevin Irish	2019/01290/OUT - Time House, Regent Street, Barry	Objectors to the application or their representative
Mr Kevin Reaney	2019/01290/OUT - Time House, Regent Street, Barry	The applicant or their representative
Mr Chris Beale	2019/01295/FUL - 20 Craig Yr Eos Avenue, Ogmore by Sea	Objectors to the application or their representative
Mr Robert Tate	2019/01295/FUL - 20 Craig Yr Eos Avenue, Ogmore by Sea	Objectors to the application or their representative

743 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 recorded via the internet and this recording archived for future viewing.”

744 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 22nd January, 2020 be approved as a correct record.

745 DECLARATIONS OF INTEREST –

Councillor J.C. Bird declared an interest in respect of Application No. 2019/01031/RG3 - Land to the North of Maes Y Ffynnon, Bonvilston. The nature of the interest was that Councillor Bird had been a member of the Cabinet when the decision to make this application was made.

Councillor G.C. Kemp declared an interest in respect of Application No. 2019/01031/RG3 - Land to the North of Maes Y Ffynnon, Bonvilston. The nature of the interest was that Councillor Kemp had been a member of the Cabinet when the decision to make this application was made.

Councillor A.C. Parker declared an interest in respect of Application No. 2019/01031/RG3 - Land to the North of Maes Y Ffynnon, Bonvilston. The nature of the interest was that Councillor Parker had been a member of the Cabinet when the decision to make this application was made.

Councillor M.R. Wilkinson declared an interest in respect of Application No. 2019/01031/RG3 - Land to the North of Maes Y Ffynnon, Bonvilston. The nature of the interest was that Councillor Wilkinson is the current Cabinet Member for Housing and Building Services.

Councillor M.R. Wilson declared an interest in respect of Application No. 2019/01263/FUL - 7, John Batchelor Way, Penarth Marina, Penarth. The nature of the interest was that Councillor Wilson had taken a view on this application at another place but would now be looking at this afresh at the meeting.

746 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.

2019/01031/RG3 Received on 19 September 2019

(p1)

Applicant: Housing and Building Services, Vale of Glamorgan The Alps, Alps Quarry Road, Wenvoe, CF5 6AA

Agent: Mr Nathan Slater Dock Offices, Subway Road, Barry, CF63 4RT

Land to the North of Maes Y Ffynnon, Bonvilston

Construction of 10 affordable residential units and associated works

DEFERRED.

Pending outcome of village green application.

2019/01263/FUL Received on 27 November 2019

(p35)

Applicant: Mr. Neil Ballard 7, John Batchelor Way, Penarth, Vale of Glamorgan, CF64 1SD

Agent: Mr. Neil Campodonic 80, Waterloo Road, Penylan, Cardiff, CF23 9BH

7, John Batchelor Way, Penarth Marina, Penarth

Garage conversion, extension balcony with privacy panel and elevational change to front and privacy screen to rear balcony

APPROVED subject to the following condition(s):

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

Gen Arr Plans and Elevations Rev B - 2099-11 - Received 19/11/19
 Existing and Proposed Elevations - 2099-14 - Received 19/11/19
 Railing details - 2099-13A - Received 19/11/19
 1.1m side elevation balcony rail details - 19/11/19
 Construction details of balcony - Received 19/11/19

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.

2. Notwithstanding the submitted plans, prior to its erection on site, further details of the proposed balcony enclosure (to a scale of 1:20) including manufacturers details and specifications shall be submitted to and approved in writing by the Local Planning Authority and the balcony shall be erected in accordance with the agreed details.

Reason:

In the interests of visual amenity and to ensure the balcony design matches the neighbour in compliance with the terms of MD2 Design of New Development of the Local Development Plan 2011-2026.

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.

With regards to Policies MD2 Design of New Development, MD5 Development within Settlement Boundaries and SP1 Delivering the Strategy of the adopted LDP as well as guidance within the Residential and Householder Development SPG these proposals are considered acceptable in terms of their impacts on visual amenity, the street scene, the character of the existing dwelling and neighbouring amenity.

