

PLANNING COMMITTEE

Minutes of a remote meeting held on 24th March, 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 and M.R. Wilson.

Also present: Councillors G. John and A.C. Parker.

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mr. Robert Chichester	2019/00968/FUL - Porthkerry House, Porthkerry	The applicant or their representative
Mr. David Harris	2020/00352/OUT - Land North of West Camp – Site B – Eastern Parcel, Llanmaes	Objector to the application or their representative

Councillor John spoke on application Nos. 2020/00351/OUT Land East of B4265 – Site A – Western Parcel, Llanmaes and 2020/00352/OUT Land North of West Camp – Site B – Eastern Parcel, Llanmaes in his capacity as a Vale of Glamorgan Member for Llantwit Major.

526 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.”

527 APOLOGIES FOR ABSENCE –

These were received from Councillor Ms. M. Wright.

528 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 24th February, 2021 be approved as a correct record.

529 DECLARATION OF INTEREST –

No declarations were received.

530 GUIDE TO PUBLIC SPEAKING AT PLANNING COMMITTEE REVIEW (MD) -

The purpose of the report was to advise Members of the review that had been undertaken and proposed updates to the Public Speaking Guide which was available to promote the Public Speaking function at Planning Committee meetings.

The current Guide to Public Speaking at Planning Committee had been in effect since the 1st February 2015.

A review of the guide had taken place and a suggested amended guide was now presented to the Planning Committee for its consideration for recommendation to Full Council for ratification on Monday, 26th April, 2021.

Following the Democratic & Scrutiny Services Officer's presentation and during subsequent Committee discussion, the Officer confirmed that the proposed guide would be amended and highlighted accordingly to reflect the following points prior to consideration by Full Council.

During discussion, the Planning Committee Members recommended that Town and Community Councillors be nominated by their respective council in order to address the Committee in that capacity via the relevant Proper Officer or acting equivalent. This to be a nomination process for each Town & Community Council to manage individually.

A further suggestion was also agreed that the Guide include that a Vale of Glamorgan Councillor that had declared a prejudicial interest was still entitled to speak on a Planning Application in accordance with the Council's Code of Conduct. A time limit of 3 minutes would apply. It being noted that any Member of the Planning Committee with a prejudicial interest would not be able to vote on the Planning Application itself in line with the Council's Code of Conduct.

The following advice was also provided to Committee but was not related directly to the proposed guide document:

- Registered Speakers were offered a trial in using Microsoft Teams (the current remote meeting platform used for the Committee Meeting) prior to joining the meeting. This had been standard practice since the introduction of virtual meetings in September 2020 and was set out in the Covid-19 Remote Meeting Procedure.
- Site visits would be reinstated post COVID-19; in the meantime, Members could visit sites individually in line with social restrictions as set by Welsh

Government. The proposed guide continued to state that the procedure did not apply to Planning Committee site visits.

- Town and Community Councils (TCCs) were made aware of each Planning Committee Agenda via a notification email sent to all TCC Clerks on the publication of each agenda. A reminder to TCC Clerks about the nomination process for TCC speakers to the Committee would be sent to all Clerks by way of referring the proposed guide to the Community Liaison Committee following Full Council approval.

RESOLVED -

(1) T H A T the revised Guide to Public Speaking at Planning Committee ('the Guide'), attached at Appendix A to the report, be endorsed and referred to Full Council on 26th April, 2021 subject to the following document amendments recommended by the Planning Committee:

- That Town and Community Councillors be nominated by their respective council in order to address the Committee in that capacity via the Proper Officer of the TCC or acting equivalent.
- Any Vale of Glamorgan Councillor that had declared a prejudicial interest was still entitled to speak on a Planning Application in accordance with the Council's Code of Conduct. A time limit of 3 minutes would apply. Any Member of the Planning Committee with a prejudicial interest would not be able to vote on the Planning Application itself in line with the Council's Code of Conduct.

(2) T H A T the Guide to Public Speaking at Planning Committee ('the Guide'), as approved by Full Council, take effect from Tuesday, 11th May 2021.

(3) That a copy of the Guide to Public Speaking at Planning Committee ('the Guide'), as approved by Full Council, be referred to the Community Liaison Committee.

(4) T H A T the arrangements for public speaking at Planning Committee be reviewed during the 2022 Local Government Election term.

