

No.

PLANNING COMMITTEE

Minutes of a Remote meeting held on 29th March, 2023.

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 G. Bruce, I. Buckley, 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: Councillor R. Birch (Cabinet Member for Education, Arts and the Welsh Language), L. Burnett (Executive Leader and Cabinet Member for Performance and Resources), G.D.D. Carroll, C.P. Franks, G. John (Cabinet Member for Leisure, Sport and Wellbeing), K.P. Mahoney and E. Penn.

Name of Speaker	Planning Application No. and Location	Reason for Speaking
Mr. Michael Rees	2020/00775/OUT – Former Railway Sidings, Ffordd y Mileniwm, Barry	The applicant or their representative
Mrs. Elizabeth Reed	2022/00268/FUL – Sunbeams, Twyncyn, Dinas Powys	Objectors to the application or their representative
Mrs. Melanie Brookes	2022/00268/FUL – Sunbeams, Twyncyn, Dinas Powys	Objectors to the application or their representative
Mr. Adrian Holcombe	2022/00268/FUL – Sunbeams, Twyncyn, Dinas Powys	Objectors to the application or their representative
Mr. Powys Jones	2022/00268/FUL – Sunbeams, Twyncyn, Dinas Powys	The applicant or their representative
Mr. Christopher Britten	2022/01113/RG3 – Land at Lower Cosmeston Farm, Lavernock	The applicant or their representative
Mr. David Davies	2022/01113/RG3 – Land at Lower Cosmeston Farm, Lavernock	The applicant or their representative

Councillor G. Carroll spoke on Application No 2020/01590/HYB – Land South of Llandough Hill and Penarth Road, Llandough in his capacity as a Vale of Glamorgan Elected Member and as a Local Ward Member.

Councillor K. Mahoney spoke on Application No. 2022/01113/RG3 – Land at Lower Cosmeston Farm, Lavernock in his capacity as a Vale of Glamorgan Elected Member and as a Local Ward Member.

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Councillor E. Penn spoke on Application No. 2020/01590/HYB - Land South of Llandough Hill and Penarth Road, Llandough in his capacity as a Vale of Glamorgan Elected Member.

875 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.”

876 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 1st March, 2023 be approved as a correct record.

877 DECLARATIONS OF INTEREST –

The following declarations of interest were received:

Councillor	Agenda Item No.	Nature of Interest
Councillor I. Buckley	Agenda Item 8 – Application No. 2022/01113/RG3 - Land at Lower Cosmeston Farm, Lavernock.	Councillor Buckley declared a personal interest in respect of this item. The nature of the interest was that Councillor Buckley had a relative who worked at Ysgol Y Deri and he had received dispensation from the Standards Committee to speak and vote on any related matters.
Councillor M. Cowpe	Agenda Item 8 – Application No. 2022/00268/FUL - Sunbeams, Twyncyn, Dinas Powys	Councillor Cowpe declared an interest in respect of this item. The nature of the interest was that Councillor Cowpe was also a member of the Planning Committee for Dinas Powys Community Council which had previously considered the application. Councillor Cowpe indicated that she would be considering the application from afresh and so would remain in the meeting during consideration of the matter.

Councillor W. Gilligan	Agenda Item 8 - Application No. 2022/01113/RG3 – Land at Lower Cosmeston Farm, Lavernock.	Councillor Gilligan declared a personal interest in respect of this item. The nature of the interest was that Councillor Gilligan was also a member of the Learning and Culture Scrutiny Committee which had previously considered the application. Councillor Gilligan indicated that she would be considering the application from afresh and so would remain in the meeting during consideration of the matter.
Councillor N. Hodges	Agenda Item 8 – Application No. 2022/01113/RG3 – Land at Lower Cosmeston Farm, Lavernock	Councillor Hodges declared a personal interest in respect of this item. The nature of the interest was that Councillor Hodges was also a member of the Learning and Culture Scrutiny Committee which had previously considered the application. Councillor Hodges indicated that he would be considering the application from afresh and so would remain in the meeting during consideration of the matter.
Councillor H. Payne.	Agenda Item 8 – Application No. 2022/01113/RG3 – Land at Lower Cosmeston Farm, Lavernock	Councillor Payne declared a personal interest in respect of this item. The nature of the interest was that Councillor Payne was also a member of the Learning and Culture Scrutiny Committee which had previously considered the application. Councillor Payne indicated that she would be considering the application from afresh and so would remain in the meeting during consideration of the matter
Councillor S. Perkes.	Agenda Item 8 – Application No. 2022/01113/RG3 – Land at Lower Cosmeston Farm, Lavernock	Councillor Perkes declared a personal interest in respect of this item. The nature of the interest was that Councillor Perkes was a former member of the Learning and Culture

