

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 12 MARCH 2015

Page	Application	Location	Item No.	Description
63	2012/01165/LBC and 2012/01166/FUL	1-3 Llandough Castle Flats, Llandough	1.	Letter of objection from neighbouring property and comments of Planning Officer regarding the objection.
			2.	Request from neighbour for Planning Committee Site Visit.
			3.	Letter of objection from local resident.
93	2014/00550/OUT	Land north of the railway line (west) Rhoose	4.	Comments of Andrew RT Davies AM, Jane Hutt AM and Alun Cairns MP with the response of the Planning Officer.
			5.	Two letters received from agent acting on behalf of the landowners of a neighbour site.
			6.	Correspondence received from Karen Gallimore.
			7.	Petition with 332 correspondents seeking Council to reject application
			8.	Additional legal provision to require future maintenance of all drainage provided on site.
170	2014/01209/FUL	Former site Broad Street Motors, Broad Street, Barry	9.	Additional condition required for widening of entrance in to the One Stop car park.
195	2014/01358/FUL	The Dolphin, Friars Road, Barry Island	10.	Natural Resources Wales and the Council's Ecologist raise no objection to the application.
			11.	Confirmation that the application for commercial uses on the ground floor of the premises seeks consent for either A1 Retail or A3 Café/Restaurant/Takeaway use.

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 12 March 2015

Application No.: 2012/01166/FUL	Case Officer: Mrs. J. M. Crofts
Location: 1-3, Llandough Castle Flats, Llandough	
Proposal: Demolition, alteration and extension works to apartment Nos. 1- 3 Llandough Castle Flats	

Response to comments from Mr Simon Rees summary of issues to be presented to committee

Inaccurate documents:

A site location plan should be sufficient to identify the location of a development, the fact that an older than current version is used in this case but based on a scaled ordnance survey plan, whilst regrettable, is not unacceptable.

The issue of **land ownership**, and thus correct service of certificate, has been raised with the applicant and his agent. They confirm they are the owners of the application site edged red. Thus there is no reason for the local planning authority to deem the application invalid or the boundaries inaccurate. Disputes over landownership are civil matters.

Design and access statements: the local planning authority have addressed this issue in the report:

"The building sits at the end of a communal driveway which is not adopted highway. Indeed a number of the objections received in relation to this application relate to the adequacy of this access both during construction and upon completion. Indeed it is acknowledged that this driveway is predominantly single track and in places is not in a good state of repair."

And

"Access to the development using privately owned driveway which is considered to be inadequate for additional traffic movements and suitability for use by refuse and delivery vehicles."

Listed building protection:

Reference is made to **no professional assessment** of the scheme however the application has been assessed by officers of the local planning authority including the Councils expert conservation officer who has no objections to the proposals. Members should also note the Comments of CADW who do not object to the development.

References to **deliberate neglect/removal of elements:** in considering a scheme for restoration of the building the local planning authority has to have regard to the future of that building and whether the works will preserve and enhance. No comment is made on

the cases specified but in relation to the current application the proposals have been assessed against the duty of the local planning authority to give harm substantial weight. **The local planning authority has not identified harm** but consider the scale and form of the development as two units is considered to be an acceptable development having regard to the need to ensure the future of the listed building and county treasure. The development is considered to enable the sensitive restoration of the listed structure and retain its setting and meets the requirements of Policies HOUS7 and ENV17.

Access to the village: note the building was formerly in use as three flats and now only two are proposed.

Heritage statement: These are required under the English National Planning Policy Framework but are not required in Wales.

The Neighbours Opinions regarding the merits of the scheme and the proposed demolition and the proposed extension are not agreed by the local planning authority noting that the scheme has been extensively modified following negotiations with the conservation officer.

The location of the new build adjacent to the castle walls is deemed appropriate as a modern interpretation of the original relationship between this building and the listed castle and walls.

Privacy: there is no adverse impact from the development noting the distance, angle between windows and screening currently in situ.

Ecology: matters have been the subject of extensive review by ecology officer and Natural Resources Wales and all relevant issues have been addressed by the survey work and details submitted.

Noise and light pollution: Noting the long standing residential use of the site, there is no planning reason for refusal on the grounds of noise or light.

Planning committee Meeting on 12 March 2015

Applications 2012/01166/FUL and 2012/201165/LBC 1-3 Llandough Castle Flats, Llandough

Summary of Issues to be presented by Simon Rees

My name is Simon Rees of Llandough Castle one of the adjoining properties. I am a Chartered Surveyor and I run a firm of surveyors and planning consultants.

I have been asked to represent all the residents of the neighbouring properties and speak at the Planning Committee meeting on 12 March. All the residents have grave concerns regarding the application and there have been 21 letters of objection. The residents are seeking for the application to be dismissed.

I understand that objections must be based on proper planning grounds and the following sets out what we consider to be clear and compelling reasons why this proposal should be refused planning permission and listed building consent.

Background

Llandough Castle Flats are listed as being of Special Architectural or Historic Interest, Grade: II, listed on 13 May 1981. The building is listed in the Vale of Glamorgan County Treasures 2007.

The building lies within a Special Landscape Area of the Lower Thaw Valley, and is generally within the Countryside.¹

It follows from this that the relevant planning considerations are:

- Where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of **preserving the building, or its setting, or any features of special architectural or historic interest which it possesses.**²
- Proposed development should not adversely affect the landscape character, features or visual amenities of the Lower Thaw Valley Special Landscape Area.(Policy ENV 4¹)
- Any extensions should not be disproportional to the original building (Policy HOUS 7¹)
- Development should not unacceptably affect Trees in the landscape (Policy ENV 11¹)

Issues

I set out below a summary of the issues I believe need to be considered:

1. Inaccurate documents
2. Listed Building and Statutory Protection
3. Neglect of the building should be ignored
4. Impact on setting of another listed building
5. Access to the village
6. Walkers of the Valeway Walk
7. Access is via single track access

¹ Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, which was formally adopted by the Council on 18th April 2005

² Planning Policy for Wales paragraph 6.5.9

8. Lack of Heritage Statement
9. Removal of walls contrary to preservation
10. Proposals are disproportionate and out of character
11. Privacy
12. Adverse impact on the landscape
13. Removal of trees contrary to Tree Survey
14. Works adjacent to Ancient Monument
15. Lack of ecology survey

1. Inaccurate documents

The following documents submitted with the application are inaccurate:

- Location plan
 - This is an out of date edition of the Ordnance Survey, at least 40 years out of date, and is misleading as it does not show the neighbouring houses and the footprint of Llandough Castle is incorrect.
 - As a result the location plan does not accurately reflect the surrounding location.
- Site plan and ground floor plans
 - These do not correctly show the boundaries.
 - The plans do not correctly show the western boundary between the subject site and Llandough Castle. The plans show the boundary to include part of the wall as being in the ownership of the applicant and immediately adjacent to the wall for another length. This is incorrect as the wall is in the ownership of Llandough Castle and is actually part of the outer wall of the house. The boundary is to the east of the wall.
- Plan attached to tree survey
 - The northern boundary on the plan is inaccurate
- Design and access statement
 - This refers to the lane leading to the subject site as having passing places and serving two other properties. Both statements are inaccurate – there are no passing places and the lane provides access to 9 houses.

The planning officer's report makes no reference to these points having been raised by the objectors.

2. Listed Building and Statutory Protection

The existing building is listed and a county treasure and therefore has statutory protection. This point is reiterated by the planning officer, who in their report to Committee states:

“ of overriding importance in this particular case is the building's status as of importance in architectural and historic terms and which is as a result a Grade 2 listed building”

The case of **Barnwell Manor Wind Energy v The Secretary of State, Court of Appeal February 2014** highlights the duty of the planning authority to give "considerable importance and weight" to the duty under section 66 (1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard to the desirability of preserving the setting of buildings of special architectural or historic interest.

The application does not include a professional assessment of the condition of the building but relies on the comments within the design and access statement to the effect that it is in serious risk of complete loss.

From an external inspection of the building this does not appear to be the case, for example the majority of the roof covering appears to be intact and there is little evidence of wall movement as a result of structural failure. Without a full assessment of the building, intervention of the scale and extent of that proposed should not be considered.

In the circumstances of the planning application before you, the works proposed will not preserve the listed building and the works would be detrimental to its fabric. The application is not for restoration it is an application for a scheme to create a different entity.

3. Ignore any neglect

If it were found that there was any evidence of neglect of the building, the deterioration of the building fabric should not be taken into account.

The planning officer's report refers on a number of occasions to the building having falling into a "poor state of repair". This statement is inaccurate as the building has been allowed to fall into disrepair.

Doors and windows have been deliberately removed from the building and have not been replaced and therefore parts of the building are vulnerable to deteriorating due to exposure to the elements. The Council were called to the site whilst materials were being removed from the site.

Two cases address the issue of buildings that are in a state of disrepair.

In the case of **R on the application of Forge Field Society v Sevenoaks District Council [2014] EVHC1895**, it was stated that even if the harm is "less than substantial" the strong presumption against the grant of planning permission is not entirely removed.

The case of **APP/K5030/V/13/2205294 – 25 Snow Hill and 29 Smithfield Street London EC1** highlights the way deliberate neglect should be considered. At paragraph 12 of the Secretary of State's letter he states:

"For the reasons given by the inspector at IR 417–418, the Secretary of State sees no reason to disagree with his view that the deteriorated state of the building is at least in part, the result of the history of deliberate neglect and that, in assessing the planning balance, less weight should therefore be given to the current condition of the buildings and consequent benefit of their repair."

In the case currently before the committee, the planning officer's report acknowledges the building is in a poor state of repair and then states that any scheme should require the building to be restored to secure its future. It is wrong for the planning officer to have regard to the current state of repair as a reason for recommending the granting of permission for the current application.

Having regard to case law, when considering the planning application, no account should be taken of the state of the building brought about by neglect.

4. Impact on setting of another listed building

Llandough Castle which adjoins the subject property is Grade II* listed and as such any proposed development on the subject site should be sympathetic to the setting of a listed building.

The proposed development is not sympathetic to the setting of Llandough Castle. The proposal fails to respect the setting of this particularly important building by extending the building, encroaching on the setting with an inappropriate built form. This is contrary to policy ENV17 of the UDP. The drawings indicate the proposal is to build right up to the external wall of Llandough Castle.

5. Access to the village

In 1978 a planning inspector rejected a proposed development elsewhere in the village and one of his reasons was:

"The narrow approach roads leading to the village are not suitable to carry any significant increase in traffic"

Since 1978 there has been a dramatic increase in traffic, together with the significant increase in width of vehicles which generally means that pedestrians are presently at much greater risk than they ever have been within the village. Two more executive houses could well generate traffic from six or more cars.

The planning application incorrectly states that the village is on a bus route.

6. Walkers of the Vale Walkway

In addition to residents of the village, walkers of the Valeway Walk that passes through the village will also be put at greater risk due to the increase in traffic.

7. Access is via single track access

Another important highway issue is the Council's long established principle that they will only approve a maximum of four dwellings having access to a Publicly Maintained Highway (even with two way traffic). The lane leading from the adopted highway presently serves nine dwellings which is over double the accepted maximum, a further increase of two dwellings would take the total to nearly three times the accepted number.

The design and access statement refers to the final approach to the subject site being via a single track private road with passing places. This statement is incorrect it is a lane not a road and there are no passing places. The lane serves 6 other houses not 2 as stated. The proposed development would result in excessive traffic on the lane and cause problems for existing residents.

The design and access statement gives no explanation as to how it is proposed that construction traffic will access the site. The lane is an important consideration given the narrow width of the lane.

The application does not take into account additional visitor traffic, delivery lorries, oil lorries and bin lorries. The significant increased traffic on an already over burdened road system will impact on the whole village and people have to park in other streets, and increased risk of traffic accidents through forced reversing down narrow lanes and around blind bends as well as increased risk to pedestrians.

8. Lack of Heritage Statement

The building is of special architectural and historic merit but this is not considered in the design and access statement, nor has any heritage statement been submitted.

The proposed drawings do not clearly define the extent of demolition and the assumption from them is that it would be extensive, including all internal fabric and roof coverings. This loss is not justified in the application and it would radically damage the listed building.

9. Removal of walls contrary to preservation

The drawings indicate that the proposal is to remove sections of the existing walls on the western, southern and eastern elevations. The removal of these sections of the existing building are contrary to the preservation of a listed building.