Reasons for decisions

(1) To ensure that the views of the Planning Committee are taken into account prior to final approval of 'the Guide' by Full Council.

(2) To ensure that the revised version of 'the Guide' is available to individuals who wish to speak at Planning Committee at the start of the 2021-22 Municipal Year.

(3) To ensure that the revised version of 'the Guide' is made available to all Town and Community Councils for their information and future use.

(4) To monitor the effectiveness of the arrangements.

531 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.

2019/00968/FUL Received on 13 September 2019

(p1)

APPLICANT: Mr. S. Howes, Porthkerry House, Porthkerry, Vale of Glamorgan, CF62 3BZ

AGENT: Mrs. Arran Dallimore, C2J Architects and Town Planners, Unit 1A, Compass Business Park, Pacific Road, Ocean Park, Cardiff, CF24 5HL

Porthkerry House, Porthkerry

Proposed construction of pool house and enclosed terrace

RESOLVED

- (1) T H A T planning permission for the retention of the works be refused.
- (2) T H A T the Monitoring Officer/Head of Legal and Democratic 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 removal of the terrace that is the subject of this planning application.
 - (ii) The re-instatement of the land within the root protection area to its former condition immediately prior to the commencement of the unauthorised works.
- (3) T H A T in the event of non-compliance with the Notice, authorisation be also sought to take such legal proceedings as may be required.

Reason for decisions

1. The introduction of the terrace within the root protection area of the Holm Oak, which forms part of a wider ancient woodland, would be likely to result in the death of the tree and the loss of a substantial historic natural feature. The development would therefore be contrary to policy MD1 of the LDP (criterion 1, due to the impact on the character of this rural site), policy MD2 (criterion 10 due to the adverse impact on the existing landscaping features and criterion 12 due to the adverse environmental impacts of losing the tree) and Policy SP10 (due to harm to the natural environment/heritage) of the Vale of Glamorgan Adopted Local

Development Plan 2011-2026, the Council's Trees, Woodlands, Hedgerows and Development SPG and the advice within Planning Policy Wales 11.

The decision to refuse 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 and Future Wales – the National Plan 2040.

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.

2020/00351/OUT Received on 1 April 2020
(p15)

APPLICANT: Welsh Ministers c/o Agent

AGENT: Miss Louise Darch WYG Planning and Environment, 5th Floor, Longcross Court, 47, Newport Road, Cardiff, CF24 0AD

Land East of B4265 - Site A - Western Parcel, Llanmaes

Outline planning permission with all matters reserved (other than existing access from Ffordd Bro Tathan) for residential development of up to 140 homes and associated development

RESOLVED – T H A T subject to the applicant first entering into a Section 106 Legal Agreement to cover the following:

- Provide and maintain in perpetuity 35% of the total number of units as affordable housing (at least 70% of which shall be social rented);
- To pay £1,165,000 (minus the cost of two dropped kerbs on Eglwys Brewis Road) as a contribution towards 'Facilities or services to meet the needs of the residents of the development in respect of education, community facilities and/or public open space'.
- The payment of the balance (between bullet point 2 above and £1,165,000) for the provision of two dropped kerbs on Eglwys Brewis Road.

AND, in the event that the development is not completed within 32 months of commencement, the trigger of a development viability review mechanism.

APPROVED subject to the following conditions(s):

1. Approval of the layout, scale, appearance, and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

Reason:

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

2. Application for approval of the reserved matters hereinbefore referred to must be made not later than the expiration of three years beginning with 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 to which this permission relates must be begun not later than whichever is the later of the following dates:

(a) The expiration of five years from the date of this permission.

(b) The expiration of two years from the date of the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matters to be approved.

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 approved plans and documents:

A093950-14(B): 1a, 2a, 3a, 4a, 5a, 6a, 7a, 8a, 9a, 10a, 11a and 13a (including flood zones),

A093950-14-LA-01

Scale parameters submitted on the 2nd April 2020.

Site A (Land north of West Camp- Eastern Parcel). Bat Surveys' by White Young Green dated October 2019;

Site A (Land north of West Camp- Eastern Parcel). Ecological Appraisal' by White Young Green dated October 2019;

Flood Consequences Assessment Flood Consequence Assessment, dated March 2020), Project number: 60509148

Site A Framework Masterplan, drawing A093950-14[B]13a_RevC, dated March 2020

WYG Archaeological Desk-Based Assessment A093650-14

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.

