

No.

## PLANNING COMMITTEE

Minutes of a Remote meeting held on 19<sup>th</sup> October, 2022.

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

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

Present: Councillor N.C. Thomas (Chair); Councillor S.D. Perkes (Vice-Chair); Councillors R.M. Birch, G. Bruce, C.A. Cave, C.E.A. Champion, C.M. Cowpe, P. Drake, A.M. Ernest, W. Gilligan, N.P. Hodges, Dr I.J. Johnson, H.M. Payne, I.A.N. Perry, C. Stallard, E. Williams and M.R. Wilson.

Also present: Councillors L. Burnett (Executive Leader and Cabinet Member for Performance and Resources), S. Campbell, J.E. Charles, C.P. Franks, G. John, S. Sivagnanam (Cabinet Member for Community Engagement, Equalities and Regulatory Services) and W.A. Hennessy.

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mr Andrew Freegard	2019/01031/RG3 - Land to the North of Maes y Ffynnon, Bonvilston	The applicant or their representative

### 376 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chair read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing”.

### 377 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 28<sup>th</sup> September, 2022 be approved as a correct record.

### 378 DECLARATIONS OF INTEREST –

Councillors R.M. Birch, C.A. Cave, P. Drake, N.P. Hodges, Dr. I.J. Johnson, N.C. Thomas, E. Williams and M.R. Wilson all declared an interest in respect of Agenda Item 8 – Planning Applications – application number 2019/00871/OUT: Land at Model Farm, Port Road, Rhoose and application number 2019/01031/RG3: Land to the North of Maes y Ffynnon, Bonvilston. The nature of the interest was that the applications were coming before the Planning Committee for a second time, and the Councillors had been members of the Planning

No.

Committee when the applications were previously considered. The Councillors indicated that they would be considering the applications from afresh, and so would remain in the meeting during consideration of the matters.

Councillors S.D. Perkes and H. M. Payne both declared an interest in respect of Agenda Item 8 – Planning Applications – application number 2019/00871/OUT: Land at Model Farm, Port Road, Rhoose. The nature of the interest was that both Councillors were also members of Barry Town Council which had previously considered and made comment on the application. Both Councillors indicated that they would be considering the application from afresh, and so would remain in the meeting during consideration of the matter.

Councillor I.A.N. Perry declared an interest in respect of Agenda Item 8 – Planning Applications – application 2019/00871/OUT: Land at Model Farm, Port Road, Rhoose and application 2019/01031/RG3: Land to the North of Maes y Ffynnon, Bonvilston. The nature of the interest was that as a member of a Community Council, Councillor Perry had previously commented on both applications at meetings of the Community Council. Councillor Perry indicated that he would be considering the applications from afresh, and so would remain in the meeting during consideration of the matters.

Councillor J.E. Charles, not a member of the Planning Committee, declared an interest on Agenda Item 8 – Planning Applications – application 2019/00871/OUT: Land at Model Farm, Port Road, Rhoose. The nature of interest was that Councillor Charles was also member of Barry Town Council which had previously considered the application. Councillor Charles indicated that she wished to speak on the application.

### 379 BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS (HRP) –

RESOLVED –

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

### 380 PLANNING APPLICATIONS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS (HRP) –

RESOLVED – T H A T the applications as outlined within the report, on pages 9 through 23, under the above delegated powers be noted.

381 APPEALS (HRP) –

RESOLVED –

- (1) T H A T the Planning Appeals as detailed in Section A of the report, be noted.
- (2) T H A T the Enforcement Appeals as detailed in Section B of the report, be noted.
- (3) T H A T the Planning Appeal Decisions as detailed in Section C of the report, be noted.
- (4) T H A T it be noted that no Enforcement Appeal Decisions had been received at the time of the meeting taking place.
- (5) T H A T the statistics relating to appeals for the period April 2022 – March 2023, as detailed in Section E of the report, be noted.

382 TREES (HRP) –

(i) Delegated Powers –

RESOLVED – T H A T the applications as outlined within the report on pages 28 to 30, as determined by the Head of Regeneration and Planning under delegated powers, be noted.

383 PLANNING APPLICATIONS (HRP) –

RESOLVED – T H A T in pursuance of the powers delegated to the Committee, the following applications be determined as indicated and any other necessary action be taken.

**2019/00871/OUT** Received on 22 April 2021  
(p31)

**APPLICANT:** Legal & General (Strategic Land) Ltd

**AGENT:** Mr. Darren Parker, Park House, Greyfriars Road, Cardiff CF10 3AF

**Land at Model Farm, Port Road, Rhoose**

Hybrid application comprising an outline application for the demolition of existing buildings and erection of 44.75ha Class B1/B2/B8 Business Park, car parking, landscaping, drainage infrastructure, ecological mitigation and ancillary works (all matters reserved aside from access) within Area A and a full application for change of use from agricultural land to country park (Use Class D2) within Area B.

