

PLANNING COMMITTEE

Decision Notice – Meeting, 24th November, 2021.

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

The Meeting recording is available [here](#).

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

Also Present: – Councillors L. Burnett, A.D. Hampton, R. Nugent-Finn and A.R. Robertson.

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Cllr Andrew Robertson	2021/01086/FUL - Ty R Waun, Cross Common Road, Dinas Powys	Local Ward Member
Mr Powys Jones	2021/01086/FUL - Ty R Waun, Cross Common Road, Dinas Powys	The applicant or their representative
Mr Will Vaulkes	2021/01086/FUL - Ty R Waun, Cross Common Road, Dinas Powys	The applicant or their representative
Mr Robert Chichester	2019/00503/FUL - Dunraven Court, Beach Road, Southerndown	The applicant or their representative
Mr Cenydd Thomas	2021/00368/FUL - Silverdene, Llanmaes	The applicant or their representative
Cllr Rachel Nugent-Finn	2021/01192/FUL - 1 Rectory Close, Barry	Local Ward Member

AGENDA ITEM 1. APOLOGIES FOR ABSENCE –

These were received from Councillors S.T. Edwards and N.C. Thomas

AGENDA ITEM 2. MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 27th October, 2021 be approved as a correct record subject to it being noted that Councillor A.D. Hampton was also present.

AGENDA ITEM 3. DECLARATIONS OF INTEREST –

Councillor L.O. Rowlands declared an interest in relation to application 2021/01105/RG3 - Court Road Depot, Barry Road, Barry. The nature of the interest was that Councillor Rowlands lived close to application site, so he declared a personal interest and withdrew from the meeting and took no part in the debate or vote.

Councillor M.R. Wilson declared an interest in relation to application 2021/01086/FUL - Ty R Waun, Cross Common Road, Dinas Powys. The nature of the interest was that Councillor Wilson was a Cardiff City Football Club season ticket holder. The nature of the interest meant that Councillor Wilson remained in the meeting, but took no part in the debate or vote.

AGENDA ITEM 4. BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS (HRP) –

RESOLVED –

- (1) T H A T the passed building regulation applications as listed in Section A of the report be noted.
- (2) T H A T the rejected building applications as listed in Section B of the report be noted.
- (3) T H A T the serving of Notices under Building (Approved Inspectors Etc.) Regulations 2000, as listed in Section C of the report, be noted.
- (4) T H A T the implementation of Section 32 of the Building Act 1984 be implemented and the serving of Notices as listed in Section E of the report be noted.

AGENDA ITEM 5. PLANNING APPLICATIONS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS (HRP) –

RESOLVED – T H A T the applications as outlined within the report, on pages 12 through 30, under the above delegated powers be noted.

AGENDA ITEM 6. APPEALS (HRP) –

RESOLVED –

- (1) T H A T it be noted that no Appeals had been received at the time of the meeting taking place.
- (2) T H A T it be noted that no Enforcement Appeals had been received at the time of the meeting taking place.
- (3) T H A T it be noted that no Planning Appeal decisions had been received at the time of the meeting taking place.
- (4) T H A T it be noted that no Enforcement Appeals Decisions had been received at the time of the meeting taking place.
- (5) T H A T the statistics relating to appeals for the period April 2021 – March 2022 as detailed in Section E of the report be noted.

AGENDA ITEM 7. TREES (HRP) –

(i) Delegated Powers –

RESOLVED – T H A T the applications as outlined within the report, on pages 34 and 37, as determined by the Head of Regeneration and Planning under delegated powers be noted.

AGENDA ITEM NO. 8 PLANNING APPLICATIONS (HRP) –

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.

2019/00503/FUL
Dunraven Court, Beach Road, Southerndown

APPROVED – Subject to the conditions as contained within the report.

Reason for decision

Having regard to the content of the report and discussions at the meeting.

2021/00368/FUL
Silverdene, Llanmaes

REFUSED AND ENFORCEMENT ACTION AUTHORISED

RESOLVED -

- (1) T H A T the application for planning permission for the change of use of the land be refused.
- (2) T H A T in the event the Committee agree to the following reason for refusal, the Head of Legal Services be authorised to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) in respect of the land originally applied for under application 2020/00990/FUL, but excluding the area of land for which planning permission was subsequently granted, to require:
 - (i) The cessation of the residential use of the land,
 - (ii) The removal from the land of the patio, stone, flower borders, timber structures and all other building materials, domestic structures, and paraphernalia.
 - (iii) The reinstatement of the land to its former condition as an agricultural field by the levelling of the land, laying with topsoil and sowing with grass seed.
- (3) T H A T in the event of non compliance with the Notice, authorisation is also sought to take such legal proceedings as may be required.

Reason for decisions

1. By reason of its depth and area, the rural/agricultural context, and the appearance and open character of the surrounding land, the change of use of the land (along with the associated domestic features and enclosures) has resulted in a visually intrusive incursion into the countryside, which is harmful to its appearance and character. The visual impact and the urbanising effect on the countryside are considered to be demonstrably harmful to the appearance and character of the area, in conflict with the aims and criteria of Policies MD1 (criterion 1) and MD2 (criteria 1 and 2) of the LDP, and Policy DG13 of the Design in Landscape SPG, paragraphs 5.5 and 5.8.1 of TAN12 and having regard to the advice in paragraph 3.9, 3.14, 3.16, 3.38 4.2.24 of PPW (Edition 11).

2021/01086/FUL

Ty R Waun, Cross Common Road, Dinas Powys

REFUSED

1. By virtue of the scale, design and form of the extensions and alterations proposed to the existing bungalow, the resulting two storey dwelling would significantly harm the character of the original bungalow and would be wholly disproportionate in size to the original dwelling. Moreover, given the prominence of the site from the adjacent PROW, the introduction of a large two storey dwelling in place of the existing bungalow would not be in-keeping with this part of Cross Common Road noting the character and scale of the dwellings along this road which form part of the landscape and rural character

of the area. The proposal is therefore considered contrary to Policies MD12 (Dwellings in the Countryside), MD1 (Location of New Development) and MD2 (Design of New Development) of The Vale of Glamorgan Adopted Local Development Plan 2011-2026, Supplementary Planning Guidance on Residential and Householder Development (2018), Planning Policy Wales (Edition 11, 2021) and Technical Advice Note 12 – Design (2016).

Reason for decision

The decision to recommend planning permission be refused 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.

2021/01105/RG3

Court Road Depot, Barry Road, Barry

Deemed planning consent be GRANTED subject to the conditions as contained within the report.

Reason for decision

Having regard to the content of the report and discussions at the meeting.

2021/01192/FUL

1, Rectory Road, Barry

Proposed alterations and improvements and change of use to multiple occupancy

APPROVED – Subject to the conditions as contained within the report.

Reason for decision

Having regard to the content of the report and discussions at the meeting.