

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **15 DECEMBER, 2021**

REPORT OF THE HEAD OF REGENERATION AND PLANNING

1. BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS

(a) Building Regulation Applications - Pass

For the information of Members, the following applications have been determined:

2021/0040/PO	AC	The Old Kiosk, Lake Road West, Cardiff. CF23 5PG	Removal of existing roof structure to facilitate increase in building height, with proposed conversion and associated refurbishment and alterations to form dwelling; all with associated external works
2021/0830/BR	AC	8, Swanbridge Grove, Sully. CF64 5TA	Proposed first floor extension to front above garage. Proposed two storey rear extension with Juliet balcony. Proposed orangery to replace existing conservatory. Attic conversion with roof lights. Frosted glass curtain wall to front elevation. Replacement of existing windows and doors. Proposed porch and other alterations
2021/0834/BR	AC	Land to the rear of 2 to 4, School Houses, St. Cyres Road, Penarth.	Construction of 14 affordable apartments for over 55 years old plus all associated works
2021/0843/BN	A	3, Harbour View Cottages, Northcliffe Drive, Penarth, CF64 1DQ	New dwelling

2021/0844/BR	AC	Hartforth Lodge, 24, Victoria Road, Penarth. CF64 3HX	Replacement single storey extension to a ground floor flat and alterations to the existing
2021/0848/BN	A	6, Clive Crescent, Penarth, CF64 1AT	Single storey extension (2.5m x 5m) to replace current balcony. Replace some windows and doors. Knock through and steel works. Basement to have new floor build up.
2021/0850/BN	A	50, Grange Gardens, Llantwit Major. CF61 2XB	Single storey first floor extension approx.. 52m2
2021/0861/BN	A	1, Romilly Road, Barry, CF62 6AZ	Single storey extension
2021/0862/BN	A	20, Summerland Close, Llandough, Penarth, CF64 2QA	Garage conversion and internal alterations
2021/0866/BN	A	Ffermdy Slade, Primrose Hill, Cowbridge, CF71 7DU	Single storey conservatory extension replace old conservatory
2021/0867/BN	A	Roseberry House, Treerhyngyll, Cowbridge, CF71 7TN	Removal of load bearing wall. Aluminium patio door to replace existing window. Widen door to cloak room for disabled access.
2021/0871/BR	AC	14, Glyndwr Road, Penarth, CF64 3ND	Removal of existing rear conservatory and single-storey side structure and replace with proposed front, side and rear wrap-around single-storey extension with alterations to fenestration and all associated external and internal works.
2021/0873/BR	AC	33, Canon Street, Barry, CF62 7RH	To extend side of dwelling single storey and loft conversion for an en suite and bedroom
2021/0875/BN	A	15, Clos Cefni, Barry, CF62 7BJ	To widen an external door opening to accommodate a wider door from 1.8m to 2.6m

2021/0876/BN	A	The Herberts Farmhouse, St Athan Road, St Mary Church, CF71 7LT	Installation of oil boiler
2021/0877/BN	A	14B, Crescent Close, Cowbridge, CF71 7EB	Re roof
2021/0878/BN	A	10, Cilgant Y Meillion, Rhoose. CF62 3LH	Installation of new larger patio doors
2021/0879/BN	A W	5, Westgate, Cowbridge, CF71 7YW	Conversion of shop to dwelling and single storey rear extension
2021/0880/BR	AC	2, St. Cyres Road, Penarth. CF64 2WQ	Single storey extension to the front of the property. Rear bolt on steel balcony.
2021/0881/BR	AC	13, Hillside Drive, Cowbridge. CF71 7EA	Single storey front and rear extensions
2021/0882/BN	A	16, Croffta, Dinas Powys. CF64 4UN	Garage conversion into gym and office
2021/0883/BN	A	95, Main Road, Ogmore By Sea. CF32 0PR	Conversion of loft space into living / study area and one bedroom with en suite shower room to the proposed bedroom. Velux windows one to include a small veranda
2021/0885/BR	AC	25, Clos Y Fulfran, Barry. CF62 5DG	Removal of existing raised timber decking and replacement with new masonry / concrete terraced area, new boundary walls and new glazed balustrade
2021/0886/BR	AC	16, Baroness Place, Penarth. CF64 3UL	Demolition of existing single storey kitchen annexe and erection of new single storey rear extension, loft conversion and general alterations including mechanical and electrical services
2021/0887/BN	A	24, John Street, Penarth. CF64 1DN	Single storey infill extension under 10m2

2021/0888/BR	AC	Penrhiw Bungalow, Grants Field, The Downs, St Nicholas, CF5 6SB	Single storey rear extension, front two storey extension and detached building for office/storage
2021/0890/BN	A	35, Arcot Street, Penarth. CF64 1EU	Fire boarding the existing walls. Insulating where necessary and installing / fire safety apparatus - emergency lighting / fire fighting equipment / heat sensors. Replacing windows with toughened glass
2021/0891/BR	AC	11, Lower Cwrt-Y-Vil Road, Penarth, CF64 3HQ	Construction of a single storey leisure suite
2021/0893/BR	AC	Inglenook, Ewenny Road, St. Brides Major. CF32 0SA	Dormer extension to provide bedrooms and bathroom, increase roof pitch to 40 degrees
2021/0894/BR	AC	30, Sherbourne Close, Barry. CF62 8AQ	Single storey rear and side extension
2021/0895/BR	AC	44, Trem Y Don, Barry. CF62 6QL	2 storey rear extension
2021/0896/BN	A	33, Stanwell Road, Penarth, CF64 3LR	Re roof
2021/0897/BR	AC	8, Vale Court, Cowbridge. CF71 7ES	Single storey kitchen / diner rear extension
2021/0899/BN	A W	112, Jenner Road, Barry. CF62 7HL	Single storey extension to enlarge kitchen
2021/0901/BN	A	Cartref, Dimlands Road, St Donats, Llantwit Major, CF61 1ZB	Replacement like for like of a septic tank and 40m drainage field.
2021/0902/BN	A W	24, Park Crescent, Barry, CF62 6HD	Ground floor area to become lower floor of flat. Wall between shop and floor.
2021/0903/BN	A	27, Lon Fferm Felin, Barry, CF62 6LY	Knock through

2021/0904/BN	A	67, John Batchelor Way, Penarth. CF64 1SD	Replace a window and door with bi fold doors, alteration and extension of balcony and replacement of French doors with a window
2021/0910/BN	A	4 , Lord Street, Penarth, CF64 1DD	Loft extension with single dormer to rear and Velux windows to the front
2021/0911/BN	A	22, Winsford Road, Sully, CF64 5SB	Rear extension with pitched roof over existing flat roof garage.
2021/0914/BN	A W	1, Stradling Close, Sully. CF64 5HU	Single storey rear extension

(b) Building Regulation Applications - Reject

For the information of Members, the following applications have been determined:

None

(c) The Building (Approved Inspectors etc.) Regulations 2000

For the information of Members the following initial notices have been received:

2021/0195/AI	A	The Bower, High Street, Llantwit Major. CF61 1SS	Single storey rear extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2021/0196/AI	A	Land at Windmill Lane, Llantwit Major. CF61 2SU	New dwelling (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2021/0197/AI	A	Brooklands Barn, Brooklands Farm, Brook Lane, St. Nicholas. CF5 6TB	Conversion of a barn to a single dwelling. From pre-plaster to completion only
2021/0198/FUL	A	Units 8-9, Llandough Trading Estate, Penarth Road, Penarth. CF11 8RR	Over sheeting of existing asbestos cement pitched roofs with new built up profiled steel sheeting and overcoating existing flat roof

2021/0199/AI	A	4, Romilly Avenue, Barry. CF62 6RB	Proposed dormer loft conversion to create two habitable rooms at second floor level (works to incorporate material alterations to structure, controlled services and fittings)
2021/0200/AI	A	12, Beaumont Close, Barry, CF62 8AP	Single storey side extension, internal alterations and associated works
2021/0201/AI	A	25, Hillside Drive, Cowbridge. CF71 7EA	Construction of single storey rear extension including a Warm Roof System (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2021/0202/AI	A	Tec Marina, Terra Nova Way, Penarth. CF64 1SA	Alterations to ground floor and first floor offices

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3. PLANNING APPLICATIONS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS

If Members have any queries on the details of these applications please contact the Department.

Decision Codes

A - Approved	O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement)
C - Unclear if permitted (PN)	B - No observations (OBS)
EB EIA (Scoping) Further information required	E Split Decision
EN EIA (Screening) Not Required	G - Approved the further information following "F" above (PN)
F - Prior approval required (PN)	N - Non Permittal (OBS - objections)
H - Allowed : Agricultural Condition Imposed : Appeals	NMA – Non Material Amendments
J - Determined by NAFW	Q - Referred to Secretary of State for Wales (HAZ)
L - Approved <u>AND</u> refused (LAW)	S - Special observations (OBS)
P - Permittal (OBS - no objections)	U - Undetermined
R - Refused	RE - Refused (Enforcement Unit Attention)
	V - Variation of condition(s) approved

2016/00013/1/C D	A	6, Vale Court, Cowbridge	Discharge of Condition 4 (Privacy Screen/Wall) - Planning approval 2016/00013/FUL - Extension to existing dwelling
2016/00778/4/C D	A	The Chapel, Chapel Terrace, Twyn yr Odyn	Discharge of Condition 15 - Scheme to deal with risks of contamination. Planning Permission 2016/00778/FUL residential redevelopment for 15 affordable homes and associated works
2018/00236/1/N MA	A	Stepping Stones, Graig Penllyn	Non-material Amendment - wood (timber) instead of glass. Planning permission ref. 2018/00236/FUL - New

			decked area to rear, including first floor and upper tier to garden. Replace flat roof with low pitched and new blue/black non asbestos slates to main roof. Replace all cottage style windows with UPVC grey. Replace all iron balustrading with glass. Renewing all fascias and gutters and re-rendering with fined down finish
2018/00240/1/N MA	A	Land at North West Cowbridge	Non Material Amendment to revise conditions to substitute approved plans for 1 bedroom flats (plots 222-225, 275-278, 296-299, 318-321, 324-327, 393-396, 452-455, 458-461, 465-468). Planning approval 2018/00240/RES - Phase 2 of the development consisting of 306 new homes, new public open space, landscaping and highways infrastructure
2018/00445/1/N MA	A	8, Kymin Terrace, Penarth	Non Material Amendment - Re-alignment of rear dividing boundary between 8 and 8a, Kymin Terrace. Planning approval 2018/00445/FUL - Division of existing property to form 2 No. self contained dwellings. Construction of rear single and two storey extensions
2019/00890/1/N MA	A	Ty Groes Farm, Bonvilston	Non Material Amendment - Amendment to Barns roof heights. Planning approval 2019/00890/FUL - Conversion of existing agricultural barns into 2 no. holiday lets

2019/01320/2/N MA	A	8, Gileston Road, St Athan	<p>Non Material Amendment - To change window in lounge to pair of glazed doors and add a side window in lounge.</p> <p>Planning approval 2019/01320/FUL - A single storey extension to side of existing dwelling to provide additional living room, bedroom and bathroom. Existing conservatory to be removed</p>
2019/01398/1/C D	A	32, St. Pauls Avenue, Barry	<p>Discharge of Condition 1- Obscure Glazing 1 of Planning application 2019/01398/FUL:</p> <p>Replacement of staircase at the rear of terraced property with new platform and staircase surrounded by a balustrade to prevent fall</p>
2020/01000/1/N MA	A	Maeshyfyd, Buttrills Road, Barry	<p>Non Material Amendment - Change flat roof porch to pitch roof. Remove front Juliette balcony and replace with window; Move wall, to be symmetrical to house; Change front patio door to single door and side panels; Change finish of existing house to match render of proposed; Change white upvc to anthracite grey finish.</p> <p>Planning approval 2020/01000/FUL - Proposed two storey side extension with Juliet balconies to front and rear and single storey extension</p>

2020/01448/2/N MA	A	4, Flanders Meadow, Llantwit Major	Non Material Amendment - Amendment to the design of the rear external stairs. Planning approval 2020/01448/FUL - Demolition of rear conservatory to create a new rear extension. Proposed new entrance porch and remodelled driveway
2021/00470/FUL	A	Ty Llaeth, Lon Cwrt Ynyston, Leckwith	Alterations and extension to the existing property
2021/00475/LBC	A	St. Donats Art Centre, St. Donats Castle, East Drive, St.Donats	Replacement of existing roof structure to include the introduction of new steel, insulation, felt and battens. The existing slate is to be reinstated where possible.
2021/00583/LAW	A	3, Coleridge Avenue, Penarth	Porch and dormer additions
2021/00678/FUL	A	Land to the West of Llangan	Erection of a 3 no. stables, a menage and ancillary works for private use
2021/00741/FUL	A	Atlantic Crescent, Barry	Installation of a stand alone drying kiln used to dry timber pallets to a required moisture content
2021/00776/FUL	A	121, Picca Close, Culverhouse Cross	Extend kitchen at ground floor and extend the bedroom above to enlarge the bedroom and introduce a new ensuite
2021/00873/FUL	A	Lane - Old Post To Carmel Chapel, Bonvilston	Proposed new manege at Leige Manor, Llanccarfan Lane
2021/00956/FUL	A	Land adjacent to The Windmills, St. Athan Road, Cowbridge	Upgraded agricultural access

2021/00967/FUL	R	33, Raglan Close, Dinas Powys	Single storey extension to front of property to create new day room
2021/00978/FUL	A	Mar A Lago, 8, Cliff Side, Penarth	First floor extensions to provide additional bedroom space
2021/01004/FUL	A	1A, Westbourne Road, Penarth	Erection of new single storey (with roof space) granny annexe to rear of garden
2021/01050/FUL	A	25, Augusta Crescent, Penarth	Alterations to existing roof of bungalow and provide additional accommodation at first floor level above existing kitchen below. New accommodation to include 1 no bathroom and 2 no. bedrooms
2021/01062/FUL	A	12, Porthkerry Road, Rhoose	Extension of first floor to create 2 new bedrooms and alteration of existing bedroom to form a Juliet balcony.
2021/01072/FUL	R	Land/garden to side of 26, Uplands Crescent, Llandough	New single dwellinghouse
2021/01079/FUL	A	13a-19, Station Road, Dinas Powys	To extend existing coffee shop A3 usage to the first floor of 15-19 Station Road - the coffee shop currently occupies ground floor 13a-15, Station Road and alterations to shopfront and window openings.
2021/01085/LBC	A	Clifton House, South Terrace, Southerndown	Minor external and internal alterations to the Grade II listed house known as Clifton House, most notably the replacement of original and non original external windows and the removal of some internal walls

2021/01120/LAW	A	22, Maillards Haven, Penarth	Extending the kitchen to link in with existing single storey room
2021/01135/FUL	A	Sully House, St. Marys Well Bay Road, Swanbridge	Rear single storey ancillary pool house and link. Rear single storey summer house. Replacement front single storey sun room. Replacement and extension to front roof terrace. Front glass bay extension at first floor
2021/01149/FUL	A	Rhoslwyn, Ewenny Road, St Brides Major	Excavate existing garden and sub-standard off-road parking space to provide longer parking space and minor widening of existing drop kerbs to highway
2021/01178/FUL	R	64, Ffordd Pentre, Barry	External garden alterations to extend the low brick wall and railings to boundary. Garden shed and paving
2021/01184/FUL	A	44, Maes Y Gwenyn, Rhoose	Construction of porch to front elevation of property (Not started). Assembly of log cabin in rear garden
2021/01198/FUL	A	Inglenook, Ewenny Road, St Brides Major	Remove existing roof structure, increase roof pitch to 40 degrees and form gable ends to bungalow, form full roof dormer to rear elevation and 2 no. pitched form full roof dormers to front elevation to form new bedrooms
2021/01212/FUL	A	11B-11C, Royal Buildings, Stanwell Road, Penarth	Change of use of the ground floor level from Class A1 (Retail) to A3 (Food and Drink) and associated works