5. The development shall be in accordance with the scale parameters submitted on the 2nd April 2020.

Reason:

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

6. Prior to the first beneficial occupation of any dwelling, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, and this shall include a package of measures tailored to the needs of the site and its future users to widen travel choices by all modes of transport and encourage sustainable transport.

Reason:

To ensure the development accords with sustainability principles and that the site is accessible by a range of modes of transport in accordance with Policies 2, 8 and ENV27 of the Unitary Development Plan.

7. Prior to the commencement of the construction of any part of the development a scheme (including details of the timing of such provision) for the provision and maintenance of Public Open Space (including children's play equipment) shall be submitted to and approved in writing by the Local Planning Authority, and the public open space shall thereafter be provided and retained in accordance with the agreed details.

Reason:

To ensure the timely provision of open space in the interests of the amenity of future occupiers and the wider area and to ensure compliance with Policies MD2 and MD5 of the Local Development Plan.

8. Notwithstanding the submitted plans, prior to the commencement of the construction of any roads within the site, further details of the highway lighting and all surface materials to be used in the parking areas and carriageways within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be maintained in accordance with the approved details.

Reason:

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

9. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason:

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

10. 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 five 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, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policy MD2 of the Local Development Plan.

11. Prior to the commencement of development, details of the finished levels of the site and dwellings in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full 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 MD2 and MD5 of the Unitary Development Plan.

12. No Development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated, and details of construction hours and construction traffic routes. The CEMP shall utilise the Considerate Constructors Scheme. The CEMP shall include a system for the management of complaints from local residents which shall

incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan.

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 MD2 and MD7 of the Local Development Plan.

13. Prior to the commencement of development, details of noise mitigation shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of background noise sources/levels and measures to protect the amenity of residents in the dwellings. The development shall not be occupied until the approved measures have been implemented.

Reason:

To safeguard the amenities of occupiers of the development, and to ensure compliance with the terms of Policies SP1 and MD7 of the Local Development Plan.

14. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to their use in the development, and the means of enclosure shall be implemented in accordance with the approved details prior to that part of the development 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.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking, amending or re-enacting that Order) no gates, fences, walls or other means of enclosure (other than approved by conditions of this permission) shall be erected, constructed or placed on the application site without the prior written consent of the Local Planning Authority.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

16. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be

monitored, shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required then no further actions will be required. All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

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

Reason:

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

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

The report of the findings shall include:

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

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

(iii) an assessment of the potential risks to:

- human health,
- groundwaters and surface waters
- adjoining land,

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

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

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

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

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policy MD2 of the LDP.

18. Prior to the commencement of the development, a detailed contamination remediation scheme and verification plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and

ecological systems are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policy MD7 of the LDP.

19. The remediation scheme approved by condition 18 above must be fully undertaken in accordance with its terms prior to the occupation of any part of the development, or in accordance an alternative set of timescales that shall first be approved in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of the commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

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

Reason :

To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policy MD7 of the LDP.

20. 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.

21. 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.

22. No development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul water, surface water and land drainage (including highway drainage) will be dealt with, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented prior to the first beneficial occupation of any of the dwellings and so maintained at all times thereafter.

Reason:

To ensure that adequate drainage facilities are in place to serve the development and to ensure compliance with Policy MD7 of the Local Development Plan.

23. No dwellings shall be brought into beneficial use until such time as reinforcement works to the local public sewerage system, into which the development shall drain, have been completed in accordance with a Hydraulic Modelling Assessment (HMA). Details of the HMA shall be submitted to and approved in writing by the the Local Planning Authority prior to the first occupation of any of the dwellings and written confirmation

of the completion of the HMA works shall also be submitted to the Local Planning Authority prior to the occupation of any dwelling.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, and to ensure compliance with Policy MD7 of the LDP.

24. The development shall be carried out in accordance with the following:

- Flood Consequences Assessment (AECOM, Residential Development at Llanmaes, Flood Consequence Assessment, dated March 2020), Project number: 60509148
- Site A Framework Masterplan, drawing A093950-14[B]13a_rev C, dated March 2020.

