

**ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT**  
**FOR THE PLANNING COMMITTEE**  
**TO BE HELD ON 6 OCTOBER, 2016**

<b>Page</b>	<b>Application</b>	<b>Location</b>	<b>Item No.</b>	<b>Description</b>
<b>30</b>	<b>2015/00249/FUL</b>	<b>Land to the East of St. Nicholas</b>	<b>1</b>	11 x neighbour letters of objection received
			<b>2</b>	Welsh Government letter confirms development of not more than 'local importance'
			<b>3</b>	Environmental Health comments in relation to noise mitigation. Additional condition 22 and amendments to conditions 15 and 16
			<b>4</b>	Amendments to conditions to reflect on-going discussions and consultee responses
<b>109</b>	<b>2015/00662/FUL</b>	<b>Land to the East of Mink Hollow, St. Nicholas</b>	<b>5</b>	5 x neighbour letters of objection received
			<b>6</b>	Amendments to wording of conditions
<b>172</b>	<b>2015/01072/RES</b>	<b>Land North of the railway line(West), Porthkerry Road, Rhoose</b>	<b>7</b>	Final version of Highways comments
<b>332</b>	<b>2016/00645/FUL</b>	<b>Ty Broc Parc Farm, Parc Farm Lane, St. Donats</b>	<b>8</b>	Comments from Park Farm
			<b>9</b>	Comments from GGAT
			<b>10</b>	Comments from neighbour including response from applicant
<b>357</b>	<b>2016/00869/FUL</b>	<b>Meadowvale Nursery, Cowbridge Road, Llantwit Major</b>	<b>11</b>	Comments from Natural Resources Wales

## LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 6 October 2016

<b>Application No.:</b> 2015/00249/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Land to the East of St. Nicholas	
<b>Proposal:</b> Development of 100 houses and associated open space vehicular and pedestrian access, landscaping and infrastructure, including the demolition of Emmaville	

**From: Neighbours to the site – 11 emails/letters being received**

### Summary of Comments:

Correspondences received cite objections, including the following:

- The Committee Report has been issued in advance of the expiry of the latest consultation period
- Considers the strength of opposition to the proposals have not been fully taken into account
- Proposals considered premature following the LDP hearing sessions and Action Points being required by the Welsh Government Inspector.
- The proposal is a disproportionate increase to the size of the village
- A residential development as proposed is not in keeping with the growth of the village over time
- The density of the development proposed would be out of character with the village
- The development would not be sustainable as there is a lack of shops and services within St Nicholas
- The need for affordable housing within St Nicholas is disputed
- Traffic generation as a result of the proposed development would cause congestion and could result in highway safety concerns
- The new access, near the access proposed to serve the Waterstone development, is not suitable and would result in many traffic movements in the area, causing hazards and danger.
- The indicated link to Ger Y Lan is a private drive and would cause disturbance to occupiers of nearby houses.
- There is a lack of open space within the development to serve the 100 houses
- There is a lack of educational facilities to serve the development in the area, with access to nearby schools difficult due to narrow lanes etc.
- There is inconsistency with other developments that have been determined by Planning Committee

- The development is on agricultural land in the countryside and contrary to planning policy
- There would be a detrimental impact to the Conservation Area
- Questions to the need for the level of new housing as described in the Deposit LDP
- Objections to the house design used by Redrow, being suburban in appearance;
- Precedent set for further housing developments in St Nicholas if approved
- Loss of valuable agricultural land
- Loss of privacy to existing neighbouring properties
- Detrimental impact to the countryside setting and the Special Landscape Area. Urbanisation of the countryside

**Officer Response:**

It is considered that all the primary issues raised in the objections above are assessed in full within the submitted Committee Report, including the policy context, highway matters, design and scale of development, and neighbour impact.

**Payne, Adrienne J**

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**From:** Tim Knowles <[REDACTED]>  
**Sent:** 03 October 2016 20:18  
**To:** Planning  
**Subject:** Planning Committee - 6 October 2016 - St Nicholas - Redrow Homes (South Wales) Limited - 2015/00249  
**Attachments:** 161003 - letter for Planning Committee.pdf

For the attention of Ms V L Robinson

Dear Ms Robinson

I am attaching a copy of a letter dated today concerning the planning application number 2015/00249 by Redrow Homes (South Wales) Limited to build 100 houses at St Nicholas scheduled for consideration by the Planning Committee of the Council at the meeting on 6 October 2016.

Please circulate copies of this letter to all members of the Planning Committee in time for consideration in advance of the meeting.

Yours sincerely

Tim Knowles

RECEIVED
04 OCT 2016
Regeneration and Planning

D.E.E.R
RECEIVED
ACTION BY: <i>WAL SHAWKY SPS</i>
NO: <i>8</i>
ACK:

CAE FFYNNON, 12 GER-y-LLAN, St NICHOLAS, CARDIFF, CF5 6SY  
Telephone [REDACTED] E-mail: [REDACTED]

**COPY BY E-MAIL** - planning@valeofglamorgan.gov.uk

Your ref.: 2015/00249/FUL/SR2

**3 October 2016**

Ms V L Robinson  
Operational Manager - Development Management  
The Vale of Glamorgan Council  
Dock Office  
Barry  
CF63 4RT

RECEIVED

04 OCT 2016

Regeneration  
and Planning

Dear Ms Robinson

**Planning Application by Redrow Homes (South Wales) Limited - Land to the East of St Nicholas ("the Application")**

I refer to your letter dated 12 September 2016 and the Report on the above proposed development submitted to the Planning Committee ("the Committee") for consideration at the meeting of the Committee to be held on 6 October 2016 ("the Report").

The letter dated 12 September 2016 gave 21 days for representations, thus allowing such representations to be made up to 3 October 2016. The issue of the Report in advance of that date implies that any representations, however pertinent, would be ignored in making recommendations to the Committee.

The Report presents the case in support of the recommendation of the Planning Department ("the Department") for approval of the Application. It is a one-sided Report which makes no realistic attempt to describe the numerous strong objections, many with detailed arguments, submitted by local residents objecting to the Application. It is noteworthy that there were over 190 objections (page 36), most from residents of the 141 existing properties in the village. This demonstrates the strength of the local opposition to the Application.

I have submitted seven letters at various stages in the consideration of the Application by the Department as new and changed proposals emerged. Each letter set out detailed arguments against the Application but most of these issues have been ignored or brushed aside in the Report. No attempt has been made to justify the apparent view of the Department that the issues described were incorrect or irrelevant. The failure to deal properly in the Report with the objections made by me and many other local residents clearly demonstrates that the Department had determined by the time of issue of the Deposit Local Development Plan ("the LDP") in November 2013 that 100 houses would be built in St Nicholas and from that point onwards the Department had no intention of being confused by the facts.

Out of over 190 objections received by the Department, only three letters have been reproduced in Appendix C of the Report. These letters do not demonstrate to the Committee the extent and nature of the many powerful objections to the Application. The first and third letters clearly indicated that they were supplementary to earlier more detailed objections which have not been reproduced in the Report. The second letter merely summarises a few issues from an enclosed detailed report by a planning consultant which has not been reproduced.

The following is a brief summary of some of the issues raised by me in my seven letters and not dealt with adequately in the Report:

1. Prematurity. The consideration of the LDP by the Inspector appointed by the Welsh Government is at an advanced stage. The Inspector is expected to report in early 2017 (page 44). The proposed development at St Nicholas featured prominently in the Public Hearing Sessions in early 2016. Many detailed objections were raised to the inclusion of the St Nicholas development in the LDP and some of the contents and conclusions of the supporting documents issued by the Council were challenged in written representations and at the Public Hearings. As a result, the Inspector issued a number of Action Points specifically related to St Nicholas. The Council has responded to these Action Points but the six weeks Consultation Period on Matters Arising Changes did not commence until 26 September 2016. There are strong grounds for believing that the Inspector will not approve the inclusion in the Adopted LDP of a development of 117 houses at St Nicholas. Consequently, consideration of the Application by the Committee should not be based on a presumption that the proposed development at St Nicholas will be included in the Adopted LDP. Any approval of the Application at this late stage in the LDP process in the light of the many powerful objections is premature, undemocratic and makes the LDP process a very expensive and time consuming farce.
2. Disproportionate. The proposed development of 117 houses (including 17 by Waterstone Homes Limited) in a village of 141 houses (most of which are in a Conservation Area) represents an increase of 83%. When the LDP allocated 100 houses to St Nicholas, the Welsh Government in its representation on the LDP stated "Allocations in some minor rural settlements, for example 100 units in St Nicholas and 120 units at Bonvilston, appear disproportionate to current services and facilities." While apparently ignoring this representation, the Department has subsequently increased the allocation at St Nicholas to 117 houses. The proposed development is wholly disproportionate to the size of the existing village.
3. Out of character with the existing minor rural settlement. St Nicholas has grown organically over many centuries. The village is spread out with most houses in substantial plots on both sides of the A48 which runs through the centre of the village. Residents have chosen to live in a rural environment away from urban development. The Report (page 49) claims that the overall density of St Nicholas is approximately 10 dwellings per hectare. This figure is disputed. Evidence with a supporting map was submitted to the Department on 10 December 2013 in a representation on the LDP demonstrating that the density is approximately 4.4 houses per hectare. The density of Ger-y-Llan is approximately 9.3 houses per hectare.

The Report cites higher densities in Church Row and Smiths Row as justification for a density of over 25 houses per hectare in the proposed development. Church Row comprises 4 dwellings and Smiths Row comprises 5 dwellings. These small groups of houses cannot be compared with or used to justify a relatively huge development of 100 houses (or 117 houses including the proposed Waterstone development). Furthermore, Smiths Row comprises mainly old thatched cottages, very different in character from the proposed development. A development on the scale proposed would irreversibly destroy the nature and character of the ancient rural village.

4. Services and facilities. St Nicholas has no shop, public house, restaurant, post office, doctor's surgery, leisure centre or library. There are only minimal employment opportunities in the village. Thus, the residents of the proposed development would be obliged to make short car journeys or expensive bus trips for almost all of their daily needs. The nearest shops are at Culverhouse Cross which is 1.6 miles from the entrance to the site and significantly further from the northern part. It is unrealistic to expect residents to walk or cycle to the shops and other facilities with the return journey up the long steep hill known as The Tumble. The need for short car trips conflicts with Objective 3 and paragraph 7.12 of the LDP.
5. Affordable housing. The need for affordable housing in the Vale of Glamorgan is not disputed. However, statistics produced by the Council have demonstrated that there is either no net need or, at most, minimal need in St Nicholas. The main areas of need for affordable housing are in the primary settlements of Barry, Llantwit Major and Penarth. The Application provides for 35 affordable or intermediate dwellings. Most if not all of these dwellings would inevitably be allocated to persons or families currently living outside St Nicholas and having no family connection with existing residents of St Nicholas. The new residents would be isolated from their current communities and families. They would need to make frequent car or bus journeys to maintain their links with those communities and families. There is no direct bus service to the primary settlements so bus journeys would be long and difficult.

The Department has sought to justify the allocation of affordable houses to St Nicholas by reference to an alleged demand in Wenvoe and Peterston-super-Ely. Wenvoe is in the same political Ward as St Nicholas but has no connection with St Nicholas, is over three miles away by road and has adequate provision for affordable houses in developments currently under construction at the ITV site and to the immediate south of Wenvoe. Peterston-super-Ely is over three miles away by road, most of which is through narrow country lanes which already have more traffic than can be reasonably accommodated. To the extent that there is any demand for affordable houses in Peterston-super-Ely, it would be more than adequately provided by the proposed development at Bonvilston which is closer by road.

6. Village road capacity. The centre of the village (north of the A48) is often heavily congested with parked vehicles, particularly in the roads around the church immediately before the weekday opening and closure of the school. Similar congestion occurs when there is a wedding or funeral at the church. The roads on the north side of St Nicholas are wholly unsuitable for any of the additional traffic which would be generated by the proposed development. There is no pavement on the roads around the church. It is particularly unsuitable and dangerous for young children and any disabled person on School Lane to the north and east of the church. There is no room for a wheelchair on the road to the north where vehicles are usually parked leaving barely enough room for other vehicles to squeeze through.

Any vehicle travelling in either direction along School Lane has to negotiate a blind bend at the junction with Well Lane in the north east corner of School Lane. This is particularly dangerous when vehicles are parked on the bend as is frequently the case. The exit from Ger-y-Llan is also blind and dangerous as vehicles travelling south on School Lane pick up speed.

7. Main access to site. The proposal to have two new access roads from the A48 within about 72 metres of each other is, to say the least, ludicrous. A single access would cause significant problems and dangers but two access roads would exacerbate those problems and dangers. While the proposal provides for a filter lane for traffic from Culverhouse Cross turning right into the site, the main problem and dangers arise from traffic leaving the site to turn right towards Cowbridge. Long experience of turning right out of School Lane onto the A48 demonstrates that it is very difficult at peak morning and afternoon periods to find gaps in traffic travelling in both directions along the A48. It is frequently necessary to wait for a motorist to give way in order to exit School Lane.

Traffic turning right when exiting the site will have to cross two lanes of traffic, the eastbound lane and the filter lane before joining through westbound traffic on the A48. The proposed access road is almost opposite the Old Police Station which is now used for business purposes and generates additional traffic movements.

The proposal also envisages the removal of an existing lay-by on the eastbound side of the A48. This lay-by is frequently used by service vehicles and visitors to nearby properties. Its removal will necessitate parking on the busy A48, causing additional hazards and dangers for traffic.