2021/01217/FUL	A	15, Lynmouth Drive, Sully	Application to remove planning condition from approval 2020/01327/FUL for Timber batten privacy screen to rear patio along boundary to house numbers 17 Lynmouth Drive to remain as currently constructed at a height of 2280mm from natural ground.
2021/01226/FUL	A	95, Dobbins Road, Barry	First floor side extension above existing garage
2021/01243/FUL	A	24, Plassey Street, Penarth	Single storey extension to the rear and side of the property
2021/01251/FUL	A	Arkstone, 25, Mountjoy Avenue, Penarth	Loft conversion with rear dormer and hip to gable extension to include raising of existing ridge height
2021/01255/FUL	A	18, Forrest Road, Penarth	Demolition of rear single storey extension and construction of 2 storey rear extension
2021/01267/FUL	R	Land adjacent to 8, Shakespeare Road, Barry	Residential development of a single two bedroom dwelling at the junction of Shakespeare Road and Milton Road, Barry
2021/01271/FUL	A	Vale Garage Services, 87, Fontygary Road, Rhoose	The removal of the existing 15m monopole and its replacement with a 20m monopole supporting 6 no. antennas, the removal of an equipment cabinet and its replacement with 2 no. new cabinets and ancillary equipment thereto.
2021/01275/FUL	A	1D, Rosebery Place, Penarth	Proposed improvements to property entrance to include replacing existing single storey masonry porch, adding a window to

			the side elevation of the entrance stair; upgrade of existing rear means of escape platforms and stair to make fit for purpose
2021/01285/ADV	RE	14A, High Street, Cowbridge	Installation of 3 separate signs, front side and entrance to the building
2021/01290/FUL	R	The Old St. Hilary Filing Station, Welsh St. Donats	Change of use of land to drive-thru coffee hut with amenity building, access amendments and ancillary parking for a temporary period of 5 years
2021/01311/FUL	A	Former pitch and putt retail kiosk and shelter on Penarth Cliff Tops	Change of use from retail kiosk to cafe (A3), including external alterations and the enclosure of an exterior area
2021/01330/FUL	A	13, St. Lythan Close, Dinas Powys	New front entrance porch and a wrap around single storey extension to the rear of the property
2021/01333/FUL	A	Pen Y Bryn, Pen Y Lan Road, Aberthin	External staircase
2021/01335/FUL	A	Norton, Wick Road, Ewenny	Attic conversion. Demolition of single storey extension and replacement with 2 storey extension. Modifications to porch. Small single storey extension to rear
2021/01341/FUL	A	113, Plymouth Road, Penarth	Re modelling and material alterations to the existing single storey rear annex
2021/01342/FUL	A	Morfa, Victoria Park Road, Barry	Two storey extensions to both sides, and two storey extension to rear, including terrace, increase the ridge line to accommodate loft conversion

2021/01346/FUL	A	12, Beaumont Close, Barry	Single storey side extension
2021/01348/FUL	R	Ty Mawr, Llanbethery	Demolition of part of boundary wall to create new vehicle entrance off the main lane adjacent to existing pedestrian access
2021/01350/ADV	A	Culverhouse Cross Retail Park, Culverhouse Cross	3 no. illuminated Currys flexface signs and 2 no. non illuminated retro frame signs
2021/01352/FUL	A	99, Plymouth Road, Penarth	Replace windows in the front elevation of house, with u-pvc double glazing identical to the existing in colour, shape and form
2021/01355/FUL	A	2, Cold Knap Way, Barry	Retention of garden shed
2021/01357/FUL	A	Llandow Caravan Park, Llandow, Cowbridge, CF71 7PB	Variation of Condition 1 (removal of caravans from the site) of planning permission 2020/01116/FUL: To extend from seasonal use
2021/01362/LBC	A	Penarth Delivery Office, 39, Albert Road, Penarth	Remedial works to the steelwork, render and render bands and re-bedding of coping stones to the building. In addition, replastering works to the first floor internal areas of the Deco Cafe
2021/01364/FUL	A	Old Vicarage, Corntown Road, Ewenny	Removal of garage roof, extend walls in height, reconstruct roof and add first floor attic room with Juliet balcony and external stairs
2021/01365/FUL	A	8, Lakeside, Barry	Single storey side and rear extension including whole house including the installation of solar panels

2021/01366/LAW	A	6, Borough Close, Cowbridge	Wrap around rear and side extension
2021/01368/FUL	A	Pebble Cottage, 11, Lakeside, Barry	The proposed works consists of a ground floor terrace and two first floor dormers with balcony on the primary elevation
2021/01382/ADV	A	Kilo One (Rubb Hanger), Land between Aston Martin Lagonda and Taxiway Echo, Bro Tathan, St. Athau	Erection of illuminated advertisement at Kilo One
2021/01389/FUL	A	5, Hastings Place, Penarth	Demolition of existing garage, rear extension and porch. Construction of single storey side extension and porch. Widening of driveway to accommodate 2 cars
2021/01391/FUL	A	Green Meadow, 9, Cae Rex, Llanblethian, Cowbridge	Demolition of conservatory and replacement with flat roofed sun room
2021/01394/FUL	A	5, Dryden Road, Penarth	Proposed Single storey rear and side extension and extension to drop kerb and crossover.
2021/01399/FUL	A	4, Blyth Close, Barry	Proposed dormer roof loft conversion to rear of existing domestic dwelling and a ground floor rear single storey extension
2021/01401/LBC	A	Penllyn Castle, Penllyn	Alterations to existing ground floor slab and finishes
2021/01408/FUL	A	11, Leigh Close, Boverton, Llantwit Major	Removal of a front dormer and a section of roof to form a front hipped roof
2021/01410/ADV	A	Coedarhydyglyn Park, St. Nicholas	Hoarding Signs - Giving information regarding the event such as dates that

			the event will run over as well as the opening and closing times and web address for more information
2021/01412/FUL	A	Ty Cwm, Drope Road, St. Georges Super Ely	Proposed entrance porch
2021/01417/FUL	A	Old Wick Barn, Purlon Farm, Wick Road, Llantwit Major	Single storey extension to the rear
2021/01418/FUL	A	Westridge, Church Close, Ogmore By Sea	Conversion of garage to one bed holiday let with parking and additional parking for host dwelling
2021/01419/FUL	A	11, Hastings Place, Penarth	Single storey rear extension in place of conservatory. New door and window to existing garage
2021/01428/FUL	A	28, Cornerswell Road, Penarth	Single storey side extension
2021/01432/FUL	A	Ty Mawr, Llanbethery	Internal and external alterations as described in drawings including new conservatory in place of existing, changes to fenestration and removal and alteration of porches
2021/01437/FUL	A	Land East of Graig Penllyn	Retrospective application for the creation of a stone access track for agricultural use
2021/01438/PNA	A	Southra Farm, Southra, Dinas Powys	Relocation of existing building
2021/01440/ADV	A	British Airways Maintenance Cardiff, Dragonfly Drive, Rhoose	Change of design to 3 advertisement boards located at roundabout, security entrance and main entrance.

2021/01445/FUL	A	69, St. Davids Crescent, Penarth	Single storey rear/side extension
2021/01454/FUL	A	20, Lakeside, Barry	Replacement on the pitched roof with grey fibre cement slates. upvc soffits, fascias, gutters and downpipes will be replaced in dark grey upvc. A grey dragon ridge tile will be fitted on the gable roof. Removal of the existing corroded metal balustrade on the balcony and replacement with a glass balustrade with a metal handrail.
2021/01464/FUL	A	Bramblemead, 20, Meadowside, Penarth	Ground floor rear extension and first floor rear roof extension
2021/01477/FUL	A	109, Port Road East, Barry	Part demolition of existing structures to the rear and the erection of single and two storey rear extension including general alteration and refurbishment work
2021/01500/PND	F	South side Atlantic Way, Atlantic Crescent, Barry Docks, Barry	Demolition of several storage sheds, old office buildings, new portacabin structures
2021/01521/PNA	A	Land South of A48, Penllyn	Creation of a stone track to enable access to the field by agricultural vehicles

Agenda Item No. _____

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 15 DECEMBER 2021

REPORT OF THE HEAD OF REGENERATION AND PLANNING

4. APPEALS

(a) Planning Appeals Received

LPA Reference No: 2021/00558/TPO
Appeal Method: Written Representations
Appeal Reference No: CAS-01355-J5K9N4
Appellant: Mr. Chris Hinam
Location: Trees bordering the B4270, opposite The Pheasant House, Llantwit Major Road, Cowbridge, CF71 7NS
Proposal: Work to Trees covered by TPO No. 5, 1954, Sectioning down and removal of trees along roadside (T1), Sectioning down and removal of two suppressed Sycamore trees (T2) and reduction of two mature Sycamore trees (T3 and T4) by approximately 25% covered by TPO No. 11, 2007
Start Date: 24 November 2021

(b) Enforcement Appeals Received

None

(c) Planning Appeal Decisions

None.

(d) Enforcement Appeal Decisions

None.

(e) April 2021 – March 2022 Appeal Statistics

		Determined Appeals			Appeals withdrawn /Invalid
		Dismissed	Allowed	Total	
Planning Appeals (to measure performance)	W	15	3	18	-
	H	-	-	-	-
	PI	-	-	-	-
Planning Total		15 (83%)	3 (17%)	18	
Committee Determination		1	1	2	-
Other Planning appeals (inc. appeal against a condition)		-	1	1	-
Enforcement Appeals	W	-	1	1	1
	H	-	-	-	-
	PI	-	-	-	-
Enforcement Total		(0%)	1 (100%)	-	1
All Appeals (excludes non validation appeals)	W	15	4	19	1
	H	-	-	-	-
	PI	-	-	-	-
Combined Total		15 (79%)	4 (21%)	19	1

Background Papers

Relevant appeal decision notices and application files (as detailed above).

Contact Officer:

Sarah Feist - Tel: 01446 704690

Officers Consulted:

HEAD OF REGENERATION AND PLANNING

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PLANNING COMMITTEE : 15 DECEMBER, 2021

REPORT OF THE HEAD OF REGENERATION AND PLANNING

5. TREES

(a) Delegated Powers

If Members have any queries on the details of these applications please contact the Department.

Decision Codes

A - Approved

R - Refused

E Split Decision

2021/01372/TCA	A	12 and 12A, Plymouth Road, Penarth	Work to Tree(s) in a Conservation Area: Crown lift Silver Birch at 12, Plymouth Road and crown lift Oak tree at 12A, Plymouth Road, Penarth
2021/01374/TPO	A	1-36, Mariners Heights, Paget Road, Penarth	Work to Trees: Removal of dead, dying or diseased trees or tree limbs
2021/01468/TCA	A	25, Borough Close, Cowbridge	Work to Tree(s) in Cowbridge Conservation Area: T1 - Removal of Cherry tree; T2 - Removal of Laurel bush
2021/01485/TCA	A	52, Plymouth Road, Penarth	Complete a crown reduction of 30% to the existing Lime tree, works were last undertaken in 2015 where a 30% reduction was carried out, prior to this permission was given to pollard in 2009. 2009/01233/TCA
2021/01510/TCA	A	48, Westbourne Road, Penarth	Work to Tree in Penarth Conservation Area: Pear (T1) - Fell

2021/01511/TPO	A	Ty Gardd, Tower Hill, Penarth	Work to Tree(s) covered by Tree Preservation Order 1999, No. 1 - Blue Cedar in front garden - Remove any dead branches. 20% trim of remaining to prevent tree striking roofs during high winds. Roofs are on three sides of the tree.
2021/01512/TCA	A	3, Church Place South, Penarth	Work to Tree(s) in a Conservation Area: Removal of dead Plum tree in garden
2021/01518/TPO	A	Marks And Spencer Plc, Culverhouse Cross, Cardiff	Work to Trees covered by TPO No. 12 of 19994: 1. Work around the main carpark on the London planes due to pest issues.; 2. Cut around the (40) lamppost giving a 1m clearance around each lamppost. Species Mixed: Hazel - Ash - Elder - London Planes. 3. Work on the perimeter trees raising any low branches and raising the perimeter to giving a 3m clearance

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **15 DECEMBER, 2021**

REPORT OF THE HEAD OF REGENERATION AND PLANNING

5. PLANNING APPLICATIONS

Background Papers

The following reports are based upon the contents of the Planning Application files up to the date of dispatch of the agenda and reports.

2019/01386/RES Received on 10 November 2021

APPLICANT: United Welsh c/o Agent

Agent: Mrs. Francesca Evans Barratt Homes, Barratt South Wales, Village Way, Tongwynlais, Cardiff, CF15 7NE

Development land at East Quay, Barry Waterfront (to East of Cory Way)

Approval is sought for the layout, appearance, scale landscaping for a 3-storey apartment block, the Reserved Matters of Planning Permission ref. 2009/00946/OUT, comprising: 10 x 1 bed apartments aimed at older persons; 4 x 2 bed apartments aimed at older persons; 10 x 1 bed Social Rented Apartments; 4 x 2 bed Social Rented Apartments; 7 x 1 bed supported apartments; and 1 x 2 bed warden's accommodation/ office

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application has been called in for determination by Councillor Dr. Ian Johnson, because the development is 'of size and in a location which will generate significant public interest'.

EXECUTIVE SUMMARY

This a reserved matters application for the residential development of a parcel of land at East Quay, Barry Waterfront, to the east of Cory Way. The development comprises a single block of 36 residential units, made up of 1 and 2 bedroom flats. Fourteen would be social rented flats, 14 would be market units 'aimed at older persons', 7 would be supported apartments and one would be a warden's unit associated with those 7.

The main issues for consideration are the design and layout of the development, parking and highway safety, the appropriateness of this use in this location, and residential amenity. There has been no objections received from the public or the Town Council, and the development is recommended for approval.

SITE AND CONTEXT

The application site is part of the area of land known as East Quay, Barry Waterfront. The application relates specifically to the eastern part of East Quay as shown on the plan below:



The land is allocated for housing in the Council's Local Development Plan and it has outline planning permission for residential development (see applications 2009/00946/OUT and 2014/00229/EAO). The site is adjoined to the east by land referred to in planning application 2021/01339/FUL as Barry Coal Hoist Site, identified as existing employment land in the LDP. To the west it is adjoined by Cory Way and then the remainder of the East Quay housing allocation. Wider context beyond includes the Barry Biomass plant and a large industrial area further to the east, and the Council's Dock Office to the north across Ffordd Y Milleniwm.

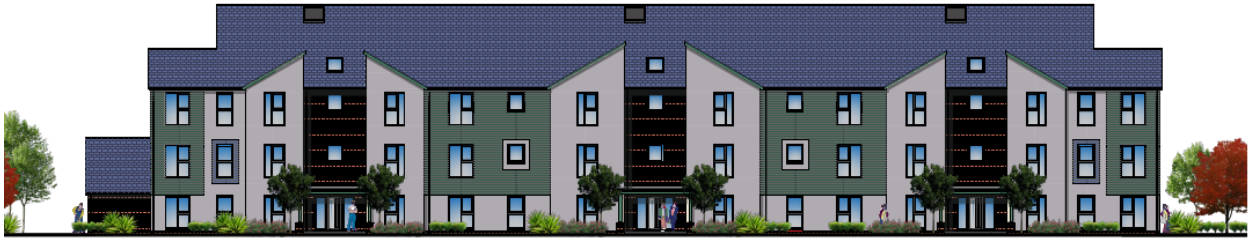
DESCRIPTION OF DEVELOPMENT

This is a reserved matters planning application for 36 residential units. The application is associated with outline permission 2014/00229/EAO (which is an amendment to the original outline permission 2009/00946/OUT).

The plan below shows the layout of the proposed development:



The development would comprise a mix of one and two bedroom flats, contained within a single, three storey block. The elevations are shown below:



North West Car Park Elevation



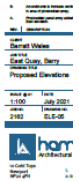
South East Elevation



South West Side Elevation



North East Side Elevation



The site would be access from Cory Way, and the development would be served by 41 parking spaces.

The development comprises a single block of 36 residential units, made up of 1 and 2 bedroom flats. Fourteen would be social rented flats, 14 would be market units 'aimed at older persons', 7 would be supported apartments and one would be a warden's unit associated with those 7.

The application initially proposed 36 'Extra Care Light' units, however, following discussions with the Council's Housing and Social Services sections, it has now been amended as per the above description.

PLANNING HISTORY

2009/00946/OUT: Development of vacant land at Barry Waterfront for residential (C3), retail (A1), cafes, bars and restaurants (A3), hotel (C1), offices (B1) and community and leisure uses (D1 and D2). Development of vehicular and pedestrian/cycle access including a new link road, re-grading of site to form new site levels and associated infrastructure works, parking, servicing, landscaping, public realm and public open space provision, Decision: Approved

2014/00229/EAO, Address: Land at Barry Waterfront, adjacent to Dock No. 1, Barry, Proposal: Deletion of Conditions 1 and 2, Variation of Conditions 3, 5, 19 and 20 of 2009/00946/OUT for the development of vacant land at Barry Waterfront for residential

(C3), retail (A1), cafes, bars and restaurants (A3), hotel (C1), offices (B1) and community and leisure uses (D1 and D2). Development of vehicular and pedestrian/cycle access including a new link road, re-grading of site to form new site levels and associated infrastructure works, parking, servicing, landscaping, public realm and public open space provision at Land at Barry Waterfront adjacent to Dock No. 1, Barry, Decision: Approved

2019/01371/RES, Address: East Quay Public Open Space, Barry Waterfront, Proposal: Landscaping in so far as it relates to the East Quay phase of development (Planning Permission ref. 2014/00229/EAO), Decision: Un-determined.

2019/01393/RES, Address: Land known as East Quay, Barry Waterfront, Barry, Proposal: Residential development for 58 units, together with single retail unit and all associated engineering works. Decision: Approved

2019/01384/RES, Address: Development parcel of East Quay, Barry Waterfront (land to West of Cory Way, South of the Graving Dock), Proposal: Reserved matters submission for 62 dwellings at East Quay Barry waterfront (2009/00946/OUT), Decision: Approved

2019/01386/RES, Address: Development land at East Quay, Barry Waterfront (to East of Cory Way), Proposal: Approval is sought for the layout, appearance, scale landscaping for a 3-storey apartment block, the Reserved Matters of Planning Permission ref. 2009/00946/OUT, Decision: Approved

CONSULTATIONS

Barry Town Council- *No objection subject to the satisfaction of both the Vale of Glamorgan Planning and Highway departments.*

Highway Development- No objection.