Reason:

In order to ensure that the development is not subject to unacceptable flood risk, and to ensure compliance with Policies MD2 and MD7 of the LDP.

25. The development shall be carried out in accordance with the following documents, and the recommendations/measures included in them:

- 'Site A (Land north of West Camp- Eastern Parcel). Bat Surveys' by White Young Green dated October 2019;
- 'Site A (Land north of West Camp- Eastern Parcel). Ecological Appraisal' by White Young Green dated October 2019;
- Drawing A093950-14[B]13a_rev C entitled 'Land north of West Camp. Framework Masterplan. Natural Environment. 013A' by White Young Green dated March 2020.

Reason:

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

26. Full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority, prior to the commencement of development. The Lighting Plan shall include:

- Details of the siting and type of external lighting to be used
- Drawings setting out light spillage in key sensitive areas including in the vicinity of sensitive habitats retained or provided for nature conservation mitigation
- Details of lighting to be used both during construction and/or operation

The lighting shall be installed and retained as approved during construction and/or operation.

Please note the lighting plan should also be designed to ensure a sensitive scheme for bats and otter.

Reason:

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

27. No development shall commence until a Landscape Ecological and Habitat Management Plan (for the provision, management and maintenance of the landscape, habitats and ecological features at the site) has been submitted to and approved by the Local Planning Authority. The LEMP shall include:
- Details of habitats, landscape, environmental and ecological features present or to be created at the site
 - Details of the desired conditions of features (present and to be created) at the site
 - Details of scheduling and timings of activities
 - Details of short and long-term management, monitoring and maintenance of new and existing landscape, environmental and ecological features at the site to deliver and maintain the desired condition
 - Details of management and maintenance responsibilities for the ecological features, habitats and landscape
 - Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals as agreed

The plan shall be carried out in accordance with the approved details.

Reason:

To ensure necessary landscape and environmental management measures are agreed prior to commencement and implemented to ensure the site's landscape and environmental features are adequately managed long term, and to ensure compliance with Policies MD2 and MD7 of the LDP.

28. Notwithstanding the submitted details, no development shall take place, including site clearance, until details of ecological enhancements have been submitted to and approved in writing by the Local Planning Authority. The approved ecological enhancements shall be implemented prior to the occupation of the part of the site that they relate to and they shall be retained at all times thereafter.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD9 (Promoting Biodiversity) 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, SP2, SP3, SP4, SP&, SP10, MG1, MG2, MG4, MG7, MG10, MG16, MG19, MG20, MG22, MG23, MD1, MD2, MD3, MD4, MD5, MD6, MD7, MD8, and MD9 of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Future Wales: The National Plan 2040, PPW 11, TANs 1, 2, 5, 6, 11, 12, 15, 16, 18 and 24, and the Council's SPG on Affordable Housing Biodiversity and Development, Design in the Landscape, Minerals Safeguarding, Parking Standards, Planning Obligations, Public Art in New Development, Residential and Householder Development, Sustainable Development - A Developer's Guide, Travel Plan and Trees, Woodlands, Hedgerows and Development, the proposed development is considered acceptable in principle and in respect of the Density of the development, Visual impact, the historic environment, Design and layout, highways issues, including highway safety, public transport, pedestrian movements, traffic and congestion issues, impact on residential amenity of existing residents, amenity of the future occupiers of the site, drainage and flood risk, ecology, agricultural land quality, the impact of the development on the tenant farm, and trees and hedgerows.

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.

2020/00352/OUT Received on 1 April 2020

(p57)

APPLICANT: Welsh Ministers c/o Agent

AGENT: Miss. Louise Darch WYG Planning and Environment, 5th Floor, Longcross Court, 47, Newport Road, Cardiff, CF24 0AD

Land North of West Camp - Site B - Eastern Parcel, Llanmaes

Outline planning permission with all matters reserved (other than existing access from Ffordd Bro Tathan) for residential development of up to 100 homes and associated development

RESOLVED – T H A T subject to the applicant first entering into a Section 106 Legal Agreement to cover the following:

- Provide and maintain in perpetuity 35% of the total number of units as affordable housing (at least 70% of which shall be social rented);

AND, in the event that the development is not completed within 25 months of commencement, the trigger of a development viability review mechanism.