8. Pedestrian and cycle access. The status of the private drive which connects the site to Ger-y-Llan is described on page 54 of the Report. Although the private drive is outside the site which is the subject of the Application, the Application includes a gateway or bollards (the plan is unclear) at the entry to the site from the private drive and envisages the use of the private drive for pedestrian and cycle access to the site. Such use of the private drive by residents (including children) of 100 houses (117 including the proposed Waterstone development) will cause immense disturbance to the amenity of the occupiers of the three properties along the private drive as well as other residents of Ger-y-Llan.



9. Highways and traffic congestion. The Report describes highway issues related to site access and internal lay-out (pages 60 to 62). It does not appear to address the critical issue of congestion on the A48 and at Culverhouse Cross, particularly during the peak morning period when there are long tail-backs of stationary or slow-moving vehicles often stretching to the west of Bonvilston. The A48 and the Culverhouse Cross roundabout are already operating over capacity.

In formulating the LDP and determining the site allocation at St Nicholas, the Council very seriously misinformed itself concerning the capacity of the A48. This capacity was calculated at three points between Cowbridge and Culverhouse Cross, all of which are in the national 60 mph speed limit. No account was taken of the 40 mph speed limit from west Bonvilston to west St Nicholas; the 30 mph speed limit through St Nicholas; and the inevitable delays at the traffic lights at Sycamore Cross and Duffryn Lane as well as at other uncontrolled junctions.

The Transport Statements submitted in support of the Application refer only to the extra vehicle movements resulting from the proposed development. Even taken in isolation, these additional vehicles will cause greater congestion. When taken together with other started and proposed developments at Cowbridge, Colwinston, Ystradowen, Bonvilston and the Waterstone site along with traffic increases arising from other projects such as the widening of Five Mile Lane, the congestion on the A48 and at Culverhouse Cross will become unsustainable. The congestion at Culverhouse Cross will be further exacerbated by the current housing construction at ITV and Wenvoe. The Council and, as appropriate, Cardiff City Council and the Welsh Government have no plans to alleviate this unsustainable congestion.

10. Open space. The original proposal by the Applicant was for 79 houses and provided significant areas of open space which, together with the Waterstone application, amounted in total to 0.48 hectares. In the latest proposal now presented for approval by the Committee, most of the open space has been removed in order to cram 100 houses into a densely crowded site. Only a small LEAP area and a tiny LAP area have been provided. The exact size of the LEAP area is not clear from the latest site plan but it appears to be no larger than a garden in some of the existing properties adjacent to the site. It is certainly not large enough for the many children who would reside in the 100 houses to play football or other ball games. There appears to be no explanation in the Report on where the children will find necessary open space for ball games. The availability of the field at St Nicholas School does not appear to have been established and, even if it were available, it would involve the children having to walk or cycle through the narrow and dangerous roads in the centre of the village (item 6 above) to reach the field.

11. Education facilities. The arrangements for education facilities are described on pages 68 & 69 of the Report. The projected demands for 9 nursery, 25 primary and 23 secondary places appear to be substantial under-estimates for a development of 100 houses. There is no nursery in St Nicholas. The Report confirms that there are no available places for primary pupils at St Nicholas School. The Report appears to suggest that most nursery and primary pupils would travel to Peterston-super-Ely or Pendoylan Schools. Both villages are over three miles away by road, most of which is through narrow country lanes which already have more traffic than can be reasonably accommodated. Two double journeys by car would be required each school day for those parents with cars. There is no direct bus service for parents without a car.
12. Principle of development. The conclusion on the principle of development at St Nicholas (pages 47 & 48) relies heavily on background papers produced by the Council in support of the LDP, including the Sustainable Settlements Appraisal, the Stage 2 Detailed Site Assessment and the Stage 3 Sustainability Appraisal. Some of the key assumptions, statistics and conclusions contained in these reports so far as they related to St Nicholas have been strongly challenged in written representations and in the Public Hearings in the LDP process. Until a conclusion has been reached by the Inspector on these issues, no reliance should be placed on the contents of these background papers to the extent that they have been challenged.
13. Inconsistency. Attention is drawn to the attached extract dated 9 January 2016 from the Minutes of the meeting of the Committee held on 17 December 2015 concerning planning application number 2015/00689/OUT by Trehill Homes Limited ("the Trehill Application") relating to land south of the A48 at St Nicholas. The Minute sets out six reasons why the Trehill Application would have been refused. I submit that each of those reasons applies with equal force to the Application. As the Committee has confirmed that the Trehill Application would have been refused, these reasons alone should be sufficient to refuse the Application. The recommendation of the Department for approval of the Application is inconsistent with its recommendation (endorsed by the Committee) on the Trehill Application.

Before any consideration of determination in favour of the Application, I urge the Committee to arrange a site visit. The Committee should consider how the proposed development on green fields would irreversibly destroy the character of this ancient village. The members should also view the narrow roads around the church, if possible around 3.30 pm on a normal school day, and the proposed two access points onto the A48.

The Department argues in the Report that various identified individual issues do not provide adequate grounds for refusal of the Application. However, I have summarised above some of the many strong objections to the Application. Taken together, I submit that they constitute very powerful grounds for refusal of the Application and I request that the Application be refused.

Vale of Glamorgan Council - Redrow Planning Application – 3 October 2016

Please circulate copies of this letter as a late representation to all members of the Committee in advance of the meeting on 6 October 2016.

Yours sincerely

A black rectangular redaction box covering the signature of Tim Knowles.

**Tim Knowles**

9 January 2016

Vale of Glamorgan Council

Minutes - Planning Committee - 17 December 2015  
Extract

**2015/00689/OUT** Received on 18 June 2015

(p82)

Trehill Homes Limited, C/o Agent

Asbri Planning Limited, Unit 9, Oak Tree Court,, Cardiff Gate Business Park,,  
Cardiff., CF23 8RS

**Land south of A48 and west of Old Rectory Drive, St. Nicholas**

Outline application for residential development and associated works

RESOLVED -

(1) T H A T Members of the Planning Committee noted the conclusions within the report and agreed that these form the basis of the Council's case in the current non-determination appeal and that the application would have been refused for the reasons set out below:

1. The proposed residential development is outside the defined settlement boundary of St. Nicholas and there is no overriding justification or material consideration to outweigh the in principle policy presumption against such development. As such the development would be contrary to Policies ENV1 - Development in the Open Countryside and HOUS2 - Additional Residential Development of the adopted Vale of Glamorgan Development Plan 1996, as well as Planning Policy Wales (Edition 7) July 2014.
2. The residential development would have an unacceptable visual impact on the character and amenity of this undeveloped rural landscape and would be harmful to the special qualities of the Duffryn Basin and Ridge Slopes Special Landscape Area in this location. As such the development of this sensitive rural area and landscape would be contrary to Policies ENV4 Special Landscape Areas, ENV27 - Design of New Developments and ENV10 Protection of the Countryside of the adopted Vale of Glamorgan Development Plan 1996 - 2011, as well as Planning Policy Wales (Edition 7) July 2014.
3. The residential development would result in the loss of an area of open countryside that plays an important role in providing a strong rural character and setting to the St Nicholas Conservation Area in this location, over which there are currently significant views from the Conservation Area towards the Severn Estuary. Accordingly, the development is considered to neither preserve nor enhance the setting of the Conservation Area, in conflict with the Council's Adopted Conservation Area Appraisal and Management Plan, policies ENV17 - Protection of the Built and Historic Environment and ENV20 - Development in Conservation Areas of the adopted Vale of Glamorgan Development Plan 1996 - 2011, as well as Planning Policy Wales (Edition 7) July 2014 and W/O Circular 61/96. The development will also conflict with the duty imposed by Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The development would overload the public waste water treatment works for which no improvements are planned at present and the developer has failed to provide any information that indicates that the development will not adversely affect or overload the public sewerage system and as a consequence the development is contrary to Policies ENV27 Design of new developments and ENV29 Protection of Environmental Quality of the Vale of Glamorgan Adopted Unitary development Plan 1996-2011.
5. In the event that the evidence establishes that the grade of the agricultural land is grade 2 or 3a, the development would result in the unnecessary loss of the best and most versatile agricultural land, contrary to policy ENV2 – Agricultural Land of the Vale of Glamorgan Adopted Unitary development Plan 1996-2011, Planning Policy Wales (Edition 7) July 2014 and Technical Advice Note 6 on Planning for Sustainable Rural Communities.
6. The proposed housing development would generate the need for additional school places which cannot be met by existing spare capacity and the development cannot make appropriate provision for education facilities to serve the development through Planning Obligations, without undermining the Council's ability to deliver strategically important development sites within the area. Accordingly, the application is contrary to criterion (vi) of Policy HOUS8 of the Vale of Glamorgan Adopted Unitary development Plan 1996-2011, the Council's approved Planning Obligations SPG and the advice in paragraph 12.1.1 of Planning Policy Wales (7<sup>th</sup> Edition) July 2014.

(2) T H A T, in the event that the appeal decision for the residential development site on land to the south west of Weycock Cross is received prior to the consideration of the appeal subject of this report, Members agreed that the Council's evidence when prepared takes account of that appeal decision and that officers be given delegated authority to amend the Council's stance in respect of the above listed reputed reasons for refusal.

Reason for decision

(2) To ensure the Council's officers take account of all material considerations relevant to the appeal at the time of preparing and giving evidence, that are relevant to the appeal.

**Payne, Adrienne J**

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**From:** Paul Williams <[REDACTED]>  
**Sent:** 03 October 2016 21:46  
**To:** Planning  
**Subject:** For the attention of the VoG planning Committee meeting on 6 Oct 2016 - Application no 2015/00249/FUL  
**Attachments:** 2016 10 03 - Letter for planning committee from Dr Paul Williams.docx

**FAO Ms V L Robinson**

Dear Ms Robinson

I attach a letter concerning the above planning application for development of land to the East of St Nicholas. It is due to be considered by the planning committee on 6 Oct 2016.

The powerful arguments against this proposed development previously submitted by me have not been mentioned by the planning Department in its Report.

I would thus be most grateful if you would circulate a copy of this letter to all members of the Planning Committee before the 6 Oct meeting so that they may consider these detailed objections, which the planning Department has neither mentioned nor sought to address.

Yours sincerely

Paul Williams

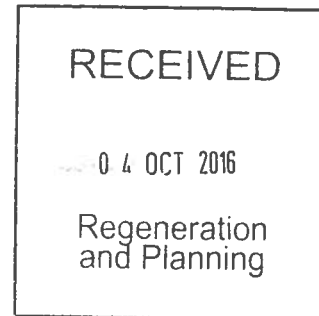
RECEIVED  
04 OCT 2016  
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D.E.E.R
RECEIVED
ACTION BY: <i>Paul Williams</i>
NO: <i>10</i>
ACK:

11 Ger-y-Ilan  
St Nicholas  
Vale of Glamorgan  
CF5 6SY

03 October 2016

Ms VL Robinson  
Operational Manager – Development Management  
The Vale of Glamorgan Council  
Dock Office, Barry CF63 4RT



Dear Ms Robinson

**Planning Application by Redrow Homes: Land to the East of St Nicholas: LDP Site MG2 [43]  
11 March 2016: Amended proposal to build 100 houses Your ref: 2015/00249/FUL/SR2**

I am writing in response to your letter of 12 September 2016 and the report on the above proposed development that has been submitted to the planning committee for consideration at its meeting on 6 October 2016. I have submitted many detailed letters objecting to the above proposal, whose arguments show clearly why this planning should not be granted. The report that has been submitted to the planning committee ignores or dismisses all of these issues without any justification. These arguments are made on factual grounds: the Welsh Government's own evidence indicates that there is no need for the above proposed development.