Local ward members- The application has been called in by Councillor Dr. Ian Johnson, because the development is 'of size and in a location which will generate significant public interest'.

Housing Strategy confirmed their support for the application.

Social Services queried the demand for these types of units and the sustainability of the site for older occupiers of units.

REPRESENTATIONS

The neighbouring properties were consulted and the development has been advertised on site. No representations have been received.

REPORT

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 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, which was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – DELIVERING THE STRATEGY
POLICY SP2 – STRATEGIC SITES
POLICY SP3 – RESIDENTIAL REQUIREMENT
POLICY SP4 – AFFORDABLE HOUSING PROVISION

Managing Growth Policies:

POLICY MG1 – HOUSING SUPPLY IN THE VALE OF GLAMORGAN
POLICY MG2 – HOUSING ALLOCATIONS
POLICY MG3 – STRATEGIC SITE AT BARRY WATERFRONT
POLICY MG4 – AFFORDABLE HOUSING

Managing Development Policies:

POLICY MD1 - LOCATION OF NEW DEVELOPMENT
POLICY MD2 - DESIGN OF NEW DEVELOPMENT
POLICY MD5 - DEVELOPMENT WITHIN SETTLEMENT BOUNDARIES
POLICY MD6 - HOUSING DENSITIES

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Future Wales: The National Plan 2040:

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 9, 2016) (PPW) is of relevance to the determination of this application.

Chapter 9 of PPW is of relevance in terms of the advice it provides regarding new housing.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 2 – Planning and Affordable Housing (2006)
- Technical Advice Note 12 – Design (2016)

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). The following SPG are of relevance:

- Residential and Householder Development
- Affordable Housing
- Barry Development Guidelines
- Parking Standards (Interactive Parking Standards Zones Map)

Other relevant evidence or policy guidance:

- Manual for Streets (Welsh Assembly Government, DCLG and DfT - March 2007)
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Welsh National Marine Plan:

National marine planning policy in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales.

Issues

General Compliance with Masterplan and the principle of the development

Condition 6 of permission ref. 2014/00229/EAO requires the reserved matters submissions to be in substantial accordance with the parameter plans accompanying the planning application (save in respect of the Arno Quay part of the development).

Having regard to these parameter plans, while it is noted that the final layout differs to a degree from that shown on the outline submissions, this is to be expected, and the overall design and form remains in general accordance with the parameter plans. More specific analysis is provided below.

In respect of the type of units, some would be affordable (social rented) and the number would meet the requirements of the outline permission and legal agreement (covered in more detail below). A further 14 units are described as being aimed at the older persons and 7 would be 'supported apartments'. The 36th unit would be a warden for the supported units. While the application proposes the units as 'aimed at older persons' and 'supported', there is no reason in planning terms why they need be limited as such. i.e. the site is allocated for general residential development and there is an outline permission for that. The only restriction placed upon a residential development is that at least 15% must be affordable. Consequently, 14 affordable units and 22 market units is an acceptable

composition of development which would accord with the LDP and the outline planning permission. The proposed older persons and supported units are still Class C3 dwellings and they fall within the same use class as a typical market apartment. Finally, there is no other reason why the nature of the C3 use should, in planning terms, be controlled. E.g. the level of parking is considered acceptable to serve that number of C3 uses and is not only justifiable on the basis of a particular type of occupant.

It is noted that the Council's Social Services Section has submitted comments in respect of the older persons' accommodation, and queried demand and the suitability of the location. However, for the reasons given above, the planning application could not be resisted on this basis. The recommendation to Members does not include any condition to control the precise nature of the units (i.e. for them to be either supported or to serve older persons) because such a condition would not pass the statutory tests (principally it is not necessary to make the development acceptable in planning terms). If the applicant wishes to offer the units to a more restricted market, that would be their choice.

Notwithstanding the above, it is considered that additional stock of supported or older persons units is not a negative outcome in principle, and this would only add to the range of such units available. The site is considered wholly sustainable in terms of the location, which is very close to Barry Docks Train Station and regular bus routes, and within walking distance of a range of services. The development is, therefore, considered acceptable in principle.

Density / Numbers of units

The application proposes 36 residential units and, based on the site area of approximately 0.55 hectares, this equates to approximately 65 units per hectare. It is considered that, subject to the review below on the visual impact/character of the proposals, this is acceptable in principle and represents an efficient use of brownfield land in a sustainable location (and it is a density which complies with policy MD6 of the LDP). This approach is supported in principle by advice in PPW and this will contribute positively to the delivery of the necessary numbers of units identified for the Waterfront in the LDP.

Design and layout

The site would be accessed from Cory Way. The parking area would be to the front of the building, which essentially has two active frontages- one which faces into the site and one which faces south to David Davies Road. The apartment block is of a design and character which would give continuity with the other phases. While those phases do not contain a single building as large in footprint as this, the massing is broken up with recessed sections and projections, and three storey height is comparable with those phases. In particular, the Taylor Wimpey phase of East Quay contains a number of three storey dwellings facing Cory Way, in close vicinity to this site. The materials and grey windows are consistent with those used on the earlier phases and this will also give a successful degree of continuity.

The frontages have design features such as projecting window surrounds and there would again be a varied palette of materials. It is considered that the building is of an acceptable design which would contribute positively to the local built environment, and of a size that would not appear over scaled or harmful to visual amenity. The use of grey windows throughout the development is considered to be particularly important in enhancing the elevations and promoting a consistent and more contemporary form of design. A condition

is recommended which requires that any replacement windows in the future are grey only, therefore seeking to avoid an incremental erosion of such established character.

The carriageway would be in block work, without designated footways. This would accord with the principles in Manual For Streets and would give a higher quality and more interesting finish than if it were in tarmac.

The application is accompanied by a landscaping scheme which proposes trees, planting and grassed areas. This would sufficiently soften the appearance of the development to the benefit of its outward appearance and occupants.

The submitted plans indicate a generally open layout, with the perimeter delineated principally with low level hedgerows. This considered to be a visually attractive approach to site enclosures/boundaries, and would ensure the development does not appear incongruously enclosed from the public realm.

In summary, it is considered that the proposed development would have a strong degree of continuity with the remainder of East Quay, South Quay and West Pond and would continue the contemporary and high standard of design. It would therefore comply, in terms of design, with the above referenced policies and the principles of the outline permission and would contribute positively to the overall redevelopment of the Waterfront.

Highway issues, including parking

The access/egress point to/from the site benefits from safe vision splays along the carriageway and there is sufficient space for vehicles to turn within the site. The proposed parking bay dimensions are in accordance with the earlier phases and the number of parking spaces also complies with the outline permission and what was delivered on West Pond/South Quay.

It is noted that the approved outline proposal set out parking levels as follows:

2 bed dwellings	1 space
3 beds dwellings	1.5 spaces
4 beds dwellings	2 spaces

This was considered necessary to ensure higher densities could be delivered, to minimise areas dominated by car parking and to promote alternative, more sustainable modes of travel. This approach is supported in principle in PPW and the Council's Parking Guidelines (which impose maximum standards) and is considered to be particularly appropriate in highly sustainable locations such as this, which are within walking distance of a train station, bus links and a range of retail and other day to day services.

In this case the flats would be served by a space each, which is considered to be an acceptable level of provision, with 5 visitor spaces. This satisfies the levels approved at outline stage and is considered to be an appropriate level of parking which will meet the needs of the occupiers without resulting in significant pressure for parking on street. The Highways Engineer has raised no objection to the levels of parking.

The road be a block paved shared surface and, in addition to the aesthetic benefits of this, it will highlight to road users the change to a more informal/secondary form of highway. It is considered that this will have the effect of reducing vehicle speeds, to the benefit of vehicle and pedestrian safety. This is appropriate in this site, which is likely to be very lightly trafficked.

In summary, it is considered that the proposed development would not adversely impact upon highway safety, would provide occupiers of the dwellings with adequate parking and would utilise materials that give a high quality finish.

Residential Amenity and open space

Given that the development is in one linear block, there are no privacy issues between units. The units would not meet the 20m² garden space per occupant recommended by the Council's SPG (depending on the number of occupants), however, the units nevertheless would benefit from two shared areas which would give occupants the opportunity to sit out and relax outdoors. The site is also located in extremely close proximity to strategic open space and it is considered that this would also meet the amenity needs of the occupiers.

There are no existing neighbours close to the site that would be adversely affected by the development, in terms of privacy, the siting of buildings or noise/nuisance (from the residential use). The nearest dwellings would be those approved in earlier residential phases of East Quay, in excess of 21m away.

Affordable housing

Previous reports for the earlier phases of East Quay have set out the affordable housing numbers provided thus far (across the site area of 2014/00229/EAO as a whole) for the three housebuilding consortium members. Each of those members has provided the required 15% at the requisite tenures. This site can, therefore, be considered on its own without detailed reference to other phases. The legal agreement attached to the outline permission requires 15% of all units to be affordable and for this phases, 80% of those must be social rented. The proposed development would comprise 14 affordable and 22 market units (just over 38% affordable) and all of those would be social rented. Consequently, the development meets the requirements of the outline permission.

The Homes4U waiting list identifies the following affordable housing need in the Castleland ward:

CASTLELAND	
1 BED	257
2 BED	107
3 BED	29
4 BED	6
	399

This development would include 10 x 1 bedroom and 4 bedroom social rented units and there remains high evidenced need for units of this size. The Council's Housing section are therefore supportive of the proposal. Consequently, the proposed development is considered acceptable in terms of affordable housing provision.

Drainage

Comprehensive drainage conditions were attached to the outline permission and, therefore, it is not necessary to repeat drainage conditions here. However, the applicant is reminded of these conditions by way of an informative.

RECOMMENDATION

APPROVE:

1. This consent shall only relate to the following list of plans:

ADS-28, ADS-29, ADS-30, BH-01, BS-01, MD-01, PS-01, SLP-01, TP-01 A and ELE-05B

and the development shall be carried out in accordance with the approved plans at all times, other than where conditions of this permission require or indicate differently.

Reason:

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

2. No dwelling or apartment hereby approved shall be brought into beneficial use until such time as the parking area(s) to serve that unit, including all associated access and turning areas, have been laid out in full accordance with the details shown on the approved plans and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved.

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policy MD2 of the Local Development Plan.

3. Notwithstanding the submitted plans, prior to their use in the construction of the development hereby approved, a schedule (and samples) of the proposed external materials to be used on the apartments and in the construction of all hard surfaces within the development site, shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out and at all times maintained in accordance with the approved details.

Reason:

To ensure the quality of materials used satisfactorily reflect the high design standards expected for this important strategic Brownfield development, and to ensure compliance with Policy MD2 of the Local Development Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or re-enacting that Order with or without modification), no gates, fences, walls or other means of

enclosure other than those expressly approved by this permission shall be erected, constructed or placed within the curtilage of any dwelling hereby approved, without the prior written consent of the Local Planning Authority, with the exception of enclosures that separate rear gardens of properties.

Reason:

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

5. Each dwelling hereby approved shall at the time of construction be fitted with dark grey coloured windows, and at all times thereafter any window inserted or replaced in any dwelling hereby approved shall be dark grey in colour.

Reason:

To ensure the materials used in perpetuity maintain a cohesive development form and satisfactorily reflect the high design standards expected for this important strategic Brownfield development, and to ensure compliance with Policy MD2 of the Local Development Plan.

6. No development 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 details of all hard and soft landscaping, including details of benches, bins, and the layout of the 'communal gardens' and other amenity area to each side of the building.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies SP1 and MD2 of the Local Development Plan.

7. 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. The areas of communal/shared open space (including benches) to each side of the building shall be laid out prior to the first occupation of the building.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies SP1 and MD2 of the Local Development Plan.

8. The development shall be carried out in accordance with the landscaping scheme on plan P17-1387_50-E and a Landscape Implementation and Management Programme, which shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any of the dwellings. The plan shall include details of the timing of the implementation of the landscaping scheme and the ongoing management and maintenance of all areas of landscaping outside of

the curtilages of individual dwellings (and maintenance of any areas within the adopted highway that may have been agreed to be maintained by the developer). The landscaping shall thereafter be implemented and maintained in full accordance with the agreed scheme and programme unless otherwise approved in writing by the local planning authority.

Reason:

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

REASON FOR RECOMMENDATION

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, SP2 – STRATEGIC SITES, SP3 – RESIDENTIAL REQUIREMENT, SP4 – AFFORDABLE HOUSING PROVISION, MG1 – HOUSING SUPPLY IN THE VALE OF GLAMORGAN, MG2 – HOUSING ALLOCATIONS, MG3 – STRATEGIC SITE AT BARRY WATERFRONT, MG4 – AFFORDABLE HOUSING, MD1 - LOCATION OF NEW DEVELOPMENT, MD2 - DESIGN OF NEW DEVELOPMENT, MD5 - DEVELOPMENT WITHIN SETTLEMENT BOUNDARIES and MD6 - HOUSING DENSITIES of the Vale of Glamorgan Adopted Local Development Plan 2011-2016, Future Wales – the National Plan 2040 and the advice in PPW and Technical Advice Note 12, it is considered that the proposed development is acceptable in principle and in terms of design, affordable housing provision, highway safety and residential amenity.

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

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

NOTE:

- 1. The applicant/developer is reminded of all of the relevant conditions on planning permission 2009/00946/OUT, particularly in respect of drainage.**

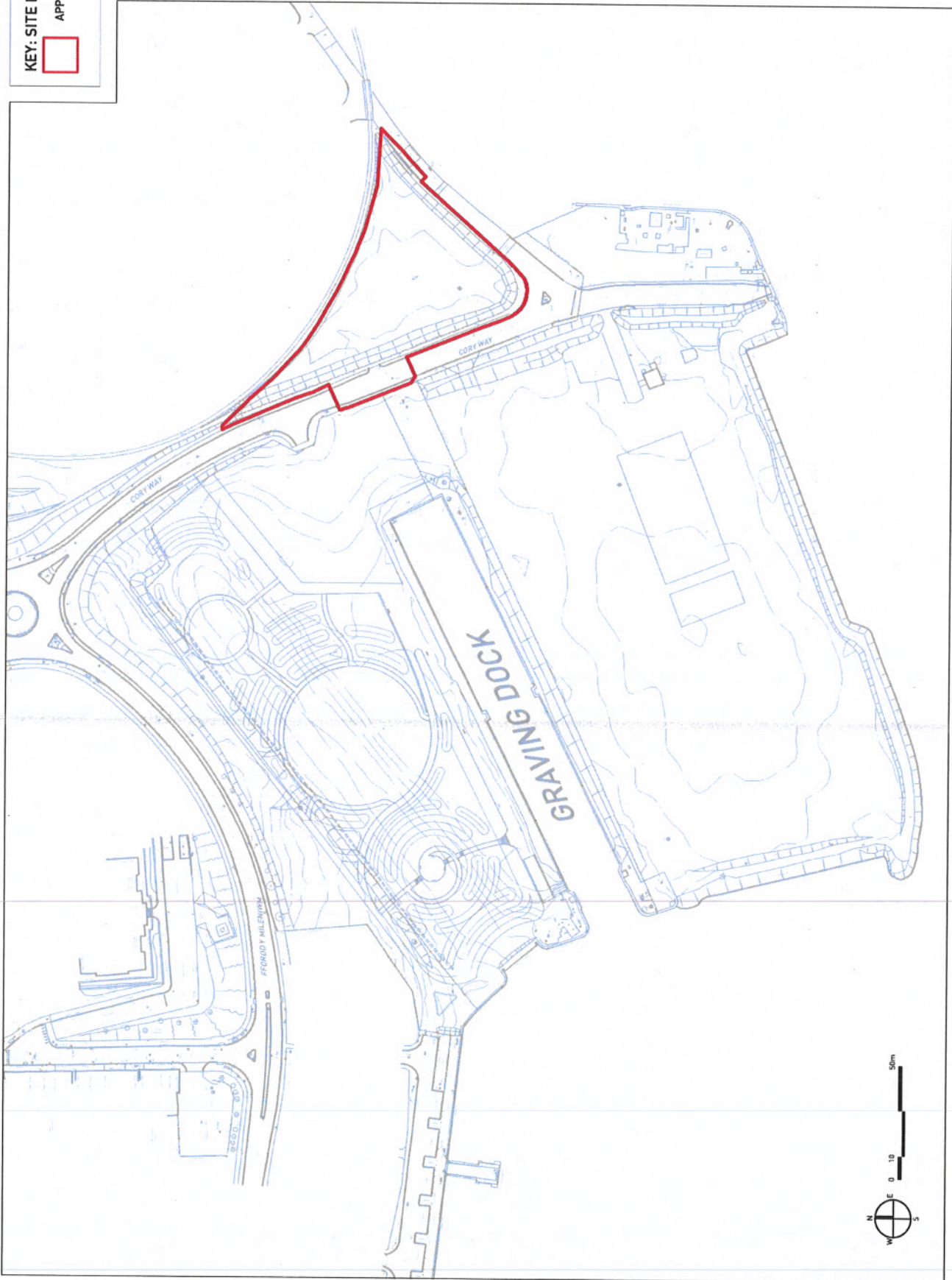
Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

KEY: SITE LOCATION PLAN
APPLICATION BOUNDARY



2021/00622/FUL Received on 25 November 2021

APPLICANT: Kestral Construction and Cadwyn HA

AGENT: Mr Liam Griffiths Asbri Planning Ltd., Unit 9, Oak Tree Court, Cardiff Gate Business Park, Cardiff, CF23 8RS

81-85, Holton Road, Barry

Part demolition, extension and conversion of the upper floors of no. 81 - 85 Holton Road to provide 25 no. affordable residential flats, together with internal and external alterations and associated works

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application is of a scale that is not covered by the scheme of delegation.