10. Proposals are disproportionate and out of character

The proposed extensions are very significant and are disproportionate to the building; the width of the building is increased by over 100% in a form which does not complement the character of the existing building. This is contrary to policy HOUS 7.

The proposal to build the extension associated with Unit 1, shown as dining room, kitchen and study immediately adjacent to the outer wall of Llandough Castle is not appropriate. Such development would extend beyond the boundary of the subject property and would abut the outer wall of Llandough Castle in which there are vents.

The proposal is for the creation of multiple balconies none of which compliment the character of the building. The proposed flat roof extension would be an alien feature and would clearly not preserve the building's character or appearance.

11. Privacy

The southern elevation of the proposed development incorporates extensive glazed areas and has balconies at first floor level. These will dramatically affect the privacy of the residents of Pen-y-Bryn the adjoining property to the south as people will be able to look directly into the property and garden and in particular the children's bedrooms and bathroom which are on the rear of the property.

The planning officer refers to there being a degree of conifer screening between the subject site and Pen-y-Bryn. There is a significant length of the boundary between the two properties where there is no such screening.

The proposed scale of the development means that the existing gardens would be replaced by a modern extension less than the minimum distance to the neighbouring property.

12. Adverse impact on the landscape

This alien built form would also adversely impact on the landscape as it would be seen as a very significant building in a rural setting. This is particularly relevant as the site lies within the protected Lower Thaw Valley. (Policy ENV4). The significant and alien building would adversely affect the view of the village both from the bridge over the River Thaw at main entry to the village, and within Castle Precinct.

13. Removal of trees contrary to Tree Survey

The proposal is to remove a Sycamore (15), the biggest tree on the site. This provides an important local visual amenity and the loss is not justified. The removal is contrary to the Tree Survey prepared by Tree Scene which recommends retention of this tree.

14. Works adjacent to Ancient Monument

The proposals include work, namely the car parking and lounge area, in close proximity to a Scheduled Ancient Monument, the remains of the original part of Llandough Castle. No explanation or justification for this work is included in the application.

15. Lack of ecology survey

The application does not provide a comprehensive survey of the site in respect of all ecology matters. The only issue that has been considered relates to bats. Given its location and character it is very likely that other protected species are on site and the very significant proposed works could have a detrimental effect on them.

There is a wildlife pond less than 100m from the boundary of the subject site and there are newts in the pond. This is an issue that has not been addressed.

16. Noise and Light pollution

The scale of the proposal could lead to an additional 8 resident cars, plus cars from visitors putting pressure on the both the access lane, and the immediate environment. This significant increase in noise, and the proposed security lighting would disrupt the sleep of the residents, and in particularly the children, of the neighbouring properties (particularly Pen-y-Bryn). Such lighting is not in keeping with the landscape and has been raised as a concern by the recent survey as unsuitable for bats. However this has not been addressed as part of the planning process.

Conclusions

For the above reasons the proposals neither comply with statutory duty which is to preserve listed buildings nor accord with development plan policy and for these reasons, all of the neighbouring residents are requesting that the application should be refused.

If the members of the Committee are not minded to dismiss the application at the Committee meeting on 12 March, then the residents would request that the Committee undertake a site inspection before reaching their decision.

9 March 2015

From: Simon Rees [REDACTED]
Sent: 11 March 2015 09:42
To: Planning & Transportation (Customer Care)
Subject: Planning Committee Meeting 12 March 2015 - Applications 2012/01166/FUL and 2012/201165/LBC

For the attention of Mrs Crofts

Dear Mrs Crofts

Applications 2012/01166/FUL and 2012/201165/LBC – 1 – 3 Llandough Castle Flats, Llandough

I refer to our telephone conversation this morning and write again to formally request that the Committee undertake a site visit.

As I explained I think that it is important that the Committee undertake a site visit before considering this matter. The case is not straight forward and there are a number of issues which have been flagged as matters of concern and a site visit would mean that the Committee would be better informed when considering the case.

I have previously discussed and raised the point about the need for a site visit.

I should be grateful if you could bring this matter to the attention of the Committee.

Yours sincerely

Simon Rees
Managing Partner

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Hilary M. Thomas
Brookside Farm, Llandough, Cowbridge CF71 7LR
Tel: [REDACTED]

The Chief Planning Officer
Vale of Glamorgan Council
Civic Offices
Holton Road
Barry CF63 4RU

9 March 2015

Dear Sir,

Re: Planning Application 2012 forward/01166/FUL (Llandough Castle Flats)

I wish to re-iterate and underline the comments I submitted to you on 25 Nov. 2012 in relation to this planning application. I consider that the points I then raised (copy of letter enclosed herewith) are of continuing and increasing relevance.

I would like to stress the inevitable detrimental impact of this scheme in its present form upon the integrity of the historic landscape. The Llandough Castle site and adjacent landscape is of great historical significance and should not be compromised by insensitive development. The fact that the present plans for development seem to extend beyond the footprint of the existing building is a further matter of concern.

I trust that my comments will be given serious consideration at the forthcoming committee meeting.

yours sincerely,

[REDACTED]

D.E.E.R
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11 MAR 2015

ENVIRONMENTAL
AND ECONOMIC
REGENERATION

Copy

Hilary M. Thomas
Brookside Farm, Llandough, Cowbridge, Vale of Glamorgan, CF71 7LR
Tel: [REDACTED]

The Chief Planning Officer
Vale of Glamorgan Council
Civic Offices
Holton Road
BARRY CF63 4RU

25 November 2012

Dear Sir,

re: Planning Application 2012/01166/FUL

I wish to register the following comments on the above cited planning application relating to the Llandough Castle Flats (Grade II listed).

Serious consideration must be given to the integrity of the historical landscape in which the Castle Flats are an important element. The main body of Llandough Castle (Grade II), the Castle Gatehouse (Grade II*), and the adjacent medieval Church of St Dochdwy together form an important, coherent historical landscape which demands protection.

It is difficult to understand why the Flats, as a listed building, have been allowed to fall into such a state of disrepair, verging on dereliction, and the proposed 'extension', which I interpret from the plans submitted with the planning application as a modern house, seems to be an inappropriate, ill conceived and unnecessary addition to the main, large structure. The wall which borders the 'forecourt' of the Flats incorporates late medieval features on both its internal and external faces. It is an important survival from the medieval Castle and its maintenance should be a legal obligation upon present and future owners.

The 'traffic' implications of this scheme raise many issues and must be a great cause for concern. The narrow private track leading from the Council's maintained Llandough Lane to the Castle and to the Castle Flats is inadequate for present usage, and it is difficult to conceive that it would provide adequate access either for construction traffic in the short term or for additional private vehicle usage in the long term. I understand that six parking places are envisaged in the present scheme, and this takes no account of other private and commercial vehicles visiting the properties. The weekly visits of Council recycling lorries, the regular arrival of large delivery lorries etc. already cause problems for the residents (not to mention the lorry drivers), and the track can often be blocked. There are no passing places on any part of the track. This is already a real problem on the particularly narrow section of track

leading past the Gatehouse to the Castle Flats which is bounded by stone walls on one side and private houses on the other.

Another major problem is that the exit from the track on to the Llandough Lane (adjacent to the letter Box) is straight on to a narrow crossroad and a blind bend. This is the Castle Precinct area of Llandough where the majority of the local population lives, where local traffic is concentrated, and the traffic implications implicit in the proposed scheme raise serious concerns.

I trust that the issues I have raised will be given full consideration in discussions of this planning application.

yours sincerely,

[REDACTED]
[REDACTED]

4 ,

LATE ITEMS FOR COMMITTEE
COMMITTEE DATE : 12 March 2015

Application No.: 2014/00550/OUT	Case Officer: Mr. S. D. Butler
Location: Land north of the railway line (west), Rhoose	
Proposal: Residential development	

From: Andrew RT Davies AM and Jane Hutt AM

Summary of Comments:

Both letters raise concerns about the comprehensive nature of the development and flooding/drainage matters with the letter from Andrew RT Davies also raising the suitability of the access, and the proposed new school and suggesting the Council facilitate discussions with both developers to bring forward a comprehensive scheme.

Response to letters

Members will note that that all of the above issues are considered in the report to committee, but are addressed again for clarity:

Comprehensive development: The submission of application 2010/00639/EAO for only have of the allocated site (within the UDP) set a precedent for considering the site in phases and while this was not the preferred option of the Council, the above application was ultimately approved in January 2014. Notwithstanding the above the approval of applications on different part of the UDP allocation does not mean that the development is not comprehensive given that both the previously approved scheme and the scheme currently being considered provide for both pedestrian and vehicle linkages.

Access: Members will note that although the site is to be accessed off Porthkerry road, a road is provided through into the neighbouring site and will link up with the road to be provided by the Persimmon/Bellway schemes (this of course relies on the land owner allowing the road linkages to be made and not ransoming the Taylor Wimpey site). The Councils own Highway Engineers have also confirmed that the use of Porthkerry Rd. is acceptable in highway safety terms.

Flooding and Drainage: The applicants propose the use of a sustainable drainage scheme (SuDS) to restrict the surface water run off rates to that of green field (or existing rates) through the use of a network of attenuation of which, parts will be adopted by the Council and other elements by Welsh Water. The Councils own drainage engineers and Welsh Water have confirmed no objection to the proposals subject to relevant conditions. Given the above, the proposed development will not lead to any increased risk of flooding of any of the surrounding areas.

Welsh Water has also confirmed the acceptability of the proposed foul water/sewerage arrangements subject to conditions.

School: The Council requires the land for the school to be provided at the earliest possible opportunity and it will provided in a central location which will be equally accessible for residents of both housing schemes.

Developers/landowners: It is unfortunate that there is an apparent disagreement between the landowners and developers in the case of the current application and those involved with the previously approved application. However members will be aware that these issues are purely related to pecuniary interests and are not directly relevant to the planning process. Nevertheless members should be aware that officers of the Council have been involved in trying to secure a comprehensive application with regard to the total allocation (within the UDP) since the allocation was first adopted in 2005.

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Mark Petherick
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FAO: Cllr Lis Burnett

03 March 2015

Dear Lis

Re: Rhoose North West Proposed Development/Access to 350 houses and school-2014/0050/OUT

I recently met with constituents who have an interest in housing developments at Rhoose Point.

I understand that planning was approved for the Bellway and Persimmon Homes site north of the railway line at Pentir Y De, (2014/00343/FUL) but that a second site to the West for development by Taylor Wimpey for 350 homes and a school is due to be considered by the Planning Committee. (2014/00550/OUT)

My constituents have raised concerns regarding this application as they feel it does not complement the approved planning development for land to the East. Specifically, there are concerns about Taylor Wimpey's proposed surface water scheme and fears that it will create further flooding.

I believe that my constituents feel that this site should be included with that to the East and considered as a comprehensive scheme- with a comprehensive solution for sewage and surface water drainage for the full 700 house development straight to the sea- (as approved by planning committee on 01/08/2014.)

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Ffôn / Tel: 029 20 898469
E-bost / Email: jane.hutt@wales.gov.uk

I would be very grateful for clarification regarding the adequacy of the Taylor Wimpey surface water scheme.

I look forward to hearing from you.

With very best wishes

Yours sincerely

A handwritten signature in black ink that reads "Jane". The letter "J" is large and stylized, with a horizontal line extending from its top left. The rest of the name "ane" is written in a cursive, lowercase style.

JANE HUTT AM (VALE OF GLAMORGAN)



Andrew RT Davies AM/AC

Leader of the Opposition
Arweinydd yr Wrthblaid
Welsh Conservative Member for
South Wales Central
*Aelod y Ceidwadwyr Cymreig dros
Ganol De Cymru*

Marcus Goldsworthy
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AndrewRT.Davies@wales.gov.uk

Ein cyf/Our Ref: **AD/VB**
Eich cyf/ Your Ref: **VB**

2nd March 2015

Dear Mr Goldsworthy,

I write in relation to planning application 2014/00550/OUT and the council's position in relation to the development of this important area of land at Rhoose Point for housing.

Reading the reports, and having had representations made to me by constituents, I note that the council's proposal is to give planning permission for two separate developments on this land; one through Taylor Wimpey, the other by Persimmon Bellway.

The history of development at Rhoose Point has been of poor infrastructure installation, leading to on-going issues particularly around flooding in the area. In addition, there has been a perceived failure with previous Section 106 agreements to deliver any meaningful gains for the community.

