

No.

PLANNING COMMITTEE

Minutes of a remote meeting held on 21st January, 2021.

The Committee agenda is available [here](#).

Present: 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, M.J.G. Morgan,
L.O. Rowlands, N.C. Thomas, Mrs. M.R. Wilkinson, E. Williams, M.R. Wilson and
Ms. M. Wright.

Also present: Councillors L. Burnett and R.A. Penrose.

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mrs. Sally Carnall	2020/00874/RG3 - St. Nicholas Church in Wales Primary School, St. Nicholas	Objectors to the application or their representative
Mr. Bryan Davies	2020/00874/RG3 - St. Nicholas Church in Wales Primary School, St. Nicholas	Objectors to the application or their representative
Councillor Ian Perry	2020/00874/RG3 - St. Nicholas Church in Wales Primary School, St. Nicholas	A representative of a Town or Community Council
Mrs. Jennifer Newton	2020/00874/RG3 - St. Nicholas Church in Wales Primary School, St. Nicholas	The Applicant or their Representative
Mrs. Jane O'Leary	2020/00874/RG3 - St. Nicholas Church in Wales Primary School, St. Nicholas	The Applicant or their Representative
Mrs. Jane Davies	2020/01232/RG3 - Land to the rear of Nos. 2 to 4, School Houses, St. Cyres Road, Penarth	Objectors to the application or their representative

Councillor Burnett, spoke on application No. 2020/00874/RG3 – St. Nicholas Church in Wales Primary School, St. Nicholas, in her capacity as Cabinet Member for Education and Regeneration.

376 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.”

No.

377 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 16th December, 2020 be approved as a correct record.

378 DECLARATIONS OF INTEREST –

Councillor J.C. Bird (Chairman) declared an interest in respect to application No. 2020/00874/RG3 – St. Nicholas Church in Wales Primary School, St. Nicholas. The nature of the interest was that Councillor Bird had previously been involved in the consideration of alternative sites for the school. Councillor Bird had received dispensation from the Standards Committee to speak and vote on such matters.

Councillor L. Burnett (Cabinet Member for Education and Regeneration), not a member of the Planning Committee, declared a prejudicial interest in respect to application No. 2020/00874/RG3 - St. Nicholas Church in Wales Primary School, St. Nicholas. Councillor Burnett was the responsible Cabinet Member and so withdrew from the meeting once she had made her representations.

Councillor M.J.G. Morgan declared a personal and prejudicial interest on application No. 2020/00762/FUL – Lanlay, Wyndham Park Way, Peterston Super Ely. The nature of the interest was that Councillor Morgan was the applicant and he therefore withdrew from the meeting and took no part in the debate or vote.

Councillor Mrs. M.R. Wilkinson declared a prejudicial interest on application No. 2020/01232/RG3 – Land to the rear of Nos. 2 to 4, School Houses, St. Cyres Road, Penarth. The nature of the interest was that Councillor Mrs. Wilkinson was the Cabinet Member for Housing and Building Services. Councillor Mrs. Wilkinson therefore declared a prejudicial interest and left the meeting once she had made her representations as Cabinet Member.

379 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.

2020/00874/RG3 Received on 29 July 2020

(P. 1)

APPLICANT: Jane O'Leary Civic Offices, Holton Road, Barry, CF63 4RU

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

St. Nicholas Church In Wales Primary School, St. Nicholas

No.

Proposed replacement primary school including additional nursery provision and associated works

REFUSED

Reason for decision

The increase in capacity of the school would exacerbate traffic congestion in the vicinity of the school to the detriment of highway safety contrary to LDP Policy MD2 (Design of New Development) criterion 6.

2020/00954/CAC Received on 29 July 2020
(P. 54)

APPLICANT: Jane O'Leary Civic Offices, Holton Road, Barry, CF63 4RU

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

St. Nicholas Church In Wales Primary School, St. Nicholas

Proposed replacement primary school including additional nursery provision and associated works

DEFERRED

Awaiting acceptable scheme.

2020/00514/OUT Received on 13 October 2020
(P. 63)

APPLICANT: Mr. Craig Anstee 15, Nantlais, Corntown, Vale of Glamorgan, CF35 5SA

AGENT: Mr. Craig Anstee 15, Nantlais, Corntown, Vale of Glamorgan, CF35 5SA

15, Nantlais, Corntown

New residential dwelling in garden of existing dwelling and replacement garage

RESOLVED – T H A T, subject to the applicant first entering into a Section 106 Legal Agreement in respect of the following:

- Provide an affordable housing contribution of 27,770.40 (unless self-build exemptions apply)

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.

No.