EXECUTIVE SUMMARY

The application site is 81-85 Holton Road, Barry and is part of the Holton Road District Retail Centre. It comprises four commercial units at ground floor, 3.no retail (one double unit and two single units) and a bank in the corner unit that also fronts Newlands Street. The upper floors are ostensibly vacant/ unused. It is a primarily three-storey building with an additional (third) floor set within the Mansard style roof on the rear annexe of the building.

It is proposed to partly demolish, extend, and convert the upper floors of the building to provide 25.no affordable flats, comprising 14.no one bedroom flats and 11.no two-bedroom flats.

There have been 25 objections to the scheme. The principal reasons cited by all respondents were parking related. There were also concerns raised in relation to traffic, anti-social behaviour, security, residential amenity, lack of local facilities, disabled provision, and procedural matters. Barry Town Council stated no objection. The main issues relate to the principle of the development, parking and highway safety, design and visual impact, residential amenity, drainage, ecology, and planning obligations.

Having considered the above issues, the proposed development is recommended for Approval, subject to conditions and a Section 106 agreement securing planning obligations.

SITE AND CONTEXT

The application site is 81-85 Holton Road, Barry and is part of the Holton Road District Retail Centre. It comprises four commercial units at ground floor, 3.no retail and a bank in the corner unit that also fronts Newlands Street. It is a primarily three-storey building with an additional (third) floor set within the Mansard style roof on the rear annexe of the building. The building is typical of corner properties on Holton Road and retains its original window openings, red brick elevations and architectural detailing on the upper floors. The shop fronts at ground floor are much altered and have a disparate character.

The site is shown edged red in the image below:



Holton Road and Newlands Street are part of a one-way traffic system and parking restrictions are in place on these streets.

DESCRIPTION OF DEVELOPMENT

It is proposed to partly demolish, extend, and convert the upper floors of the building to provide 25 no affordable flats, comprising 14 no one bedroom flats and 11 no two-bedroom flats. The flats would have a dedicated pedestrian access to the rear of the building, off Newlands Street. In turn, this would lead to an internal staircase to access each of the floors. The flats are proposed to be laid out surrounding a central atrium with a garden terrace at first floor level.

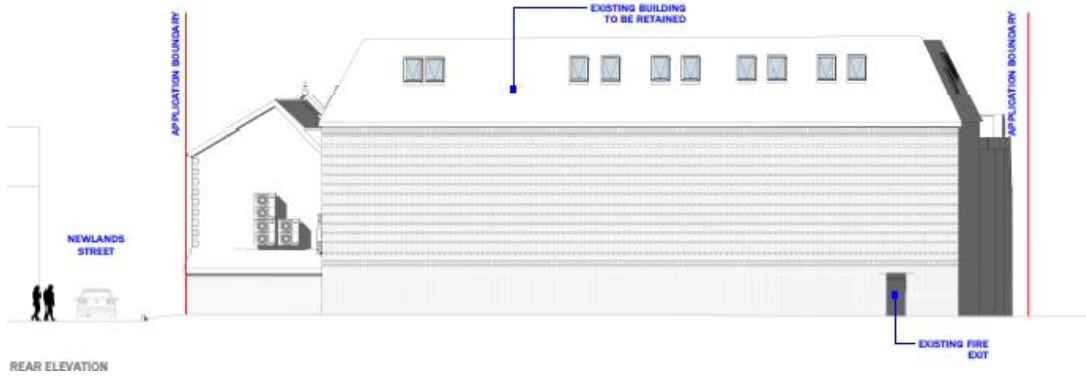
The layout is depicted on the first-floor plan extract below:



The proposal is principally a conversion but would involve some alterations to the configuration of the third floor and roof level. However, the total internal floor space would be reduced overall following demolitions and the creation of the light well.

The external alterations are depicted on the elevation plan extracts below. They illustrate the alterations to the rear annexe and roof at third floor, as well as the removal of several roof lights on the northern facing elevation, the housing of existing a/c units in timber casing, and the provision of a new doorway.

Existing elevations



Proposed elevations



There is no onsite parking at the site and no new parking provision is being proposed.

PLANNING HISTORY

1987/00950/FUL, Address: 81 - 87, Holton Road, Barry, Proposal: Extension of existing retail store to provide four floors of retail space within a new rear extension with alterations to existing shop, Decision: Approved

1996/00555/FUL, Address: 81 - 85, Holton Road, Barry - Dan Evans, Proposal: Replacement of shopfront, cleaning and repair of structural envelope, Decision: Approved

2006/00543/FUL, Address: 81-85, Holton Road, Barry (former Dan Evans), Proposal: Change of use from Class A1 to A2 and new shopfront (relating to part of former Dan Evans Store), Decision: Approved

2006/01042/FUL, Address: Unit 2, 81-87, Holton Road, Barry, Proposal: Shop front installation, Decision: Approved

2006/01156/FUL, Address: Unit 3, 81-85, Holton Road, Barry, Proposal: Installation of new shopfront, air conditioning & internal alterations, Decision: Approved

2007/00528/FUL, Address: Unit 2, 81-85 Holton Road, Barry, Proposal: New shopfront, Decision: Approved

2015/00266/FUL, Address: HSBC, 85, Holton Road, Barry, Proposal: Existing external ATM to be replaced with new model ATM in same location, Decision: Approved

There are also several applications for advertisement consent at this address.

CONSULTATIONS

Barry Town Council stated no objections subject to the satisfaction of the VoGC planning department.

VoGC Highway Development stated no objection because of the site being in a town centre with excellent access to local amenities and public transport. It was commented that some parking was available in the vicinity of the site during the day with a 2-hour time limit and parking available outside of the hours 8am - 6pm (on Holton Road). It was also stated that cycle parking at 1 space per 5 bedrooms should be provided in and a travel pack should be provided to each unit with guidance on local sustainable transport.

In relation to permit parking, it was also advised that article 4.11 of the Vale's Resident Parking Controls Policy states:

"For Resident Permit Parking Bay schemes, residents of corner properties may be allowed to choose whether their permits are assigned to the road of their postal address or to an adjacent road if a property's main access is located there, provided that the scheme is in place in that street".

Councils Drainage Section – no response received to date.

Shared Regulatory Services (Pollution) recommended a Construction Environmental Management Plan (CEMP) was put in place.

Dwr Cymru / Welsh Water stated that network capacity exists to receive the domestic foul only flows and no problems were envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from the proposed development site. Advisory notes were also provided in relation to regulatory requirements for new connections, surface water disposal and asset protection.

VoGC Housing Strategy stated their support for the development, noting that there is a need for additional affordable housing in the Vale of Glamorgan. In evidence, they provided the following figures from the council's Homes4U waiting list:

BUTTRILLS	
1 BED	364
2 BED	127
3 BED	54
4 BED	12
5 BED	1
	558

They also commented that the social landlord named is not one of the Vale's current partner zoned Registered Social Landlords (RSL) and advised that, as there was a full programme for the foreseeable future, there is no Social Housing Grant availability for several years. It was strongly advised that early engagement with them would be essential for any new RSLs seeking to expand into the Vale authority area.

Buttrills Ward Councillors – Cllr I Johnson has sought updates and passed on correspondence from local residents, but no comments relating to the merits of the proposal have been received by the local ward Councillors.

VoGC Ecology Officer – did not object to the development but recommended that enhancement measures instead target starlings due to the location suitability and their decline in population.

VoGC Education stated that the scheme would generate a demand for 1.no nursery, 3.no primary and 2.no secondary (2 aged 11-16) placements. However, as projected local capacity was considered sufficient for nursery and primary, a S106 contribution equating to £54,996 was requested toward secondary level education provision.

South Wales Police provided local crime figures and detailed guidance relating to Secured by Design, principally to seek to reduce opportunities for crime and anti-social behaviour. These included recommendations relating to securing the building perimeter, external lighting, CCTV, a secure door entry system, doors, and general site management/ risk assessment.

REPRESENTATIONS

The neighbouring properties were consulted by letter on 10 May 2021. A total of 34 addresses were written to (inclusive of the commercial units nearby).

Two site notices were also displayed near the site on Richard Street and Newlands Street on 7 May 2021.

The application was also advertised in the press on 10 June 2021.

25 representations have been received. Although a small number of responses stated that the principle of bringing the property into beneficial use as affordable housing was a positive factor, all objected and/or raised concerns relating to these proposals.

The principal ground for objection mentioned by all respondents, in summary, was the lack of proposed parking and lack of on-street capacity to accommodate demand from the development. There was concern that the residents parking bays on Newlands Street and Richard Street would be overwhelmed, and problems relating to congestion, speeding, and road obstruction would occur – to the detriment of highway and pedestrian safety. It was also stated that the applicant's justifications in relation to parking and sustainable transport outlined in their supporting documentation were unrealistic.

The grounds of objection and concerns raised have been summarised below:

- Overlooking / loss of privacy
- Construction traffic
- Traffic congestion
- Pollution
- Waste
- Detriment to/ lack of security
- A lack of local facilities
- Litter
- Noise and disturbance
- Anti-social behaviour
- Insufficient consultation
- Submitted documentation misrepresentative
- Lack of provision for disabled residents

The public consultation exercise described above is commensurate to the size of the development and has exceeded statutory requirements.

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – Delivering the Strategy
POLICY SP3 – Residential Requirement
POLICY SP4 – Affordable Housing Provision
POLICY SP10 – Built and Natural Environment

Managing Growth Policies:

POLICY MG1 – Housing Supply in the Vale of Glamorgan
POLICY MG4 – Affordable Housing
POLICY MG5 – Gypsy and Traveller Site
POLICY MG19 – Sites and Species of European Importance
POLICY MG20 – Nationally Protected Sites and Species

POLICY MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species

Managing Development Policies:

POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
POLICY MD3 - Provision for Open Space
POLICY MD4 - Community Infrastructure and Planning Obligations
POLICY MD5 - Development within Settlement Boundaries
POLICY MD6 - Housing Densities
POLICY MD7 - Environmental Protection
POLICY MD9 - Promoting Biodiversity

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Future Wales: The National Plan 2040:

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 11, 2021) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

In relation to car parking, the following paragraph is of relevance:

4.1.50 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Planning authorities must support schemes which keep parking levels down, especially off-street parking, when well designed. The needs of disabled people must be recognised and adequate parking provided for them.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 2 – Planning and Affordable Housing (2006)
- Technical Advice Note 12 – Design (2016)

- Technical Advice Note 16 - Sport, Recreation and Open Space (2009)
- Technical Advice Note 18 – Transport (2007)

Welsh National Marine Plan:

National marine planning policy in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales.

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Affordable Housing (2018)
- Barry Development Guidelines
- Biodiversity and Development (2018)
- Parking Standards (2019)
- Planning Obligations (2018)
- Public Art in New Development (2018)
- Residential and Householder Development (2018)

Other relevant evidence or policy guidance:

- Manual for Streets (Welsh Assembly Government, DCLG and DfT - March 2007)
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Welsh Office Circular 13/97 - Planning Obligations
- Welsh Development Quality Requirements 2021: Creating Beautiful Homes and Places
- Secured By Design Homes 2019 (Version 2, March 2019)
- Section 58 (1) of the Marine and Coastal Access Act places a requirement on the Council to take authorisation decisions in accordance with the appropriate marine policy documents unless relevant consideration indicates otherwise.

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Issues

The principle of the development and affordable housing need

The application site lies within the settlement boundary of Barry as defined within the Local Development Plan (LDP). The proposals are also for the beneficial use of the upper floor only, with the existing retail units retained at ground floor. The development is therefore wholly compliant with policy in respect of the principle of residential development on this site.

Given that the site lies within the settlement boundary of the town, a residential development is acceptable in principle and consequently the development need not be justified further with reference to local affordable housing need. However, as context, it is relevant to note the affordable housing need in the area.

Local need for affordable housing within the Vale is evidenced by the Council's Local Housing Market Assessment which determined that 890 additional affordable housing units were required each year to meet housing need in the area, with Barry being one of the areas in highest need. There is a target for 3,252 affordable residential units to be provided over the plan period as identified by policy SP4 of the Local Development Plan. Further evidence is provided by the Council's Homes4U waiting list in the Buttrills ward:

BUTTRILLS	
1 BED	364
2 BED	127
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5 BED	1
	558

This table shows registered affordable housing need in the Buttrills ward. The proposal would provide additional affordable housing, although the demand for affordable units would still far outstrip supply in the ward. Consequently, there is an identified need for these units, which would assist the Council in meeting local affordable housing demand in the locality.

The prospect of anti-social behaviour (including littering) has been raised in representations. Firstly, and as noted above, there is significant demand for affordable accommodation locally that is not being met by the existing stock. Whilst the future behaviour of individuals cannot reasonably be accounted for, as an affordable housing

development it is subject to Welsh Development Quality Requirements (WDQR), which in turn requires affordable housing developments achieve a Secured by Design (SBD) Gold Standard. The SDB standards are referred to by South Wales Police in their comments. These are applicable to all affordable housing developments. Lastly, and perhaps most importantly, providing good quality affordable homes is a critical part of addressing some of the root causes of anti-social behaviour, such improving quality of life, wellbeing and, ultimately, social outcomes. The principle of the development is favoured in policy.

Policy MD6 – Housing Density of the LDP also sets out acceptable housing densities, to ensure the efficient and best use of land. The policy requires a minimum of 30 dwellings per hectare and based on this site area the development is compliant with this policy.

The development is therefore considered acceptable in principle and compliant with Policies MD1 - Location of New development, MD2 – Design of New Development, MD5, and MD6 of the LDP.

Parking and highway safety

The proposed development would involve some demolition and extension of the building, but as noted above, it is primarily a conversion and the usable internal floor space would be decreased. There would be approx. 2260sq.m floor space lost, with a gain of 11.no two bedroom and 14.no one bedroom flats. The existing use of the building is A1 (Shops) and, although presently vacant, could be put to lawful use. There is no evidence to suggest, in terms of traffic movements and trips, that the development would fundamentally affect traffic flows or cause additional localised congestion and/or air pollution.

The principal issue to consider, given the development would not be served by any off-street parking, is whether the development is acceptable being reliant upon on-street parking capacity alone.

The applicant has drawn attention to favourable planning policy, including within Planning Policy Wales (PPW). This document provides a broad planning policy framework, with the overall aim to reduce over-reliance on the private car and promote more sustainable modes of travel. A part of this strategy is to give policy support for schemes that keep parking levels down, especially off-street parking, when well designed. These policies, alone, do not justify zero parking in all circumstances with each case being considered on its merits and the local context.

In the first instance, the site is situated in a highly sustainable location. It is within walking distance of a range of day to day shops, employment, leisure and local services, as well as being very near to primary bus routes and within reasonable walking distance of Barry Dock Train Station. The latter will also mean that the site is accessible by direct public transport to Cardiff and Bridgend. The location alone clearly does not guarantee that occupiers of the development will not own cars, which is a matter of personal circumstance. However, the absence of private parking, proximity of local services and convenient alternative transport options mean this is a site where occupants could realistically exist without a car.

Applications for other affordable housing schemes in Barry have been accompanied by survey data of parking space use in social rented developments. These have found, on average, c.0.43 parking spaces per unit were being used. This tallies with 2011 census data submitted to the Council which found 54% of social rented households in the Vale of

Glamorgan have no access to a car and that there are typically 0.3-0.4 cars per social rented unit (1 and 2 bedrooms). The applicant has submitted no such evidence in this application, but it is nonetheless reasonable to estimate car ownership for this development to average c. 9 in total, based on the composition of bedrooms.

The applicant has provided no supporting survey evidence of local parking capacity availability. There are some spaces on Holton Road directly adjacent to the development, but these are relatively limited in number and subject to daytime 'short stay' time restriction. They would nonetheless be available evening/ overnight, as are the spaces on Newlands Street and Richard Street. The latter two are a mix of 'short stay' and 'resident permit holder' bays (permit holders can use both freely). The pedestrian access to this development would be to Newlands Street, meaning occupiers would likely be eligible to apply for permits here. The Officers observations confirm a relatively high demand for spaces on these streets, although a small number of spaces were available on both streets (c.5 – 8 on Newlands Street, c. 8 – 18 on Richard Street) daytime to early evening.