I have had representations from local residents and constituents of the wider Rhoose area which lead me to believe that there are serious concerns as to why the council is proceeding with the two proposals as separate developments. These concerns are outlined below.

Firstly, the access into the proposed Taylor Wimpey development is wholly unsuitable and will clearly create serious congestion issues for cars seeking to leave or enter Rhoose village. I fail to see why the 'new road' that leads into Rhoose Point, and which runs through the Persimmon site, is not a far more suitable route for both developments.

The aforementioned issue of flooding is also of major concern to any locals who have experienced it in the past. The ability to deal with the run-off via soakaways, as proposed, is a source of great worry and surely a far better way to address this

matter would be to drain water directly into the sea, as proposed in the Persimmon development?

In addition, the development contains proposals for a new school on the site which will clearly bring with it huge benefits for the immediate area. That said, it will require significant infrastructure improvements, including to the roads and local amenities. With this in mind, I would argue that the interests of the community would be better served if a more strategic approach were to be taken and the area were to be considered as one overall development.

In fact it is my understanding that the Vale Council's own Local Development Plan (LDP) states that the area should be considered as one development point for these purposes. A point which further underlines the legitimacy of my concerns.

For the above reasons I would respectfully urge the council to seek discussions with both developers in addressing these very real concerns. A sensible dialogue with both developers in addressing these very real concerns would enable all parties to bring forward a plan that could facilitate these proposals as one overarching development - thus avoiding the poor planning which has historically blighted this area.

Kind regards

A handwritten signature in black ink that reads "Andrew RT Davies". The signature is written in a cursive style with some capital letters.

Andrew RT Davies AM
Assembly Member for South Wales Central
Leader of the Welsh Conservatives

Alun Cairns MP
Vale of Glamorgan



HOUSE OF COMMONS
LONDON SW1A 0AA

Mr M Petherick
Cabinet Officer
Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
CF63 4RU

6 March 2015

Ref: VoG

Dear Mark

Planning Application 2014/00550/OUT
Land north of the railway line (west), Rhoose

Conscious that I have made representations to the Local Authority on the above planning application, I want to take the opportunity to highlight proposals that have been brought to my attention.

The adjoining site has had planning permission for quite some time for 700 houses (plus a school) and, conscious that the above site has been earmarked for development in the Council's Unitary Development Plan, a campaign has been organised to try and combine the two sites in order to undertake the necessary infrastructure upgrades (eg drainage and highway etc), not only in a cost effective way, but also in a way that will fully address all the concerns that neighbouring residents have.

Conscious of my own previous representations on the matter, I would nonetheless like to draw your attention to these proposals and urge that serious consideration is given.

Thank you for your consideration in this matter and I look forward to hearing from you as soon as possible.

Yours sincerely

ALUN CAIRNS MP
Vale of Glamorgan

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Our Ref:

Your Ref:

WPT/CMW/D307 & H369d

Mr M Goldworthy
Planning Department
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BY HAND

Via Post & Email: [MJGoldworthy@valeofglamorgan.gov.uk](mailto: MJGoldworthy@valeofglamorgan.gov.uk)
[DRThomas@valeofglamorgan.gov.uk](mailto: DRThomas@valeofglamorgan.gov.uk)

Date: 11th March, 2015
Direct Line: (01446) 776370
Email: [philipthomas@hrt.uk.com](mailto: philipthomas@hrt.uk.com)
When replying please quote our ref.

Dear Marcus,

Re: Rhoose Point : Planning Application 2014/00550/OUT

Further to previous correspondence in connection with the above, I felt it appropriate to bring to your attention the recent findings of Mr Emyr Gweirydd Jones of 9 Park Place, Cardiff.

I have enclosed a copy of his findings which will no doubt assist in the decision making process of the application of the Land North of Rhoose Point Railway Line (West).

Kind regards,

Yours sincerely,

W. PHILIP THOMAS, Dip (Estate Man) MRICS FAAV
Chartered Surveyor & RICS Registered Valuer
For Herbert R Thomas LLP

Partners: Andrew R. Thomas, BSc (Land Man), MRICS, FAAV, Robert P. Calcaterra, FNAEA, W. Philip Thomas, Dip (Est Man), MRICS, FAAV, Gavin R. Rees, MNAEA, Howell Edwards, BSc (Est Man), FRICS, FAAV **Consultants:** Robert Thomas, MA (Dip Est Man), Cantab, FRICS, FAAV, Edmund Miles, BSc (Agric), FRICS, FAAV, Alison Ginn, BSc, MRICS, FAAV, Matthew Jarrold, BSc (Land Man), MRICS, FAAV **Business Manager:** Jayne Drummond, MBA (Dist)

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Representations on behalf of the Hardy and Davies families, landowners of the eastern site

1. My clients have a financial interest in the application being refused. The applicants, equally, have a financial interest in consent being granted. The function of the planning authority is to disregard these commercial matters and to concentrate on the planning considerations in respect of the development of the western and the eastern site. See the observations of Sullivan J in the case of *R v Secretary of State for the Environment ex parte Webster* (1999)

“The Council, as local planning authority, are not concerned with the private rights of individual landowners and with whether one landowner may or may not have to pay a ransom to another. The Council, as planning authority, are concerned to ensure that the access will facilitate suitable development in physical terms, subject of the landowners entering into negotiations between themselves as to the terms on which they may obtain access over each other's land.”

2. The Committee's job is to look at the planning merits. It is not to adjudicate on a commercial dispute between landowners. These representations will address the planning merits. When one looks closely at the relevant policies and considerations it is respectfully suggested that the Committee will be driven to conclude that the application for consent should be refused. It should be refused because it is contrary to the UDP, the Deposit LDP, and the development brief. In more concrete terms it involves a highways solution which is clearly second best and inferior to what is set out in the development brief and a drainage solution which is inferior and second best to the solution already consented in respect of the eastern site.
3. The Committee should determine the application in accordance with the UDP unless material considerations dictate otherwise.
4. The supporting text to UDP Policy HOUS1 (22) states:

*“The development of the site will be guided by a Development Brief, which will be produced in partnership with the Council, the purpose of the brief will be to ensure a **comprehensive** approach to the development of the site. **It is essential that the development of this***

significant site makes an effective and positive contribution to the social, economic and environmental wellbeing of the local community.”

5. Note two things about the UDP. First, the development should make a positive contribution to the wellbeing of the local community. It is not, therefore, sufficient for the new development to simply avoid making existing problems worse. Secondly, there has to be comprehensive approach to the site as a whole; that is, a coherent strategy for both the western and eastern sections.
6. The UDP is old. If it has not been superseded then its age makes no difference. The issue is whether the UDP or the development brief have been superseded in a relevant respect?
7. The answer is that that they have not been superseded. That is what is said in the officer’s report (page 58). It is also apparent from the Deposit LDP. The site as a whole is identified in policy MG 2 as site 33 (page 58 of LDP). It is discussed in detail in Appendix 5 (page 177 of the LDP).
8. The only development of note relates to the new school:

“As a result of the Education Facilities Infrastructure analysis, it has been concluded that the remainder of the site will need to provide and safeguard a site of 1.0 hectare for the provision of a new primary and nursery school (210 places)”.
9. The need for a school has obvious implications for the provision of open space and housing density on the western site. As to this the LDP says:

*“An updated development Brief will be prepared to address this change in circumstances and Council expectations for the **comprehensive** development, as a result of the up-to-date infrastructure planning.”*
10. Note that it is still the Council’s policy to insist upon a comprehensive development. The fact that outline permission has been given in respect of the eastern site has not detracted from the policy of requiring a comprehensive development. In fact the

granting of that outline permission was consistent with the policy because the permission requires the developer of the eastern site to provide a drainage solution which can accommodate the future development of the western site (conditions 24 & 28). Indeed, all of the infrastructure to be built in respect of the eastern site is designed to accommodate the western site.

11. As for drainage the Deposit LDP says:

“There are known flooding issues to existing properties to the south of the site and mitigation measures will therefore be required to prevent further surface water flooding. It should be noted that the use of soakaways for the disposal of surface water on this site is not recommended and the disposal of surface water run direct to the sea should be investigated.”

12. Note two things. First, flooding to Rhose Point is already a problem. Secondly, the use of soakaways for the disposal of surface water is not recommended.

13. The approved development brief, dated August 2007, completes the policy background.

14. In terms of transport and access it provides for access to the entire site to be via a new roundabout to be built on the new road to Rhose Point, Pentir y De with an additional access for emergency purposes to be made available at a later date:

“Access into the development site for up to 600 houses can be achieved via a new roundabout on the existing unadopted link road, Pentir y De (currently the subject of a Section 38 agreement with Blue Circle Industries Plc) which serves the Rhose Point development. However, once the development reaches the completion of 300 houses, and additional access for emergency purposes will need to be made available.” [Page 15, para 4.6]

15. The application is contrary to these policies in terms of:

Access; and

Drainage;

Access

16. The development brief states that the access to both sites should be via a roundabout on Pentir y De. The only change since the development brief is that a school is to be located on the western site. That can only increase the peak flow of traffic making it even more important that the access is a good and safe one. Similarly, the development brief requires an emergency access; the existence of a school can only make that requirement more imperative.
17. The application involves, however, no alternative access and a main access on to Porthkerry road using a conventional T junction. That access is clearly inferior to the one envisaged by the development brief as is apparent from the comments of the traffic team cited in the officer's report:

It should be noted that although within capacity, the modelling does show that it will be approaching the recognised capacity limit for a standard priority junction. Thus, it will be a relatively busy junction at peak times and there will inevitably be some queuing/delay (particularly at school pick-up and drop off).

I realise there are land issues, but from a traffic/highway perspective it would be more appropriate and preferable if the sites were linked, as the eastern access is a lot better suited, leaving the junction onto Porthkerry Road as more of a secondary access.

18. The application therefore will lead to congestion on Porthkerry Road. Congestion leads to irritation and rash driving and therefore increases the risk of accidents and injuries. Consent to this application and the Committee is sanctioning unnecessary congestion.

Drainage

19. Though drainage is reserved the application is premised on a soakaway system. That is the system which according to the Deposit LDP is not recommended. Again, the evidence that this is a cheap and second best solution is to be found in the comments set out in the officer's report:

“Although a positive discharge to the coast is preferable the drainage strategy proposed is technically viable.”

20. So the proposal envisaged is viable but second best. The UDP requires the development to make a positive contribution to the local community. Rhoose has well documented problems with flooding. The site should be developed in such a way that it alleviates those problems; a second best solution which attempts simply to avoid aggravating an existing problem is hardly a positive contribution to Rhoose and Rhoose Point.

Conclusion

21. The UDP requires a comprehensive strategy for the development of the eastern and western sites. That remains the policy in the Deposit LDP. It is wrong to suggest that that policy no longer applies given the separate outline permission obtained for the eastern site. Importantly that permission is premised on the provision of joined up and coherent infrastructure for both sites.
22. The current application does not even aspire to meet the policy of having a comprehensive strategy for the development of the sites. It is a stand-alone development involving the western site being serviced by its own inferior drainage and its own inferior highway access. The Council’s officers have opined that those solutions are technically viable. How that means that the application satisfies the requirement for the development to make a positive contribution to the local community or otherwise is consistent with the local plan is not clear.
23. But these representations and the determination of this application are not a quibble about words and whether or not the proposal exemplifies a comprehensive or a stand-alone strategy. If the application is granted the opportunity of alleviating the existing flooding problems in Rhoose will be lost and the current and future inhabitants of Rhoose will be confronted with years of unnecessary congestion. The Committee should abide by its policies and refuse the application.

Emyr Gweirydd Jones
9 Park Place

Cardiff

10 March 2015

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Our Ref:

Your Ref:

WPT/CMW/D307 & H369d

Mr M Goldsworthy
Planning Department
Vale of Glamorgan Council
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CF63 4RU

D.E.E.R
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ACTION BY: IR SDB
NO: 12
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RECEIVED

10 MAR 2015

ENVIRONMENTAL
AND ECONOMIC
REGENERATION

Date: 4th March 2015
Direct Line: (01446) 776370
Email: philipthomas@hrt.uk.com
When replying please quote our ref.

Dear Marcus,

Re: Rhoose Point : Planning Application 2014/00550/OUT

I refer to the Planning Application above in relation to the land north of the railway line (west) Rhoose, which was to be heard by Committee in their February 2015 Planning Meeting. A decision was made by the Committee to adjourn any decision until a site visit had taken place.