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		Scrutiny Committee which had previously considered the application. Councillor Perkes indicated that she would be considering the application from afresh and so would remain in the meeting during consideration of the matter
Councillor N. Thomas	Agenda Item 8 – Application No. 2022/01113/RG3 – Land at Lower Cosmeston Farm, Lavernock	Councillor Thomas declared a personal interest in respect of this item. The nature of the interest was that Councillor Thomas was also a member of the Learning and Culture Scrutiny Committee which had previously considered the application. Councillor Thomas indicated that he would be considering the application from afresh and so would remain in the meeting during consideration of the matter.
Councillor E. Williams declared a personal interest in respect of Agenda Item 8 and application number 2022/01113/RG3 - Land at Lower Cosmeston Farm, Lavernock.	Agenda Item 8 – Application No. 2022/01113/RG3 – Land at Lower Cosmeston Farm, Lavernock	Councillor Williams declared a personal interest in respect of this item. The nature of the interest was that Councillor Williams was also a Cabinet Member which had previously considered the application. Councillor Williams indicated that he would be considering the application from afresh and so would remain in the meeting during consideration of the matter.
Councillor M. Wilson declared a personal interest in respect of Agenda Item 8 and application number 2022/01113/RG3 - Land at Lower Cosmeston Farm, Lavernock.	Agenda Item 8 – Application No. 2022/01113/RG3 – Land at Lower Cosmeston Farm, Lavernock	Councillor Wilson declared a personal interest in respect of this item. The nature of the interest was that Councillor Wilson had a relative who worked at Ysgol Y Deri and he had received dispensation from the Standards Committee to speak and vote on any related matters.

Councillor R. Birch, not a member of the Planning Committee, declared a prejudicial interest in respect of Agenda Item No. 8, Application No. 2022/01113/RG3 – Land at

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Lower Cosmeston Farm, Lavernock. The nature of the interest was that Councillor Birch was the current Cabinet Member for Education, Arts and the Welsh Language. Councillor Birch withdrew from meeting and took no part in the debate.

878 BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS (HSD) –

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.

879 PLANNING APPLICATIONS DETERMINED BY THE HEAD OF SUSTAINABLE DEVELOPMENT UNDER DELEGATED POWERS (HSD) –

RESOLVED – T H A T the applications as outlined within the report, on pages 10 through 22, under the above delegated powers be noted.

880 APPEALS (HSD) –

RESOLVED –

- (1) T H A T the Appeals received following the refusal of the Council to grant planning permission, as detailed in Section A of the report, be noted.
- (2) T H A T it be noted that no Enforcement Appeals had been received at the time of the meeting taking place.
- (3) T H A T no Planning Appeal Decisions had been received at the time of the meeting taking place.
- (4) T H A T the Enforcement Appeal Decisions, as detailed in Section D of the report, be noted.
- (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.

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881 TREES (HSD) –

(i) Delegated Powers –

RESOLVED – T H A T the applications as outlined within the report on pages 26 and 27, as determined by the Head of Sustainable Development under delegated powers, be noted.

882 PLANNING APPLICATIONS (HSD) –

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

2020/00775/OUT

Received on 28 July 2022

(P. 28)

APPLICANT: JG Hale Construction Ltd, Hafod HA, and Lynwood Inv.

AGENT: Michael Rees 22, Cathedral Road, Cardiff, CF11 9LJ

Former Railway Sidings, Ffordd y Mileniwm, Barry

Residential development at the former sidings, Ffordd y Mileniwm along with associated infrastructure and open space

RESOLVED – T H A T subject to the interested person(s) first entering into a Section 106 Legal Agreement to include the following necessary planning obligations:

In the event that the residential units are delivered as affordable housing by Hafod Housing (the applicant), or otherwise delivered by the Vale of Glamorgan Council or its other Housing Association Partners (Newydd Housing, United Welsh Housing or Wales & West Housing):

- The developer pays £82,494 for the provision or enhancement of educational facilities in schools serving the development for Secondary school children.
- The developer pays a contribution of £71,300 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 £54,587 towards providing or enhancing public open space (outdoor sports facilities) in the vicinity of the site.
- The developer pays a contribution of £39,060 towards community facilities in the vicinity of the site.

OR

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In the event that the residential units are delivered by any other provider:

- The developer pays £167,313 for the provision or enhancement of educational facilities in schools serving the development for Secondary school children.
- The developer pays a contribution of £128,800 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 £98,209 towards providing or enhancing public open space (outdoor sports facilities) in the vicinity of the site.
- The developer pays a contribution of £70,560 towards community facilities in the vicinity of the site.

AND

- The developer pays the legal and implementation / monitoring fees for the S106 agreement.

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

Reason for decision

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

2020/01590/HYB
(P. 68)

Received on 25 January 2021

APPLICANT: Mr. Ken Thomas Newbridge Construction Limited, C/o Agent
AGENT: Mark Roberts Studio 117, The Creative Quarter, 8a, Morgan Arcade,
Cardiff, CF10 1AF

Land South of Llandough Hill and Penarth Road, Llandough

Hybrid application comprising an outline application for residential development and a full application for the means of access into the site, provision of a spine road, drainage, engineering and infrastructure works (revised viability information received)

RESOLVED – T H A T, subject to the interested person(s) first entering into a Section 106 Legal Agreement to include the following necessary planning obligations:

- The provision of 15% affordable housing based on a ratio of 60% social rented units and 40% low cost home ownership units;
- A contribution towards the provision of school places of £520,470;

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- The provision of the play area as public open space and a management plan for this;
- The submission of a viability review upon the submission of the first reserved matters application, if the mix differs from the following:
 - 59 no. 1 bedroom flats
 - 41 no. 2 bedroom flats
 - 14 no. 3 bedroom houses
 - 19 no. 4 bedroom houses
- The submission of a viability review should the development not be complete within 3 years of the approval of the first reserved matters.