APPROVED subject to the following conditions(s):

1. Approval of the layout, scale, appearance, and landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced.

Reason:

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

2. Application for approval of the reserved matters hereinbefore referred to must be made not later than the expiration of three years beginning with 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 to which this permission relates must be begun not later than whichever is the later of the following dates:

(a) The expiration of five years from the date of this permission.

(b) The expiration of two years from the date of the final approval of the reserved matters or, in the case of approval on different dates the final approval of the last such matters to be approved.

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 approved plans and documents:

A093950-14(B): 1b, 2b, 3b, 4b, 5b, 6b, 7b, 8b, 9b, 10b, 11b and 13b (including flood zones),

A093950-14-LA-01

Scale parameters submitted on the 2nd April 2020.

Site B (Land north of West Camp- Eastern Parcel). Bat Surveys' by White Young Green dated October 2019;

Site B (Land north of West Camp- Eastern Parcel). Ecological Appraisal' by White Young Green dated October 2019;
 Flood Consequences Assessment Flood Consequence Assessment, dated March 2020), Project number: 60509148
 Site B Framework Masterplan, drawing A093950-14[B]13b_RevC, dated March 2020
 WYG Archaeological Desk-Based Assessment A093650-14

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.

5. The development shall be in accordance with the scale parameters submitted on the 2nd April 2020.

Reason:

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

6. Prior to the first beneficial occupation of any dwelling, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority, and this shall include a package of measures tailored to the needs of the site and its future users to widen travel choices by all modes of transport and encourage sustainable transport.

Reason:

To ensure the development accords with sustainability principles and that the site is accessible by a range of modes of transport in accordance with Policies 2, 8 and ENV27 of the Unitary Development Plan.

7. Prior to the commencement of the construction of any part of the development a scheme (including details of the timing of such provision) for the provision and maintenance of Public Open Space (including children's play equipment) shall be submitted to and approved in writing by the Local Planning Authority, and the public open space shall thereafter be provided and retained in accordance with the agreed details.

Reason:

To ensure the timely provision of open space in the interests of the amenity of future occupiers and the wider area and to ensure compliance with Policies MD2 and MD5 of the Local Development Plan.

8. Notwithstanding the submitted plans, prior to the commencement of the construction of any roads within the site, further details of the highway lighting and all surface materials to be used in the parking areas and

carriageways within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be maintained in accordance with the approved details.

Reason:

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

9. A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development.

Reason:

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

10. 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 five 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, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policy MD2 of the Local Development Plan.

11. Prior to the commencement of development, details of the finished levels of the site and dwellings in relation to existing ground levels shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full 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 MD2 and MD5 of the Unitary Development Plan.

12. No Development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated, and

details of construction hours and construction traffic routes. The CEMP shall utilise the Considerate Constructors Scheme. The CEMP shall include a system for the management of complaints from local residents which shall incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved Plan.

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 MD2 and MD7 of the Local Development Plan.

13. Prior to the commencement of development, details of noise mitigation shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of background noise sources/levels and measures to protect the amenity of residents in the dwellings. The development shall not be occupied until the approved measures have been implemented.

Reason:

To safeguard the amenities of occupiers of the development, and to ensure compliance with the terms of Policies SP1 and MD7 of the Local Development Plan.

14. All means of enclosure associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to their use in the development, and the means of enclosure shall be implemented in accordance with the approved details prior to that part of the development 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.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking, amending or re-enacting that Order) no gates, fences, walls or other means of enclosure (other than approved by conditions of this permission) shall be erected, constructed or placed on the application site without the prior written consent of the Local Planning Authority.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

16. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to and approved in writing by the Local Planning Authority. Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required. All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

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

Reason:

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

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

The report of the findings shall include:

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

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

(iii) an assessment of the potential risks to:
- human health,

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

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

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

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

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policy MD2 of the LDP.

18. Prior to the commencement of the development, a detailed contamination remediation scheme and verification plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policy MD7 of the LDP.

19. The remediation scheme approved by condition 18 above must be fully undertaken in accordance with its terms prior to the occupation of any part of the development, or in accordance an alternative set of timescales that shall first be approved in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of the commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

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

Reason :

To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policy MD7 of the LDP.

20. 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.

21. 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.

22. No development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul water, surface water and land drainage (including highway drainage) will be dealt with, has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented prior to the first beneficial occupation of any of the dwellings and so maintained at all times thereafter.