I understand that the site visit is now to be held on 12th March and a decision will be made in the Planning Committee on the evening of the 12th March.

Attached to The Council Report is copy correspondence from myself, acting on behalf of the Landowners to the east of the proposed site.

A proposed meeting was set up between yourself, representatives of Persimmon and Bellway along with myself. However, due to unforeseen circumstances this has been postponed and we are presently awaiting a new date.

In the absence of the meeting I sent you an email dated 27th February 2015 clearly setting out the facts since South Wales Land Developments Ltd have entered into a conditional contract with Taylor Wimpey.

No representatives of South Wales Land Developments Ltd, Taylor Wimpey or Taylor Wimpey's Planning Agent, Savills, have been in contact with myself or my Clients to discuss the potential of a comprehensive scheme.

Partners: Andrew R. Thomas, BSc (Land Man), MRICS, FAAV, Robert P. Calcaterra, FNAEA, W. Philip Thomas, Dip (Est Man), MRICS, FAAV, Gavin R. Rees, MNAEA, Howell Edwards, BSc (Est Man), FRICS, FAAV **Consultants:** Robert Thomas, MA (Dip Est Man), Cantab, FRICS, FAAV, Edmund Miles, BSc (Agric), FRICS, FAAV, Alison Ginn, BSc, MRICS, FAAV, Matthew Jarrold, BSc (Land Man), MRICS, FAAV **Business Manager:** Jayne Hall, MBA (Dist)

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The report that has been written has been worded in such a way that the reader would think that discussions have taken place.

I have on behalf of my Clients have tried to speak to South Wales Land Developments Ltd and we have been told quite categorically that they are not prepared to discuss any matter until such time as the Taylor Wimpey application has been decided on by the Council.

Furthermore, the application submitted by Taylor Wimpey and recommended for approval by your Officers is flawed and does not deal adequately with:-

1. Drainage Issues to include both Sewerage and Surface Water.
2. Access onto Porthkerry Road.
3. Lack of emergency access for 350 houses and the school.
4. Does not comply with the Council's own Planning Brief, the present Unitary Development Plan and the Conditions laid down on the adjoining site for Infrastructure.

Also, a Consent was granted by the Council in August 2008, Application No. 2014/00343 which states

"The proposed Scheme that forms this application provides the detailed strategy for foul and surface water drainage to serve 700 proposed houses on the land to the north of the railway line".

The action of the Council to recommend approval to Taylor Wimpey's application is totally contrary to all their previous policies.

I do not believe it is correct for the Council to concern themselves with private rights of individual owners and whether one landowner may or may not pay money to another. The Council are there to ensure that the access will facilitate suitable development in physical terms, subject to the Landowners entering into negotiations between themselves.

I have enclosed:-

1. A copy of my email to you dated 27th February 2015.
2. An email from Garth Caswell a concerned resident of Rhoose Point.
3. A copy of a letter from Andrew R.T.Davies (AM) putting forward his concerns.
4. A summary of the findings have read the reports in detail.

I would be grateful if you would please consider the contents of this letter prior to making any further decisions on the above application.

Kind regards,

Yours sincerely,



**W. PHILIP THOMAS, Dip (Estate Man) MRICS FAAV
Chartered Surveyor & RICS Registered Valuer
For Herbert R Thomas LLP**

1

From: Philip Thomas
Sent: 27 February 2015 10:20
To: 'MJGoldsworthy@valeofglamorgan.gov.uk'
Cc: [REDACTED]
Subject: Rhoose Point

Marcus

[REDACTED]

I felt it appropriate to write to you as the meeting tomorrow has been postponed, and would like to have discussed your email to Patrick Jenkins of 23RD February 2015, more particularly to the points made in the paragraph I have copied below:

Overall I am sure you will appreciate that that the issues which are now coming to the fore are caused by the fact that no agreement was reached over a comprehensive development of the site as a whole and the landowners threats of ransom strips etc. and this has left the Council with no option but to consider the two sites as individual entities, but having regard to the needed through both sites for pedestrian and cycle provision to the station and the need for the residents of the eastern part of the site to be able to access the western part where the new school will be located.

You will be aware that I attended a meeting along with both my clients at The Council Offices with Emma Read of The Council and also present was Tim Gent Of Savills representing Taylor Wimpey.

Tim made it quite clear at the start of the meeting that he was instructed by Taylor Wimpey to obtain planning consent with access off Porthkerry Road and use a separate soak away system to that which was granted consent for the whole scheme on 1/8/2014 (2014/00343/FUL).

He also made it quite clear he had no instructions to talk to the adjoining landowners. Taylor Wimpey have not approached either myself or any of the landowners to The East since they have gained an interest in the site by entering into a contract with South Wales Land Developments Ltd.

Langley Davies the representative for South Wales Land Developments Ltd has stated in an email to me of which you have a copy of the wording

" We are now in a contractual arrangement with Taylor Wimpey, who are progressing a planning application on our site, and I am therefore unable to consider your offer."

It appears Taylor Wimpey have entered into a conditional contract with South Wales Land Developments Ltd, which one will assume will be triggered upon a resolution to develop the site out using a separate access and separate service media to those proposed by The Council in the UDP and granted consent by The Council for the whole surface water solution as stated above. Furthermore conditions 24-29 of my clients outline planning consent makes it a condition that the surface water solution is to be for the whole 700 houses plus the school.

Langley Davies has made it clear that until such time as The Council determines the application one way or another he is not prepared to talk to my clients.

The comment made by Waterman in their report that they are in talks with the adjoining landowner is both misleading and untrue as Mr. Langley Davies response confirms.

I understand that Patrick Jenkins of Bellway has asked for a new date to meet and welcome the opportunity of receiving your comments to the above in the rescheduled meeting.

Kind regards,
Philip

Philip Thomas Dip. (Est. Man.), MRICS, FAAV | Partner

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Modern Approach*

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To : peter.collins@walesonline.co.uk

Subject : Taylor Wimpey Site - Nth of Railway line - Rhoose

Peter

I am a friend of Carol Stockham and a resident of Maes y Gwenyn, (47), Rhoose Point.

For years now I have been dealing with the VOGC regarding the pipeline (Carrier drain) it allowed to be laid under our private land (for which we became responsible when buying the house).

Background:

There was no planning permission for the pipe, the pipe does not legally exist and is therefore not shown on conveyancing searches....it is a surprise gift to each buyer!

The VOGC assert that each house owner can be invoiced for costs of repair by the Council if the pipe breaks or becomes blocked.

The pipe is connected to the lands north of the railway by a number of culverts under the railway; it drains the water from the north to sea; we have no benefit from the responsibility we inadvertently stray into having to accept.

Issue:

The VOGC have since 2007 promised that when the land to the north of the railway is developed that the northern drainage will be piped to sea separately and thus make the carrier drain redundant – hence finally mitigating the risk to residents of needing to pay for high cost maintenance.

The development to the north comprises two packages –East (Persimmon and Bellway) – West (Taylor Wimpey).

The VOGC insisted that the East had a separate drainage strategy and that 'infiltration (soakaways) were unacceptable – great!....a pipeline and sea discharge was agreed – job done!

Now (since last July!) the VOGC Officers have done a complete U turn and agreed to accept soakaways in the TW site to the West and allow waters to continue to drain into the pipe on the south and thereby under my house!

Quote:

This is a disgraceful and shameful U Turn by the VOGC who have reneged on their promises yet again! The VOGC continue to put homeowners at risk by allowing water from the north to flow under homeowner properties on the south of the railway – even the latest Trem Echni site has the same problems by design! Promises given by the VOGC to resolve problems that the same VOGC created for homeowners with Cofton back in 2003 are again being put aside for expediency. Again the Council fail to protect residents. The same

criteria should be applied to Taylor Wimpey in the West as was successfully agreed and negotiated with the developers of the East part.

Call me if you wish

Hope this helps

Garth Caswell

[REDACTED]
[REDACTED]

From: Bailey, Vincent (AM Support Staff, Andrew RT Davies) <Vincent.Bailey@assembly.wales>
Sent: 06 March 2015 14:08
To: Philip Thomas
Cc: Davies, Andrew RT (Assembly Member - Conservative)
Subject: RE: Rhoose Point

2nd March 2015

Dear Mr Goldsworthy,

I write in relation to planning application 2014/00550/OUT and the council's position in relation to the development of this important area of land at Rhoose Point for housing.

Reading the reports, and having had representations made to me by constituents, I note that the council's proposal is to give planning permission for two separate developments on this land; one through Taylor Wimpey, the other by Persimmon Bellway.

The history of development at Rhoose Point has been of poor infrastructure installation, leading to on-going issues particularly around flooding in the area. In addition, there has been a perceived failure with previous Section 106 agreements to deliver any meaningful gains for the community.

I have had representations from local residents and constituents of the wider Rhoose area which lead me to believe that there are serious concerns as to why the council is proceeding with the two proposals as separate developments. These concerns are outlined below.

Firstly, the access into the proposed Taylor Wimpey development is wholly unsuitable and will clearly create serious congestion issues for cars seeking to leave or enter Rhoose village. I fail to see why the 'new road' that leads into Rhoose Point, and which runs through the Persimmon site, is not a far more suitable route for both developments.

The aforementioned issue of flooding is also of major concern to any locals who have experienced it in the past. The ability to deal with the run-off via soakaways, as proposed, is a source of great worry and surely a far better way to address this matter would be to drain water directly into the sea, as proposed in the Persimmon development?

In addition, the development contains proposals for a new school on the site which will clearly bring with it huge benefits for the immediate area. That said, it will require significant infrastructure improvements, including to the roads and local amenities. With this in mind, I would argue that the interests of the community would be better served if a more strategic approach were to be taken and the area were to be considered as one overall development.

For the above reasons I would respectfully urge the council to seek discussions with both developers in addressing these very real concerns. A sensible dialogue with both developers in addressing these very real concerns would enable all parties to bring forward a plan that could facilitate these proposals as one overarching development - thus avoiding the poor planning which has historically blighted this area.

I conclude by noting that it is my understanding that the Vale Council's own Local Development Plan (LDP) states that the area should be considered as one development point for these purposes. A point which further underlines the legitimacy of my concerns.

Kind regards

A handwritten signature in black ink that reads "Andrew RT Davies". The signature is written in a cursive style with some capital letters.

Andrew RT Davies AM

Assembly Member for South Wales Central

Leader of the Welsh Conservatives

From: Philip Thomas [mailto:PhilipThomas@hrt.uk.com]
Sent: 06 March 2015 13:55
To: Bailey, Vincent (AM Support Staff, Andrew RT Davies)
Subject: RE: Rhoose Point

Do you have the letter sent to The Vale please

Kind regards,
Philip

Philip Thomas Dip. (Est. Man.), MRICS, FAAV | *Partner*

Herbert R Thomas LLP

Land West of Pentir Y De Rhoose

From a review of the TW flood report the following key points should be noted.

- The shallow Rock cannot be used for percolation and is accepted.
- Only the top 750mm of soil on the site in proximity of the filtration trench has been deemed competent enough to disperse water for whole of development. This is a very thin crust of soil above almost impermeable rock. There is actually less than 750mm of soil in some areas.
- What happens when this 750mm is saturated from continual rainfall? We already know the answer to this which is demonstrated by the surrounding green filed where run-off from fields pours onto Porthkerry Road, run-off passing from fields to the east of Pentir Y De piped beneath the road discharge onto our site and failure of existing soakaways in Murlande Way which flows onto our site and the TW site. These run-off and localised flooding issues are becoming more common events during heavy rainfall, not necessarily extreme events. All of this is known but not mentioned in the TW report. Even the VOGBC highway drainage records, included in our site's approved report, note the surface run off onto Porthkerry Road from fields.
- The report makes mention of land drainage to the south of railway but states information on this is not really known. The details of this land drain and its outfalls are fully known by VOGBC including the 300mm diameter pipe beneath the rail track mention earlier in their own report. An assessment in our approved application has identified that this land drain is flooding due to lack of capacity and has verified what has been publicly known over the last 10 years of flooding to Rhoose Point. Again this is known but not mentioned in the report.
- No mention of failed soakaways in Murlande Way and surface run off passing through Murlande Way from Airport land onto their land north of our site. As noted earlier this is an established flood mechanism known by the VOGBC Land Drainage Section and discussed with our consultants in their preparation of our approved drainage assessment.
- The highway sewer serving Porthkerry Road which is to be widened and new junction formed should be incorporated in the TW design and flow assessment. Surely the VOGBC are looking to address a public highway outfall which currently pours onto a footpath. This outfall is into their land and if now isolating the sites as separate developments it is for them to resolve not us. As a moot point if you walk down the path you are walking on outcrops of bare rock at surface level. There is not 750mm of soil here!