Notwithstanding that, while the upper floors are not ostensibly in beneficial use, the site could be lawfully used within the A1 (Shops) class. The parking demand associated with the authorised use of the site, i.e. the 'fall-back' position, is relevant to consider. The Parking Standards SPG outlines a shop equivalent to the floor space lost to conversion (2260sq.m) would have a maximum standard of 60 spaces (1 space per 40sq.m, plus 3 operational spaces). The equivalent residential standard for the proposed development would be 41 spaces (1 space per bedroom, plus 5 visitor spaces).

It is highly unlikely either would generate demand near the maximum standard in this location and whilst the SPG does not provide a definitive method of comparing demand (the characteristics of the two uses also being different), these standards are evidence based. A shop that fully utilised the building would likely have a much higher peak and short stay demand than the proposed residential scheme (particularly at the car ownership rates projected, considering the above) – but would likely ease out of hours. Ultimately, low capacity in the adjoining streets may prove an obstacle to residents parking close to their homes, but on the whole, the proposal would not be vastly different to the existing use, or indeed any other alternative beneficial use to which the building might likely be put.

As noted above, Planning Policy Wales (PPW) aims to reduce over-reliance on the private car and encourage more sustainable modes of travel. In line with that advice, the Council's parking standards are 'maximums' and are not minimum standards. The SPG recognises that there will be some circumstances where higher levels of parking will be more appropriate, however, sustainable town centre locations such as this are examples of where lower parking levels can and should be accepted, particularly for this tenure type.

It is recognised that on-street parking is often a cause for concern for existing residents close to such developments, especially where representations and the observed situation suggests they cannot always park conveniently. However, it is considered in this case that the development has extremely high sustainability credentials, making use of an existing building on a constrained site, and this lack of dedicated parking provision would not justify refusal of the application. Finally, it should be noted that the Highways Engineer has not objected on parking grounds. While the development may add to pressure for on street parking, the tenure type and unit sizes are such that this is not likely to result in significant additional pressure. Furthermore, it has not been found to be the case that there is no availability in the immediate and wider vicinity of the site. Given this and the fact that the site is likely as sustainable as one could be within the town, and given the clear direction of

policy (for environmental and climate reasons) to reduce car use, the development is on balance considered acceptable in this context without parking.

The plans show a cycle store capable of accommodating 8 bicycles. This is considered acceptable to serve the development and implementation is a requirement of Condition 7. The Highways Engineer also recommended measures to promote sustainable transport through travel packs. This can be accommodated for through submission and approval of a travel plan (condition 3). This would normally be a requirement for larger (50+) residential schemes. However, considering the lack of off-site provision in this case, is justified for this smaller scheme. Whilst there may be some disruption from construction traffic, this is temporary and would not justify refusal of an otherwise acceptable development.

Having regard to the above, the development is considered acceptable in respect of parking, traffic and highway safety.

Neighbouring amenity

The proposed alterations to the roof would have no significant impact on neighbouring amenity, in terms of shading, light or being overbearing.

The development largely utilises existing windows, and whilst some of these would be less than 21m from opposing windows, these instances are limited to the properties on the opposite side of Holton Road and Newlands Street. This is reflective of the existing urban layout and considered acceptable in this context. The existing roof lights in the rear roof plane (north facing) serving the third floor, are shown to be removed. There is potential for close views over existing gardens in this direction and so whilst they need not necessarily be removed entirely to achieve this, condition 10 secures residential amenity would be acceptably protected.

Matters relating to anti-social behaviour have been addressed subsequently in the affordable housing section of this report.

Condition 8 also seeks to would ensure that construction activities are only undertaken during appropriate hours.

The development is considered acceptable in relation to neighbouring amenity and policies MD2 and MD7 of the LDP.

Residential Amenity

In relation to the occupiers of the development, there is a 70sq.m area at first floor level described as a garden terrace. Internal bin and cycle storage areas would be provided separately on the ground floor. The standard for shared amenity space contained in the Residential and Householder Development SPG is 20sq.m per occupier and therefore the proposal would fail to comply with the SPG in this respect. However, given the constraints of the location within the district centre and the weight in favour of the development in terms of affordable housing provision, it is considered that the proposed area is sufficient in size to serve the occupiers.

The amenity space would be external, but nonetheless has have a limited outlook. It is, however, the most practical provision given the constraints of the existing site layout. In

relation to the units, Nos 3, 11, 14 and 22 would also be served by windows facing inwards on the development. Whilst their outlook would be of the development interior, the layout nonetheless affords these units access to an acceptable amount of natural daylight and, on balance, provides acceptable living conditions for the occupiers.

It should be noted that in other instances within the town centre, residential conversions have been allowed with relatively little outdoor space. That position recognises that town centre sites are generally very constrained and where outdoor space belongs to ground floor units, it is very difficult to provide outdoor space to serve upper floor conversions. Refusing such proposals would likely lead to the continued vacancy of upper floors, which would not positively contribute to the town centre. Consequently, where a useable and beneficial space can be provided, it is considered reasonable to apply flexibility with the overall area. In this context, it is considered that the space provided in this case is reasonable.

Having regard to the above, it is considered that the development would not adversely impact upon residential amenity (in accordance with policies MD2 and MD7 of the LDP, and the Council's SPG).

Ecology

The application is supported by a bat survey report which did not identify bats present at the application site. The report included an external visual survey and flight surveys, which recorded no evidence of bats using the building and only low levels of activity near the site. Although bats will be present in urban areas (and were seen in the vicinity of the site) the likelihood of bats using the building will be relatively low the context and the relatively good condition of the building.

The report also makes recommendations for biodiversity enhancements in the form of bat and bird boxes, targeting swift and sparrow. The Council's Ecologist made recommendation to instead target starlings, due to the site location and a trend of decline in population number. This can be secured by condition (see condition 5).

Drainage

Welsh Water have confirmed that network capacity exists to receive the domestic foul only flows and no problems were envisaged with the Wastewater Treatment Works.

It is proposed to dispose of surface water via the existing method, stated to be the Welsh Water surface water sewer. No further planning conditions were recommended by Welsh Water in respect of surface water disposal. The site is also at low risk of flooding.

The development is therefore considered acceptable in respect of drainage and Policy MD7 of the LDP and also would be subject to Building Regulations compliance.

Planning Obligations

The Council's approved Planning Obligations Supplementary Planning Guidance (SPG) provides the local policy basis for seeking planning obligations through Section 106 Agreements in the Vale of Glamorgan. It sets thresholds for when obligations will be sought and indicates how they may be calculated. However, each case must be considered on its own planning merits having regard to all relevant material circumstances.

The Community Infrastructure Levy Regulations 2010 came into force on 6 April 2010 in England and Wales. They introduced limitations on the use of planning obligations (Reg. 122 refers). As of 6 April 2010, a planning obligation may only legally constitute a reason for granting planning permission if it is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The application seeks permission for the construction of 25 dwellings and the following section of this report considers the need for planning obligations based on the type of development proposed, the local circumstances and needs arising from the development, and what it is reasonable to expect the developer to provide in light of the relevant national and local planning policies. It concludes that if the development were considered acceptable in all other regards, planning obligations would be required in respect of the following:

- Sustainable Transport
- Education
- Public Open Space
- Public Art

The development is for affordable housing and its delivery as such is secured by condition 9.

Sustainable Transport

The increasing importance of sustainability is enshrined in local and national planning policies emphasising the need for developments to be accessible by alternative modes of transport than the private car. Planning Policy Wales (PPW) (Ed. 11), recognises that in order to create sustainable and cohesive communities within Wales, improvements to transport facilities and services are required.

National policy contained within Technical Advice Note 18 'Transport' (March 2007) Paragraph 9.20 allows local planning authorities to use planning obligations to secure improvements to the travel network, for roads, walking, cycling and public transport, as a result of a proposal.

In accordance with the SPG, the sum for the provision and/or enhancement of off-site sustainable transport facilities would equate to £2,300 per residential unit, as set in the adopted Planning Obligations SPG – a total of **£57,500** for this scheme.

Education

All new residential developments which are likely to house school aged children create additional demand on places at existing schools. PPW emphasises new development should promote access to services like education. PPW also recognises that education is crucial for the economic, social and environmental sustainability for all parts of Wales. It makes it clear that development control decisions should take account of social considerations relevant to land use issues, of which education provision is one.

This calculation is based on the provision of 11 units, having deducted the one-bedroom flats on the basis these are not likely to house school aged children.

The Council's Education Department were consulted and confirmed there is projected local capacity at nursery and primary level to accommodate this development. However, there is no projected capacity at secondary level. A contribution toward 2 pupils (aged 11 – 16) at Whitmore High School at a cost of £27,498 per pupil is therefore required, in accordance with the formula contained in the SPG. This would be to provide and enhance educational facilities to meet the needs of future occupiers of this development. This equates to a total contribution of **£54,996**.

Public Open Space

Residential developments are expected to make provision for Public Open Space and/or recreational facilities to meet the needs of the future population they will bring to the area. Open space offers vital opportunities for sport and recreation, and also acts as a visual amenity.

TAN 16: Sport, Recreation and Open Space (2009) states *"Planning conditions and obligations (Section 106 Agreements) can be used to provide open space, sport and recreational facilities, to safeguard and enhance existing provisions, and to provide for their management"*.

Based upon the SPG formula, in areas of identified need 55.68sqm public open space should be provided for unit, of which 5.80sqm should be equipped children's play space, 12.76sqm of informal play space, and 37.12sqm of outdoor sports space. A deficit of children's equipped play space and outdoor sports space has been identified in both the Buttrills and the adjoining Castleland Wards.

It would not be possible to provide onsite open space and so the Council would request a financial contribution toward delivery of new or improved public open space in the locality. This would equate to £2,668 per unit and therefore the total contribution would be **£66,700**.

Community Facilities

Community facilities are important for meeting a range of social needs and must be provided locally to serve the needs of the local community and reduce the need to travel. All new residential developments place pressure on existing facilities.

The LDP Community Facilities Background Paper (2013) assessed the level of provision of community facilities throughout the Vale of Glamorgan and the additional demand generated by new development planned in the Local Development Plan. It identifies here no current deficit or projected deficit over the plan period. No contributions are therefore sought in relation to community facilities.

Public Art

Technical Advice Note (TAN) 12 'Design' (March 2016) Section 5.15 recognises the importance role of public art, in creating and enhancing *"individuality and distinctiveness"* within a development, town, village and cities.

Public Art can bring distinctiveness and material and craft quality to developments, enable local people to participate in the process of change and foster a sense of ownership. It is therefore an important part of achieving design quality.

The Council introduced a 'percent for art' policy in July 2003, which is supported by the Council's adopted SPG on Public Art. It states that on major developments, developers should set aside a **minimum of 1% of their project budget** specifically for the commissioning of art and, as a rule, public art should be provided on site integral to the development proposal. The public art scheme must incorporate sufficient measures for the appropriate future maintenance of the works.

RECOMMENDATION

Subject to the applicant entering into a Section 106 agreement to secure the following:

- The developer pays £54,996 for the provision or enhancement of educational facilities in schools serving the development for Secondary school children.
- The developer pays a contribution of £57,500 towards sustainable transport facilities in the vicinity of the site.
- The developer provides public art on the site to the value of 1% of the build costs or otherwise pays a contribution to the same value to the Council.
- The developer pays a contribution of £66,700 towards providing or enhancing public open space in the vicinity of the site.
- The developer pays the legal and implementation/monitoring fees for the S106 agreement.

APPROVE 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:

A100 - SITE LOCATION PLAN - B

A113 - Proposed Sections

A107 - PROPOSED SITE PLAN - B

A108 - PROPOSED GROUND FLOOR - C

A109 - PROPOSED FIRST FLOOR PLAN - B

A110 - PROPOSED SECOND FLOOR PLAN - B

A111 - PROPOSED THIRD FLOOR PLAN - B

A112 - PROPOSED ELEVATIONS - B

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. A Travel Plan shall be submitted to an approved by Local Planning Authority prior to the first beneficial occupation of the development and shall include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use. The Travel Plan shall thereafter be implemented in accordance with the measures and timings contained in the approved details.

Reason:

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

4. 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. The development shall be completed in accordance with the approved details.

Reason:

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

5. A scheme of ecological and biodiversity enhancements shall be submitted to and approved by the Local Planning Authority and thereafter implemented prior to the first beneficial occupation of the development.

Reason:

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

6. Further details of the proposed amenity space (garden terrace) shall be submitted to and approved in writing by the Local Planning Authority. These details shall include details of planting, surfacing and minor artefacts such as furniture. The amenity space shall thereafter be implemented in accordance with the approved details and retained so long as the development remains in existence.

Reason:

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

7. The development shall not be occupied until facilities for the secure storage of cycles have been provided in accordance with the approved details illustrated on plan A108 Rev C and they shall be retained so long as the development remains in existence.

Reason:

To ensure that satisfactory parking for cycles is provided on site to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

8. No construction work associated with the development hereby approved shall take place on the site on any Sunday or Bank Holiday or on any other day except between the following hours:

Monday to Friday	08:00 – 18:00
Saturday	08:00 – 13:00

Unless such work is:

(a) associated with an emergency (relating to health and safety or environmental issues);

(b) carried out with the prior written approval of the Local Planning Authority.

Reason:

To safeguard the amenities of local residents, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

9. The residential units hereby approved shall only be occupied as affordable housing that meets 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.

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 Provisions), MG4 (Affordable Housing) and MD4 (Community Infrastructure and Planning Obligations) of the Local Development Plan.

10. Any part of any window of the northern elevation that is below 1.7m in height above the level of the floor in the room that it serves shall be obscurely glazed to a minimum of level 3 of the "Pilkington" scale of obscurity and fixed pane prior to the first beneficial occupation of the development, and so retained at all times thereafter.

Reason:

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

REASON FOR RECOMMENDATION

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, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG19 – 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, MD3 - Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD6 - Housing Densities, MD7 - Environmental Protection, and MD9 - Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Future Wales, National planning policy in the form of Planning Policy Wales (Edition 11), Technical Advice Notes 2 – Affordable Housing, 5 - Nature Conservation and Planning, 12 - Design, 16 - Sport, Recreation and Open Space, 18 - Transport and the Council’s Supplementary Planning Guidance on Affordable Housing, Barry Development Guidelines, Biodiversity and Development, Parking Standards, Planning Obligations, Residential and Householder Development, and the proposed development is considered acceptable in principle and in respect of design, visual impact and layout, residential amenity, parking, traffic, highway safety, amenity/open space, drainage, ecology, and planning obligations and local infrastructure.

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.

NOTE:

- 1. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.**

Further information of the SAB process can be found at our website or by contacting our SAB team: sab@valeofglamorgan.gov.uk

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Revisions

- A. Minor amendments
- B. Further amended

K: 27.04.21
 RC: 26.11.21

Notes

Drawings have been checked for accuracy by the design team. It is the responsibility of the client to ensure that the drawings are used in accordance with the contract documents. Any amendments or variations should be made in accordance with the contract documents. The design team is not responsible for any errors or omissions in the drawings or for any consequences arising therefrom.

**CHAMBERLAIN
 MOSS
 ARCHITECTS**

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Project	HOLLTON ROAD, BARRY
Project number	N099
Client	KESTRAL CONSTRUCTION LTD
Title	SITE LOCATION PLAN
Drawing number	A100
Scale	1 : 1250 or A3
Revision	B
Status	PLANNING
Drawn	PC
Date	27.04.21

2021/00622/FUL



2021/01300/FUL Received on 3 September 2021

APPLICANT: Miss Caroline Jones 9 Cory Crescent, Peterston-super-Ely, Cardiff, CF5 6LS

AGENT: Miss Caroline Jones 9 Cory Crescent, Peterston-super-Ely, Cardiff, CF5 6LS

Ty Cerrig, Groes Faen Road, Peterston Super Ely

Erect a 5" feather edge fence to part of the front and the side of the property. The fence proposed is to be of the height 1.95 metres and will be behind the existing retaining wall.

REASON FOR COMMITTEE DETERMINATION

This application is reported to Planning Committee under the Council's approved scheme of delegation because the report contains a dual recommendation including planning enforcement action in the form of a Planning Enforcement Notice, which is outside the scheme of delegated powers.