Separate to any obligation, the payment of an administration fee of £10,409 (2% of the financial contribution sought), to cover the Council's costs to negotiate, monitor and implement the terms of the necessary Section 106 agreement.

APPROVED – Subject to the conditions as contained within the report and the amended conditions 5 and 39 as below:

Amend condition 5 as follows:

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

PL_10 Site Location Plan (received 31st December 2020)

DP rev P2 Design Principles (received 23rd June 2021)

PP02 Rev P2 Parameter Plan- Land Use (received 28th May 2021)

PP03 Rev P2 Parameter Plan- Scale (received 28th May 2021)

PP04 Rev P2 Parameter Plan- Green Infrastructure (received 28th May 2021)

PP05 Rev P1 Parameter Plan- Density (received 31st December 2020)

PP06 Rev P2 Parameter Plan- Access (received 28th May 2021)

Sections 4.1-4.4 of the document titled "Land at Llandough Hill, VOG Phase 2 Ecology Report", prepared by Soltys Brewster Ecology, dated 15th December 2020 (received 31st December 2020)

Flood Consequences Assessment and Drainage Statement, prepared by Stuart Michael Associates, November 2021 (Issue 02) (received 3rd February 2022)

Drainage Technical Note, prepared by Stuart Michael Associates, dated 14th October 2022 (received 18th October 2022)

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.

Amend condition 39 as follows:

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

PL_10 Site Location Plan (received 31st December 2020)

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PP-01 Rev P1 Parameter Plan- Detailed App. (received 31st December 2020)
PP04 Rev P2 Parameter Plan- Green Infrastructure (received 28th May 2021)
6245.010 Site Access Road Scheme Layout (received 31st December 2020)
6245.011 Site Access Road Vertical Profiles (received 31st December 2020)
6245.012 Site Access Road Proposed Levels and Contours (received 31st December 2020)
6245.013 Site Access Road Cross Sections (received 31st December 2020)
6245.014 Site Access Road Pavement Finishes and Kerb Types (received 31st December 2020)
6245.15 Site Access Road Construction Details (received 31st December 2020)
6245.SK06 Rev I Alternative Site Access Road General Arrangement and Development Plateaus (received 31st December 2020)
Sections 4.1-4.4 of the document titled "Land at Llandough Hill, VOG Phase 2 Ecology Report", prepared by Soltys Brewster Ecology, dated 15th December 2020 (received 31st December 2020)
Flood Consequences Assessment and Drainage Statement, prepared by Stuart Michael Associates, November 2021 (Issue 02) (received 3rd February 2022)
Drainage Technical Note, prepared by Stuart Michael Associates, dated 14th October 2022 (received 18th October 2022)

other than where amended by condition 64 for the provision of the road layout being shown as constructed up to and adjoining the south east boundary of the application site with the reservoir site (to an adoptable standard).

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.

Reason for decision

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

2022/00268/FUL

Received on 16 June 2022

(P. 152)

APPLICANT: McQuade C/O Agent, CF11 9HA

AGENT: David Thomas, Temple Court, 13A Cathedral Road, Cardiff, CF11 9HA

Sunbeams, Twyncyn, Dinas Powys

Conversion of existing property to four apartments. Proposed ground and first floor extensions with glazed balcony to the front and Juliette balcony to the rear, raise roofline incorporating front and rear gables

RESOLVED – T H A T subject to the applicant entering into a Section 106 Agreement for the following and subject to the following conditions:

In the event any of the flats are not Practically Complete on the trigger date, being 2

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years following the date of planning permission being granted, the owner will submit an updated viability appraisal to the council, or should the planning permission have not been implemented at this point, prior to the commencement of development.

Should the appraisal demonstrate that an affordable housing contribution is viable, a contribution not exceeding £82,893.60 shall be paid towards the provision of affordable housing.

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

Reason for decision

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

2022/01113/RG3

Received on 12 October 2022

(P. 189)

APPLICANT: 21st Century Schools Programme Manager Civic Offices, Holton Road, Barry, CF63 4RU

AGENT: Mr Mark Farrar The Creative Quarter, 8a Morgan Arcade, Cardiff, CF10 1AF

Land at Lower Cosmeston Farm, Lavernock

Proposed new specialised school and associated access, landscape, and engineering works.

APPROVED – Subject to Welsh Government notifying the Council that the application would not be called in by the Welsh Ministers and subject to the conditions as contained within the report

Reason for decision

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