The following is a summary of the objections that I have presented to the Vale of Glamorgan planning Department but I would be most grateful if copies of this letter could be circulated as a late missive to all members of the planning committee before its meeting on 6 October 2016, given the failure by the planning department to mention these strong arguments of objection:

- 1 This application is out of order** The Deposit Local Development Plan (LDP) is currently being processed by the Vale of Glamorgan Council (VOGC). I have previously registered my objections to this, as have numerous other residents of St Nicholas, on the basis of a large number of errors and wrong conclusions made by the authors of the LDP. These objections and the consideration that should be given to them are currently subject to the required due process. The land to the east of St Nicholas that is the subject of this planning application forms part of the allocated site number MG2-43 which should be deleted from the LDP on numerous grounds as set forth in my objections to the LDP. For the planning officers of the VOGC to give permission for this planning application to go ahead would make a mockery of the planning process in that the constitutional objections would be ignored before the Inspector has issued his verdict on the LDP. This application is totally out of order by virtue of being lodged during a period when consideration of the LDP is still ongoing. To grant permission for this application to go ahead would constitute an abuse of the planning procedure that would indicate to any party with a vested interest in future how to overthrow the judgement and undermine the professionalism of planning officers, by subverting the very planning process itself. The VOGC has already confirmed that it currently has no shortfall in the 5-year supply of land for housing, such that there is no justification to consider this application at this time, before the formal adoption of the LDP after the Inspector's report. **The application is premature and should not be considered as the site forms part of MG2-43 which should be deleted from the LDP, as suggested by many persons, whose objections are constitutionally under consideration at present. This should disallow this application from being considered further, as allowing it to proceed would**

**willfully consign constitutional objections to dismissal by planning officers or the VOGC, rather than by the Inspector.**

**2 The proposals in this application are contrary to or in breach of the policies in the most recent Unitary Development Plan (UDP). With reference to the current documents referred to by the LDP:**

- A. The document 01 - Deposit plan written statement November 2013 states on pages 25 & 26 under 'Vision and Objectives' that objective 4 is to protect and enhance the Vale of Glamorgan's historic, built, and natural environment. Objective 10 is to ensure that development within the Vale of Glamorgan uses land effectively and efficiently and to promote the sustainable use and management of natural resources. This planning application is not consistent with either of these objectives. The proposed site is currently prime agricultural land in open countryside. This is graded as grade 2 land, not grade 3A as Redrow claim it to be. It is not an in-fill area of land. The village of St Nicholas would be completely distorted by such a massive development. This would represent a major incursion of building into open countryside. This planning application would have a major detrimental impact on the existing character and local environment of the minor rural settlement of St Nicholas, which has grown organically over many centuries. This planning application completely contravenes objective 4. Such objections to development on this scale have already been pointed out to the VOGC by the Welsh government in its response to the initial LDP.**
- B. The document 01 - Deposit plan written statement November 2013 states on pages 55 – 59 under 'Policy MG1 – Housing supply in the Vale of Glamorgan that there is a housing land requirement of 9,950 new dwellings during the plan period. It goes on to say, *inter alia*, that this will be met through the use of small sites including infill and with priority given to brown field and committed sites. The land to the East of St Nicholas is neither in-fill nor brown field site and so these proposals do not comply with policy MG1.**
- C. The document 01 - Deposit plan written statement November 2013 states on page 94 under 'Policy MD1 – Location of new development that 'development will be favoured where it has no unacceptable impact on the countryside. The planning application by Redrow has a major impact on the countryside. The proposals to develop the land to the East of St Nicholas directly contravenes policy MD1.**
- D. The document 01 - Deposit plan written statement November 2013 states on pages 95–97 under 'Policy MD2 – Place making that proposals should ' Respond appropriately to the local context and character of neighborhood buildings in terms of type, form, scale, mix and density. This planning application is for 101 houses on 3.65 hectares of land, a density of 27.7 houses per hectare. This grossly exceeds the adjacent Conservation Area which has a density of less than 6 houses per hectare. This is an urban degree of density that is completely out of context with the existing village and Conservation Area – one that would permanently ruin its character and amenity. This planning application directly contravenes policy MD2 (paragraphs 7.5 of the LDP and 4.5 of the Deposit LDP). It is wrongly claimed at paragraph 2 of the Planning Statement that there is no planning history for the Site. Two planning applications for house construction on part of the Site were refused by VOGC on 10 January 1989 for the construction of 10 houses and on 22 May 1991 for the construction of 6 houses (ref 1988/01152/OUT). The grounds for refusing permission for the construction of 6 or 10 houses apply even more to the proposed construction of 100 houses.**



In its representations to VOGC on the LDP, the Welsh Assembly Government stated that 'Allocations in some minor rural settlements, for example, 100 units at St Nicholas and 120 units at Bonvilston **appear disproportionate to current services and facilities.**' (paragraph B.1(d) of the Annex to the letter of 20 December 2013, VOGC reference P/POL/AMW/LDP3). **The scale of developed in this application is wholly disproportionate to the size of the current village.**

- E. The document **01 - Deposit plan written statement November 2013** states on page 102 under 'Policy MD6 – Development within minor rural settlements that new developments in minor rural settlements will be permitted where 'the proposal would not represent a visual intrusion into countryside or the loss of important open spaces that contribute to local amenity, character or distinctiveness'. **This planning application constitutes a de facto visual intrusion into countryside, and the distinct character and amenity of the rural view of St Nicholas after emerging from the urban environments of Cardiff and Culverhouse Cross. Proposals to develop the land to the East of St Nicholas thus directly contravene policy MD6.**
- F. The document **01 - Deposit plan written statement November 2013** states on page 106 under 'Policy MD9 – Historic Environment that development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan, specifically within Conservation Areas, development proposals must preserve or enhance the character or appearance of the area. **The area of land to the East of St Nicholas borders the Conservation envelope of the village, and was not included in the UDP as land for development. This planning application is the contrary to the UDP. It neither preserves nor enhances the character or the appearance of the area, and so directly contravenes policy MD9.**
- G. The document **10 – LDP Affordable Housing Background paper** shows on Table 2, page 5 the distribution of Affordable Housing Requirement in the Vale:

a. Sub Area	Need Requirement					
	1. Need	Supply	Total	% of net shortfall	Supply (% of need)	
b. Barry	1,018	466	552	59.9%	45.8%	
c. Penarth	236	109	153	16.6%	41.6%	
d. Rural	45	10	35	3.8%	22.3%	
<b>e. East Vale</b>	<b>-3</b>	<b>4</b>	<b>-7</b>	<b>0</b>	<b>-</b>	
f. Coastal	236	54	182	19.7%	22.9%	
g. Total	1,558	643	915	100%	41.3%	

The (**emboldened row in the**) Table shows (and paragraph 3.7 above it in document 10 states) that there is no shortage of affordable housing identified in the Eastern Vale. **Proposals to develop the land to the East of St Nicholas thus cannot be justified by a putative need for affordable housing, for no such housing is required in the Eastern Vale. The lack of local services such as a shop, post office, public house, doctor's surgery etc and infrequent bus services make the construction of affordable housing at this site even more illogical.**

- H. The document **11 – LDP Affordable Housing Viability Study** shows on Table 3.3 and 3.4 on page 21-22 the cost of residential and industrial land values regionally.

**Table 3.3 Residential land values regionally**

WALES			
REGION	Small Sites (sites for less than five houses)	Bulk Land (sites in excess of two hectares)	Sites for flats or maisonettes
	£s per hectare	£s per hectare	£s per hectare
Cardiff	2,750,000	2,750,000	2,600,000
Carmarthen	900,000	900,000	850,000
Merthyr Tydfil	1,100,000	1,000,000	1,000,000
Bridgend	1,550,000	1,550,000	1,550,000
Swansea	1,400,000	1,400,000	1,800,000
Llandudno	1,000,000	850,000	1,000,000
Newport	1,900,000	1,900,000	1,400,000
Wrexham	1,000,000	850,000	1,000,000

Table 3.4 Industrial land values in Wales

WALES			
	From £s per ha	To £s per ha	Typical £s per ha
Cardiff	210,000	315,000	270,000
Carmarthen	160,000	210,000	190,000
Merthyr Tydfil	135,000	200,000	160,000
Taff Ely	125,000	205,000	140,000
Swansea	190,000	245,000	235,000
Colwyn Bay/Llandudno	200,000	300,000	250,000
Newport	180,000	250,000	225,000
Deeside	200,000	300,000	250,000

They show that the cost of Industrial land is about 1/6<sup>th</sup> to 1/10<sup>th</sup> that of residential land. The cost of the plot of land upon which a house is built is for most houses the major part of the cost. Thus houses will be much cheaper if built on industrial land. This proportional better value (more sq ft of living space per £ spent) will apply particularly to affordable housing. Thus the economics argues strongly in favour of not developing prime-land sites such as the land to the East of St Nicholas, but developing sites in the Vale such as Llandow Trading estate. Any housing need in the Vale of Glamorgan could be provided on brownfield land such as Llandow or land of lower agricultural grade. The proposed site allocation on grade 2 (or 3A) agricultural land **conflicts with paragraph 4.10.1 of July 2014 'Planning policy for Wales'**.

- I. The document **20 – LDP findings of the Site Assessment Background paper** shows on Table 5 (page 47), which shows the sustainability scores for allocated sites, that the site for which planning permission is sought scores a ' - ' on 'To use land effectively and efficiently', 'To protect and enhance the built environment and natural environment' and 'To reduce the need to travel and enable the use of more sustainable modes of transport'. **Proposals to develop the land to the East of St Nicholas by the VOGC's own assessment thus represents failure in these major conservation and green objectives.**
- J. The document **21 – LDP Green Wedge Background paper** states on page 9 that each of the existing green wedges and any proposals for new green wedges are assessed against the following objectives:
  - a. To prevent urban coalescence between and within settlements;
  - b. To ensure that development does not prejudice the open nature of the land;
  - c. To protect undeveloped land from speculative development and
  - d. To maintain the setting of built up areas

The land for which planning permission is sought should become part of the green wedge to prevent the coalescence of Culverhouse/Cardiff and the Eastern Vale by extending the existing green wedge that lies north of Wenvoe westwards. We should be increasingly protecting and extending such green wedge areas rather than developing those agricultural areas that adjoin existing green wedges. **Proposals to develop the land to the East of St Nicholas make such coalescence between Culverhouse Cross and the Eastern Vale at some stage in the future more likely.**

- K. The document **31 – LDP Population & Housing Projections Background paper** shows in Table 1 (page 10) the main components of population change used in the Welsh Government **2006-2030** based predictions for the Vale of Glamorgan. The no of births per year exceed the no of deaths by between 2 and 250 per year. However there is net migration of population into the Vale of Glamorgan of **815** per year. **It is this projected inward migration of 815 per year that creates the bulk of the projected housing demand.**

Table 10 (page 23) shows the main components of population change used in the Welsh Government **2008-2032** based predictions for the Vale of Glamorgan. The no of births per year exceed the no of deaths by between 44 and 350 per year. However there is net migration of population in to the Vale of Glamorgan is now significantly lower than the 2006 estimate, at **547** per year. **Thus in the 2 years from 2006 to 2008, the projected inward migration has been reassessed and reduced from 815 to 547 per year.**

Table 29 (page 42) shows the main components of population change used in the Welsh Government **2011-2036** based predictions for the Vale of Glamorgan. The no of births per year exceed the no of deaths by between 241 and -209 per year. However there is net migration of population in to the Vale of Glamorgan is now again significantly lower than previous estimates at **217** per year. **Thus in the years 2006 to 2008 to 2011, the projected inward migration has been reassessed and downsized from 815 to 547 to 217 per year.**

In view of this level of downsizing of estimates, and likely continuing very slow economic growth for many years ahead due to global economic reasons (the continuing rise of China, India, SE Asia) and domestic ones (National debt, Brexit and weak economic performance) we are very unlikely of requiring levels of extra housing in the Vale of Glamorgan beyond those already achieved operative for the next 5 years. **This planning application is for the building of houses for which there is no current need. Any justification for permitting this development on the basis of housing need flies in the face of the Welsh Government's own projections.**

- 3 This proposed development would have major consequences on A48 traffic.** St Nicholas does not have many essential facilities such as a shop, post office, doctor's surgery, public house etc and as a consequence any housing development would entail frequent short car journeys by residents, given the very limited public transport facilities. **This is contrary to Objective 3 and to the objective expressed in paragraph 7.12 of the LDP.** The centre of the village is frequently packed with parked cars, particularly at school times and this already presents great danger to children and adults. The roads are very narrow and lack pavements - indeed it is frequent that cars have to reverse in order to pass in opposite directions. The exits from the north side of the village on to the A48 are blind and difficult to negotiate. Joining the A48, particularly when turning to the West is difficult at the best of times and extremely difficult during the prolonged morning and evening rush hours. The proposed

development of 101 houses would the ingress and egress of up to 200 cars daily. These would present a very significant hazard to the voluminous traffic traversing St Nicholas, especially for cars turning to the right either onto the A48 or exiting the A48. The capacity of the A48 has been calculated wrongly by estimating it at the points between Cowbridge and Culverhouse cross that have a (deregulated) 60 mph speed limit. The traffic flow slows considerably through St Nicholas (which has a 30 mph speed limit). The A48 is already at overcapacity through St Nicholas. **I object to this planning application as the addition of a substantial number of cars entering and leaving the A48 at St Nicholas would cause substantial further disruption, delay and possible danger in a situation that is already very close to gridlock.**

- 4 **Delay by the VOGC in responding to the Welsh Government** The Welsh Government's response to the VOGC Revised deposit LDP in their letter of 20 December 2013 (refs: QA980858 & P/POL/AMW/LDP3) states that:

The current consultation on the Draft Planning Bill makes reference to end dates of development plans, after which it is proposed they no longer remain extant. This would apply to the Vale of Glamorgan's Unitary Development Plan (UDP) which expired in 2011. This could result in the authority having no extant development plan in place to make decisions before adoption of the LDP. It is therefore imperative that LDP preparation moves forward as swiftly as possible incurring no further delay. We would wish to avoid a situation where your local authority is in a vulnerable position for an extended period of time. The matter of whether a plan is considered 'sound' will be for the appointed Planning Inspector to determine. I have considered the Deposit LDP in accordance with the consistency/coherence tests, and principally in accordance with whether satisfactory regard has been given to national planning policy (test C2). **The Welsh Government's representations are separated into 4 categories which are supported with more detail in the attached annex.**

The annex states:

**d) Spatial Strategy -Policy MG 2**

It is unclear how the role and function of settlements has been reflected with regard to the scale of housing proposed. While the scoring matrix focuses on 'functional links' (Sustainable Settlements Appraisal 2013) the services and facilities in many of the minor rural villages themselves appear poor. Allocations in some minor rural settlements, for example, 100 units at St Nicholas and 120 units at Bonvilston appear disproportionate to current services and facilities. The proposed level of housing provision has increased in totality within Minor Rural Villages from 787 units in the first Deposit Plan to 946 units. Further clarification is needed to explain whether provision matches need in the appropriate locations and how the proposed allocations align with the objectives of the plan. For example, scale of growth and commuting patterns. We consider that the proposed spatial distribution could potentially encourage reliance on the car and compound infrastructure problems in rural locations. **While it is acknowledged that one of the aims of the plan is to support facilities in minor rural villages, it is not clear that the rationale for allocating over 940 units in such areas has been fully evidenced.** The level of housing provision in Barry has reduced significantly from 3052 units from the previous Deposit Plan to 2360 units. **The current spatial distribution is potentially in conflict with Key Objectives 2 and 3 of the LDP. It may be necessary to allocate additional housing sites in the Key and Service Centre Settlements.**

The Welsh Government is clearly opposed to developments on this sort of scale and urges the VOGC to deal expeditiously with the stalled LDP, urging (my bold italics) that:

It is therefore *imperative* that LDP preparation moves forward *as swiftly as possible incurring no further delay*. We would wish to avoid a situation where your local authority is in a vulnerable position for an extended period of time. *The matter of whether a plan is considered 'sound' will be for the appointed Planning Inspector to determine.*

**Approval of this application in advance of the completion of due process on the LDP would make nonsense of all the work of members of the public in participating in the statutory consultation and representation at the Inspector's hearings. Their representations should and must be properly considered by VOGC and the Inspector before any application relating to MG2 43 is approved by VOGC. I object to this planning application as permitting it would act in contempt of the due process that is currently in operation by subverting the Inspector's role, position and influence.**

At packed public meetings in St Nicholas on 19 March 2012 & 2 December 2013, plans to allocate land to the East of St Nicholas for housing development were unanimously opposed, and on 22 March 2015 there was unanimous opposition at a packed public meeting to the original planning application for 79 houses. This opposition applies equally or more to the current application for 100 houses.