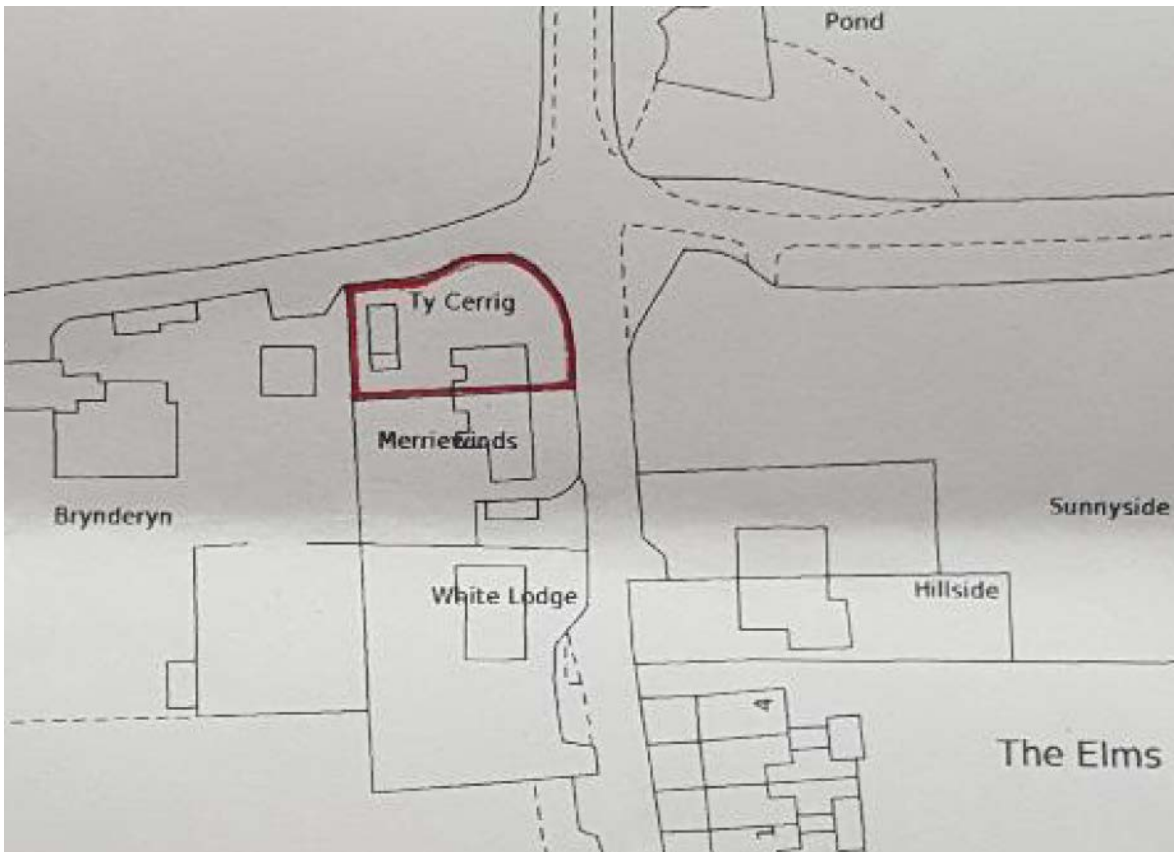
EXECUTIVE SUMMARY

This partly retrospective planning application relates to a retaining wall and 1.95m fence erected at the above-mentioned property, which fronts Station Road and therefore requires planning permission. The fence is to be located on top of an area of the front garden which has been raised and is supported by a new retaining wall which is considered to constitute an engineering operation and therefore also requires planning permission. The principal issue to consider is the impact of the ground raising, wall and fencing on highway safety and the character and appearance of the street scene and the application site.

It is recommended that the planning application be REFUSED and that PLANNING ENFORCEMENT ACTION BE AUTHORISED in order that a planning enforcement notice may be pursued to remedy the breach of planning control that is considered to have an unacceptably negative impact on highway safety and the visual amenities of the locality and the application site. In addition, in the event of non-compliance with the enforcement notice, authorisation is also sought to take such legal action that may be required.

SITE AND CONTEXT

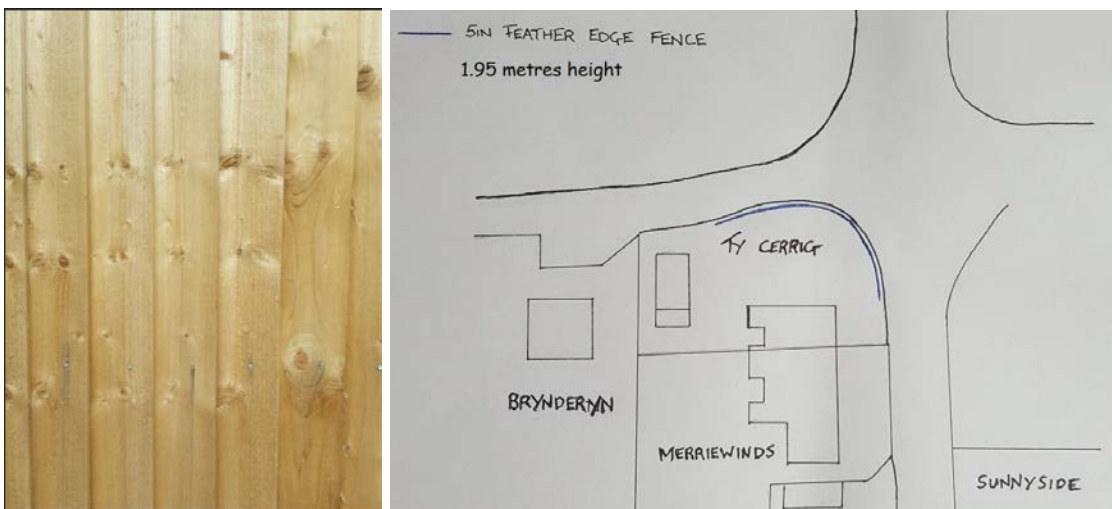
The site is a semi-detached dwelling situated on Station Road to the north of Peterston Super Ely, on a junction with a private road, that serves as access to a number of properties including the application property Ty Cerrig. Prior to the recent development which has been undertaken, the front corner of the property was defined by a low grass bank and mature hedge.



The site lies in the countryside as defined in the Local Development Plan (LDP). The site also lies within a Category 2 Limestone Minerals Reserve. In addition, the Ely Valley and Ridge Slopes Special Landscape Area is located on the opposite side of the road.

DESCRIPTION OF DEVELOPMENT

The proposal is to erect a 5" feather edge fence to part of the front and the side of the property. The fence proposed is to be 1.95 metres in height and would be provided immediately behind and above the existing retaining wall.



It should be noted that whilst not part of the planning application, the new fence is to be erected on top of the recently erected retaining wall. The existing retaining wall (and frame for the fencing) has been recently constructed along the boundary of the properties

curtilage and the land has been raised behind part of it. This retaining wall varies in height along its length from 1.3m at its highest (near the front pedestrian gate) and some 0.9m along the curved wall down to 0.6m to the private road. The section of wall either side of the access is some 1.75m in height.

The retaining wall as built and the raising of the levels of the garden to the top of the retaining wall is unauthorised and also requires planning permission.

The development is partly retrospective, as shown in the photos below:



PLANNING HISTORY

2004/00606/FUL, Address: Ty Cerrig, Peterston Super Ely, Proposal: Demolition of old single concrete sectional garage and replace with Compton single concrete sectional garage, Decision: Approved, Decision Date: 2004-05-21

CONSULTATIONS

Peterston Super Ely Community Council were consulted on 28 September 2021, but no comments have been received at the time of writing this report

The Council's Highway Development were consulted on 28 September 2021. An objection is raised to the application on road safety grounds for the following reasons.

From the previous site photos and adopted highway records (See below extract from electronic Highway Adoption Records – Area coloured Pink), the telegraph post appears to be on highway verge and in line with boundary hedge. However, (without consultation with the Highway Authority), the newly built wall appears to have been constructed on the highway. Despite the possibility that the applicant might own the land, the Highway Authority would still object to the proposal as it does obstruct the required visibility splays for the other road users. Any sort of fencing should be set back to the original arrangement and behind the telegraph post.



Peterston Super Ely Ward Member was consulted on 28 September 2021, but no comments have been received at the time of writing this report.

REPRESENTATIONS

The neighbouring properties were consulted on 28 September 2021 and a site notice was displayed on 13th October 2021. Following correspondence that the site notice had been removed a new site notice was displayed on 22nd October 2021. One objection has been received and the contents are summarised below:

- The application states 'existing retaining wall' and this is not correct as this wall and fence is being newly constructed together in a concrete block construction after the removal of the existing grass bank and hedge.
- Concerns about Highway Safety from the reduced vision splay
- The concrete block wall and fence is not in keeping with the existing visual appearance to the neighbouring properties.
- question land ownership

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – Delivering the Strategy
POLICY SP9 – Minerals
POLICY SP10 – Built and Natural Environment

Managing Growth Policies:

POLICY MG17 – Special Landscape Areas

POLICY MG22 – Development in Minerals Safeguarding Areas

Managing Development Policies:

POLICY MD1 - Location of New Development

POLICY MD2 - Design of New Development

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Future Wales: The National Plan 2040:

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 11, 2021) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

The following chapters and sections are of particular relevance in the assessment of this planning application:

Chapter 2 - People and Places: Achieving Well-being Through Placemaking,

- Maximising well-being and sustainable places through placemaking (key Planning Principles, national sustainable placemaking outcomes, Planning Policy Wales and placemaking)

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Placemaking in Rural Areas
- Accessibility
- Development in the Countryside (including new housing)

Chapter 4 - Active and Social Places

- Transport

Chapter 6 - Distinctive and Natural Places

- Recognising the Special Characteristics of Places (The Historic Environment, Green Infrastructure, Landscape, Biodiversity and Ecological Networks, Coastal Areas)

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 12 – Design (2016)

2.6 “Design which is inappropriate in its context, or which fails to grasp opportunities to enhance the character, quality and function of an area, should not be accepted, as these have detrimental effects on existing communities.”

6.16 “The appearance and function of proposed development, its scale and its relationship to its surroundings are material considerations in determining planning applications and appeals. Developments that do not address the objectives of good design should not be accepted.”
- Technical Advice Note 18 – Transport (2007)

Welsh National Marine Plan:

National marine planning policy in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales.

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Design in the Landscape
- Residential and Householder Development (2018)

The following sections contained within the Residential and Householder Development is of relevance:

7.3.1. It is then important to establish the character of the buildings (i.e. other buildings, houses and outbuildings) that are within the context of your property. The context of your property is the area within which your new development will sit and within which it will be viewed. The 'street scene' is often an important element of the context to your property

11.4. Key Principles

- i. The access to a property should be safe. New development should not result in a detriment to the existing access arrangements or to highway safety.*
- ii. Gates and garage doors should not open out onto the public highway*
- iii. If a new vehicular access is off a main road or a very busy road, you may be required to provide a turning area within your property in order to allow vehicles to enter and leave your property in a forward gear.*
- iv. The provision of additional vehicle parking should not result in an unacceptable impact on amenity space provision and the appearance/character of the property and the wider street scene.*

Other relevant evidence or policy guidance:

- Manual for Streets (Welsh Assembly Government, DCLG and DfT - March 2007)
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Section 58 (1) of the Marine and Coastal Access Act places a requirement on the Council to take authorisation decisions in accordance with the appropriate marine policy documents, unless relevant consideration indicates otherwise.

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Issues

In assessing the proposal against the above policies and guidance it is considered that the main issues relate to highway safety, design and visual impact, particularly on the character and appearance of the surrounding rural landscape and the nearby Ely Valley and Ridge Slopes SLA; and the effect on neighbouring and general amenity.

Policy MD1 (Location of New Development) of the Local Development Plan requires that development on unallocated sites should have no unacceptable impact on the countryside. Policy MD2 (Design of New Development) requires that development proposals should be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest, and respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density. Policy MG17 (Special Landscape Areas) requires development within special landscape areas to demonstrate they would cause no unacceptable harm to the important landscape character of the area.

Highway Safety

Policy MD2 of the Local Development Plan requires that new development should have no unacceptable impact on highway safety.

Paragraph 11.4 (key principles) of the Residential and Householder Development SPG says:

- *The access to a property should be safe. New development should not result in a detriment to the existing access arrangements or to highway safety;*

The applicant states the unauthorised wall has been built on land under their ownership. Notwithstanding this, the Council's Highway Officer states that part of the wall has been constructed on the Council's adopted Highway which they object to.



As shown above, the pre development splay from the private road onto Station Road was provided by the low level grass bank and a set back and angled hedge. In contrast, the construction of the new retaining wall adjacent / within the highway and the fence above, has significantly reduced the level of visibility that had existed at this junction. It should be noted that the junction affected whilst a private road/track serves the adjacent dwelling of Brynderyn in addition to two other dwellings (Kuteera and Gwern y Gaer Isaf) located some 600m the west. Moreover, this private track also provides access via further tracks to a number of agricultural buildings. On this basis, the impact on the visibility at the junction would impact on a number of residents and other users of the private road and compromise their safety as well as the safety of all road users on Station Road.

On the basis of the above, the impact on the pre development visibility splays would result in a wholly substandard access compromising the highway safety of all road users.

Visual Impact

Policy MD2 of the Local Development Plan requires that new development is of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest and responds appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density.

Policy DG7 (Roads – Rural) in the Council’s Supplementary Planning Guidance - Design in the Landscape identifies its aims as:

- To maintain rural character of rural roads as an integral element of the landscape.
- To conserve hedgerows, hedge banks and historical features on the roadside.
- To minimise the impact of development.

Policy MG17 of the LDP allows for development proposals in Special Landscape Areas where it can be demonstrated that they would cause no unacceptable harm to the important landscape character of the area. The character of the Ely Valley & Ridge Slopes area is identified as primarily a rural area.

The application site is one of a small cluster of residential properties within an open countryside area. Previously the boundary of the curtilage was a grassed bank with a line of stones that delineates the corner, and a hedge behind as shown in the photograph below:





It is noted there are some examples of walled frontages on Station Road in close vicinity to the site. Furthermore, there are also some examples of wooden boundary fences at nearby residential properties, however many of these are set behind hedges and back from the edge of the highway as shown below.



This proposal is for a tall wooden boarded fence above the unauthorised retaining wall. In combination, the resulting height of the proposed fence would be 3.2m at its highest, where it fronts onto Station Road, gradually reducing in height to circa 2.8m as the fence transitions into the private drive and some 2.5m in height at its lowest point where it fronts the shared private drive.

The 3.2m high enclosure has been erected directly fronting the highway, with no set back from the edge of the highway to reduce or soften its impact. Furthermore, the enclosure is some 24.5m in length and would be prominent particularly when approaching the site from the north.

The introduction of such a tall means of enclosure, particularly in the form of a fence on the raised garden area and unauthorised retaining wall, is considered to be wholly at odds with the rural character of the area and a marked change to the character of the site, with the loss of the grass bank and hedgerow enclosure. Even without the ground raising and fence, the retaining wall would form an incongruous structure which would be unsympathetic with the rural character of the area. As stated above, there are some examples of the use of fencing along Station Road, but these do not have the same level of prominence or harm on the rural street scene to that which is to be applied for within this application.

As such the proposal would be considered to have a detrimental impact on the character of the area and street scene. It is noted the applicant has stated that the retaining wall could be faced in stone to complement the character of the area, however, this would not overcome the overall objection on visual grounds.

Given the above, it is considered the siting, scale and design of the retaining wall, fence and ground raising would have a detrimental impact on the character of the site, rural street scene and area as a whole and is therefore contrary to Policies MD1, MD2 and MG17 of the Local Development Plan. It is therefore recommended that planning permission is refused and enforcement action taken to remove the retaining wall and restore the garden to its previous level.

Neighbouring and residential amenity

Criterion 8 of policy MD2 requires that new development should safeguard existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance. Additional guidance is contained in the Council's SPG on Residential and Householder Development.

In terms of neighbouring impact, it is noted that the proposed fencing would be constructed on the boundary with the road and not in close proximity to the boundaries nearby dwellings on Station Road. It would be close to the boundary with the property accessed from the private road to the west and called Brynderyn. However, it is considered there would be no significant impact in these terms. As such the proposal will have no adverse impact on neighbouring residential amenity in relation to overshadowing or of an overbearing nature.

Other issues

The site lies within a Category 2 Limestone Minerals Reserve as identified in the LDP. In accordance with Policy MG22 new development proposals within Minerals Safeguarding

Areas will be required to be justified, and only permitted where minerals can be economically extracted prior to the commencement of development, or where applicants have demonstrated that prior extraction would not be appropriate. For limestone extraction, there would be a need for a 200m buffer, for “sensitive developments” which includes residential. However, in this instance, as the proposal is specifically related to the curtilage of an existing dwelling, it is accepted that limestone could not be extracted without causing harm to the occupiers of the property.

Enforcement Action

In view of the issues identified in the paragraphs above, it is considered expedient to pursue action in the form of a Section 172 Enforcement Notice, relating to the operational development which has been undertaken at the site. Therefore, the service of an enforcement notice is recommended to remedy the breach of planning control at the site by removing the retaining wall, raised ground levels and fencing structure and reinstating the garden to its previous level.

RESOURCE IMPLICATIONS (FINANCIAL AND EMPLOYMENT)

Any costs involved in drafting and issuing Notices, attending enquiries and undertaking monitoring work can be met within the departmental budget. There are no employment issues.

LEGAL IMPLICATIONS (TO INCLUDE HUMAN RIGHTS IMPLICATIONS)

If an Enforcement Notice is served, the recipient has a right of appeal under Section 174 of the Town and Country Planning Act 1990 (as amended). The Action is founded in law and would not be considered to breach any of the rights referred to in the Human Rights Act.