Reason:

To ensure that adequate drainage facilities are in place to serve the development and to ensure compliance with Policy MD7 of the Local Development Plan.

23. The development shall be carried out in accordance with the following:

- Flood Consequences Assessment (AECOM, Residential Development at Llanmaes, Flood Consequence Assessment, dated March 2020), Project number: 60509148
- Site A Framework Masterplan, drawing A093950-14[B]13b_RevC, dated March 2020

Reason:

In order to ensure that the development is not subject to unacceptable flood risk, and to ensure compliance with Policies MD2 and MD7 of the LDP.

24. The development shall be carried out in accordance with the following documents, and the recommendations/measures included in them:
- 'Site B (Land north of West Camp- Eastern Parcel). Bat Surveys' by White Young Green dated October 2019;
 - 'Site B (Land north of West Camp- Eastern Parcel). Ecological Appraisal' by White Young Green dated October 2019;
 - Drawing A093950-14[B]13b_Rev C entitled 'Land north of West Camp. Framework Masterplan. Natural Environment.

Reason:

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

25. Full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority, prior to the commencement of development. The Lighting Plan shall include:
- Details of the siting and type of external lighting to be used
 - Drawings setting out light spillage in key sensitive areas including in the vicinity of sensitive habitats retained or provided for nature conservation mitigation
 - Details of lighting to be used both during construction and/or operation

The lighting shall be installed and retained as approved during construction and/or operation.

Please note the lighting plan should also be designed to ensure a sensitive scheme for bats and otter.

Reason:

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

26. No development shall commence until a Landscape Ecological and Habitat Management Plan (for the provision, management and maintenance of the landscape, habitats and ecological features at the site) has been submitted to and approved by the Local Planning Authority. The LEMP shall include:
- Details of habitats, landscape, environmental and ecological features present or to be created at the site

- Details of the desired conditions of features (present and to be created) at the site
- Details of scheduling and timings of activities
- Details of short and long-term management, monitoring and maintenance of new and existing landscape, environmental and ecological features at the site to deliver and maintain the desired condition
- Details of management and maintenance responsibilities for the ecological features, habitats and landscape
- Details of timescales, length of plan, the method to review and update plans (informed by monitoring) at specific intervals as agreed

The plan shall be carried out in accordance with the approved details.

Reason:

To ensure necessary landscape and environmental management measures are agreed prior to commencement and implemented to ensure the site's landscape and environmental features are adequately managed long term, and to ensure compliance with Policies MD2 and MD7 of the LDP.

27. Notwithstanding the submitted details, no development shall take place, including site clearance, until details of ecological enhancements have been submitted to and approved in writing by the Local Planning Authority. The approved ecological enhancements shall be implemented prior to the occupation of the part of the site that they relate to and they shall be retained at all times thereafter.

Reason:

In the interests of ecology and to ensure compliance with Policies SP1 (Delivering the Strategy) and MD9 (Promoting Biodiversity) 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, SP2, SP3, SP4, SP&, SP10, MG1, MG2, MG4, MG7, MG10, MG16, MG19, MG20, MG22, MG23, MD1, MD2, MD3, MD4, MD5, MD6, MD7, MD8, and MD9 of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Future Wales: The National Plan 2040, PPW 11, TANs 1, 2, 5, 6, 11, 12, 15, 16, 18 and 24, and the Council's SPG on Affordable Housing Biodiversity and Development, Design in the Landscape, Minerals Safeguarding, Parking Standards, Planning Obligations, Public Art in New Development, Residential and Householder Development, Sustainable Development - A

Developer's Guide, Travel Plan and Trees, Woodlands, Hedgerows and Development, the proposed development is considered acceptable in principle and in respect of the Density of the development, Visual impact, the historic environment, Design and layout, highways issues, including highway safety, public transport, pedestrian movements, traffic and congestion issues, impact on residential amenity of existing residents, amenity of the future occupiers of the site, drainage and flood risk, ecology, agricultural land quality, the impact of the development on the tenant farm, and trees and hedgerows.

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.