This planning application conflicts with many policies as indicated above and has multiple basic flaws. It is out of order and in breach of UDP policies. This planning application cannot rely on inclusion of the site as part of MG 2 [43] until my objections and those of others to the site's inclusion in the LDP have been properly considered by the VOGC and the Inspector prior to adoption of a revised LDP, as is the clear wish of the Welsh Government.

The above objections are made on objective criteria and constitute very strong arguments for refusal of this planning application. I thus request that the Council should refuse planning permission for this application and any other that may relate to all or part of MG 2 [43] until the formal adoption of the revised LDP following the Planning Inspector's decision on the soundness of the revised LDP.

As previously requested, I would be most grateful if copies of this letter could be circulated as a late missive to all members of the planning committee before its meeting on 6 October 2016, given the failure by the planning department to mention these strong arguments of objection.

Yours sincerely

Dr Paul Williams

**Payne, Adrienne J**

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**From:** [REDACTED]  
**Sent:** 03 October 2016 08:56  
**To:** Planning & Transportation (Customer Care)  
**Subject:** REDROW PLANNING APPLICATION - ST.NICHOLAS  
**Attachments:** VOG COUNCIL ST NICHOLAS .pdf

Dear Sir/Madam,

Would you please click the attached PDF which refers to the Redrow Planning Application for housing at St.Nicholas.

Yours faithfully,

Robert Davidson

RECEIVED  
03 OCT 2016  
Regeneration  
and Planning

D.E.E.R
RECEIVED
ACTION BY: SDB
NO: 27
ACK:

To:> [developmentcontrol@valeofglamorgan.gov.uk](mailto:developmentcontrol@valeofglamorgan.gov.uk)  
From:> [REDACTED]

REGARDING: APPLICATION BY REDROW FOR NEW HOMES AT ST.NICHOLAS.

Dear Members of the Planning Committee,

I note that you are reviewing an application by Redrow Homes for a development at St.Nicholas. Whilst not happy to see such a development in the Vale of Glamorgan, may I suggest that in the event that you do grant planning permission, that you insert a condition that the the actual design of any dwellings on this site must be more in keeping with the vernacular architecture of the Vale of Glamorgan. As such, this does not include red brick but should have render and perhaps limestone.

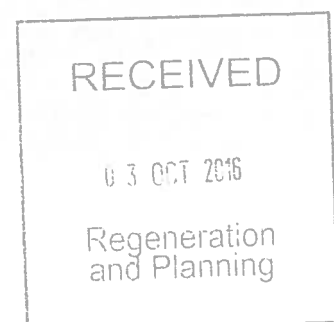
Redrow state that houses on this development will be from their 'Heritage Range'. Their Heritage Range has nothing to do with the heritage of the Vale of Glamorgan. In fact, the designs seem to be modern replicas of those put up in the 1930's in vast suburbs around British cities. You have already allowed these suburban type dwellings in the lovely village of Colwinston – see picture below:>



Also note that the garages are 1930's size and totally unsuitable for modern cars. This leads to street clutter as residents park cars on driveways or the street.

These houses look totally out of place in Vale villages.It is a great shame that the Vale of Glamorgan Planning department seem to think that this is acceptable.

Continued:> > >



The photo (below) shows the Redrow development at Wenvoe. Houses that are totally out of keeping with the Vale of Glamorgan and with useless garages leading to on street parking. Perhaps the Council think they will use the garages for their bicycles so they can use your new cycle route along the fume filled A4050?



At Colwinston, where Redrow have used stone, they have failed to match it up to the natural limestone found throughout the Vale of Glamorgan. The photograph below shows this:>





May I suggest the the Council require the house building companies to respect the local heritage of the Vale of Glamorgan. Fortunately, a local builder, JRS, has indeed done this with a development at Creigiau. Look at the two examples below which show the type of dwellings that I think would not look out of place in the VOG:>



Note the use of render and limestone along with slate (or fake slate) roofing.

The St. Lythans Park development (Bellway) is another of these awful estates of red brick houses that owe nothing to the heritage of the VOG. Instead of making a feature of the Beech Tree Inn (limestone) with perhaps a 'village green' created on the housing side with direct access, new houses are rammed right up against the boundary (next photo) and the residents have to venture out onto the road from St. Lythans in order to gain access.



Furthermore, the residents of St. Lythans Park do not have direct pedestrian access to M&S and Tesco as well as the buses on the A48 to Cowbridge, Bridgend and Porthcawl. This means that they have to walk the long way around via the A4050 and Culverhouse Cross. Clearly, most will get in their cars and have to negotiate the overloaded Culverhouse Cross Interchange. So much for being 'sustainable'!

I trust that my comments regarding house design will be taken into account when you consider the Redrow (and any other) application for housing at St. Nicholas.

Yours faithfully,

Robert Davidson.

**Payne, Adrienne J**

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**From:** Planning  
**Sent:** 02 October 2016 21:01  
**To:** Planning  
**Subject:** New comments for application 2015/00249/FUL

New comments have been received for application 2015/00249/FUL at site address: Land to the East of St. Nicholas from Mr Roger Grew [REDACTED]

**Address:**  
1 Merrick Cottages, St Nicholas, CF 5 6SQ

**Comments:**  
All the comments contained in my letter regarding the original application still stand. As do comments I made online regarding others. Redrow are just trying to wear us down. An extra 100 houses onto our small village continues to be a ludicrous proposition. It would also open the floodgates.

**Case Officer:**  
Mr. Steven Rennie

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03 OCT 2016  
Regeneration  
and Planning

D.E.E.R  
RECEIVED  
ACTION BY: ~~AMMA~~ SDB  
NO: 23  
ACK:

**Payne, Adrienne J**

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**From:** Planning  
**Sent:** 01 October 2016 21:18  
**To:** Planning  
**Subject:** New comments for application 2015/00249/FUL  
**Attachments:** 2015\_00249\_FUL\_SR2\_JMacneil\_The Croft\_StNicholas\_October16.pdf

New comments have been received for application 2015/00249/FUL at site address: Land to the East of St. Nicholas from Mr John Macneil [REDACTED]

**Address:**  
The Croft,,Cowbridge Road,,St Nicholas,CF56SH

**Comments:**  
I strongly object to this development. Detailed comments attached.

The following files have been uploaded:  
2015\_00249\_FUL\_SR2\_JMacneil\_The Croft\_StNicholas\_October16.pdf

**Case Officer:**  
Mr. Steven Rennie

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03 OCT 2016  
Regeneration  
and Planning

D.E.E.R
RECEIVED
ACTION BY: <i>BARBARA SDB</i>
NO: <i>13</i>
ACK:



The Croft,  
Cowbridge Road,  
St. Nicholas,  
Vale of Glamorgan,  
CF5 6SH.

Mr. S. Rennie  
Planning Department  
Vale of Glamorgan Council  
Dock Office  
Barry Docks  
Barry, CF63 4RT

1<sup>st</sup> October 2016

Dear Mr. Rennie,

**Ref: - Application No. 2015/00249/FUL/SR2 Development of 100 houses and associated open space vehicular and pedestrian access, landscaping and infrastructure, including the demolition of Emmaville.**

In response to your letter reference P/DC/SR2/2015/00249/FUL dated 12<sup>th</sup> September 2016 I would like to state my objection to the amended form of the proposed development, 2015/00249/FUL/SR2, on the Eastern boundary of St. Nicholas, Vale of Glamorgan.

The file "Planning layout Rev L with tracking" created on 26<sup>th</sup> September presents a proposed development of 100 buildings with the associated ~ 200 cars on 3.65 ha of high quality (good) agricultural land at the boundary a rural village of ~ 144 houses. When considered with the adjoining proposed development of 17 houses as indicated in file "Layout including adjacent proposed development" we can see how the village of St Nicholas would radically be changed for the worse if this development was to be realised.

The reasons for my objection are as follows:-

**Application is premature.**

The LDP is currently being considered by the Council at present. A number of representations and objections to the proposals in the LDP, both generally and specifically relating to land to the East of St Nicholas, which is the subject of the current application, have been submitted by members of the public. Until this review has been conducted it would seem to be premature to make any form of determination on this proposal.

**Inconsistent with the objectives of the LDP Vision document.**

This proposed development does not seem to be a sound development and is in my opinion inconsistent with the objectives stated in LDP Vision document. A development of this site would substantially change the character of the village.

Neither the site of the planning application, nor the proposals for this site appear to relate to sound spatial planning practices, the Wales Spatial Plan or Planning Policy Wales (PPW) and relevant Technical Advice Notes (TAN). Furthermore, the plan does not appear to deliver the intentions of the emerging LDP.

The modifications described in the amended plans do not address the following areas of concern and as such do not make this application acceptable development.

- The Welsh Government's presumption against unsustainable development;
- The impact of the proposed development on the St Nicholas Conservation Area, the Ely Valley and Ridge Slopes Special Landscape Area;
- Absence of demand for affordable housing in the area;
- The loss of finite, scarce agricultural land rated: good;
- Disruption of traffic on and in the vicinity of the A48 in St Nicholas;
- Inclusion of infrastructure to support future developments to the East of the St Nicholas.

### Unsustainable development.

- With limited public transport, footpaths and cycle paths, it is likely that the primary mode of transport from these proposed dwellings will be by car. As there are very limited amenities in the village this will necessitate the use of cars to travel to work and carry out basic shopping tasks.
  - The "Inclusive access" section of the Design and Access Statement (February 2016) suggesting a Travel Plan will be generated to "Promote travel by public transport, walking and cycling & Reduce reliance on the private car". However this is not going to change the fact that the principal mode of transport for the inhabitants of these dwellings will be cars.

In the case of this application, it is considered that the development would not accord with the key principles and policy objectives of sustainable development as defined by PPW. To demonstrate this harm, the scheme is assessed against relevant sustainability objectives provided in Section 4.4 of PPW below:

- **Promote resource-efficient and climate change resilient settlement patterns** -Given the lack of services and facilities within the village there is a real possibility that the proposed development will increase dependency on cars, promoting unsustainable travel patterns. As there is no identified affordable housing need within the East Vale area most, if not all of this development should be re-distributed to the areas where the need is greatest, which is also where there are the greatest number of services and facilities. This should result in a more sustainable pattern of development. The prematurity of this scheme does not allow for this consideration in the most appropriate forum;

- **Locate developments so as to minimise the demand for travel, especially by private car** – the lack of services and facilities within St Nicholas will mean that residents of the proposed development will have to access services and facilities in other areas. The majority of these trips will be made by car;

- **Support the need to tackle the causes of climate change by moving towards a low carbon economy** – the proposed development is adjacent to a village with limited services and facilities. Residents of the proposed development will therefore have to access services and facilities within higher tier settlements. The majority of these trips will be made by car and therefore the development will not assist in tackling the causes of climate change.

- **Help to ensure the conservation of the historic environment and cultural heritage, acknowledging and fostering local diversity** – the proposed development will have a significant harmful effect on the St Nicholas Conservation Area.

- **Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs** – there is currently no affordable housing need within the Eastern Vale area. The majority of need is within Barry, Penarth and the Coastal areas, where there exists a greater number of services and facilities.

- **Promote access to employment, shopping, education, health, community, leisure and sport facilities and open and green space, maximising opportunities for community development and social welfare** – the application does not provide access to any employment, education, shopping, community and leisure or sports facilities. Whilst it does provide an element of public open space, there is no certainty provided by the application as to whether the public open space provided will meet the deficit of specific types of public open spaces in St Nicholas, which was a major consideration in the site's allocation in the Deposit LDP.

- **Foster improvements to transport facilities and services which maintain or improve accessibility to services and facilities, secure employment, economic and environmental objectives, and improve safety and amenity** – the proposed development does not provide any improvements to accessing services and facilities, both for the existing and proposed resident population. Conversely, it could create an unsustainable pattern of development and a greater dependency on the private car.

- **Foster social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone that the development of land and buildings provides** – as indicated above, the proposed development would lead to a greater dependency on the use of cars.

It is clear from the assessment above that the proposed development would not constitute sustainable development and therefore the presumption in favour of sustainable development that applies as a result of the time lapsed nature of the Adopted UDP and the housing land supply situation from 2016, does not apply.