EQUAL OPPORTUNITIES IMPLICATIONS (TO INCLUDE WELSH LANGUAGE ISSUES)

None.

REASON FOR RECOMMENDATION

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.

RECOMMENDATION

REFUSE AND AUTHORISE ENFORCEMENT ACTION

- (1) Planning permission for the retention of the retaining wall and fence be refused.
 - (i) By virtue of its siting and scale the retaining wall and fence would have a detrimental impact on visibility and therefore would have an unacceptable impact on highway safety. Therefore, the retention of the wall and fencing is considered unacceptable and contrary to the requirements of Policy MD2 Design of New Development of the Local Development Plan, as well as guidance contained within TAN 12 – Design, Manual for Streets and PPW 11.
 - (ii) By virtue of its siting, scale and design and the context of the rural road within which the site sits within, the retaining wall and fence appears as a visually harmful and incongruous form of development, which is damaging to the appearance and character of the site and the wider rural street scene. Therefore, the retention of the wall and fence is considered unacceptable and contrary to the requirements of Policies SP1 Delivering the Strategy, MD2 Design of New Development of the Local Development Plan, as well as guidance contained within TAN 12 – Design and PPW 11.
- (2) That in the event that the Committee agree to the reason for refusal set out above, the Head of Legal Services be authorised to serve and Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:
 - (i) Demolish the retaining wall and remove all resulting materials from the land.
 - (ii) Take down the timber fencing structure and remove all resulting materials from the land.
 - (iii) Remove the soil which has been used to raise the front garden level and reinstate the land to its former level and condition including the laying of top soil and sowing of grass seed.
- (3) In the event of non-compliance with the Notice, authorisation is also sought to take such legal proceedings as may be required.

REASONS FOR ISSUING ENFORCEMENT NOTICE

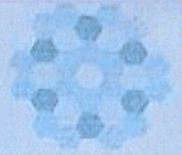
1. It appears to the Council that the above breach of planning control constituting operational development has occurred within the last four years.
2. By virtue of its siting and scale the retaining wall and fence would have a detrimental impact on visibility and therefore would have an unacceptable impact on highway safety. By virtue of its siting, scale and design and the context of the rural road within which the site sits within, the ground raising, retaining wall and fence appears as a visually harmful and incongruous form of development, which is damaging to the appearance and character of the site and the wider rural street scene. Therefore, the retention of the ground raising, wall and fence is considered unacceptable and contrary to the requirements of Policies SP1 Delivering the

Strategy, MD2 Design of New Development of the Local Development Plan, as well as guidance contained within TAN 12 – Design and PPW 11

3. 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.

HM Land Registry
Official copy of
title plan

Title number **CYM539325**
Ordnance Survey map reference **ST0777SE**
Scale **1:1250 enlarged from 1:2500**
Administrative area **The Vale of Glamorgan**
/ Bro Morgannwg



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2021/01300/FUL

Pond

Ty Cerrig

Merriegands

Brynderyn

White Lodge

Sunnyside

Hillside

The Elms

2021/01444/RG3 Received on 1 October 2021

APPLICANT: Mr Andrew Freegard The Alps Depot, Alps Quarry Road, Wenvoe, CF5 6AA

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

Colcot Health Clinic, Winston Road, Barry

Demolition of existing clinic building and construction of 100% affordable flatted development consisting of 12 one-bedroom units including associated works

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application is of a scale that is not covered by the scheme of delegation.

EXECUTIVE SUMMARY

The application site relates to 0.11ha of land occupied by the former Colcot Health Clinic building, Barry, which was up until its closure operated by the Cardiff and Vale University Health Board. The site is bounded by Winston Road to the north and Keats Way to the south, with a pedestrian walkway to the east. There are community buildings and some retail units nearby, but the wider local context is predominantly residential.

The proposal is for the demolition of the existing building and the erection of a three storey block of 12 no affordable flats. The building would have an 'L shaped' form with finishes indicated as a grey brick plinth with zinc cladding. The vehicular access would be via Keats Way, with pedestrian access on to Winston Road. Twelve no parking spaces are provided off the existing turning head.

There have been four representations received, all of which made objections to the proposals. The grounds of objection included increased anti-social behaviour, loss of views, lack of parking and traffic congestion.

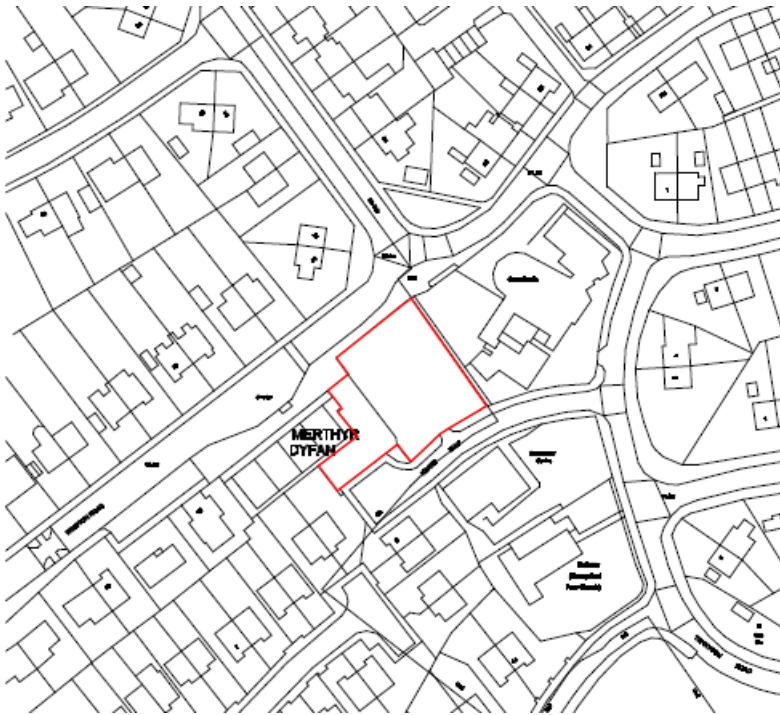
The main issues relate to the principle of the development, the design and visual impact, highway safety and parking, impact on residential amenity, drainage and ecology.

Having considered the above issues, the proposed development is recommended for APPROVAL, subject to conditions.

SITE AND CONTEXT

The application site relates to 0.11ha of land occupied by the former Colcot Health Clinic building, which was up until its closure operated by the Cardiff and Vale University Health Board. There are a number of community buildings adjacent to the site which includes Coastlands Church and Colcot Community Centre, to the south west of the site there are 3 no retail units consisting of 2 no takeaways and a convenience store.

The site is bounded by Winston Road to the north and Keats Way to the south, with a pedestrian walkway to the east. The wider local context is predominantly residential, mostly two storey detached or semi-detached dwellings finished in a mixture of brick and render. The site location is shown on the below plan extract:



DESCRIPTION OF DEVELOPMENT

The proposed development is for 12 affordable one bedroom units in a new build three storey apartment block approx. 8.9m tall and 24.4m wide. The building would have an 'L shaped' form with finishes indicated being as a grey brick plinth with zinc 'pigmento red' cladding from the first floor upwards, grey fenestration and rainwater goods, with metal balconies. The existing Colcot Heath Clinic building would be demolished.

The proposal is illustrated in the model extract, below.



The vehicular access would remain via Keats Way with 12 no parking spaces and a bin store provided off the existing turning head. A stepped pedestrian access would also be created to Winston Road. There is also a shared area of amenity space to the front of the building. There is an open area to the rear, although part of it would be an embankment. The proposed site layout is shown below:



Surface water generated by the development would be treated / attenuated by SuDS features in the form of raingardens and permeable paving, prior to discharge to an existing surface water sewer, with conveyance swales introduced. It is also proposed to fell three individual fruit trees and two groups of trees to facilitate the development.

PLANNING HISTORY

No relevant planning history.

CONSULTATIONS

Barry Town Council - stated no objections.

VoGC Highway Development – stated, in summary, that:

- the number of parking spaces was acceptable
- a swept path analysis (11.2m 3-axle refuse vehicle) of Keats Way should be provided any resultant layout changes required be accommodated
- radius kerbing in the footway should be removed and new continuous footways/vehicular crossovers on Keats Way constructed
- A new pedestrian crossing across the bell mouth of Keats Way should be provided
- The steps leading onto Winston Road should be 2m wide
- Bus stop improvements should be sought along Winston Road
- The Council's street lighting department should determine whether any street lighting improvements are to be required on Keats Way
- Parking space number 1 should not be obstructed by any boundary treatment
- the gradient of any proposed driveways should not exceed 8.33 % (1:12)
- No surface, roof water or other deleterious material from the site should discharge or migrate onto the adopted highway
- Highway condition surveys and a Construction Traffic Management Plan (CTMP) should be secured by condition

It was subsequently confirmed with the Highways Engineer (in relation to bullet point 2) (following submission of a tracking exercise) that the proposed layout was acceptable to provide for access to refuse collection vehicles.

VoGC Drainage Section stated the site was considered to be at little or no risk to fluvial or tidal flooding and NRW flood mapping indicated a medium to high risk of surface water flooding to the site.

It was also stated that the development is subject to schedule 3 of the Flood and Water Management Act 2010 of which a SuDS Scheme Application has recently been submitted. As such this application is not subject to further planning condition regarding surface water drainage.

Shared Regulatory Services (Neighbourhood) – no response received to date.

Shared Regulatory Services (Environment) recommended, although submitted documentation identified no contaminants of concern, that a supplementary assessment is undertaken post demolition in those areas previously inaccessible, as part of planning conditions, together with approval of a remediation and verification plan.

In addition, conditions were recommended relating to site won/ imported soil, aggregates and unforeseen contamination.

Dwr Cymru / Welsh Water stated no objection, and no problems were envisaged with the Waste Water Treatment Works for treatment of domestic discharges. It was also stated that a water supply could be made available and the developer may be required to contribute toward this provision under the Water Industry Act 1991.

A condition was recommended prohibiting the disposal of surface water via the public sewerage system and advisory notes were provided in relation to surface water (SAB) regulations and asset protection.

VoGC Ecology Officer recommended approval, stating there were no grounds for objection in relation to the loss of biodiversity. There was concern expressed over a lack of detail for proposed ecological enhancements, and a number of suggestions were made on how this could be accommodated. These included:

- 1 x Wall-Mounted Bat Roost
- 2 x House Sparrow Nest Box
- 2 x Swift Nest Boxes
- Option of a green wall (subject to planting detail)
- Increased planting/ additional native trees

VoGC Landscape Section – no response received to date.

VoGC Strategic Property Estates no response received to date.

Natural Resources Wales stated no objection, but advised it is the developer's responsibility to ensure that they secure all other permits/consents relevant to their development.

Dyfan Ward Councillors – no response received to date.

VoGC Housing Strategy stated their support for the development, noting that there is a need for additional affordable housing in the Vale of Glamorgan. In evidence, they provided the following figures from the Council's Homes4U waiting list:

DYFAN	
1 bed	146
2 bed	100
3 bed	40
4 bed	11
	297

It was also requested the units have walk in showers rather than baths and that the ground floor units are fully accessible.

REPRESENTATIONS

The neighbouring properties were consulted on 26 October 2021.

A site notice was also displayed on 18 November 2021.

4. no representations were received, all of which made objections to the proposals. The grounds for objection have been summarised below:

- Increased anti-social behaviour
- Loss of views
- Lack of parking
- Traffic congestion

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – Delivering the Strategy
POLICY SP3 – Residential Requirement
POLICY SP4 – Affordable Housing Provision
POLICY SP10 – Built and Natural Environment

Managing Growth Policies:

POLICY MG1 – Housing Supply in the Vale of Glamorgan
POLICY MG4 – Affordable Housing
POLICY MG19 – Sites and Species of European Importance
POLICY MG20 – Nationally Protected Sites and Species
POLICY MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species

Managing Development Policies:

POLICY MD1 - Location of New Development
POLICY MD2 - Design of New Development
POLICY MD3 - Provision for Open Space
POLICY MD4 - Community Infrastructure and Planning Obligations
POLICY MD5 - Development within Settlement Boundaries
POLICY MD6 - Housing Densities
POLICY MD7 - Environmental Protection
POLICY MD9 - Promoting Biodiversity

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Future Wales: The National Plan 2040:

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 11, 2021) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 2 – Planning and Affordable Housing (2006)
- Technical Advice Note 12 – Design (2016)

Welsh National Marine Plan:

National marine planning policy in the form of the Welsh National Marine Plan (2019) (WNMP) is of relevance to the determination of this application. The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales.

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Affordable Housing (2018)
- Barry Development Guidelines
- Biodiversity and Development (2018)
- Parking Standards (2019)

- Planning Obligations (2018)
- Residential and Householder Development (2018)
- Trees, Woodlands, Hedgerows and Development (2018)

Other relevant evidence or policy guidance:

- Manual for Streets (Welsh Assembly Government, DCLG and DfT - March 2007)
- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Welsh Development Quality Requirements 2021: Creating Beautiful Homes and Places
- Secured By Design Homes 2019 (Version 2, March 2019)
- Section 58 (1) of the Marine and Coastal Access Act places a requirement on the Council to take authorisation decisions in accordance with the appropriate marine policy documents, unless relevant consideration indicates otherwise.

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Issues

The principle of the development and affordable housing need

The application site lies within the settlement boundary of Barry as defined within the Local Development Plan (LDP). The existing building operated as a health clinic and, in the first instance, criterion 5 of Policy MD5 – Development within Settlement Boundaries of the LDP requires there be no '*unacceptable loss of public open space, community or tourism buildings or facilities*'. In this instance, the clinic became surplus to requirements following a reorganisation of health provision by Cardiff and Vale University Health Board. The building is of no particular architectural merit, and being no longer required for its original purpose, its loss is considered acceptable in principle.

Given that the site lies within the settlement boundary of the town, a residential development is also acceptable in principle and consequently the development need not be justified with reference to local affordable housing need. However, as context, it is relevant to note the affordable housing need in the area.

Local need for affordable housing within the Vale is evidenced by the Council's Local Housing Market Assessment which determined that 890 additional affordable housing units were required each year to meet housing need in the area, with Barry being one of the areas in highest need. There is a target for 3,252 affordable residential units to be provided over the plan period as identified by policy SP4 of the Local Development Plan. Further evidence is provided by the Council's Homes4U waiting list in the Dyfan ward:

DYFAN	
1 bed	146
2 bed	100
3 bed	40
4 bed	11
	297

The proposal would provide additional affordable housing, although the demand for affordable units would still far outstrip supply in the ward. Consequently, there is an identified need for these units, which would assist the Council in meeting local affordable housing demand in the locality.

The prospect of anti-social behaviour has been raised in representations, due to the composition of the development (a flatted block), past problems and the nature of tenure. Firstly, and as noted above, there is significant demand for affordable accommodation locally that is not being met by the existing stock. Whilst the future behaviour of individuals cannot reasonably be accounted for, this development is a modestly sized flatted block (12 units) that would not inherently (i.e. by design) encourage anti-social behaviour. Lastly, and perhaps most importantly, providing good quality affordable homes is a critical part of addressing some of the root causes of anti-social behaviour, such as improving quality of life, wellbeing and, ultimately, social outcomes. The principle of the development is favoured in policy.

Policy MD6 – Housing Density of the LDP also sets out acceptable housing densities, to ensure the efficient and best use of land. The policy requires a minimum of 30 dwellings per hectare and based on this site area. This development is also compliant with this policy.

The development is therefore considered acceptable in principle and compliant with Policies MD1 - Location of New development, MD2 – Design of New Development, MD5, and MD6 of the LDP.

Design and visual impact

There would be a substantive increase between the massing of the proposed three storey building in comparison to the existing single storey building. It would also be taller than most other development nearby, which is predominantly two storey height, with some single storey development on the opposite side of Keats Way. This would be most apparent from Keats Way and from viewpoints south on Tennyson Road, due to topography. It would also be form a prominent part of the street scene fronting Winston Road, as well as being visible from the turning head on Poets Field Road.

In favour of the proposals, however, is that despite its height and massing, it would not overwhelm the site, leaving an appreciable sense of space between it and the side boundaries, as well as being set back from both Keats Way and Winston Road. There is not a particularly strong cohesion or patterning to the street scene on Keats Way and it is considered the site can accommodate development on this scale without significant detriment to the character to the immediate street scene.

The building would again be taller than most built development on Winston Road. However, it would also be below the road level of Winston Road and so would be less prominent in comparison to Keats Way. The context elevation, below, illustrates that whilst it would have a taller eaves height than the single storey retail units adjacent, it would not be significantly so. It would also be set slightly further away from the street than the retail units, and as noted, the gap between them provides a visual break.



The building would be visible from other locations in the public domain, such as Tennyson Road and the turning head of Poets Field Road. Whilst it would be prominent part of the backdrop, it would not form part of the immediate street scene in these locations. In particular, there is a sense of detachment between Keats Way and Poets Field Road (despite the proximity) due to the severance/ lack of connectivity.