We have planning approval which includes is a comprehensive assessment of potential offsite flows from existing sources of flooding to both sites. This has not had a single reference from the TW application of an accepted and approved assessment of catchment areas. If these catchments are reviewed again as separate sites there are flows that affect the TW need to consider and deal with not just us.

No foul connection point is confirmed. We have a connection point and agreed delivery for the combined site.

Just looking at the drawings there is a large tank occupying nearly half of the education land. How does this fit with the school and adoptions. Report says it will be adopted there will be easements taking more land?

Is it ok to put a soakaway at the base of a retaining wall which supports a road or should it be set away. Won't it soften the ground near the wall? Building Regulations state 5m from a house for a

soakaway because of effect on foundations, is it the same for roads and their retaining walls? What have VOGBC highways said?

There is a membrane shown on the drawing placed over the rock. To do this the ground will have to be dug and replaced. This is also in front of the retaining wall. Will digging the ground and re-compacting affect how it works for percolation?

Have network rail mentioned anything about proximity of a soak away near their land?

We have an agreed strategy for delivery of a comprehensive foul and surface water system, planning approved and verified as acceptable with VOGBC Land drainage and planning, Network Rail and DCWW.

Why are we moving away from this to what appears to be a vague proposal that doesn't acknowledge past flooding properly and the fundamental issues of virtually impermeable shallow rock with a thin cover of soil which when saturated creates substantial surface water flows. This fact is evident on an almost annual event with records openly available let alone any more severe storm events which will occur in the future.

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6,
11th March 2015

To: The Director of Development Services

From: Karen Gallimore

Late Representation in respect of 2014/00550/OUT

Introduction:

1. I fully support the view of Rhoose and Rhoose Point residents that the creation of a new access in the vicinity of Porthkerry Road and Happy Valley Lane is inappropriate not only for health and safety reasons but also local knowledge supports that the site is affected by an ancient Roman Road over which there are historical public rights bounded by hedgerows classified as *'important'*. This Roman Road, the public rights and hedgerows must therefore be protected and preserved. An Archaeological and Heritage Baseline Report was undertaken as a desk top study by The Environmental and Dimension Partnership (EDP) on behalf of Taylor Wimpey PLC and paragraph 4.21 is in conflict with the local knowledge:

'There are no known Roman heritage assets identified in the GGAT HER (Glamorgan-Gwent Archaeological Trust Ltd Historic Environment Record), but there are 5 identified in the wider study area.'

EDP also undertook a Hedgerow Report where the *'important'* hedgerows under the Hedgerow Regulations (1997) are identified as:

*'.....bounding the **bridleway** running down the east of the site.'*(My emphasis)

I therefore have grave concerns the proposed access to the development will have on the Roman highway, Public Footpath (Bridleway?) Porthkerry Number 2, important hedgerows and the likely vandalism upon a precious heritage asset.

SDB
Received 11:15
11/3/15
AR

Brief Background:

2. According to local knowledge it would appear that Porthkerry Number 2 follows the alignment of an old Roman Road. Furthermore there is evidence that several decades ago accommodation road status was given over this ancient metalled track such status granting private vehicular rights. Certainly when the Porthkerry Number 2 was surveyed under the National Parks and Access to the Countryside Act (NPACA) 1949 *circa* 1950 and designated initially as a C.R.F and later amended to Footpath status the accommodation road status was recognised. I have found no evidence to suggest that the accommodation rights have been extinguished either north or south of the railway. It may well be that the farmers that still retain an interest in the land by way of a ransom strip within the Application site boundary and the Rail Authorities will have historical information on the accommodation road status. It is therefore submitted that the PROW Department undertakes an investigation into Happy Valley Lane to establish ALL legal public and private rights that still exist over it and for the Conservation Officer (Planning) to investigate the existence of the ancient Roman highway as described in an Appendix to the Planning Report (Homeowner of 106 Murlande Way) PRIOR to the determination of this outline application.
3. It is also noted that the VOG Council has or had land interests within the site and hold assets along the site boundary. Whereas the VOG Estates Section was consulted the response is not detailed. I would urge that the *'several Council assets which must not be interfered with as a result of the proposal'* are properly identified including the Council owned Park Bench on Porthkerry Road at the commencement of Porthkerry Number 2 PRIOR to the determination of this outline planning application.
4. Whereas Certificates (Agricultural Holdings Certificate) are applicable and that notice has only been served on G Davies and D Morgan there is no evidence that Ian Hardy has been served notice as I understand from the HRT appendices to the Report that the Hardy's are affected

landowners. This needs to be explained PRIOR to the determination of this outline planning application.

5. Another matter relating to land ownership is that it is not clear who has ownership of the site. According to the Planning Register Taylor Wimpey PLC and South Wales Land Development Ltd (registered in the Channel Islands) made the Application. Therefore it may be relevant to the Committee's decision to establish who is on the board of South Wales Land Development Ltd in case there are any conflict of interest issues or that an affected landowner has not been included in the Certificate B.

Width of Porthkerry Number 2:

6. At common law a highway may be of any width. The NPACA 1949 survey card records the width of Porthkerry Number 2 as 'various'. The extent of land subject to public rights of passage i.e. its width and length is a question of fact and a public footpath is much as part of the highway as the roadway. In this instance the metalled track from Porthkerry Road bounded on both sides by ditches and/or hedges and in some places wide verges. These features define the width of not only the accommodation road but also Porthkerry Number 2. Furthermore if land is laid out by an owner for private vehicular traffic, as is the case here, a prima facie presumption arises that the owner has dedicated for public use a footpath the whole space that has been devoted by the owner to vehicular traffic as well as any adjacent verges. My concern therefore that to replace Porthkerry Number 2 with estate footways/pavements 1.8 metres wide (aside from the fact that such a scheme conflicts with Welsh Officer 5/93 Appendix D paragraph 4) will NOT mean the Porthkerry Number 2 has been 'retained' as stated in the Planning Report (see Movement and Access Strategy) but will mean that the legal width of the Public Footpath will be substantially reduced. I would further submit that even the demolishing of Number 46 Porthkerry Road will not provide sufficient space to retain Porthkerry

Number 2 at its legal width AND the proposed new access road to the estate.

Brief Survey of the Route:

7. I walked and photographed the route yesterday and noted that sections of Porthkerry Number 2 including the track and verges are up to 40+ feet wide. I also noted that the width of the route has been obstructed in the vicinity of and over the level crossing by replacing 5 bar gates either side of the level crossing, which would have been about 12 feet wide, with narrow stiles about 4 feet wide that have been fenced in. To undertake works on a public right of way that reduces its width requires orders to be made under section 53 (3)(c) (iii) (second limb) of the WCA 1981 and there is no evidence on the Porthkerry Number 2 Footpath Files that any such orders have been made and confirmed to alter the width and change the route structures from gates to stiles. There is also no evidence as to who undertook works.

Conclusion:

8. This outline application was re-consulted upon on two occasions – 28th October 2014 and 23rd December 2014. What is not clear is if all the original consultees, including internal departments and sections within the VOG Council, actually had the opportunity to respond to the consultation period that covered the Christmas/New Year period when the VOG Council was either closed or short staffed.
9. Condition 11 provides for engineering plans for the access to be submitted and approved prior to development commencing. The Planning Committee needs to be wary that by making the access a condition at the outline stage means that the matter of access will NOT be referred back to Committee but will be Officer delegated. Most importantly there will be NO FURTHER PUBLIC CONSULTATION on the proposed access regime from Porthkerry Road. The Committee and Local Rhoose Ward Members will know of the controversy that the proposed access has caused locally and I understand a petition against

the access has been signed by hundreds of Rhoose and Rhoose Point residents. The Committee must therefore carefully consider its position in granting approval for the outline application and associated access planning condition that is in defiance of the public interest and breaches the ethos of the VOG Council to be open and transparent.

10. Condition 8 provides for archaeological work to be undertaken and that no development commence until a written scheme has been approved by the LPA. I am concerned that Taylor Wimpey PLC and South Wales Land Development could seek to remove this condition by way of an NMA. In view of the highly probable existence of ancient assets I would urge that the Planning Committee resolves that such works need to be undertaken PRIOR to the determination of this outline application.
11. Insofar as Porthkerry Number 2 is concerned this is covered by informative number 5. The Planning Committee will know that the effect of development upon a right of way is a material consideration. Taylor Wimpey has a history locally of building over public rights of way PRIOR to the relevant legal event orders being made and confirmed. Such acts in the Pencoedre Lane development have resulted in objections to the orders and 18 homeowners discovering after they moved in that their homes will be blighted until such time as matters are determined by a Planning Inspector appointed by the Welsh Ministers. In addition under the HA 1980 the VOG Council is under a duty to assert and protect public rights of way over land in its ownership and has powers to assert and protect public rights over land NOT in its ownership.
12. Within this late representation I have provided further information on Porthkerry Number 2, its accommodation road status, possible bridleway status and that it is potentially located on the alignment of a Roman road. All these issues impact on the proposed access from Porthkerry Road and the alignment of the main spine road into the development that bisects Porthkerry Number 2 and the proposal that barrier be put in place that will physically obstruct its use. Of relevance is

the Network Rail response that the S106 agreement for the adjacent site (2010/00686/EAR) provides for the closing of the level crossing and this has not been addressed by the developers in this outline application. If the level crossing is closed then this ancient highway will be lost forever and result in a bizarre feature on the Trem Echni development of a dead end route! I therefore urge that the Committee resolves that all these matters be investigated by the VOG Council PRIOR to the determination of this outline planning application.

7.

Petition

I have deposited this petition
before 12.00 hrs on Wednesday 11th of March
2015 which includes 332 signatures 14 pages
(inc 94 with comments) opposing the
North of Railway Rhooose Planning proposals.

2014/00550/OUT

Councillor Philip Clark

received by
G A Cunn
11.4.15
at 11.40

Recipient: **Vale of Glamorgan Planning Dept**

Letter: **Greetings,**

Please reject current planning application by Taylor Wimpey for Housing North of Railway Line in Rhoose.



Philip Clarke <clarkephilipjohn@gmail.com>

FW: Petition Opposing the North of Railway, Rhoose Planning Proposals

1 message

Philip Clarke [redacted]
To: "clarkephilipjohn@gmail.com" <clarkephilipjohn@gmail.com>

Wed, Mar 11, 2015 at 10:42 AM

From: richard.barnes7@btintemet.com
Subject: Petition Opposing the North of Railway, Rhoose Planning Proposals
Date: Wed, 11 Mar 2015 09:42:41 +0000
To: bird_dog52@hotmail.com

Phil,
The people below have signed the following online petition in opposition the the current planning proposals for the land North of Railway Line in Rhoose, an online copy can be found at

http://email.change.org/wf/click?upn=VYUGzGIRK-2BD35sSIKwOr-2FF9eqwNpCh94owsrfjLPU8n5Eosw-2B9M7DmX6qvp6xQBL7h8ywPDG-2BUeletluX3M4j8OXy44rNSxekASTBKeZBDZ21Ypi-2F5ScAAcokMLviXQ7pkmD8s3lk0ZJNpA-2BhtR3AWuA0oYbx6fZkGWGoeAXPUQ8c5vqn-2F7S7LiKNrUVQG2BT0riSKuX7wionej2ChwU7XB3bcLXX8Tzik-2FazAoy2yg-3D_p9c2Pq5BRWXelYclnUuZY9XLqCisBbiTNAky-2FmKCIpadoD0inYQi9Uk1jZqbD-2F6f7zA8T5XgBt0mr-2FPgMVUCQ3Aile2NdT8gk7-2F3U7jaaBc7X2ZjuChxzOKK0yNDwBlxDnT6oDw7hBNjMDxwIzSs2TYXmb-2Fr-2FR481FGZEjMEt5OjKvQq1TDBVZfJc2Z79vBwQ8fOLbYg-2BYrPJbyce3z1-2BXF2EOeX2tJMcr7d1gojuwFIPRsNX-2BMCvetwcmQsrOCc

The online petition can be found at
<https://www.change.org/p/vale-of-glamorgan-planning-dept-reject-current-planning-application-by-taylor-wimpey-for-housing-north-of-railway-line-in-rhoose>