### **The Impact on the St Nicholas Conservation Area**

The application site is located immediately adjacent to the boundary of the St Nicholas Conservation Area. The Conservation Area was first designated in 1970 in recognition of the Villages special architectural and historic interest. The proposed development would adversely affect the setting of the Conservation Area and would be very visible on the approach to the village.

The proposed demolition of Emmaville to provide access to the site will significantly impact the appearance of the entrance to the village and adversely impact the local environment of buildings close to the new entrance.

### **No Demand for affordable housing in East of Vale of Glamorgan.**

As stated above there is no affordable housing need within the East Vale area as indicated in Table 8 of the Council's Local Housing Strategy (2015-20).

### **Degradation of valuable agricultural land.**

High quality agricultural land is a valuable resource which should be retained where possible in the UK. This land provides environmental, economic and security benefits and should be viewed as an asset for our country. This type of land is not suitable for residential development until all other sources of land have been exhausted.

### **Disruption of traffic on A48.**

The A48 at St Nicholas, which has a 30mph speed limit can be very congested with traffic at certain times of the day. In practice as observed by the speed survey conducted by Vectos ( "16.08.12 Vectos report.pdf\_Highway report" ) this is frequently not obeyed with average speeds of ~40mph being recorded. Frequently during rush hours cars can be slowly travelling "nose to tail" for 10's of minutes. The assertion in the Transport Assessment Addendum of March 2016 document section 2.10 that the site could accommodate more traffic than could be expected from 200 dwellings maybe correct in isolation of the volume and flow of traffic on the A48. It seems hard to believe that the proposed development will not have an adverse impact on the operation or safety of the existing local highway network.

It can frequently take several minutes for us to leave our driveway in the village which faces directly onto the A48. At rush hours without the traffic lights changing at the Dyffryn turn it can be very difficult for us to get onto the west bound section of A48.

The additional vehicles associated with this development must result in additional load on the transport system and will result in more congestion and also potential increased risk for school children crossing the A48 on their way to/from school.

### **Inclusion of infrastructure to support Future developments to East of St Nicholas Area.**

This application should be considered as providing infrastructure to support future "urbanization" of St Nicholas. As the access road to this site is supposedly designed to support 200 dwellings this development could be used support further "unsustainable" developments in the St Nicholas area.

In conclusion, it would be premature to make a determination on this application while the LDP is under review. I view this application as an "unsustainable" development which should not be considered near a Conservation Area such as St Nicholas. The proposed development is a poor use of valuable agricultural land and will likely be the "thin end of the wedge" as it promotes future "unsustainable" developments to the East of St Nicholas.

Yours sincerely,

Dr John Macneil



**Payne, Adrienne J**

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**From:** Planning  
**Sent:** 01 October 2016 21:46  
**To:** Planning  
**Subject:** New comments for application 2015/00249/FUL  
**Attachments:** 2015\_00249\_FUL\_SR2\_SMCCurien\_The Croft\_StNicholas\_October16.pdf

New comments have been received for application 2015/00249/FUL at site address: Land to the East of St. Nicholas from Ms Sophie Curier [REDACTED]

**Address:**  
The Croft,,Cowbridge Road,,St Nicholas,CF56SH

**Comments:**  
I strongly object to this development. Detailed comments attached.

The following files have been uploaded:  
2015\_00249\_FUL\_SR2\_SMCCurien\_The Croft\_StNicholas\_October16.pdf

**Case Officer:**  
Mr. Steven Rennie

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03 OCT 2016  
Regeneration  
and Planning

D.E.E.R  
RECEIVED  
ACTION BY: SDB  
NO: 14  
ACK:

Mr. S. Rennie  
Planning Department  
Vale of Glamorgan Council  
Dock Office  
Barry Docks  
Barry, CF63 4RT



The Croft,  
Cowbridge Road,  
St. Nicholas,  
Vale of Glamorgan,  
CF5 6SH.

1<sup>st</sup> October 2016

Dear Mr. Rennie,

**Ref: - Application No. 2015/00249/FUL/SR2 Development of 100 houses and associated open space vehicular and pedestrian access, landscaping and infrastructure, including the demolition of Emmaville.**

In response to your letter reference P/DC/SR2/2015/00249/FUL dated 12<sup>th</sup> September 2016 I would like to state my objection to the amended form of the proposed development, 2015/00249/FUL/SR2, on the Eastern boundary of St. Nicholas, Vale of Glamorgan.

The file "Planning layout Rev L with tracking" created on 26<sup>th</sup> September presents a proposed development of 100 buildings with the associated ~ 200 cars on 3.65 ha of high quality (good) agricultural land at the boundary a rural village of ~ 144 houses. When considered with the adjoining proposed development of 17 houses as indicated in file "Layout including adjacent proposed development" we can see how the village of St Nicholas would radically be changed for the worse if this development was to be realised.

The reasons for my objection are as follows:-

**Application is premature.**

The LDP is currently being considered by the Council at present. A number of representations and objections to the proposals in the LDP, both generally and specifically relating to land to the East of St Nicholas, which is the subject of the current application, have been submitted by members of the public. Until this review has been conducted it would seem to be premature to make any form of determination on this proposal.

**Inconsistent with the objectives of the LDP Vision document.**

This proposed development does not seem to be a sound development and is in my opinion inconsistent with the objectives stated in LDP Vision document. A development of this site would substantially change the character of the village.

Neither the site of the planning application, nor the proposals for this site appear to relate to sound spatial planning practices, the Wales Spatial Plan or Planning Policy Wales (PPW) and relevant Technical Advice Notes (TAN). Furthermore, the plan does not appear to deliver the intentions of the emerging LDP.

The modifications described in the amended plans do not address the following areas of concern and as such do not make this application acceptable development.

- The Welsh Government's presumption against unsustainable development;
- The impact of the proposed development on the St Nicholas Conservation Area, the Ely Valley and Ridge Slopes Special Landscape Area;
- Absence of demand for affordable housing in the area;
- The loss of finite, scarce agricultural land rated: good;
- Disruption of traffic on and in the vicinity of the A48 in St Nicholas;
- Inclusion of infrastructure to support future developments to the East of the St Nicholas.

### Unsustainable development.

- With limited public transport, footpaths and cycle paths, it is likely that the primary mode of transport from these proposed dwellings will be by car. As there are very limited amenities in the village this will necessitate the use of cars to travel to work and carry out basic shopping tasks.
  - The "Inclusive access" section of the Design and Access Statement (February 2016) suggesting a Travel Plan will be generated to "Promote travel by public transport, walking and cycling & Reduce reliance on the private car". However this is not going to change the fact that the principal mode of transport for the inhabitants of these dwellings will be cars.

In the case of this application, it is considered that the development would not accord with the key principles and policy objectives of sustainable development as defined by PPW. To demonstrate this harm, the scheme is assessed against relevant sustainability objectives provided in Section 4.4 of PPW below:

- **Promote resource-efficient and climate change resilient settlement patterns** -Given the lack of services and facilities within the village there is a real possibility that the proposed development will increase dependency on cars, promoting unsustainable travel patterns. As there is no identified affordable housing need within the East Vale area most, if not all of this development should be re-distributed to the areas where the need is greatest, which is also where there are the greatest number of services and facilities. This should result in a more sustainable pattern of development. The prematurity of this scheme does not allow for this consideration in the most appropriate forum;

- **Locate developments so as to minimise the demand for travel, especially by private car** – the lack of services and facilities within St Nicholas will mean that residents of the proposed development will have to access services and facilities in other areas. The majority of these trips will be made by car;

- **Support the need to tackle the causes of climate change by moving towards a low carbon economy** – the proposed development is adjacent to a village with limited services and facilities. Residents of the proposed development will therefore have to access services and facilities within higher tier settlements. The majority of these trips will be made by car and therefore the development will not assist in tackling the causes of climate change.

- **Help to ensure the conservation of the historic environment and cultural heritage, acknowledging and fostering local diversity** – the proposed development will have a significant harmful effect on the St Nicholas Conservation Area.

- **Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs** – there is currently no affordable housing need within the Eastern Vale area. The majority of need is within Barry, Penarth and the Coastal areas, where there exists a greater number of services and facilities.

- **Promote access to employment, shopping, education, health, community, leisure and sport facilities and open and green space, maximising opportunities for community development and social welfare** – the application does not provide access to any employment, education, shopping, community and leisure or sports facilities. Whilst it does provide an element of public open space, there is no certainty provided by the application as to whether the public open space provided will meet the deficit of specific types of public open spaces in St Nicholas, which was a major consideration in the site's allocation in the Deposit LDP.

- **Foster improvements to transport facilities and services which maintain or improve accessibility to services and facilities, secure employment, economic and environmental objectives, and improve safety and amenity** – the proposed development does not provide any improvements to accessing services and facilities, both for the existing and proposed resident population. Conversely, it could create an unsustainable pattern of development and a greater dependency on the private car.

- **Foster social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone that the development of land and buildings provides** – as indicated above, the proposed development would lead to a greater dependency on the use of cars.

It is clear from the assessment above that the proposed development would not constitute sustainable development and therefore the presumption in favour of sustainable development that applies as a result of the time lapsed nature of the Adopted UDP and the housing land supply situation from 2016, does not apply.

### **The Impact on the St Nicholas Conservation Area**

The application site is located immediately adjacent to the boundary of the St Nicholas Conservation Area. The Conservation Area was first designated in 1970 in recognition of the Villages special architectural and historic interest. The proposed development would adversely affect the setting of the Conservation Area and would be very visible on the approach to the village.

The proposed demolition of Emmaville to provide access to the site will significantly impact the appearance of the entrance to the village and adversely impact the local environment of buildings close to the new entrance.

### **No Demand for affordable housing in East of Vale of Glamorgan.**

As stated above there is no affordable housing need within the East Vale area as indicated in Table 8 of the Council's Local Housing Strategy (2015-20).

### **Degradation of valuable agricultural land.**

High quality agricultural land is a valuable resource which should be retained where possible in the UK. This land provides environmental, economic and security benefits and should be viewed as an asset for our country. This type of land is not suitable for residential development until all other sources of land have been exhausted.

### **Disruption of traffic on A48.**

The A48 at St Nicholas, which has a 30mph speed limit can be very congested with traffic at certain times of the day. In practice as observed by the speed survey conducted by Vectos ( "16.08.12 Vectos report.pdf\_Highway report" ) this is frequently not obeyed with average speeds of ~40mph being recorded. Frequently during rush hours cars can be slowly travelling "nose to tail" for 10's of minutes. The assertion in the Transport Assessment Addendum of March 2016 document section 2.10 that the site could accommodate more traffic than could be expected from 200 dwellings maybe correct in isolation of the volume and flow of traffic on the A48. It seems hard to believe that the proposed development will not have an adverse impact on the operation or safety of the existing local highway network.

It can frequently take several minutes for us to leave our driveway in the village which faces directly onto the A48. At rush hours without the traffic lights changing at the Dyffryn turn it can be very difficult for us to get onto the west bound section of A48.

The additional vehicles associated with this development must result in additional load on the transport system and will result in more congestion and also potential increased risk for school children crossing the A48 on their way to/from school.

### **Inclusion of infrastructure to support Future developments to East of St Nicholas Area.**

This application should be considered as providing infrastructure to support future "urbanization" of St Nicholas. As the access road to this site is supposedly designed to support 200 dwellings this development could be used support further "unsustainable" developments in the St Nicholas area.

In conclusion, it would be premature to make a determination on this application while the LDP is under review. I view this application as an "unsustainable" development which should not be considered near a Conservation Area such as St Nicholas. The proposed development is a poor use of valuable agricultural land and will likely be the "thin end of the wedge" as it promotes future "unsustainable" developments to the East of St Nicholas.

Yours sincerely,

Sophie Curien

**Payne, Adrienne J**

**From:** Planning  
**Sent:** 25 September 2016 07:55  
**To:** Planning  
**Subject:** New comments for application 2015/00249/FUL

RECEIVED  
26 SEP 2016  
Regeneration  
and Planning

New comments have been received for application 2015/00249/FUL at site address: Land to the East of St. Nicholas

from Ms mechelle collard [REDACTED]

**Address:**  
2 broadway green st nicholas ,cf5 6sr

**Comments:**

Removing the bungalow 'Emmaville' would change the character of the village. The construction of 100 houses is completely unacceptable due to the extra traffic this would produce, the nearest supermarket although not a long distance away (approx 2 miles) is down a very steep hill. No One could carry their shopping back up the hill. Therefore all 100 houses would need a car (or 2 cars). This will produce even more traffic coming through the village. At peak times eg 8am the traffic is backed up through Bonvilston to the 5 mile lane junction already, to add another 100 cars at least is irresponsible. There already large urbanisations in the Vale eg Barry and Cowbridge and houses should be built in these towns first where there are the facilities to support new residents. With new houses at Culverhouse cross, Wenvoe and Colwinston already being built it is difficult to understand why another 100 are needed in St Nicholas.

**Case Officer:**  
Mr. Steven Rennie

D.E.E.R  
RECEIVED  
ACTION BY: *SE211R*  
NO: *14*  
ACK:

**Payne, Adrienne J**

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**From:** Planning  
**Sent:** 25 September 2016 15:08  
**To:** Planning  
**Subject:** New comments for application 2015/00249/FUL

New comments have been received for application 2015/00249/FUL at site address: Land to the East of St. Nicholas  
from Mr Neal Berford [REDACTED]  
Address:  
2 broadway green ,st nicholas,cf56sr

RECEIVED  
26 SEP 2016  
Regeneration  
and Planning

**Comments:**  
as with all of the previous applications I OBJECT to this development on the grounds that it will detrimentally change the village, which is the gateway to the Vale and also that this will have an adverse effect upon road traffic on the A48, which is already too busy during peak times.