2020/01271/FUL Received on 30 October 2020
(p107)

APPLICANT: Mr T McIlveen, Fontygary Holiday and Leisure Park, Rhoose, CF62 3ZT

AGENT: Miss Sophie Berry Beechwood Court, Long Toll, Woodcote, Reading, RG8 0RR

Fontygary Holiday and Leisure Park, Access to Fontygary Caravan Park, Rhoose

Construction of cycle track and carpark area

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:

Drawing No: 427/05 Proposed Layout for Overflow Car Park Received on 23 October 2020.

Drawing No: RAC/8576/1 Amended Location Plan Received on 03 December 2020.

BeEcological Ltd Ecological Appraisal Received on 30 October 2020.

Drawing No: RAC/8576/2 Amended Track Design Received on 22 December 2020.

Example of Bollard Details Received on 03 December 2020.
Drawing No:RAC/8576/4 Existing Car Park Received on 01 December 2020.
Amended Planning Statement & Appraisal Received on 03 December 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. No works shall commence on the cycle/footway until the applicant or developer has entered an agreement under the s25 of the Highway Act for the development hereby approved to become a Public Right of Way. The path shall remain open to the public in perpetuity.

Reason:

To ensure satisfactory development of the site and to ensure the route remains available for use by members of the public and to meet the requirement of policies SP1 and MD2 of the Local Development Plan.

4. The overflow car park hereby approved shall only be used on Bank Holidays and otherwise between 01 May and 01 October. The overflow car park shall only be used as an overflow car park once the main car park as shown on Drawing No: RAC/8576/4 is full. The overflow car park shall remain closed at all other times.

Reason:

To enable the Local Planning Authority to maintain control over the nature of the use of this site which is located in the countryside and to comply with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

5. Prior to the footway/cycleway being opened for public use and notwithstanding the submitted plans, further details of 'bollards' to prevent use of the track by motor vehicles shall be submitted to and approved in writing by the Local Planning Authority. Those bollards shall be implemented/constructed prior to the opening of the development for public use and shall be so retained at all times thereafter.

Reason:

To safeguard residential amenity and highway/pedestrian safety and to enable the Local Planning Authority to maintain control over the nature of the use of the path, and to comply with the terms of Policies SP1 (Delivering the Strategy) & MD2 (Design of New Developments) of the Local Development Plan.

6. Prior to the commencement of any works on the cycleway or car park a Construction Management Plan incorporating construction and delivery times and access routes shall be submitted to and approved in writing with the Local Planning Authority. The plan shall also include details of measures to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.

Reason:

In the interests of maintaining highway efficiency and safety and to meet the requirements of policies SP1 and MD2 of the Local Development Plan.

7. All vegetation removal shall be supervised by a suitably qualified ecologist, details of who shall be provided to the Local Planning Authority at least 4 weeks before works commencing on site.

Reason:

To safeguard protected species, in accordance with Policies MD2 and MD9 of the Local Development Plan.

8. The development shall be carried out in accordance with the recommendations of the submitted Ecological Appraisal Received on 30 October 2020 with respect to protected species.

Reason:

To safeguard protected species, in accordance with Policies MD2 and MD9 of the Local Development Plan.

9. Prior to the beneficial use of the overflow car park or the cycle/footpath, an ecological enhancement strategy (EES) addressing enhancement measures shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved strategy prior to the use of the outbuildings. The EES shall include the following:

- a) Details of any bird box provision
- b) Details of any landscaping features
- c) Details of the Hibernacula
- d) Details of bat box provision

Reason:

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

10. No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic

environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work shall be fully carried out in accordance with the requirements and standards of the written scheme.

Reason:

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource and to ensure compliance with Policies SP1 (Delivering the Strategy) & SP10 (Built and Natural Environment) and MD8 (Historic Environment) 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 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 ensure compliance with the terms of Policy MD7 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 and Future Wales – the National Plan 2040.