Please can you assist with presenting the petition and comments to the planning committee in the required format and in line with planning committee rules

Thanks
Richard

ypName	City	State	Zip Code	Country	Signed
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Kaye Watts	Rhoose	Wales	Cf623lu	United Kingdom	2015-03-08
Vicky Colston	Rhoose	Wales	Cf623ln	United Kingdom	2015-03-08
Simon Colston	Rhoose	Wales	Cf623ln	United Kingdom	

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Lauren morris Rhoose Wales cf62 3lh United
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Elaine Payne Rhoose Wales CF62 3LP United
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Jennie Flamigan Rhoose Wales Cf62 3hl United
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robert woods Rhoose Wales cf62 3ln United
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Pat thomas Rhoose Wales CF62 3LD United
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Paul Colton Rhoose Point Wales Cf633ln United
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Lisa Guy Rhose Wales cf62 3ay United
Kingdom 2015-03-09

Melanie french Rhose Wales cf62 3lj United
Kingdom 2015-03-09

Rhian Hopkins Rhose Wales Cf623lr United
Kingdom 2015-03-09

Claire jefferis Rhose Wales cf623la United
Kingdom 2015-03-09

Annabel owen Rhose Wales cf62 3lw United
Kingdom 2015-03-09

Jon-Paul Guy Rhose Wales cf62 3ay United
Kingdom 2015-03-09

Graham Morse Rhose Wales Cf62 3bu United
Kingdom 2015-03-09

charlotte desouza Rhose Wales cf62 3hh United
Kingdom 2015-03-09

victoria hooper Barry Wales cf63 1ft United
Kingdom 2015-03-09

Philip Murray Rhose Wales CF62 3LW United
Kingdom 2015-03-09

Gill Oliver Rhose Wales CF62 3HE United
Kingdom 2015-03-09

Claire Collins Rhose Wales CF62 3LA United
Kingdom 2015-03-09

Hannah Gaffney Rhose Wales CF62 3BG
United Kingdom 2015-03-09

Sheryl Preece Rhose Wales CF62 3LA United
Kingdom 2015-03-09

helen sweet Rhose Wales cf623la United
Kingdom 2015-03-09

JANE HAYWARD BARRY Wales CF623LH
United Kingdom 2015-03-09

Jemma Martin Rhose Wales cf62 3bu United
Kingdom 2015-03-09

Katie munro Rhose Wales cf62 3hh United
Kingdom 2015-03-09

Helen Gammon Rhose Wales cf62 3eq United
Kingdom 2015-03-09

Toni Kemp Rhose Wales CF62 3LP United
Kingdom 2015-03-09

John Rees-Jones Rhose Wales CF62 3LN
United Kingdom 2015-03-09

John Carr Rhose Wales CF623EA United
Kingdom 2015-03-09

Connor boyle Rhose Wales CF62 3EB United
Kingdom 2015-03-09

Lynn Williams Rhose Wales CF62 3FT United
Kingdom 2015-03-09

alison rowlands Rhose Wales cf62 3ey United
Kingdom 2015-03-09

Catherine Dutton Rhose Wales CF62 3HR
United Kingdom 2015-03-09

Jonathan Davies Barry Wales Cf628at United
Kingdom 2015-03-09

tracy hobbs Rhose Wales cf623fx United
Kingdom 2015-03-09

Lynda Jones Rhose Wales cf623lq United
Kingdom 2015-03-09

Derek Mason Rhose Wales cf623fq United
Kingdom 2015-03-09

v c Llancarfan Wales cf62 3ad United Kingdom
2015-03-09

Sally smith Rhose Wales cf623bq United

Kingdom 2015-03-09

mikita nowell Rhoose Wales cf623hs United
Kingdom 2015-03-09

John Lavis Rhoose Wales cf623hd United
Kingdom 2015-03-09

Simon Parry Rhoose Wales CF62 3LJ United
Kingdom 2015-03-09

Katie Grocott Rhoose Wales CF62 3HD United
Kingdom 2015-03-09

Phillip Jelf Sully England CB64 5uu United
Kingdom 2015-03-09

Katie Harding Rhoose Wales cf623lh United
Kingdom 2015-03-09

Jason clements Rhoose Wales CF623LS United
Kingdom 2015-03-09

Amanda taylor Rhoose Wales cf62 3lt United
Kingdom 2015-03-09

Melanie Bowden Rhoose Wales cf62 3hx United
Kingdom 2015-03-09

Melanie Griffiths Rhoose Wales CF623hh United
Kingdom 2015-03-09

Lorraine Bond Rhoose Wales CF62 3HD United
Kingdom 2015-03-09

Samantha Escott Rhoose Wales CF62 3LN
United Kingdom 2015-03-09

Aaron Escott Rhoose Wales cf62 3lm United
Kingdom 2015-03-09

Rowena Barnes Rhoose Wales CF62 3LQ United
Kingdom 2015-03-09

Lynne Doel Rhoose Wales Cf62 3LP United
Kingdom 2015-03-09

andy harding Rhoose Wales cf623lh United
Kingdom 2015-03-09

Philip J Bond Rhoose Wales CF62 3HD United
Kingdom 2015-03-09

Rachel dally Rhoose Wales cf623eu United
Kingdom 2015-03-09

Iewan Morgan Rhoose Wales cf62 3la United
Kingdom 2015-03-09

Suzanne Summers-Coles Rhose Wales CF62 3LR
United Kingdom 2015-03-09

Cath Rowlands Rhose Wales CF62 3LQ United
Kingdom 2015-03-09

Joanna McSwiney Rhose Wales CF62 3LR
United Kingdom 2015-03-09

anne broadway Rhose Wales cf623dz United
Kingdom 2015-03-09

Mike guthrie Rhose Wales cf62 3hd United
Kingdom 2015-03-09

Sophie Frost Barry Wales CF63 4JU United
Kingdom 2015-03-09

Ffion Morgan Barry Scotland G11 United
Kingdom 2015-03-09

Janette Gahan Rhose Wales CF62 3FY United
Kingdom 2015-03-09

Gen Kirk Saint Donats Wales CF611ZB United
Kingdom 2015-03-09

Kit Harris Rhose Wales Cf623hd United
Kingdom 2015-03-09

Sarah Hughes Rhose Wales cf62 3fw United
Kingdom 2015-03-09

Jamie murray Rhose Wales cf623la United
Kingdom 2015-03-09

Emma Wakefield Rhose Wales cf623en United
Kingdom 2015-03-09

Michael Freshwater Rhose Wales CF62 3EW
United Kingdom 2015-03-09

Ifor Symmonds Llantwit Major Wales CF61 ITS
United Kingdom 2015-03-09

adele kirby Rhose Wales cf623fy United
Kingdom 2015-03-09

shane Cummings Rhose Wales cf62 3hg United
Kingdom 2015-03-09

Angela Gaskin Rhose Wales CF62 3LA United
Kingdom 2015-03-09

Marilyn Roberts Rhose Wales CF62 3LJ United
Kingdom 2015-03-09

Kath Owen Cardiff Wales Cf623ds United
Kingdom 2015-03-09

Sinead Lewis Rhoose Wales CF62 3HE United
Kingdom 2015-03-09

Sharon Roots Rhoose Wales cf623hr United
Kingdom 2015-03-09

Nik Shanahan Rhoose Wales CF62 3LE United
Kingdom 2015-03-09

David Toudic St. Saviour Jersey 2015-03-09

Rhys Bagnall Barry Wales CF626SX United
Kingdom 2015-03-09

Carole Bradshaw Rhoose Wales cf623hh United
Kingdom 2015-03-09

Arwena Russell Rhoose Wales CF62 3LB United
Kingdom 2015-03-09

Mark Hutton Rhoose Wales Cf623ll United
Kingdom 2015-03-09

hazel goddard Saint Athan Wales cf62 4jr United
Kingdom 2015-03-09

Daniel Evans Rhoose Wales Cf62 3hn United
Kingdom 2015-03-09

Meriel Crabbe Rhoose Wales CF62 3HL United
Kingdom 2015-03-09

Nakita Lewis Rhoose Wales CF62 3HE United
Kingdom 2015-03-10

sara whitbread Rhoose Wales cf62 3lh United
Kingdom 2015-03-10

Teresa Harris Rhoose Wales Cf62 3dl United
Kingdom 2015-03-10

Amanda McGowan Rhoose Wales CF62 3HD
United Kingdom 2015-03-10

Lewis mcgowan Rhoose Wales cf623hd United
Kingdom 2015-03-10

Jessica King Rhoose Wales Cf623lr United
Kingdom 2015-03-10

Jamet Griffiths Barry Wales CF62 9AT United
Kingdom 2015-03-10

Avril king Rhoose Wales CF62 3 HU United
Kingdom 2015-03-10

Linda Smith Rhoose Wales Cf62 3bd United Kingdom 2015-03-10

katrena clinton cowbridge Wales cf71 7br United Kingdom 2015-03-10

Amanda Foster Redditch England b98 7xz United Kingdom 2015-03-10

Simon Barker Rhoose Wales CF62 3LQ United Kingdom 2015-03-10

Gary Worrell Cardiff Wales CF62 3LP United Kingdom 2015-03-10

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Name	Location	Date	Comment
Amanda Foster	Redditch, ENG	2015-03-10	I grew up in Rhose in fortygary. My family (parents and my brother with his family) are still in Rhose. I regularly go back to visit and stay. I think it is terrible that more and more houses are being shoved into the small village with no thought to providing services to cover more people in the area and wide enough roads for cars to park by the houses.
Simon Barker	Rhose, United Kingdom	2015-03-10	Against it due to the traffic and drainage issues this could cause.

Comments

Name	Location	Date	Comment
Lauren morris	Rhose, United Kingdom	2015-03-08	i am against the housing there is no infrastructure to handle all the traffic and sewage that more people are going to produce I think it's a terrible idea.
Jennie Flanigan	Rhose, WLS	2015-03-08	Drainage - traffic congestion - no infrastructure - loss of green field sites basically Rhose cannot sustain anymore houses. We are bigger than Cowbridge already with much less than half their resources! It is crazy!!!
robert woods	Rhose, United Kingdom	2015-03-08	Rhose infrastructure is already insufficient without more houses being built and existing issues on the point have not been addressed.
Pat Thomas	Rhose, United Kingdom	2015-03-08	i am concerned about water drainage, volume of traffic which has grown significantly during the past few years and roads at present not suitable for heavy traffic. Not enough facilities available for amount of housing as it stands at rhose point. The removal of green space takes away the freedom to wander for people who enjoy the countryside.
nicola george	Rhose, WLS	2015-03-08	Turning pleasant green countryside into urban sprawl instead of using existing brownfield sites
Claire Brooks	Rhose, United Kingdom	2015-03-08	There are enough houses in Rhose without building more. Also worried about our house being directly in the path of the proposed Soak/Away.
Wicky Grace	Rhose, United Kingdom	2015-03-08	The drainage should be linked to the main drain not soak always. The road should be to the proposed road on trem edhni. The proposed school is a sticking plaster and not viable. Too small to take the village primary. So Rhose will (mal) function with two?
Natalie Harris	Rhose, WLS	2015-03-08	I oppose the planning application based on traffic problems and drainage. The 2 sites should be linked by the roads coming off pentir y de, the access from pothkerry road should be a footpath
ANN MORRIS	Rhose, United Kingdom	2015-03-08	this is a big mistake, the pumping station is not working now!!!!!!!!!! it is just more money in the councils coffers combined with excessive hike in council tax!!!!!!!!!!!!
Alison Kelland	Rhose, United Kingdom	2015-03-08	last development promised retail units golf course country pub, looked lovely. What did we get? Just loads of houses and a village turning into a town. No more houses!
Helen Roberts	Rhose, United Kingdom	2015-03-08	I live in Rhose - traffic would be a nightmare and already there is a lack of facilities for residents.
Joanne Farnham	Rhose, United Kingdom	2015-03-08	BECAUSE WE DO NOT HAVE THE FACILITIES IN RHOSE TO ACCOMMODATE MORE HOUSES.
angela harper	Rhose, United Kingdom	2015-03-08	Rhose hasn't got schools shops or doctors to support anymore housing enough is enough
Wicky Macey	Rhose, United Kingdom	2015-03-08	There's enough housing within Rhose, why not turn your attention to the library you're trying to have closed and providing a decent park/play area for the children of the village as there aren't any!!!
Paul Cutting	Rhose, United Kingdom	2015-03-08	there is going to be a major traffic problem
Sophie Grinter	Bary, United Kingdom	2015-03-08	There is a serious lack of infrastructure in our village already and adding more houses is just ridiculous!!!!