In spite of having a greater massing than many of the surrounding buildings, as noted above, and a simple block form, it has been thoughtfully designed. The fenestration provides a coherence in design to the elevations Keats Way and Winston Road, which have been also broken up by the balconies and a green wall to the northern façade. It also has a palette of finishes that, whilst deliberately do not match the locally prevalent brick and render, suit the modern design and would complement their surroundings. The materials details, including provision of samples, is secured by condition 19.

Having regard to the above, it is considered that the proposed development would have due regard to the wider built environment and would comply with Policy MD2 of the LDP in respect of the design and visual impact.

Trees and ecology

In relation to landscaping, it is proposed to fell three individually standing trees as well as further trees within two groups. Their arboricultural report states one lost due to poor quality and another two to facilitate the development. The report states the trees are 'Category C', i.e. of low quality or amenity value, typically suitable for retention for between 10 - 20 years.

The trees have also been observed as part of the Officer's site visit. The loss of part of a short conifer hedge (G5) adjacent to Winston Road is considered acceptable, as is a stunted cherry tree (T4) in its shade. Another cherry (T3), has better form, as does an apple tree (T2). These are nonetheless relatively small fruit trees that do not contribute significantly to amenity and their removal is also necessary to facilitate the development. Lastly, there is a group of what appear to be scattered/ self-seeded sycamore, ash and dogwood near the eastern site perimeter, mostly juvenile with limited scope for long term retention in their position adjacent to the palisade perimeter fence. These can be all adequately replaced by robust landscaping, details of which can be secured by condition (see condition 13).

The application is also supported an ecology report, which concluded that the trees on site have negligible potential to support roosting bats. The existing building was found to have features with moderate potential, however the results of a visual survey of the building revealed no evidence of roosting bats (or nesting birds). The flight surveys also recorded no instances of bat entry or emergence, with low levels of activity recorded nearby.

The report has been reviewed by the Council's Ecologist, who concluded the report had been carried out to acceptable standard and there were no grounds for objection in relation to the loss of biodiversity. There was some concern expressed over a lack of detail for proposed ecological enhancements, however, and a number of suggestions (roost/ nest boxes, green wall, new planting) on how this could be accommodated were made. A suitable scheme of ecological mitigation and biodiversity enhancements can be secured by condition (see condition 12).

Parking and highway safety

The existing site operated as a health clinic, although it is now vacant. In the case of residential development, the maximum parking standard within the Parking Standards SPG equates to one space per bedroom and one visitor space per 5 units – a total of 15 for this proposal. In the case of a health clinic, it would be four spaces per practitioner and one space per 3. no ancillary staff.

The proposed development provides 12 parking spaces, which is only three below the 'maximum' standard of the SPG outlined above. In view of the proposed tenure of the properties, the sustainable location with access to local facilities such as shops, community buildings, schools, leisure facilities and public transport within reasonable distance, the proposed provision is considered acceptable and would cater for the demand associated with the development. Census data suggests that small, social rented units of this type in Barry typically attract around 0.5 cars per unit, and the development would cater for this and visitor demand. There were no vehicles observed parked on Keats Way or in the immediate vicinity of the site on Winston Road, during the Officer's site visit.

In relation to vehicle movements, the proposed residential use would be different in character to an operational clinic, the latter likely being more intensive (per floor space) and subject of more frequent visitor traffic during daytime hours. The proposed building is, nonetheless, substantially larger. That said, there is no evidence to suggest the development would fundamentally affect traffic flows or cause any localised congestion.

The development site is served by an existing vehicular access off Keats Way and although this is considered adequate to provide vehicular access to the development, off-site highway works would be required to accommodate access to the parking spaces and means of safe pedestrian access. These would involve the removal of radius kerbing and provision of footways on Keats Way and a crossover at the junction with Tennyson Road. These details can be secured by condition (see Condition 15). The access is fundamentally safe and would afford users the necessary visibility.

There were also further off-site sustainable transport improvements requested by the Highways Engineer, these to provide enhanced bus facilities on Winston Road. In addition, it was advised street lighting improvements (such as provision of LED lamps) be considered. Keats Way is nonetheless already a street, and although such improvements are welcomed, and the applicant has agreed to their provision, these are not considered necessary to make the development acceptable in planning terms (and so there are no conditions proposed to this effect) given the relative scale and frequency of pedestrians and vehicles to the existing and proposed uses. i.e. the development is unlikely to result in an intensification of vehicular or pedestrian access to the site. The pedestrian access to Winston Road would not be a public footpath and is considered acceptable at the 1.5m width indicated.

There is no cycle provision indicated. The Council's SPG requires one stand per 5 bedrooms and consequently, storage for 3 would be required for this development. There is space for this to be provided within the development site, and their provision can be secured by condition (see condition 17).

Neighbouring impacts

The proposed building would be sited approx. 30m from the opposing elevations of dwellings on the opposite side of Winston Road. It would not cause any significant shading, loss of privacy or overbear these neighbours. It may impact some coastal views but this is not a material planning consideration.

The Coastlands Church site is to the east, incorporating a dwelling known as Gateway House. The area to the immediate east of the building, though in relatively close proximity to its eastern elevation (containing windows), is an expanse of hardstanding which appears to function as a car parking area. The windows of the proposed building would be at an oblique angle to those in Gateway House, and would accord with the privacy standards of the Residential and Householder Development SPG. The amenity space of Gateway House appears to be to the rear, and would not be significantly overlooked. The development would also not significantly overbear this neighbour, and whilst it may cast some shade toward the property late in the day, it would be limited in severity and duration.

The proposed building would be approx. 17m – 20m from the rear gardens of No's 12 and 13 Poets Field Road. There would be views possible from some windows in the development towards these garden areas, but at this distance, there would not be a significant harm to amenity caused though loss of privacy. The building would also neither cause any significant shading nor overbear these neighbouring properties.

A Construction Environmental Management Plan (see condition 4) would minimise the temporary construction impacts and would ensure that construction activities are only undertaken during appropriate hours.

Having regard to the above, it is considered that the development would not adversely impact upon residential amenity, both of existing residents around the site and of those that would occupy the development (in accordance with policies MD2 and MD7 of the LDP, and the Council's SPG).Drainage and contamination

Surface water generated by the development would be treated / attenuated by SuDS features in the form of raingardens and permeable paving, prior to discharge to an existing surface water sewer, with conveyance swales introduced. The Council's Drainage Engineer considered that the development is subject to a SuDS Scheme Application (SAB), which has recently been submitted, and no further planning conditions were requested. A condition was requested by Welsh Water prohibiting the disposal of surface water via the public sewerage system, however this aspect of the development is regulated separately by the SAB.

It is proposed to dispose of foul discharges via the main sewer and Welsh Water stated no objection in this regard, adding that no problems were envisaged with the treatment works for domestic discharges and a water supply could be made available. There is a public sewer illustrated on the proposed layout adjacent to the eastern boundary, but the siting of the proposed building allows for an 8m easement.

A desk study and site investigation report has been submitted and no contaminants of concern were identified on the site. It was recommended that further analysis be made post demolition, in areas currently inaccessible. Conditions 5 – 11 refer to these, and other, contamination/ land quality requirements.

The development is therefore considered acceptable in relation to flooding, foul and surface water drainage and the requirements of LDP policy MD7 – Environmental Protection.

Amenity/ Public Open Space

The Residential and Householder Development SPG prescribes a standard of 20sq.m per occupier for shared amenity space in flatted developments. The proposal is for one bedroom units, and therefore this would equate to approx. 240sq.m in total. There is an open area adjacent to Keats Way provided, which would be indicatively landscaped and furnished with items such as benches and provide an outdoor drying area. This area is approx. 220sq.m in size, but the site also has additional space to the rear which (although part of which would form an embankment) would contribute toward amenity provision. The proposed amenity provision is considered acceptable in size and layout.

In relation to Public Open Space, there is an identified shortfall of children's play space in the ward. In accordance with the Planning Obligations, it would normally be expected to provide 223sq.m Local Area of Play on site. However, in view of site constraints (size, topography) and this development being for one bedroom units (i.e. being unsuitable for families), it would not be reasonable to require on site provision in this case.

The development is considered acceptable in relation to on site amenity and Public Open Space provision (and the requirements of Policies MD2 and MD3 – Public Open Space of the LDP). The situation in regard to financial planning obligations is discussed further below.

Section 106

LDP policy MD4 'Community Infrastructure and Planning Obligations' sets out that where appropriate, and having regard to development viability, the Council will seek to secure new and improved community infrastructure, facilities and services through the use of planning obligations. The Planning Obligations and Affordable Housing (most recently adopted version, February 2018) provide more detail regarding where, what, when and how planning obligations will be sought via Section 106 Agreements, in order to assist the Council in creating sustainable communities that provide social, economic, and environmental benefits.

On 5th September 2016, Cabinet (Minute C3271) agreed that schemes for 100% affordable housing developments of twenty-five units or less delivered either by the Council or its four Housing Association Partners (Hafod Housing, Newydd Housing, United Welsh Housing and Wales & West Housing) will be exempt from paying financial planning obligations. This reflects a policy decision to prioritise the delivery of affordable housing due to an identified critical need in the Vale of Glamorgan for affordable housing and previous research has shown that if a person does not live in a stable and good quality home, it can have a detrimental impact on both their health and educational attainment. This also means that the applicant is not required to demonstrate the viability position in respect of those contributions.

The applicant is the Council in this instance and therefore a financial contribution lieu of the below have not been sought. For this reason, also, the delivery of the affordable units by the Council (or another of the partnered RSL's) should be secured by condition (see condition 21).

- Sustainable Transport (£27,600)
- Public Open Space (£10,672)
- Public Art (1% of build cost)

However, although not considered necessary to make the development acceptable in policy terms (noting the reasons for the exemption above), it should be noted that the applicant has agreed to provide sustainable transport improvements near the site – these being the upgrading of pedestrian facilities on Keats Way and an upgrading of bus stop facilities on Winston Road.

RECOMMENDATION

Deemed planning consent be GRANTED subject to the following condition(s):

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason:

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

2. This consent shall only relate to the following plans and documents (other than where they are superseded by the requirements of other conditions on this planning permission):

A001 - Site Location Plan Rev.b
A002 - Site layout rev.E
A003 - Ground floor plan rev.E
A004 - First floor plan rev.E
A005 - Second floor plan rev.E
A006 - Elevations sheet 1 rev.D
A007 - Elevations sheet 2 rev.D
A008 - Context elevation rev.D
A009 - Site section rev.E

DCE 1071 Ecological Assessment V1 (David Clements Ecology, Oct 2019)
Arboricultural Impact Assessment (Treescene, Oct 2019)
Tree Protection Plan

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

Reason:

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

3. No development shall commence until details of proposed finished ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter 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.

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

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

- ix) lighting;
- x) management, control and mitigation of noise and vibration;
- xi) odour management and mitigation;
- xii) diesel and oil tank storage areas and bunds (where appropriate);
- xiii) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
- xiv) a system for the management of complaints from local residents which will incorporate a reporting system.
- xv) routes for construction vehicles accessing the site.

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

Reason:

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

5. No development apart from demolition shall take place until an assessment of the nature and extent of contamination, affecting those areas previously inaccessible, has been 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) Investigation of Potentially Contaminated Sites Code of Practice 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,
 - groundwater 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 Welsh Local Government Association and the Environment Agency Wales' 'Development of Land Affected by Contamination: A guide for Developers' (2012).

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.

6. Prior to the commencement of the development, apart from demolition, a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment, 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.

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) & MD7 (Environmental Protection) of the Local Development Plan.

7. The remediation scheme as approved by the LPA must be fully undertaken in accordance with its terms prior to the occupation of any part of the development. The Local Planning Authority must be given two weeks written notification of 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.

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) & MD7 (Environmental Protection) of the Local Development Plan.

8. 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.

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 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.

10. 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) & MD7 (Environmental Protection) of the Local Development Plan.

11. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason:

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

12. The development shall be carried out in accordance with the measures and recommendations contained in the document ref: DCE 1071 Ecological Assessment V1 Oct 2019 and, prior to the first beneficial occupation of the development, a scheme of ecological and biodiversity enhancements shall be implemented, in accordance with details first submitted to and approved by the Local Planning Authority.

Reason:

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

13. The development shall be carried out in accordance with the tree protection measures set out in the Arboricultural Impact Assessment (Treescene Oct 19) and associated Tree Protection Plan and, notwithstanding the submitted plans, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a proposed landscaping plan, planting schedule (including for the green wall), minor artefacts and furniture, and indications of all existing trees retained.

Reason:

To safeguard local visual amenities and ecology, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) 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. All provision for on site amenity provision, such as minor artefacts and furniture, shall be provided on site prior to the first beneficial occupation of the development.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

15. Details of the proposed off-site works, to include the removal of radius kerbing and provision of footways/ vehicle crossovers on Keats Way and a crossover at the bell mouth of the junction with Tennyson Road, shall be submitted to and approved by the Local Planning Authority. The highway works shall thereafter be implemented in accordance with the submitted details prior to the first beneficial occupation of the development.

Reason:

To ensure that the works are designed and constructed in accordance with the Council's standard details for adoption, in the interests of highway safety and sustainable transport, and in accordance with policy MD2 - Design of New Development of the Local Development Plan.

16. The 12.no parking spaces shall be laid out in accordance with plan A002 - Site layout rev.E prior to the first beneficial occupation of the development, and they shall be retained at all times thereafter to serve the development.

Reason:

In the interests of parking and highway safety and to ensure compliance with policy MD2 - Design of New Development of the Local Development Plan.

17. Details of long stay cycle storage provision, to be equivalent to at least three stands, shall be submitted to and approved by the Local Planning Authority. The cycle storage shall be provided on site in accordance with the approved details prior to the first beneficial occupation of the development, and thereafter retained in perpetuity.

Reason:

To ensure that satisfactory cycle parking and facilities are provided on site to serve the development, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy) and MD2 (Design of New Developments) of the Local Development Plan.

18. 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.

19. Notwithstanding the submitted plans/forms, and prior to their use in the construction of the development hereby approved, further details and samples of the external materials to be used in the construction of the building shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

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

20. The balconies on the rear elevation (fronting Keats Way) shall not be brought into beneficial use until 1.8m high obscurely glazed privacy screens have been erected to both sides of the balconies, in accordance with specifications shown on A007 - Elevations sheet 2 rev.D. Once erected, the privacy screens shall thereafter be retained in accordance with the approved details, in perpetuity.

Reason:

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

21. The residential units hereby approved shall be delivered the Vale of Glamorgan Council, or by a Housing Association Partner (Hafod Housing, Newydd Housing, United Welsh Housing or Wales & West Housing) of the Vale of Glamorgan Council, and only be occupied as affordable housing that meets 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.

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 Provisions), MG4 (Affordable Housing) and MD4 (Community Infrastructure and Planning Obligations) of the Local Development Plan.

REASON FOR RECOMMENDATION

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, SP10 – Built and Natural Environment, MG1 – Housing Supply in the Vale of Glamorgan, MG4 – Affordable Housing, MG19 – 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, MD3 - Provision for Open Space, MD4 - Community Infrastructure and Planning Obligations, MD6 - Housing Densities, MD7 - Environmental Protection, and MD9 - Promoting Biodiversity of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, Future Wales, National planning policy in the form of Planning Policy Wales (Edition 11), Technical Advice Notes 2 – Affordable Housing, 12 - Design, and the Council’s Supplementary Planning Guidance on Affordable Housing, Barry Development Guidelines, Biodiversity and Development, Parking Standards, Planning Obligations, Residential and Householder Development, and Trees, Woodlands, Hedgerows and Development, the proposed development is considered acceptable in principle and in respect of design, visual impact and layout, residential amenity, parking, highway safety, amenity/open space, drainage, land quality 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.

NOTE:

- 1. Where the work involves the creation of, or alteration to, an access to a highway the applicant must ensure that all works comply with the appropriate standards of the Council as Highway Authority. For details of the relevant standards contact the Visible Services Division, The Vale of Glamorgan Council, The Alps, Wenvoe, Nr. Cardiff. CF5 6AA. Telephone 02920 673051.**
- 2. The proposed development site may be crossed by a public sewer. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line. For details of the safety zone please contact Dwr Cymru Welsh Water's Network Development Consultants on 0800 9172652.**
- 3. New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.**

Further information of the SAB process can be found at our website or by contacting our SAB team: sab@valeofglamorgan.gov.uk

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Revisions

- A - Scheme updated following single review 16.04.21
- B - Updated to planning stage 16.05.21



Notes

Do not scale from this drawing. Use a hand dimensioner only.
 The architect is not responsible for any errors or omissions, and
 will not be held liable for any consequences of errors, omissions or for the
 consequences of any actions taken on the basis of this drawing without the
 written permission of the architect.

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Project	Client Clinic, Barry
Project number	L753
Client	The Vale of Glamorgan Council
Title	Site location plan
Drawing number	A001
Scale	1:1250 w/ A3
Revision	6
Status	W/A G
Drawn	IMI
Date	30.03.2020

2021/01444/RG3



Site location

1:1250