No.

RESOLVED – T H A T this matter be deferred.

Reason for decision

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

**2019/01031/RG3** Received on 5 July 2022  
(p124)

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

**AGENT:** Georgia Peters, Dock Offices, Subway Road, Barry, CF63 4RT

**Land to the North of Maes y Ffynnon, Bonvilston**

Construction of 8 affordable residential units and associated works.

RESOLVED – T H A T deemed planning consent be granted, subject to the amendment of the following conditions:

Amend Condition 5 to read:

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: 0800 – 1800

Saturday: 0800 – 1300

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.

Amend Condition 13 to read:

Notwithstanding the approved plans, no development shall commence until full engineering details of the roadworks, parking areas and turning areas shown on drawings A101 - Site layout rev.D and A109 - Block Plan rev. D (which shall include plain dropped curbs in place of the tactile crossing points) which shall accommodate the amendments set out in Condition 21, have been submitted to,

No.

and approved in writing by, the planning authority. No dwelling shall be occupied until the roadworks, parking areas and turning areas have been completed in accordance with the approved details. The parking spaces shall thereafter be kept available for the parking of vehicles for as long as the approved development exists.

Reason:

To ensure that the development proposal will have an acceptable effect on local highway safety and the amenity of the area, in accordance with policies MD2 (Design of New Development) and MD5 (Development within Settlement Boundaries) of the Local Development Plan.

Add New Conditions 19, 20 and 21

Condition 19

Notwithstanding the submitted plans and supporting documents, the permission hereby approved shall not relate to the removal of the trees identified as T33, T34 and T35 as shown on plan ref. A109 - Block Plan rev. D.

Reason :

In the interest of ecology and the amenity value to the area and to ensure compliance with policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

Condition 20

Notwithstanding the submitted plans and supporting documents, the permission hereby approved shall not relate to the extinguishment of the existing turning head and landscaping of the turning head as shown on plan ref. A101 - Site layout rev. D and A109 - Block Plan rev. D and the turning head shall be retained as adopted highway.

Reason:

To ensure that the development proposal will have an acceptable effect on the highway safety and parking in accordance with policies MD2 (Design of New Development) and MD5 (Development within Settlement Boundaries) of the Local Development Plan.

Condition 21

Notwithstanding the submitted plans and supporting documents, prior to any works to widen the existing highway, full details of a revised layout and a method statement to show how the works will minimise impact on trees T33, T34 and T35 as shown on plan ref. A109 - Block Plan rev. D shall be submitted to an approved in writing by the Local Planning Authority. The works shall thereafter be completed

No.

in accordance with the approved plans and documents in conjunction with Condition 13.

Reason:

In the interest of ecology and the amenity value to the area and to ensure compliance with policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

Reason for decision

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

**2021/00012/FUL** Received on 16 March 2021  
(p164)

**APPLICANT:** Mr. Paul Davey, 20 Summerland Close, Llandough, Penarth, CF64 2QA

**AGENT:** Mr. Paul Davey, 20 Summerland Close, Llandough, Penarth, CF64 2QA

**20 Summerland Close, Llandough, Penarth**

Replacement of existing fence.

REFUSED and AUTHORISE ENFORCEMENT ACTION

RESOLVED –

- (1) T H A T planning permission for the works as described in the application be refused.
- (2) T H A T the Head of Legal and Democratic Services be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require:
  - (i) The removal of the fence and resulting materials from the land or reduction of the fence to a height of not more than 1 metre above ground level where it is located adjacent to the highway.
- (3) T H A T in the event of non-compliance with the Notice, authorisation be granted to take such legal proceedings as may be required.

Reason for refusal

The fence, by virtue of its height, length and positioning immediately adjacent to the highway, is a prominent and visually incongruous feature in the street scene that crudely encloses the space to the side of no. 20 Summerland Close and in doing so erodes the value of that corner space contributed to the openness and

No.

amenity of the street scene. This is considered to have an unacceptable impact on the visual amenity of the area and is contrary to Policies MD2 (Design of New Development) and MD5 (Development within Settlement Boundaries) of the Vale of Glamorgan adopted Local Development Plan 2011-2026, the Vale of Glamorgan Residential and Householder Development Supplementary Planning Guidance (2018) and national policy contained with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design).

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) The fence, by virtue of its height, length and positioning immediately adjacent to the highway, is a prominent and visually incongruous feature in the street scene that crudely encloses the space to the side of no. 20 Summerland Close and in doing so erodes the P.175 value of that corner space contributed to the openness and amenity of the street scene. This is considered to have an unacceptable impact on the visual amenity of the area and is contrary to Policies MD2 (Design of New Development) and MD5 (Development within Settlement Boundaries) of the Vale of Glamorgan adopted Local Development Plan 2011-2026, the Vale of Glamorgan Residential and Householder Development Supplementary Planning Guidance (2018) and national policy contained with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design).

(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.