Name	Location	Date	Comment
Janette Gahan	Rhose, United Kingdom	2015-03-09	It is about time planning officials and councillors listened to the people who this is going to affect. The people of Rhose don't want these houses; we don't have the infrastructure or facilities for yet another large housing estate. Our village has already been spoilt by over development. Surely you can be more creative than spoiling our lives further and that of the future generations?
Kit Harris	Rhose, United Kingdom	2015-03-09	It's already a nightmare crossing the road with my children or pulling out the drive in the car.
Michael Freshwater	Wale of glamorgan, United Kingdom	2015-03-09	This site is not suitable for the amount of houses to be built
adele Kirby	Rhose, United Kingdom	2015-03-09	School cannot cope and we would like to stay like a village and not a town .
Jessica Evans	Rhose, United Kingdom	2015-03-09	There are too many houses and not enough facilities to cope with the volume of people now living in this village. The school is currently struggling to cope as it is. Before more houses are built the schools, public transport and the roads must be considered first.
Kath Owen	Cardiff, United Kingdom	2015-03-09	Rhose hasn't got facilities for more housing! Bigger school needed children's play facilities, supermarket shops needed also road infrastructure needs to be looked at
Sharon Roots	Rhose, United Kingdom	2015-03-09	we don't actually want or need any more housing in Rhose
Nik Shanahan	Rhws, United Kingdom	2015-03-09	Drainage is already an issue, traffic will increase to unmanageable levels, there are not amenities to sustain this development, the previous development were promised amenities that were not forthcoming, finally the rail service would need to increase to service more commuters, this is unlikely to be taken into consideration, causing further chaos on the already creaking service.
David Toudic	St. Saviour, Jersey	2015-03-09	Unlike these developers I am very concerned about worries with drainage problems in the future expressed by so many of the villagers. I would suggest they build pumping stations ahead of commencing any actual development. Would they also agree and build at their expense say a community facility, primary school etc. to be provided out of their profits? Perhaps if they had to give more and take less they would be inclined to look elsewhere to cause disruption and problems for happy residents. Also the concerns expressed by Karen James should be resolved to everyone's satisfaction before any further action is taken. I and my family lived twenty very happy years in Rhose and we can sympathise with them at this prospect of even further development.
Rhys Bagnall	Bany, United Kingdom	2015-03-09	I grew up in Rhose and it's a lovely village which is being destroyed by housing !!
Daniel Evans	Rhose, United Kingdom	2015-03-09	It will become too busy in a small village
Meriel Orabbe	Rhose, United Kingdom	2015-03-09	I live in Murlande Way there is a problem getting out of the street at the moment due to the roundabout and us being unable to see traffic coming around it and it will only get worse with more housing and extra road traffic.
Sara Whitbread	rhose, United Kingdom	2015-03-10	I think the current road plan would be a death trap. Needs revisiting.
Teresa Harris	Rhose, United Kingdom	2015-03-10	Oppose more housing in village and transport issues for pottkerry road
Lewis mcgowan	Rhose, United Kingdom	2015-03-10	Lij McGowan
Linda Smith	Rhose, United Kingdom	2015-03-10	I do not want more housing in Rhose and I am worried about the volume of traffic onto pottkerry road.

Name	Location	Date	Comment
Morgan O'Neill	Barry, United Kingdom	2015-03-09	its a wonderful view and would ruin the landscape!! There's plenty of houses as there is and there's gonna even less and soon enough no free land available!!
Carole Barnes	Rhose, United Kingdom	2015-03-09	the current proposals are totally unacceptable with drainage and access issues that will have long term effects on not only Rhose Point residents but the whole of Rhose and surrounding villages
Amy Liddiard	Barry, United Kingdom	2015-03-09	its a god damn village no more needed, ridiculous
Helen Bagnall	Barry, United Kingdom	2015-03-09	Its an absolute disgrace they are able to put any houses on that land after all the promises made all those years back when planning was in it's infancy . What about the New School they promised ? The Industrial and Commercial units? Play area? Golf Course ? These large housing company's make promises just to keep the community happy with no intention on providing these amenities . They should never be allowed to build on North Site . This was supposedly the 9 hole golf course - where the hell is the Vale Council allowing this to happen ????
angela mansi	cardiff, WLS	2015-03-09	we bought our house in 2005. nothing has been done to accommodate the residents that re already here. drainage is terrible, no extra schooling, no extra doctors, so how developing more houses is a great idea is beyond me. Where they are building houses now, it is disgusting....mud, stones, foul language, huge arguments between foreman and builders, the traffic is awful now, so building more houses is ridiculous.
Rebecca Bateman	Canrforth, United Kingdom	2015-03-09	I've recently moved away from Rhose but lived there for nearly 10 years. I have many friends who will be affected by this decision to build more houses. Leave Rhose as a beautiful village not a town.
Bruce Kennedy	Rhose, United Kingdom	2015-03-09	Sever overdevelopment of what is a small costal village and also destruction of green land.
Claire Jefferis	Barry, United Kingdom	2015-03-09	overload on resources schools, doctors,busy roads impact on local wildlife
Graham Morse	Rhose, United Kingdom	2015-03-09	Concerned over drainage and traffic volume.
charlotte desouza	Barry, WLS	2015-03-09	Rhose is a village not a town... there is absolutely no facilities, not enough room in the school and another school would be sure to force a divide in the otherwise friendly village.
victoria hooper	Barry, United Kingdom	2015-03-09	My partner lives in the village and will affect the house value due to the lack of view
Philip Murray	Rhose, United Kingdom	2015-03-09	There will be to many houses in Rhose, and the current infrastructure cannot support it
Gill Oliver	Rhose, United Kingdom	2015-03-09	It is ludicrous to have an opening onto Porthkerry Road, it would make more sense to have the opening further over. The congestion of traffic onto and along Porthkerry Road and around the airport is beyond comprehension.
helen sweet	Rhose, United Kingdom	2015-03-09	i feel that there are too many houses and not enough services, maybe we need to be more life laritwit major. Re the water Drainage, Taylor Whimsey should look at other options, not the cheapest easiest option, that would give them more profits.
Jemma Martin	Rhose, United Kingdom	2015-03-09	There is already to many houses in Rhws and not enough space in the school!!!
Torii Kemp	Rhose Point, United Kingdom	2015-03-09	because the original promises have not been met along with the pumping station, drainage we currently have issues with.
John Carr	Barry, United Kingdom	2015-03-09	propose site unsuitable for volume of houses

Name	Location	Date	Comment
Gail Morgan	Rhose, United Kingdom	2015-03-08	Things never get finished we were promised a completed site when Rhose Point was built ie golf course,shops,pub but that never happend and the council should finish the job before any more houses also our transport is crap trains one an hour buses only start at 8.35 which would not get into Cardiff by 9.00 we never have any meeting with council or AM's in the village and the ones we do have dont care the traffic is going to be bad coming into the village why cant they go through Rhose Point and not down Happy Valley, get our transport back on 91X came at 7.05 every morning which was great, GET TRANSPORT SORTED??
Gail Morgan	Rhose, United Kingdom	2015-03-08	It is about time we made a stand, they say it's because we don't pay community tax they can do what they want to the village, we are a deprived area and it will get worse in time if we don't make a stand now
Jayne Black	Rhose, United Kingdom	2015-03-08	Danger to children, bus stop by entrance among other things
Karine Dubois-Jones	Rhose, United Kingdom	2015-03-08	The current infrastructure in Rhose does not support this project. Improvements need to take place
Gerald Escott	Rhose, United Kingdom	2015-03-08	Proposed road access & storm water drainage not the preferred option!
Susan Carr	Rhose, United Kingdom	2015-03-08	Rhose is a lovely village you are turning us into a small town but we have no amenities to cope with this many New Homes. Not enough shops, Schools cant cope with numbers spoiling our beautiful village for financial gain
Denise Cooper	Rhose, WLS	2015-03-08	The entire infrastructure of Rhose village is totally inadequate for further housing development. Schools, roads, retail facilities, parking, access are all unchanged since the early 1970's despite massive increase in housing in this 'village'.
Phil Woods	Rhose, United Kingdom	2015-03-08	I'm Signing because as a long term resident of Rhose, with so many houses having been built over the last decade our infrastructure is unable to cope in the forms of Doctors, schools and dentists. You have recently cut back on services (When did we get the road sweeper to walk further than the shops area), the open grass areas do not get cut regularly, it takes longer and longer to get post or even the bins collected and the BT systems can't cope now without adding more pressure on the system. The roads are wearing out too quickly, unsurprising with the volume of traffic using it, and now you as a greedy council wanting more money from rates, planning etc dont consider what we have to put up with on a regular basis as you don't live here, couldn't care two hoots about those that do unless you want our vote, and pay little heed when the voters/residents are telling you enough is enough...STOP any more development here.
Jane Coombs	Barry, WLS	2015-03-08	I think the plans will ruin Rhose for residence and visitors alike. It is a blatant disregard for the lack of infrastructure of what is/was a lovely place to live.
Will James	Rhose, United Kingdom	2015-03-08	The access to the proposed development is to come directly opposite our home which will cause us so many problems.
Anna Seldon	vale of glam, WLS	2015-03-08	I am a resident of Rhose and am very concerned about these proposals and the chaos it will cause, if these houses go ahead we will be the size of a town without the resources and facilities to cope!
Rebecca Russell	Gloucester, United Kingdom	2015-03-08	I'm signing because a relative does not want this to be built right opposite their driveway!
Hayley rees	Rhose, United Kingdom	2015-03-08	We strongly oppose the proposed development.
Rene Toudic	St.Saviour	2015-03-08	I lived in this area for 18 years and do not feel it will be of benefit to the community for this development to proceed.

Name	Location	Date	Comment
Lynn Williams	Rhoose, United Kingdom	2015-03-09	Rhoose is not designed to accept any more houses, until facilities are provided, upgraded etc.
Tracy Hobbs	Rhoose, United Kingdom	2015-03-09	I don't agree with the proposals
Simon Parry	Cardiff, United Kingdom	2015-03-09	This development should absolutely NOT go ahead in this manner.
Phillip Jelf	Sully, United Kingdom	2015-03-09	The promise of new facilities such as the school, commercial units and leisure facilities never materialized when the development of Rhoose Point went ahead why should this be any different. Also the drainage and infrastructure of Rhoose would not be able to cope with the increase of population that the development would bring. Is there going to be new doctors, dentist etc. is there going to be an expansion of the library (sorry I forgot they're trying to close the existing one). Needless to say I'm opposed to the development.
Katie Harding	Rhoose, United Kingdom	2015-03-09	You can't keep putting more and more pressure on facilities and the land, spoiling the area for current residents. Plans are full of broken promises that never materialise.
Jason Clements	Rhoose, United Kingdom	2015-03-09	The new developments does not address key points such as road access requirements, and drainage from the site. These need improved solutions before any application should be granted.
Melanie Bowden	Rhoose, United Kingdom	2015-03-09	Known area for dog walkers
Lorraine Bond	Rhoose, United Kingdom	2015-03-09	The impact of the already approved planning permission for 350 new homes is devastating and more than enough increased housing for Rhoose. To add an additional 350 is insanity. Totally agree with other comments that Rhoose is a village with very few amenities and do not want it to become a town. The infrastructure is only just adequate now, dread to think what result 350 additional homes will have, nevermind 700.
Rowena Barnes	Rhoose, WLS	2015-03-09	Singing due to the traffic and drainage issues this will cause.
Lynne Doel	Rhoose, United Kingdom	2015-03-09	The village can not cope with the amount of facilities it has now, drainage issues have not been resolved, transport links are not strong enough to cope with the additional traffic, the list of reasons are endless.
Philip J Bond	Rhoose, United Kingdom	2015-03-09	Agree with all the concerns of others. Additionally, the problems encountered exiting and entering our driveway are difficult and dangerous enough now without significant increase in traffic volume. A bus stop directly opposite our home, is another hazard. Apparently, this was originally intended as parking space for opposite homes without drives, the result is them having to park between to our & neighbouring driveways, which exacerbates the problems. To add a further main entrance to a site for 350 houses within a few yards will no doubt lead to increased difficulties for all road users and may well become a potential accident blackspot.
Cath Rowlands	Rhoose, United Kingdom	2015-03-09	Drainage and traffic problems in village already.... cannot cope with more!!!
Joanna McSwiney	Rhoose, United Kingdom	2015-03-09	There is little infrastructure to support further housing development within our community, to resolve which no assurances have been provided. Additionally the issue of drainage for the current agreed developments are causing grave concern, which will only be exacerbated by further development!
Mike Guthrie	Rhoose, United Kingdom	2015-03-09	Totally unacceptable. Overloading a small village