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.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

2019/01290/OUT Received on 16 December 2019

(p48)

Applicant: Kevin Reaney SWTR, The Business Centre Cardiff, Cardiff House, Cardiff Road, Barry, CF63 2AW

Agent: Paul Hayes PAH Building Design & Technology, 36, Moy Road, Taffs Well, Cardiff, CF15 7PX

Time House, 168B, Regent Street, Barry

Demolition of existing building and construction of 2 no. two bedroom flats

APPROVED subject to the following conditions(s):

1. Details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Reason:

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

2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

Reason:

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

3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason:

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

4. The development shall be carried out in accordance with the following scale parameters:

Max eaves height - 5.50m

Max ridge height - 7.50m

Max width - 9.00m (Side to side)

Max depth - 6.00m (Front to back)

Reason:

To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 and to ensure a satisfactory form of development in accordance with Policies SP1 (Delivering the Strategy) & MD2 (Design of New Development) of the Local Development Plan.

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

366/4/02 Site Location Plan received 25 November 2020

Design and Access statement- Rev D received 16 December 2020

366/4/01 D - Site Plan received 19 February 2020

Reason:

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

6. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to their use in the development, and the means of enclosure shall be implemented in accordance with the approved details prior to the part of the development that they relate to being put into beneficial use.

Reason:

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

7. 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 amenity 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.

8. Due to the potential for noise disturbance to local residents, the development should be subject to the following hours of operation, restrictions should include deliveries;

Monday – Friday	8:00 until 18:00
Saturday	8:00 until 13:00

With no Sunday or Bank Holiday working

Reason

To protect neighbouring amenities and to comply with policy SP1 (Delivering the Strategy) of the Council's Local Development Plan.

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) measures to control and mitigate the emission of dust, smoke, other airborne pollutants and dirt during construction;
- vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- vii) hours of construction;
- viii) lighting;
- ix) management, control and mitigation of noise and vibration;
- x) odour management and mitigation;
- xi) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorscheme.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 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.

10. Prior to the first beneficial use of the building, the existing dropped kerb for a vehicle crossover shall be stopped up and reinstated as pedestrian footway in accordance with the Council's standard details for adoption.

Reason

To assist with parking and to comply with policy SP1 (Delivering the Strategy) of the Council's Local Development Plan.

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

12. 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 unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. 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 and to comply with policy SP1 (Delivering the Strategy) of the Council's Local Development Plan.

Reason for decision

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

Having regard to Policy SP1 –delivering the strategy, policy SP4 – Affordable Housing Provision, Policy SP7 – Transportation, Policy MG1 – Housing Supply in the Vale of Glamorgan, Policy MG4 – Affordable Housing, Policy MD1 – Location of New Development, Policy MD 2 – design of new development, Policy MD 5 – development within settlement boundaries and Policy MD16 – Protection of Existing Employment Sites and Premises of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice contained within the Council's Supplementary Planning Guidance on Residential and Householder Development and Parking Guidelines, Planning Policy Wales 10th Edition and Technical Advice Note 12- Design, the development is considered acceptable in terms of its principle, scale, impact on neighbours, parking and amenity space provision.

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

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

2019/01295/FUL Received on 23 January 2020

(p67)

Applicant: Mr Mark Standish 20, Craig Yr Eos Avenue, Ogmore By Sea, CF32 0PF

Agent: Mr Matt John Atrium Planning Consultants, 12, Clarendon Road, Sketty, SA2 0SR

20, Craig Yr Eos Avenue, Ogmore By Sea

Extension to the existing garage and first floor garage attic conversion.

APPROVED subject to the following conditions:

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

Reason:

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

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

Amended Location plan. Received: 19/02/2020.

Amended Proposed Floor Plans. Received: 23/01/2020.

Amended Proposed Elevations. Received: 23/01/2020.

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 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, prior to their use. The development shall be completed in accordance with the approved details.

Reason:

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

4. The two rooflights in the east facing roof plane (facing towards number 19 Craif Yr Eos Avenue) shall be obscurely glazed to a minimum of level 3 of the "Pilkington" scale of obscuration and fixed pane at the time of installation, and so retained at all times thereafter.

Reason:

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

Reason for decision

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

Having regard to Policy SP1 – Delivering the strategy, Policy SP10 – Built and Natural Environment, Policy MG27 – Glamorgan Heritage Coast, Policy MD2 - Design of New Development, and Policy MD5 - Development Within Settlement Boundaries, of the Vale of Glamorgan Adopted Local Development Plan 2011- 2026, and the advice contained within the Council's Supplementary Planning Guidance on Residential and Householder Development (2018), Parking Standards (2019), Chapter 3 – Strategic and Spatial Choices, of Planning Policy Wales 10th Edition (2018), Technical Advice Note 12- Design (2016), the development is considered acceptable in terms of its scale, design, impact on the existing dwelling house, the visual amenity of the street scene, amenity space and parking provision.

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

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.