**Case Officer:**  
Mr. Steven Rennie

D.E.E.R  
RECEIVED  
ACTION BY: SDB  
NO: 18  
ACK:

**Payne, Adrienne J**

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**From:** Planning  
**Sent:** 16 September 2016 14:02  
**To:** Planning  
**Subject:** New comments for application 2015/00249/FUL

New comments have been received for application 2015/00249/FUL at site address: Land to the East of St. Nicholas from Mr Peter Lindsay Gray [REDACTED]

**Address:**  
Pheasant Rise, Cowbridge Road, St Nicholas, Cardiff, CF5 6SH

**Comments:**  
I object strongly to the proposals for two fundamental reasons:

1. Unlike most villages in the area, there is no shop, no pub and very little in the way of social infrastructure. In addition, the school is full and oversubscribed.
2. Enormous pressures would be placed on the A48 which already suffers badly from the build up of traffic at peak times on this section of the main access road into Cardiff from Cowbridge and surrounding areas.

**Case Officer:**  
Mr. Steven Rennie

RECEIVED  
16 SEP 2016  
Regeneration  
and Planning

D.E.E.R
RECEIVED
ACTION BY: <i>WMA SDG</i>
NO: <i>2</i>
ACK:



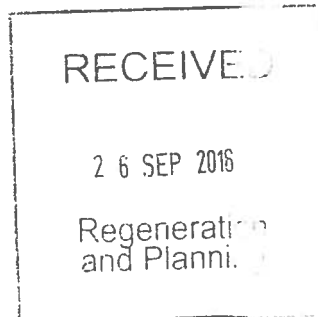
**Payne, Adrienne J**

**From:** Rennie, Steven  
**Sent:** 26 September 2016 10:05  
**To:** Planning  
**Subject:** FW: Further Objection to Planning Application for Land to the East of St Nicholas: 2015/00249/FUL/SR2  
**Attachments:** 2016 03 28 - Paul Williams letter of objection.docx; 2016 04 16 - Paul Williams letter of objection.docx; 2016 09 25 - Paul Williams letter of objection.docx

Objection letters to be registered, printed and stamped.

Thanks

Steven Rennie  
Senior Planner / Uwch Gynllunydd  
Regeneration and Planning / Adfywio a Chynllunio  
Vale of Glamorgan Council / Cyngor Bro Morgannwg  
tel / ffôn: 01446 704653  
mob / sym:  
e-mail / e-bost: [srennie@valeofglamorgan.gov.uk](mailto:srennie@valeofglamorgan.gov.uk)



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Ewch i'n gwefan yn [www.bromorgannwg.gov.uk](http://www.bromorgannwg.gov.uk)

[Find us on Facebook / Cewch ddod o hyd i ni ar Facebook](#)  
[Follow us on Twitter / Dilynwch ni ar Twitter](#)

D.E. H.
RECEIVED
ACTION BY SDB
NO: 27
ACK

Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

**From:** Paul Williams [mailto:████████████████████]  
**Sent:** 25 September 2016 13:10  
**To:** Rennie, Steven  
**Subject:** Further Objection to Planning Application for Land to the East of St Nicholas: 2015/00249/FUL/SR2

Dear Mr Rennie

**Planning Application by Redrow Homes: Land to the East of St Nicholas: LDP Site MG2 [43]**  
**12 September 2016: Amended proposal to build 100 houses Your ref: 2015/00249/FUL/SR2**  
<http://vogonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2015/00249/FUL>

I refer to my previous letters regarding the above planning application (2 of the recent ones attached).  
I wish to reiterate all of the objections that I have made to this proposed development in the past.

I am writing with 2 further objections, to be added to those made previously by me:

- 1 The proposals do not include any plan to respect the privacy of my garden. The document **1537-01J Planning Layout St Nicholas.pdf** does not show any proposal to place a fence or wall in-between my garden and the new proposed development. The existing hedgerow between myself and the field appears to be the sole barrier between myself and the new housing. The existing hedgerow is made of deciduous plants. From November to June the absence of leaves in this hedge thus means that it is possible to see straight through it. This does not matter when the area to the North and East of the garden is open countryside. If this should be built upon then occupants of houses surrounding the garden on these sides would have an open view into my garden through the hedge. It is thus necessary for the developers to include in their plans a

new fence or wall to be built to surround the existing hedge in order to preserve the privacy hitherto existing.

- 2 The road leading west from the land to Ger-y-Ilan (the road past Nos 11, 12 and 14 Ger-y-Ilan) is an unadopted road and not a public right of way. The amended site plan of 3 March 2016 showed a new pedestrian gateway from the land into this road. There is furthermore a proposal in Section 3 of the *Revised design and access statement* for provision of pedestrian and cycle access to Ger-y-Ilan via this unadopted road. The current plans show drop-down bollards as replacements for the existing gate leading into the field. The owners of the field only have limited rights of access to the field via this unadopted road. There is no automatic access to this road from the residents of this massive proposed development. The proposed use of this unadopted road for access to Ger-y-Ilan by those living in 117 houses would certainly not cause **minimal neighbour impact within the site and surrounding properties** as is claimed in Section 4. It would cause a major disturbance to the amenity of the occupiers of the above 3 properties and to all the other residents of Ger-y-Ilan. I would suggest that erection of a wall at the site of the existing gate would be the minimum requirement to enable there to be caused '**minimal neighbour impact within the site and surrounding properties**'. I thus object to the proposal to permit this pedestrian and cycle access to Ger-y-Ilan via this route.

As previously stated this planning application conflicts with many Vale of Glamorgan planning policies, has multiple basic flaws, is out of order and in breach of stated planning policies.

I would be most grateful if you would acknowledge receipt of this further letter of objection.

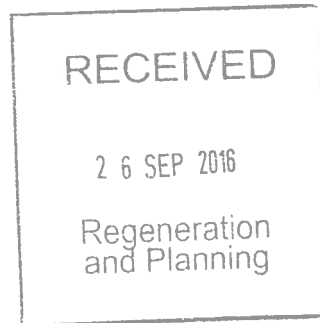
Yours sincerely

Dr Paul Williams

11 Ger-y-Ilan  
St Nicholas  
Vale of Glamorgan  
CF5 6SY

28 March 2016

Mr Steven Rennie  
Planning Department  
The Vale of Glamorgan Council  
Dock Office  
Barry CF63 4RT



Dear Mr Rennie

**Planning Application by Redrow Homes: Land to the East of St Nicholas: LDP Site MG2 [43]  
11 March 2016: Amended proposal to build 101 houses Your ref: 2015/00249/FUL/SR2**

I wish to object to the above planning application for development of 101 houses on land to the east of St Nicholas for many reasons which I give below:

- 1 This application is out of order** The Deposit Local Development Plan (LDP) is currently being processed by the Vale of Glamorgan Council (VOGC). I have previously registered my objections to this, as have numerous other residents of St Nicholas, on the basis of a large number of errors and wrong conclusions made by the authors of the LDP. These objections and the consideration that should be given to them are currently subject to the required due process. The land to the east of St Nicholas that is the subject of this planning application forms part of the allocated site number MG2-43 which should be deleted from the LDP on numerous grounds as set forth in my objections to the LDP. For the planning officers of the VOGC to give permission for this planning application to go ahead would make a mockery of the planning process in that the constitutional objections would be ignored before the Inspector has issued his verdict on the LDP. This application is totally out of order by virtue of being lodged during a period when consideration of the LDP is still ongoing. To grant permission for this application to go ahead would constitute an abuse of the planning procedure that would indicate to any party with a vested interest in future how to overthrow the judgement and undermine the professionalism of planning officers, by subverting the very planning process itself. The VOGC has already confirmed that it currently has no shortfall in the 5-year supply of land for housing, such that there is no justification to consider this application at this time, before the formal adoption of the LDP after the Inspector's report. **The application is premature and should not be considered as the site forms part of MG2-43 which should be deleted from the LDP, as suggested by many persons, whose objections are constitutionally under consideration at present. This should disallow this application from being considered further, as allowing it to proceed would willfully consign constitutional objections to dismissal by planning officers or the VOGC, rather than by the Inspector.**

- 2      **The proposals in this application are contrary to or in breach of the policies in the most recent Unitary Development Plan (UDP). With reference to the current documents referred to by the LDP:**
- A.    **The document 01 - Deposit plan written statement November 2013 states on pages 25 & 26 under 'Vision and Objectives' that objective 4 is to protect and enhance the Vale of Glamorgan's historic, built, and natural environment. Objective 10 is to ensure that development within the Vale of Glamorgan uses land effectively and efficiently and to promote the sustainable use and management of natural resources. This planning application is not consistent with either of these objectives. The proposed site is currently prime agricultural land in open countryside. This is graded as grade 2 land, not grade 3A as Redrow claim it to be. It is not an in-fill area of land. The village of St Nicholas would be completely distorted by such a massive development. This would represent a major incursion of building into open countryside. This planning application would have a major detrimental impact on the existing character and local environment of the minor rural settlement of St Nicholas, which has grown organically over many centuries. This planning application completely contravenes objective 4. Such objections to development on this scale have already been pointed out to the VOGC by the Welsh government in its response to the initial LDP.**
- B.    **The document 01 - Deposit plan written statement November 2013 states on pages 55 – 59 under 'Policy MG1 – Housing supply in the Vale of Glamorgan that there is a housing land requirement of 9,950 new dwellings during the plan period. It goes on to say, *inter alia*, that this will be met through the use of small sites including infill and with priority given to brown field and committed sites. The land to the East of St Nicholas is neither in-fill nor brown field site and so these proposals do not comply with policy MG1.**
- C.    **The document 01 - Deposit plan written statement November 2013 states on page 94 under 'Policy MD1 – Location of new development that 'development will be favoured where it has no unacceptable impact on the countryside. The planning application by Redrow has a major impact on the countryside. The proposals to develop the land to the East of St Nicholas directly contravenes policy MD1.**
- D.    **The document 01 - Deposit plan written statement November 2013 states on pages 95–97 under 'Policy MD2 – Place making that proposals should ' Respond appropriately to the local context and character of neighborhood buildings in terms of type, form, scale, mix and density. This planning application is for 101 houses on 3.65 hectares of land, a density of 27.7 houses per hectare. This grossly exceeds the adjacent Conservation Area which has a density of less than 6 houses per hectare. This is an urban degree of density that is completely out of context with the existing village and Conservation Area – one that would permanently ruin its character and amenity. This planning application directly contravenes policy MD2 (paragraphs 7.5 of the LDP and 4.5 of the Deposit LDP). It is wrongly claimed at paragraph 2 of the Planning Statement that there is no planning history for the Site. Two planning applications for house construction on part of the Site were refused by VOGC on 10 January 1989 for the construction of 10 houses and on 22 May 1991 for the construction of 6 houses (ref 1988/01152/OUT). The grounds for refusing permission for the construction of 6 or 10 houses apply even more to the proposed construction of 101 houses.**

In its representations to VOGC on the LDP, the Welsh Assembly Government stated that 'Allocations in some minor rural settlements, for example, 100 units at St Nicholas

and 120 units at Bonvilston **appear disproportionate to current services and facilities.**' (paragraph B.1(d) of the Annex to the letter of 20 December 2013, VOGC reference P/POL/AMW/LDP3). **The scale of developed in this application is wholly disproportionate to the size of the current village.**

- E. The document **01 - Deposit plan written statement November 2013** states on page 102 under 'Policy MD6 – Development within minor rural settlements that new developments in minor rural settlements will be permitted where 'the proposal would not represent a visual intrusion into countryside or the loss of important open spaces that contribute to local amenity, character or distinctiveness'. **This planning application constitutes a de facto visual intrusion into countryside, and the distinct character and amenity of the rural view of St Nicholas after emerging from the urban environments of Cardiff and Culverhouse Cross. Proposals to develop the land to the East of St Nicholas thus directly contravene policy MD6.**
- F. The document **01 - Deposit plan written statement November 2013** states on page 106 under 'Policy MD9 – Historic Environment that development proposals must protect the qualities of the built and historic environment of the Vale of Glamorgan, specifically within Conservation Areas, development proposals must preserve or enhance the character or appearance of the area. **The area of land to the East of St Nicholas borders the Conservation envelope of the village, and was not included in the UDP as land for development. This planning application is the contrary to the UDP. It neither preserves nor enhances the character or the appearance of the area, and so directly contravenes policy MD9.**
- G. The document **10 – LDP Affordable Housing Background paper** shows on Table 2, page 5 the distribution of Affordable Housing Requirement in the Vale:

a. Sub Area	Need Requirement					
	1. Need	Supply	Total	% of net shortfall	Supply (% of need)	
b. Barry	1,018	466	552	59.9%	45.8%	
c. Penarth	236	109	153	16.6%	41.6%	
d. Rural	45	10	35	3.8%	22.3%	
<b>e. East Vale</b>	<b>-3</b>	<b>4</b>	<b>-7</b>	<b>0</b>	<b>-</b>	
f. Coastal 236	54	182	19.7%		22.9%	
g. Total	1,558	643	915	100%	41.3%	

The (**emboldened row in the**) Table shows (and paragraph 3.7 above it in document 10 states) that there is no shortage of affordable housing identified in the Eastern Vale. **Proposals to develop the land to the East of St Nicholas thus cannot be justified by a putative need for affordable housing, for no such housing is required in the Eastern Vale. The lack of local services such as a shop, post office, public house, doctor's surgery etc and infrequent bus services make the construction of affordable housing at this site even more illogical.**

- H. The document **11 – LDP Affordable Housing Viability Study** shows on Table 3.3 and 3.4 on page 21-22 the cost of residential and industrial land values regionally.