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Name	Location	Date	Comment
John Jones	Rhose, United Kingdom	2015-03-08	I am signing this as I am not happy with the drainage issue on this planned development. It is my opinion that the land drainage should connect into an extension of the land drain which is planned for the eastern side of the land north of the railway line which will discharge into the derelict eastern quarry and will have no detrimental impact for the residents south of the railway line as water will always find its way to the lowest point, eg the lowest part of rhose point. Also the road ways north of the railway line should all connect the three developments should inter connect and join up onto Pentir y De. Saving tax payers money on a needless round about and the purchase of residential bungalow. Vale council should insist all drainage and roads all inter connect and costs shared as a condition for these three sites north of the railway and not ignore the consequences for the residents south of the railway line. If common sense does not prevail will the council give a signed undertaking to cover all costs to remedy their lack of judgement with the likely issues.
Jonathan Matthews	Rhose, United Kingdom	2015-03-08	The roads conditions and infrastructure around Rhose cannot cope with the already busy traffic conditions.
Derek Evans	Rhose Point, WLS	2015-03-08	I'm signing because I'm fed up of the greed and corruption of the council
Riona Threadgold	Cardiff, United Kingdom	2015-03-08	not acceptable building more & more houses in this small village yet amenities not sufficient and even being taken away! Traffic already a problem also.
Karen James	Barry, United Kingdom	2015-03-08	At a meeting in the Community Hall we were informed by Andrew R.T. Davies AM that the fields directly behind Porthkerry Road, Rhose were sold way below what the land was worth....he informed us that the Police had become involved and were investigating fraud!! Why have we not heard anymore on this matter....it seems this has been "brushed under the carpet as they say". Surely this land should not be built on until this matter has been addressed!! Before anymore houses are built in our village...more matters need addressing i.e. only the land is being allocated for the school - who is going to pay to have this built [(the tax payer)] traffic needs to be addressed because by the time they build all the houses that they have planned for Rhose traffic is going to be backing up from the Cwm Ciddy!! Lack of facilities also need to be addressed....more thought is needed before more housing!!!
Peter Hill	Rhose, United Kingdom	2015-03-08	Drainage and traffic impacts
Jenny Crofts	Rhose, United Kingdom	2015-03-08	drainage and access road are both inadequate
Vanessa James	Rhose, WLS	2015-03-08	The proposed junction will be directly opposite my son's & daughter-in-law's property. Having said that the impact of a junction between two roundabouts will cause major traffic congestion. It will mean no traffic would wish to travel this road and will push traffic going towards Barry & Cardiff through the Village of Rhose and then through Fonnon. The drainage again is a major problem and I feel immensely sorry for the owners of the properties in the lower part of Rhose Point which this will impact upon.
Gareth Williams	Rhose, United Kingdom	2015-03-08	I believe my property, which is in direct line of water run off, is at risk due to the ineffective and rushed planning.
Julia David	Rhose, United Kingdom	2015-03-08	traffic and drainage concerns
Tony Medcalf	Rhose, United Kingdom	2015-03-08	Drainage & traffic impacts
Sian Haskell	Rhose, WLS	2015-03-08	I am concerned already about impact new houses have on our poor drainage system and traffic issues it will cause!
Patricia McKenna	Rhose, United Kingdom	2015-03-08	Rhose roads and amenities can't cope
Jo Morgan	Barry, United Kingdom	2015-03-08	The current plans are ill thought out.

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 12 March 2015

Application No.: 2014/00550/OUT	Case Officer: Mr. S. D. Butler
Location: Land north of the railway line (west), Rhoose	
Proposal: Residential development with associated access and associated works, to include public open space and land for a primary school (including the demolition of 46 Porthkerry Road and its associated outbuildings)	

Additional Obligation (as suggested in report to committee dated 12th February 2015)

The responsibilities for the provision and on-going maintenance of the drainage structures should be required as part of a legal agreement with the developers.

It is therefore considered necessary to add an additional requirement to be achieved through either section 106 Of the Planning Act 1990, section 111 of the Local Government act 1972 or any other relevant provision as recommended by the Councils legal officer to make provisions for future maintenance of all drainage to be provided within the site.

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LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 12 March 2015

Application No.: 2014/01209/FUL	Case Officer: Miss A. Robertson
Location: Former site of Broad Street Motors, Broad Street, Barry	
Proposal: Car wash facility (attended hand wash)	

From:

Summary of Comments:

Additional condition:

Prior to the first beneficial use of car wash facility hereby approved, or the erection of a means of enclosure to delineate the operational area of the car wash facility from the One Stop car park, whichever is the sooner, details of the widening of the entrance into the One Stop car park shall be submitted to and approved in writing by the Local Planning Authority. The widening of the entrance shall thereafter be carried out prior to the first beneficial use of the car wash facility or the erection of a means of enclosure to delineate the operational area of the car wash facility from the One Stop car park, whichever is the sooner, and so maintained at all times thereafter.

Reason:

In the interests of highway safety and to ensure compliance with Policy ENV 27 of the UDP.

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LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 12 March 2015

Application No.: 2014/01358/FUL	Case Officer: Mr. I. Robinson
Location: The Dolphin, Friars Road, Barry	
Proposal: Demolition of the existing Dolphin bar/restaurant and redevelopment for 25 residential units, commercial uses and associated works	

From: Natural Resources Wales and the Council's Ecologist

Summary of Comments:

Both Natural Resources Wales and the Council's Ecologist now raise no objection to the application, having considered the additional ecology statement.

CONSULTATION RESPONSE: COUNTRYSIDE AND ENVIRONMENT (ECOLOGY)

To / I:	Operational Manager Development & Building Control	From / Oddi Wrth:	Ecology, Development Services Countryside and Economic Projects.
FAO	Mr. I. Robinson		Mrs Erica Dixon
Date / Dyddiad:	6 March 2015	Tel / Ffôn:	(01446) 704855
Your Ref / Eich Cyf:	2014/01358/FUL	My Ref / Fy Cyf:	
Location	The Dolphin, Friars Road, Barry		
Proposal	Demolition of the existing Dolphin bar/restaurant and redevelopment for 25 residential units, commercial uses and associated works		

ECOLOGY RESPONSE

- | | |
|---|--|
| <input type="checkbox"/> No comment | <input type="checkbox"/> Notes for applicant |
| <input type="checkbox"/> Object (holding objection) | <input type="checkbox"/> Request for further information |
| <input type="checkbox"/> Object and recommend refusal | <input type="checkbox"/> Recommend planning conditions |

Summary

Ecology Officer removes the holding objection and has no further observations on this application.

Detailed Comments

We refer to the letter dated 13/11/2014 from Hawkeswood Ecology with respect to an assessment of the Dolphin Hotel building for bats.

We note the findings of the report which states that there is no evidence of bats and the potential of the building to support bats is very low; and that no further survey is recommended.

The consultant ecologist has concluded that the demolition of this building will not affect the Favourable Conservation Status of bats.

We do not disagree with this conclusion and therefore, no further consider of bats is required in the determination of the planning application.

CONSULTATION RESPONSE: COUNTRYSIDE AND ENVIRONMENT (ECOLOGY)

To / I:	Operational Manager Development & Building Control	From / Oddi Wrth:	Ecology, Development Services Countryside and Economic Projects.
FAO	Mr. I. Robinson		Mrs Erica Dixon
Date / Dyddiad:	5 March 2015	Tel / Ffôn:	(01446) 704855
Your Ref / Eich Cyf:	2014/00831/FUL	My Ref / Fy Cyf:	
Location	Land at Plasnewydd Farm, Cowbridge Road, Llantwit Major		
Proposal	Construction of 149 dwellings, informal and formal openspace, new means of vehicular and pedestrian access from Cowbridge Road and associated infrastructure		

CONDITION DISCHARGE	
<input type="checkbox"/> Details acceptable <input checked="" type="checkbox"/> Details acceptable subject to written agreement <input type="checkbox"/> Details not acceptable, further information required	<p>Condition 29</p> <p>Prior to the commencement of development, a Great Crested Newt method statement shall be submitted to and approved in writing by the Local Planning Authority, and the development shall at all times thereafter be carried out in accordance with the approved method statement. The statement shall include details of the method of works, timing and duration of works and action to be taken if a Great Crested newt is found.</p>
<input type="checkbox"/> Details acceptable <input checked="" type="checkbox"/> Details acceptable subject to written agreement <input type="checkbox"/> Details not acceptable, further information required	<p>Condition 30</p> <p>Prior to the commencement of development, a detailed plan of the management and monitoring (for a period of 25 years from the date of this planning permission) of all ecological areas/habitats referred to in the EAD ecology reports submitted with the application shall be submitted to and approved in writing by the Local Planning Authority, and the site shall at all times thereafter be managed in accordance with the approved plan. This plan shall include how the habitats will be managed, the desirable condition of the habitats, and acceptable limits of the environmental</p>

	conditions for the ecological features to be monitored.
<input type="checkbox"/> Details acceptable <input checked="" type="checkbox"/> Details acceptable subject to written agreement <input type="checkbox"/> Details not acceptable, further information required	<p>Condition 31</p> <p>A strategy for the protection of reptiles before and during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall at all times thereafter be carried out in accordance with the approved strategy.</p>

Comments

We refer to the submitted documents

- *Ecology and Landscape Management Plan. Plasnewydd Farm, Llantwit Major, Vale of Glamorgan; October 2014 by Terraqua Ecological Services Ltd*
- *Reptile / Great Crested Newt Mitigation Strategy for Land at Plasnewydd Farm, Llantwit Major, Vale of Glamorgan, September 2014 by Terraqua Ecological Services Ltd.*

The Reptile / Great Crested Newt Mitigation Strategy and the Ecology and Landscape Management Plan are acceptable subject to written agreement for the discharge of conditions 29, 30 and 31 of the planning permission, in respect of the preparation and submission of the document. The plans must be implemented in accordance with the remainder of the condition.

Robinson, Ian

From: Evans, Ruth <Ruth.Evans@cyfoethnaturiolcymru.gov.uk>
Sent: 06 March 2015 10:04
To: Robinson, Ian
Cc: Dixon, Erica
Subject: RE: Friars road development. 2014/01358/FUL - - ecology

Good Morning Ian

Apologies for the delay in getting back to you on this.

We welcome the additional updated ecology work outlined within the letter dated 13/11/14 prepared by Hawkswood Ecology. As reiterated in our telephone conversation earlier this week, we agree with the conclusions put forward in the letter and consider that use of the building by bats is unlikely. Therefore we agree with the conclusion that the building can be demolished with no adverse effect upon the Favourable Conservation Status of bats in the local area.

If you have any queries, please contact myself

Many thanks

Ruth

Ruth Evans

Ymgynghorydd Cynllunio Datblygu - Caerdydd a Bro Morgannwg / Development Planning Advisor – Cardiff and the Vale of Glamorgan

Cyfoeth Naturiol Cymru / Natural Resources Wales

Ffon / Tel: 03000 653188

Gwefan / Website: www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

Ein diben yw sicrhau bod adnoddau naturiol Cymru yn cael eu cynnal, eu gwella a'u defnyddio yn gynaliadwy, yn awr ac yn y dyfodol.

Our purpose is to ensure that the natural resources of Wales are sustainably maintained, enhanced and used, now and in the future.

From: Robinson, Ian [<mailto:IRobinson@valeofglamorgan.gov.uk>]

Sent: 24 December 2014 12:23

To: Dixon, Erica; Evans, Ruth

Subject: FW: Friars road development. 2014/01358/FUL - - ecology

Hello Both,

Please see below- from the agent on application 2014/01358/FUL- The Dolphin- Barry Island. It seems there is another ecology document with the application, which is in the list of documents, but is unhelpfully titled Letter 782014. This is an update to the ecology work, since the 2008 report which was submitted for info. Please could you consider that document and advise if this removes your objections?

Thanks

Ian

Ian Robinson
Principal Planner
Planning and Transportation Services