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:

Proposed Dwelling

- Ridge height to 7.7 metres
- Eaves height to 4.8 metres

Proposed Detached Garage (number 15)

- Ridge height to 4.8 metres
- Eaves height to 2.3 metres

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) and 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:

3 x Proposed Site Layout Plans. Received: 19/05/2020.
Amended Site Location Plan. Received: 14/10/2020.

No.

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. 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.

7. 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 commencing and 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.

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

Reason:

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

No.

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

Reason:

To ensure that the safety of future occupiers is not prejudiced in accordance with Policy MD7 (Environmental Protection) of the Local Development Plan.

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

Reason:

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

11. All means of enclosure associated with the development hereby approved shall be in accordance with details to be submitted to and agreed in writing by the Local Planning Authority, prior to their erection. The means of enclosure shall be completed in accordance with the approved details prior to the first beneficial use of the development.

No.

Reason:

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

12. 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 Policy MD2 (Design of New Development) of the Local Development Plan.

13. The dwelling shall not be occupied until the parking spaces to serve the new house and number 15 Nantlais have been laid out within the site and those spaces shall thereafter be kept available for the parking of vehicles to serve those dwellings in perpetuity.

Reason:

To ensure that satisfactory vehicle parking is provided on site to serve the development, and to ensure compliance with the terms of Policy MD2 (Design of New Developments) of the Local Development Plan.

14. No development shall take place until an ecological enhancements plan (including details of phasing) has been submitted to and approved in writing by the Local Planning Authority. The enhancements plan shall be completed in accordance with the approved phasing and shall be retained at all times in accordance with the approved details.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 and MD9 of the Local Development Plan.

Reason for decision

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

Having regard to Policies SP1 – Delivering the strategy, SP2 – Strategic Sites, SP4 – Affordable Housing Provision, MG1 – Housing Supply in the Vale of Glamorgan,

No.

MG2 – Housing Allocations, MG4 – Affordable Housing, MD1 – Location of New Development, MD2 – Design of New Development, MD4 – Community Infrastructure and Planning Obligations, MD5 – Development within Settlement Boundaries, MD7 – Environmental Protection, and MD9 – Promoting Biodiversity 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), Affordable Housing (2018), Planning Obligations (2018), Planning Policy Wales 10th Edition (2018), Technical Advice Note 2 – Planning and Affordable Housing (2006), and Technical Advice Note 12 – Design (2016), the development is considered acceptable in terms of its scale, siting, context within the street scene, amenity space, land contamination, drainage, and impacts on neighbours, parking, highway safety, 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.

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.

2020/00762/FUL Received on 9 July 2020
(P. 82)

APPLICANT: Mr. and Mrs. Mike Morgan Lanlay, Wyndham Park Way, Peterston Super Ely, CF5 6LG

AGENT: Mr. Andrew Parker, The Great Barn, Redway Road, Bonvilston, CF5 6TR

Lanlay, Wyndham Park Way, Peterston Super Ely

Proposed 20m X 40m Ménage

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:

803/P/10R- Proposed Site Layout

No.

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. Prior to the commencement of development, and notwithstanding the submitted details, a method statement for the construction of the ménage and fence shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall address how the ménage will be constructed in way that minimises any impacts on the trees covered by Tree Preservation Order no. 6 1990 and shall include details of the provision of fencing to protect the trees during construction, hand digging to construct the south eastern edge of the ménage and how the ménage will be constructed in a way that protects any tree roots, should these be encountered (such as geocellular confinement). The development shall be carried out in accordance with the approved details.

Reason:

To ensure the trees covered by a Tree Preservation Order are satisfactorily protected during the development, in accordance with Policies MD1 (Location of New Development) and MD2 (Design of New Development).

Reason for decision

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

Having regard to Policies SP1, SP9, SP10, MG17, MG22, MD1, MD2 and MD7 of the Local Development Plan, Planning Policy Wales and the relevant Technical Advice Notes and Supplementary Planning Guidance, the development is considered to be acceptable in terms of its impact on the countryside, on the trees on the site and in other respects.

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.

No.

2020/01232/RG3 Received on 16 October 2020
(P. 93)

APPLICANT: Vale of Glamorgan Council, The Alps Depot, Alps Quarry Road,
Wenvoe, CF5 6AA

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

Land to the rear of Nos. 2 to 4, School Houses, St. Cyres Road, Penarth

Construction of 14 affordable apartments for over 55 year olds, and associated works

RESOLVED – T H A T 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 and documents:

A020 - Site Location Plan

A022 - Ground Floor Plan

A023 - First Floor Plan

A024 - Second Floor Plan

A025 - Front Elevation

A026 - East Elevation

A027 - Rear Elevation

A028 - West Elevation

A029 - Context Elevation

Planning, Design and Access Statement

Tree Survey' dated 10 October 2019

Arboricultural Impact Assessment' dated 22 October 2019

Tree Constraints Plan' received 16 October 2020

Ecological Assessment by David Clements Ecology Ltd dated November 2020 received 4 December 2020.