Having regard to Policies SP1 – Delivering the Strategy, SP7 – Transportation, SP9- Minerals, SP10 – Built and Natural Environment, SP11 – Tourism and Leisure

MG16 – Transport Proposals, MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species, MG22 – Development in Minerals Safeguarding Areas, MG29 – Tourism and Leisure Facilities, MD1 – Location of New Development, MD2 - Design of New Development, MD7 - Environmental Protection, MD8 - Historic Environment, MD9 – Promoting Biodiversity & MD13 - Tourism and Leisure of the Vale of Glamorgan Local Development Plan 2011 – 2026, the national policies and guidance within Planning Policy Wales Ed.11, Future Wales; The National Plan 2040, Welsh National Marine Plan, Well-being of Future Generations (Wales) Act 2015, TAN 5 – Nature Conservation, TAN6 – Planning for Sustainable Rural Communities (2010) TAN11 - Noise, TAN12 – Design, TAN13- Tourism, TAN15-Development and Flood Risk (2004), TAN18- Transport, TAN23 – Economic Development, as well as Supplementary Planning Guidance on Biodiversity and Development, Design in the Landscape, Mineral Safeguarding, Parking Standards, Residential and Householder Development, Sustainable Development- A developers Guide, Tourism and Leisure Development (2019) Travel Plan and Trees, Woodlands, Hedgerow and Development it is considered that the proposals represent an acceptable form of development, the benefits of which outweigh any visual impact the proposal will have on the character and appearance of the wider area, while also having no unacceptable impacts on highway safety, biodiversity, archaeology, drainage and flooding, contamination, impact on neighbouring properties and parking and highway safety.

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.

2020/01516/FUL Received on 7 January 2021
(p126)

APPLICANT: Mr. Andrew and Mrs Nina Parker Tenewith, Green Valley Farm, Trerhyngyll, Vale of Glamorgan, CF71 7TN

AGENT: Mr. Andrew Parker Andrew Parker Associates, The Old Farm House, Trerhyngyll, Cowbridge, CF71 7TN

Farm Building Adjacent Green Valley Farm, Trerhyngyll, Cowbridge

Demolition and removal of redundant farm building and construction of new three bedroom dwelling

RESOLVED – T H A T subject to the applicant first entering into a Section 106 Legal Agreement to cover the following:

- An off-site contribution of £27,770 towards affordable housing subject to the guidelines for Self Build Exemption.

APPROVED subject to the following condition(s):

1. The development shall begin no later than 5th December 2022.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 and Policy MD1 (Location of New Development) of the Local Development Plan.

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

Site Location Plan (no reference)
 800/P/05A – Proposed Site Layout Plan
 800/P/06A – Proposed Road Frontage Elevations
 800/P/07A – Proposed Dwelling Ground Floor Plan
 800/P/08 – Proposed Dwelling First Floor Plan and Sections
 800/P/09 – Proposed Dwelling Elevations
 800/P/10A – Landscape Layout

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

Reason:

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

Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

4. 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 LPA.

Reason:

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

5. 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 LPA.

Reason:

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

6. Any vegetation clearance or demolition must be undertaken outside the nesting season, which is generally recognised to be from April to September inclusive, unless it can be first demonstrated that nesting birds are absent.

Reason:

In order to ensure that no protected species are adversely affected by the development and to ensure compliance with In the interests of ecology and to ensure compliance with MD9 (Promoting Biodiversity) of the Local Development Plan.

7. Notwithstanding the submitted details, a schedule of materials and 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 prior to its first beneficial occupation.

Reason:

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

8. Prior to work commencing on the external facing of the development hereby permitted, a sample panel of a minimum of 1 square metre of the proposed stonework and detail of the mortar type and pointing, shall be prepared and made available for inspection and final written approval by the Local Planning Authority. Construction work shall only commence once written approval has been given, and the approved panel shall be retained throughout the period of development and shall form the basis of work to walls and external surfaces of the development.

Reason:

To enable the quality of the stonework, coursing and pointing to be inspected in the interests of the visual quality of the work and to accord with the objectives of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Development) of the Local Development Plan.

9. Any part of en-suite windows serving bedroom 2 and the principal bedroom that are below 1.7m in height above the level of the finished floor in the room 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.

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.

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

Reason for decision

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026 and Future Wales: The National Plan 2040.

Having regard to Policies SP1 – Delivering the Strategy, SP3 – Residential Requirement, SP4 – Affordable Housing Provision, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MD1- Location of New Development, MD2 - Design of New Development, MD9 - Promoting Biodiversity and MD12 – Dwellings in the Countryside of the Local Development Plan, Future Wales: The National Plan 2040, Planning Policy Wales Edition 11 and the relevant Technical Advice Notes and Supplementary Planning Guidance, the proposed development is considered acceptable, particularly in terms of its impact on visual and neighbour amenity and highway safety.

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.