**Table 3.3 Residential land values regionally**

WALES			
REGION	Small Sites (sites for less than five houses)	Bulk Land (sites in excess of two hectares)	Sites for flats or maisonettes
	£s per hectare	£s per hectare	£s per hectare
Cardiff	2,750,000	2,750,000	2,600,000
Carmarthen	900,000	900,000	850,000
Merthyr Tydfil	1,100,000	1,000,000	1,000,000
Bridgend	1,550,000	1,550,000	1,550,000
Swansea	1,400,000	1,400,000	1,800,000
Llandudno	1,000,000	850,000	1,000,000
Newport	1,900,000	1,900,000	1,400,000
Wrexham	1,000,000	850,000	1,000,000

Table 3.4 Industrial land values in Wales

WALES			
	From £s per ha	To £s per ha	Typical £s per ha
Cardiff	210,000	315,000	270,000
Carmarthen	160,000	210,000	190,000
Merthyr Tydfil	135,000	200,000	160,000
Taff Ely	125,000	205,000	140,000
Swansea	190,000	245,000	235,000
Colwyn Bay/Llandudno	200,000	300,000	250,000
Newport	180,000	250,000	225,000
Deeside	200,000	300,000	250,000

They show that the cost of Industrial land is about 1/6<sup>th</sup> to 1/10<sup>th</sup> that of residential land. The cost of the plot of land upon which a house is built is for most houses the major part of the cost. Thus houses will be much cheaper if built on industrial land. This proportional better value (more sq ft of living space per £ spent) will apply particularly to affordable housing. Thus the economics argues strongly in favour of not developing prime-land sites such as the land to the East of St Nicholas, but developing sites in the Vale such as Llandow Trading estate. Any housing need in the Vale of Glamorgan could be provided on brownfield land such as Llandow or land of lower agricultural grade. The proposed site allocation on grade 2 (or 3A) agricultural land **conflicts with paragraph 4.10.1 of July 2014 'Planning policy for Wales'**.

- I. The document **20 – LDP findings of the Site Assessment Background paper** shows on Table 5 (page 47), which shows the sustainability scores for allocated sites, that the site for which planning permission is sought scores a ' - ' on 'To use land effectively and efficiently', 'To protect and enhance the built environment and natural environment' and 'To reduce the need to travel and enable the use of more sustainable modes of transport'. **Proposals to develop the land to the East of St Nicholas by the VOGC's own assessment thus represents failure in these major conservation and green objectives.**
- J. The document **21 – LDP Green Wedge Background paper** states on page 9 that each of the existing green wedges and any proposals for new green wedges are assessed against the following objectives:
  - a. To prevent urban coalescence between and within settlements;
  - b. To ensure that development does not prejudice the open nature of the land;
  - c. To protect undeveloped land from speculative development and
  - d. To maintain the setting of built up areas

The land for which planning permission is sought should become part of the green wedge to prevent the coalescence of Culverhouse/Cardiff and the Eastern Vale by extending the existing green wedge that lies north of Wenvoe westwards. We should be increasingly protecting and extending such green wedge areas rather than developing those agricultural areas that adjoin existing green wedges. **Proposals to develop the land to the East of St Nicholas make such coalescence between Culverhouse Cross and the Eastern Vale at some stage in the future more likely.**

- K. The document **31 – LDP Population & Housing Projections Background paper** shows in Table 1 (page 10) the main components of population change used in the Welsh Government **2006-2030** based predictions for the Vale of Glamorgan. The no of births per year exceed the no of deaths by between 2 and 250 per year. However there is net migration of population into the Vale of Glamorgan of **815** per year. **It is this projected inward migration of 815 per year that creates the bulk of the projected housing demand.**

Table 10 (page 23) shows the main components of population change used in the Welsh Government **2008-2032** based predictions for the Vale of Glamorgan. The no of births per year exceed the no of deaths by between 44 and 350 per year. However there is net migration of population in to the Vale of Glamorgan is now significantly lower than the 2006 estimate, at **547** per year. **Thus in the 2 years from 2006 to 2008, the projected inward migration has been reassessed and reduced from 815 to 547 per year.**

Table 29 (page 42) shows the main components of population change used in the Welsh Government **2011-2036** based predictions for the Vale of Glamorgan. The no of births per year exceed the no of deaths by between 241 and -209 per year. However there is net migration of population in to the Vale of Glamorgan is now again significantly lower than previous estimates at **217** per year. **Thus in the years 2006 to 2008 to 2011, the projected inward migration has been reassessed and downsized from 815 to 547 to 217 per year.**

In view of this level of downsizing of estimates, and likely continuing very slow economic growth for many years ahead due to global economic reasons (the continuing rise of China, India, SE Asia) and domestic ones (National debt and weak economic performance) we are very unlikely of requiring levels of extra housing in the Vale of Glamorgan beyond those already achieved operative for the next 5 years. **This planning application is for the building of houses for which there is no current need. Any justification for permitting this development on the basis of housing need flies in the face of the Welsh Government's own projections.**

- 3** **This proposed development would have major consequences on A48 traffic.** St Nicholas does not have many essential facilities such as a shop, post office, doctor's surgery, public house etc and as a consequence any housing development would entail frequent short car journeys by residents, given the very limited public transport facilities. **This is contrary to Objective 3 and to the objective expressed in paragraph 7.12 of the LDP.** The centre of the village is frequently packed with parked cars, particularly at school times and this already presents great danger to children and adults. The roads are very narrow and lack pavements - indeed it is frequent that cars have to reverse in order to pass in opposite directions. The exits from the north side of the village on to the A48 are blind and difficult to negotiate. Joining the A48, particularly when turning to the West is difficult at the best of times and extremely difficult during the prolonged morning and evening rush hours. The proposed

development of 101 houses would the ingress and egress of up to 200 cars daily. These would present a very significant hazard to the voluminous traffic traversing St Nicholas, especially for cars turning to the right either onto the A48 or exiting the A48. The capacity of the A48 has been calculated wrongly by estimating it at the points between Cowbridge and Culverhouse cross that have a (deregulated) 60 mph speed limit. The traffic flow slows considerably through St Nicholas (which has a 30 mph speed limit). The A48 is already at overcapacity through St Nicholas. **I object to this planning application as the addition of a substantial number of cars entering and leaving the A48 at St Nicholas would cause substantial further disruption, delay and possible danger in a situation that is already very close to gridlock.**

- 4 **Delay by the VOGC in responding to the Welsh Government** The Welsh Government's response to the VOGC Revised deposit LDP in their letter of 20 December 2013 (refs: QA980858 & P/POL/AMW/LDP3) states that:

The current consultation on the Draft Planning Bill makes reference to end dates of development plans, after which it is proposed they no longer remain extant. This would apply to the Vale of Glamorgan's Unitary Development Plan (UDP) which expired in 2011. This could result in the authority having no extant development plan in place to make decisions before adoption of the LDP. It is therefore imperative that LDP preparation moves forward as swiftly as possible incurring no further delay. We would wish to avoid a situation where your local authority is in a vulnerable position for an extended period of time. The matter of whether a plan is considered 'sound' will be for the appointed Planning Inspector to determine. I have considered the Deposit LDP in accordance with the consistency/coherence tests, and principally in accordance with whether satisfactory regard has been given to national planning policy (test C2). **The Welsh Government's representations are separated into 4 categories which are supported with more detail in the attached annex.**

The annex states:

**d) Spatial Strategy -Policy MG 2**

It is unclear how the role and function of settlements has been reflected with regard to the scale of housing proposed. While the scoring matrix focuses on 'functional links' (Sustainable Settlements Appraisal 2013) the services and facilities in many of the minor rural villages themselves appear poor. Allocations in some minor rural settlements, for example, 100 units at St Nicholas and 120 units at Bonvilston appear disproportionate to current services and facilities. The proposed level of housing provision has increased in totality within Minor Rural Villages from 787 units in the first Deposit Plan to 946 units. Further clarification is needed to explain whether provision matches need in the appropriate locations and how the proposed allocations align with the objectives of the plan. For example, scale of growth and commuting patterns. We consider that the proposed spatial distribution could potentially encourage reliance on the car and compound infrastructure problems in rural locations. **While it is acknowledged that one of the aims of the plan is to support facilities in minor rural villages, it is not clear that the rationale for allocating over 940 units in such areas has been fully evidenced.** The level of housing provision in Barry has reduced significantly from 3052 units from the previous Deposit Plan to 2360 units. **The current spatial distribution is potentially in conflict with Key Objectives 2 and 3 of the LDP. It may be necessary to allocate additional housing sites in the Key and Service Centre Settlements.**

The Welsh Government is clearly opposed to developments on this sort of scale and urges the VOGC to deal expeditiously with the stalled LDP, urging (my bold italics) that:



It is therefore *imperative* that LDP preparation moves forward *as swiftly as possible incurring no further delay*. We would wish to avoid a situation where your local authority is in a vulnerable position for an extended period of time. *The matter of whether a plan is considered 'sound' will be for the appointed Planning Inspector to determine.*

**Approval of this application in advance of the completion of due process on the LDP would make nonsense of all the work of members of the public in participating in the statutory consultation and representation at the Inspector's hearings. Their representations should and must be properly considered by VOGC and the Inspector before any application relating to MG2 43 is approved by VOGC. I object to this planning application as permitting it would act in contempt of the due process that is currently in operation by subverting the Inspector's role, position and influence.**

At packed public meetings in St Nicholas on 19 March 2012 & 2 December 2013, plans to allocate land to the East of St Nicholas for housing development were unanimously opposed, and on 22 March 2015 there was unanimous opposition at a packed public meeting to the original planning application for 79 houses. This opposition applies equally or more to the current application for 101 houses.

This planning application conflicts with many policies as indicated above and has multiple basic flaws. It is out of order and in breach of UDP policies. This planning application cannot rely on inclusion of the site as part of MG 2 [43] until my objections and those of others to the site's inclusion in the LDP have been properly considered by the VOGC and the Inspector prior to adoption of a revised LDP, as is the clear wish of the Welsh Government.

For the above reasons, I object to this planning application and request the Council to refuse planning permission for this application and any other that made relate to all or part of MG 2 [43] until the formal adoption of the revised LDP following the Planning Inspector's decision on the soundness of the revised LDP.

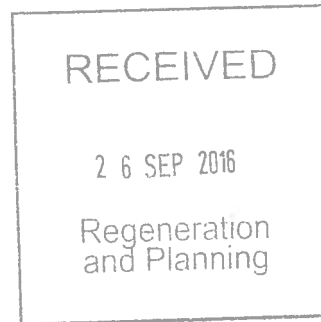
Yours sincerely

Dr Paul Williams

11 Ger-y-Ilan  
St Nicholas  
Vale of Glamorgan  
CF5 6SY

16 April 2016

Mr Steven Rennie  
Planning Department  
The Vale of Glamorgan Council  
Dock Office  
Barry CF63 4RT



Dear Mr Rennie

**Planning Application by Redrow Homes: Land to the East of St Nicholas: LDP Site MG2 [43]  
11 March 2016: Amended proposal to build 101 houses Your ref: 2015/00249/FUL/SR2**

I refer to my previous letters regarding the above planning application and am writing with 2 further objections, to be added to those made previously made by me in my earlier correspondence.

- 1 The removal from the earlier applications of open space for any children to play in leaves insufficient space for the massive scale of development proposed. This is seemingly because of the alleged availability of the St Nicholas school playing field, which is in fact not accessible out of school hours. I object to the omission of this playing area as it might lead to the dangerous situation of children playing in the narrow roads of the proposed development or the narrow roads of the village.
- 2 The road leading west from the land to Ger-y-Ilan (the road past Nos 11, 12 and 14 Ger-y-Ilan) is an unadopted road and not a public right of way. On close examination the Amended site plan of 3 March 2016 shows a new pedestrian gateway from the land into this road. There is furthermore a proposal in Section 3 of the *Revised design and access statement* for provision of pedestrian and cycle access to Ger-y-Ilan via this unadopted road. The owners of the land only have limited rights of access to the field via this unadopted road. There is no automatic access to this road from the residents of this massive proposed development. The proposed use of this unadopted road for access to Ger-y-Ilan by those living in 121 houses would certainly not cause **minimal neighbour impact within the site and surrounding properties** as is claimed in Section 4. It would cause a major disturbance to the amenity of the occupiers of the above 3 properties and to all the other residents of Ger-y-Ilan. I thus object to the proposal to permit this pedestrian and cycle access to Ger-y-Ilan via this route.

As previously stated this planning application conflicts with many Vale of Glamorgan planning policies, has multiple basic flaws, is out of order and in breach of stated planning policies.

I would be most grateful if you would acknowledge receipt of this further letter of objection.

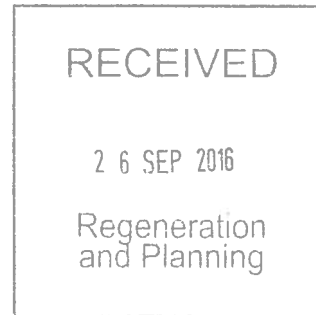
Yours sincerely

Dr Paul Williams

11 Ger-y-llan  
St Nicholas  
Vale of Glamorgan  
CF5 6SY

25 September 2016

Mr Steven Rennie  
Planning Department  
The Vale of Glamorgan Council  
Dock Office  
Barry CF63 4RT



Dear Mr Rennie

Dear Mr Rennie

**Planning Application by Redrow Homes: Land to the East of St Nicholas: LDP Site MG2 [43] 12 September 2016: Amended proposal to build 100 houses Your ref: 2015/00249/FUL/SR2**  
<http://vogonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2015/00249/FUL>

I refer to my previous letters regarding the above planning application (2 of the recent ones attached).