SK100 - Swept Path Analysis Forward Entry

SK101 - Swept Path Analysis Reverse Manoeuvre

SK102 - Swept Path Analysis Forward Egress

A021 Rev A - Site Layout received 9 December 2020

No.

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, prior to their use within the development, 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 be completed in accordance with the approved details to its beneficial occupation.

Reason:

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

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

Reason:

To ensure that visual amenity 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.

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

Reason:

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

6. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of the Welsh Government Technical Advice Note 2 on Affordable Housing or any future guidance that replaces it.

No.

Reason:

In order to ensure that the site delivers appropriate provision of affordable housing to meet the identified need and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), SP4 (Affordable Housing Provision), MG4 (Affordable Housing) and MD4 (Community Infrastructure and Planning Obligations) of the Local Development Plan.

7. Notwithstanding the submitted details, no development shall take place, including site clearance, until a wildlife and habitat protection and management plan has been submitted to and approved in writing by the Local Planning Authority. The wildlife and habitat protection plan shall include the measures specified within the 'Ecological Assessment' prepared by David Clements Ecology dated November 2020 and include:

- i) Methodology for dealing with protected species;
- ii) Details of sensitive site clearance with respect to bats, reptiles and breeding birds;
- ii) Measures to be undertaken to enhance biodiversity on site;
- iii) A lighting scheme for the site to determine the impact on bats and dark corridors; and
- iv) Details of ongoing management of the site to maintain biodiversity.

The protection and management plan shall then be completed in accordance with the timings approved by the Local Planning Authority.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy), MD9 (Promoting Biodiversity) and MG21 (Sites of Importance for Nature, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species) of the Local Development Plan.

8. 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.

No.

- viii) hours of construction;
- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xi) diesel and oil tank storage areas and bunds;
- xii) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.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.

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.

9. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of parking for construction traffic, the proposed routes for heavy construction vehicles, timings of construction traffic (to avoid school drop off and pick up times) and means of defining and controlling such traffic routes and timings. The development shall be carried out in accordance with the approved Management Plan.

Reason:

To ensure that the parking provision and highway safety in the area are not adversely affected by the construction of the development and to meet the requirements of Policies SP1 (Delivering the Strategy), MD2 (Design of New Developments) and MD7 (Environmental Protection) of the Local Development Plan.

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

No.

Planning Authority.

Reason:

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

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

Reason:

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

12. The windows in the eastern elevation at first floor level serving plot 6 and second floor level serving the protected stair well shall be non-opening and fitted with obscure glazing to a minimum of level 3 of the "Pilkington" scale of obscuration at the time of installation of the window and shall be retained as such at all times.

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.

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

No.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

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

Reason:

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

15. Notwithstanding the submitted details, a scheme providing for the fencing of the trees and hedgerows to be retained and showing details of any excavations, site works, trenches, channels, pipes, services and areas of deposit of soil or waste or areas for storage shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development and any site clearance. No development shall be commenced on site until the approved protection scheme has been implemented and the scheme of tree protection shall be so retained on site for the duration of development works.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) / MD9 (Historic Environment) of the Local Development Plan.

16. Notwithstanding the submitted plans prior to the beneficial occupation of the development hereby approved full details of bin store shown on drawing A021 Rev A shall be submitted to and approved in writing by the Local Planning Authority. The bin store shall be completed in accordance with the approved details prior to beneficial occupation of the development and shall thereafter be so retained.

No.

Reason:

To safeguard living conditions of future occupiers, as required by Policies MD2 (Design of New Development) and SP1 (Delivering the Strategy) of the Local Development Plan.

Additional Informatives:

1. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com
2. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Reason for decision

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

Having regard to policies SP1 – Delivering the Strategy, SP3 – Residential Requirement, SP4 – Affordable Housing Provision, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG1 – Sites and Species of European Importance, MG20 – Nationally Protected Sites and Species, MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, MD1 – Location of New Development, MD2 - Design of New Development, MD5 – Development within Settlement Boundaries, MD6 – Housing Densities, MD7 – Environmental Protection, MD9 - Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Planning Policy

No.

Wales (Edition 10), Technical Advice Notes 2, 12, 15, 16, 18 and 24, the Council's Supplementary Planning Guidance on Residential and Householder Development, Affordable Housing, Biodiversity and Development, Parking Standards, Planning Obligations, the proposed development is considered acceptable in respect of the design, scale and visual impact of the buildings, impact on residential amenity and privacy, parking, highway safety, traffic, ecology and drainage.

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.