I wish to reiterate all of the objections that I have made to this proposed development in the past.

I am writing with 2 further objections, to be added to those made previously by me:

- 1 The proposals do not include any plan to respect the privacy of my garden. The document **1537-01J Planning Layout St Nicholas.pdf** does not show any proposal to place a fence or wall in-between my garden and the new proposed development. The existing hedgerow between myself and the field appears to be the sole barrier between myself and the new housing. The existing hedgerow is made of deciduous plants. From November to June the absence of leaves in this hedge thus means that it is possible to see straight through it. This does not matter when the area to the North and East of the garden is open countryside. If this should be built upon then occupants of houses surrounding the garden on these sides would have an open view into my garden through the hedge. It is thus necessary for the developers to include in their plans a new fence or wall to be built to surround the existing hedge in order to preserve the privacy hitherto existing.
- 2 The road leading west from the land to Ger-y-llan (the road past Nos 11, 12 and 14 Ger-y-llan) is an unadopted road and not a public right of way. The amended site plan of 3 March 2016 showed a new pedestrian gateway from the land into this road. There is furthermore a proposal in Section 3 of the *Revised design and access statement* for provision of pedestrian and cycle access to Ger-y-llan via this unadopted road. The current plans show drop-down bollards as replacements for the existing gate leading into the field. The owners of the field only have limited rights of access to the field via this unadopted road. There is no automatic access to this road from the residents of this massive proposed development. The proposed use of this unadopted road for access to Ger-y-llan by those living in 117 houses would certainly not cause **minimal neighbour impact within the site and surrounding properties** as is claimed in Section 4. It would cause a major disturbance to the amenity of the occupiers of the above 3 properties and to all the other residents of Ger-y-llan. I would suggest that erection of

a wall at the site of the existing gate would be the minimum requirement to enable there to be caused '**minimal neighbour impact within the site and surrounding properties**'. I thus object to the proposal to permit this pedestrian and cycle access to Ger-y-Ilan via this route.

As previously stated this planning application conflicts with many Vale of Glamorgan planning policies, has multiple basic flaws, is out of order and in breach of stated planning policies.

I would be most grateful if you would acknowledge receipt of this further letter of objection.

Yours sincerely

Dr Paul Williams

**Payne, Adrienne J**

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**From:** Planning  
**Sent:** 26 September 2016 15:44  
**To:** Planning  
**Subject:** New comments for application 2015/00249/FUL  
**Attachments:** Redrow Planning Objection (2).doc

New comments have been received for application 2015/00249/FUL at site address: Land to the East of St. Nicholas  
from Mr Cliff Lewis [REDACTED]

**Address:**  
Village Farmhouse, St. Nicholas, Cardiff, CF5 6SG

**Comments:**  
Please see my attachment for letter objecting to this development.

Yours Faithfully  
Cliff Lewis  
Sandra Lewis

The following files have been uploaded:  
Redrow Planning Objection (2).doc

**Case Officer:**  
Mr. Steven Rennie

RECEIVED  
26 SEP 2016  
Regeneration  
and Planning

D.E.E.R
RECEIVED
ACTION BY: <i>SAB</i>
NO: <i>10</i>
ACK:

Mr. Cliff Lewis,  
Village Farmhouse,  
St. Nicholas.  
Cardiff.  
CF5 6SG.  
Email:- [REDACTED]



26<sup>th</sup> September 2016.

**Planning Application by Redrow Homes (South Wales) Limited - Land to the East of St Nicholas**

I wish to object to the planning application dated 9 March 2015 submitted on behalf of Redrow Homes (South Wales) Limited ("Redrow") under your references 2015/00249/FUL/SR2

References in this letter to "the LDP" relate to Deposit Local Development Plan of the Vale of Glamorgan Council ("the Council") dated November 2013. References to "Policy MD \*" relate to the draft policies of the Council as set out in the LDP.

The grounds of my objection are as follows:

1. Application is premature. The LDP is currently being processed by the Council in accordance with statutory procedures. Numerous representations and objections to the proposals in the LDP, both generally and specifically relating to land to the East of St Nicholas which is the subject of the Application ("the Site"), have been submitted by members of the public. These representations and objections, many of which identify alleged errors, inaccuracies and unsound or unsustainable conclusions in the LDP, have not yet received due consideration by the Council and have not yet been examined and considered by the Inspector to be appointed by the Welsh Government to consider the LDP ("the Inspector").

Although the Site forms part of allocated site number MG 2 - 43 ("MG 2 - 43") in the LDP, powerful representations have been made to the Council in support of the contention that MG 2 - 43 should be deleted from the LDP. Whatever alleged legal loopholes Redrow is seeking to exploit by submitting the Application at this time, it would be an outrageous abuse of due process for planning permission to be granted for the Site in advance of proper consideration of the representations by the Council and the Inspector prior to eventual adoption of the LDP (as revised).

It has been confirmed by the Council in a pre-application response to Harmers Limited dated 5 February 2014 under reference P/DC/SR2/2013/0200/PRE that no deficiency now exists in the Council's five year housing land supply. Thus, there is no justification for bringing forward the Site based on its inclusion as part of an allocated site in advance of formal adoption of the LDP, as revised following completion of all due processes.

**The Application is premature and should not be considered or approved on the basis that the Site forms part of MG 2 - 43.**

Nevertheless, in case the Council does not accept this contention and as the Application relies in certain respects on details in the LDP, I will refer to some of those matters below without prejudice to the overriding contention that the Application is premature and should be refused.

2. Contrary to adopted Unitary Development Plan. Prior to the adoption of the LDP (as revised), the Application should be considered in the context of the adopted Unitary Development Plan 1996-2011 ("the UDP"). The proposals in the Application are in breach of policies in the UDP, including the following:

a. Dwellings in the Countryside (HOUS 3). The policy is that "The erection of new dwellings in the countryside will be restricted to those that can be justified in the interests of agriculture and forestry." The Application proposes to turn agricultural land into a housing development which has no benefit to agriculture or forestry. On the contrary, it removes valuable agricultural land.

b. Development in the Countryside (ENV 1). The Site is situated in open countryside. The proposed development does not meet any of the four exceptions to the policy that development in the countryside will not be permitted.

c. Agricultural Land (ENV 2). The policy provides that "The best and most versatile agricultural land (grades 1, 2 & 3A) will be protected from irreversible development, save where overriding need can be demonstrated." The land comprising the Site is officially designated as grade 2 although it is claimed by Redrow that the correct designation is grade 3A. Even if Redrow is correct, the adopted policy requires protection of the land. There is no current overriding need for the development.

d. Conservation in the Countryside (ENV 10). The policy provides that "Measures to maintain and improve the countryside, its features and resources will be favoured, particularly in ... areas subject to development pressure ...". The residents of St Nicholas have chosen to live in a rural community and, particularly the residents of Ger-y-Llan and Well Lane, enjoy the benefit of an outlook over green fields. If the proposed development proceeds, that outlook will be irreversibly changed to an urban scene of relatively dense housing. Notwithstanding the proposed landscaping, substantial wildlife habitat will be lost. The proposal does not maintain or improve the countryside and is contrary to ENV 10.

3 The Site lies outside the defined settlement boundary of St Nicholas in a Special Landscape Area. **There is no overriding justification or material consideration to outweigh the in principle policy presumption against development of the Site. The development of this rural area and landscape would be contrary to the adopted policies of the Council as identified above.**

3 The scale would be substantially out of proportion to the size of the existing village of St Nicholas, much of which is in a Conservation Area.

The core village of St Nicholas has 144 houses of which 77 are on the north side of the A48 which runs through the centre of the village and 67 houses on the south side. Of the 144 houses, 105 houses are in the post-2009 Conservation Area, 32 houses were in the pre-2009 Conservation Area but excluded in 2009 and 7 houses are located between the Conservation Area and the commencement of the 30 mph speed limit at the western end of the village.

A development of 100 houses would increase the size of the core village by 69% and the north side by 130%. This represents a massive scale of development for a small rural settlement.

In its representations to the Council on the LDP, the Welsh Assembly Government ("WAG") stated "Allocations in some minor rural settlements, for example, 100 units at St Nicholas and 120 units at Bonvilston appear disproportionate to current services and facilities." (paragraph B.1(d) of the Annex to the letter dated 20 December 2013 under the Council's reference P/POL/AMW/LDP3).

**The scale of the proposed development, is wholly disproportionate to the size of the current village.**

4. Urbanisation of open countryside. Paragraph 4.10.1 of *Planning Policy Wales* dated July 2014 ("PPW") states "...considerable weight should be given to protecting [agricultural land of grades 1, 2 and 3A] from development because of its special importance. Land in [these grades] should only be developed if there is an overriding need for the development and either previously developed land or land in lower agricultural grades is unavailable...". There is no overriding need for housing development in St Nicholas or the East Vale (designated in Figure 1.1 of the *Local Housing Market Assessment 2013*) ("the LHMA") as confirmed in Table 6.13 of the LHMA. Any need for housing elsewhere in the Vale of Glamorgan could be provided on brownfield land (eg Llandow) or land of lower agricultural grade. The proposed site allocation on grade 2 (or grade 3A) agricultural land **conflicts with paragraph 4.10.1 of PPW.**

4 Paragraph 4.7.8 of PPW recognises that minor extensions in the countryside to existing settlements may be acceptable. An increase of 69% in the number of houses in St Nicholas cannot be described as a "minor extension". The proposed development **conflicts with paragraph 4.7.8 of PPW.**

5. Out of character with the existing minor rural settlement. St Nicholas is a minor rural settlement in the Vale of Glamorgan which has developed gradually over many centuries.

The proposed development of 96 houses on (including the land allocated for open space) would not be of an appropriate scale and density for its location and it would not make a positive contribution to the local environment **contrary to paragraph 7.5 of the LDP.** Such development would not be "...of a scale appropriate to its location." **contrary to paragraph 4.5 of the Deposit LDP.**

The site is adjacent to, and any development would impact directly on, six remaining houses (following the proposed demolition of Emmaville) on the north side of the A48, eight houses on the east and north sides of Ger-y-Llan and one house in Well Lane. The proposed main access to the Site would have a very serious impact on the adjacent properties known as Kingfauns and Green Meadow. The proposed use of the private unadopted road which links the Site to Ger-y-Llan and services 11, 12 & 14 Ger-y-Llan ("the Estate Road") for pedestrian and cycle access to the Site would have a major adverse impact on those properties. The proposed development would have a serious adverse impact for all these properties on the existing residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance **contrary to paragraph 7 of Policy MD 2 and paragraph 4 of Policy MD 3.**

The properties on the north side of the A48 form part of the Conservation Area of St Nicholas. Most of the directly affected houses occupy plots substantially larger than the proposed dense development of 21.6 houses per hectare which includes access, roads and other common facilities. Similarly, the adjacent houses in Ger-y-Llan and Well Lane have a substantially lower density. **The proposed development is contrary to paragraph 2 of Policy MD 2.**

The Site is located at the eastern approach to St Nicholas on the north side of the A48. Instead of seeing an established conservation village on entry from the east, travellers would be greeted by a substantial and dense urban development

entirely out of character with the existing village and Conservation Area. The proposed development does not respond appropriately to the local context and character of neighbouring buildings in terms of type, form, scale, mix and density **contrary to paragraph 2 of Policy MD 3.**

5 Paragraph 4.7.8 of PPW states "All new development should respect the character of the surrounding area and should be of appropriate scale and design." For reasons described in this item and in item 3 above and item 6 below, the proposed development at the entrance to the Conservation Area of St Nicholas **does not comply with paragraph 4.7.8 of PPW.**

In summary, the proposed development of the Site would be contrary to paragraphs 2 and 7 of Policy MD 2, paragraphs 2 and 4 of Policy MD 3 and paragraph 4.7.8 of PPW. St Nicholas does not have the capacity to accommodate this proposed development without its having an unacceptable effect on its character **contrary to paragraph 5.44 of the LDP.**

6. Contrary to Policy MD 6 – Development within Minor Rural Settlements. The relative scale and density of the proposed development substantially **conflicts with Policy MD 6.** It would not have a distinct visual relationship with the existing settlement (contrary to paragraph 1); it would not be of a scale and character that is sympathetic to and respects its immediate setting and wider surroundings (contrary to paragraph 2); it would have an unacceptable impact on the character and appearance of the [existing] settlement (contrary to paragraph 3); it would represent a visual intrusion into the countryside (contrary to paragraph 4); and it would not be consistent with Policies MD 2 and MD 3 (contrary to paragraph 8).

The proposed development would not reinforce the role and functions of the settlement or maintain its character and attractiveness **contrary to paragraph 7.28 of the LDP.** A relatively dense development of 96 houses would not be of an appropriate scale that is sympathetic to and respect the existing character of the village and the range of services and facilities that are available **contrary to paragraph 7.29 of the LDP.** A development on the scale proposed would not represent a small scale extension to the settlement also **contrary to paragraph 7.29 of the LDP.** Such a development would be unrelated to the existing properties and settlement and would represent an incongruous and large scale extension of the built form into the open countryside **contrary to paragraph 7.30 of the LDP.** The allocated site is green field and any development would result in the loss of open space which currently contributes at its entrance to the character and setting of the Conservation Area village **contrary to paragraph 7.31 of the LDP.**

7. Services and facilities. St Nicholas has a church, chapel, primary school, church hall, post box and a half-hourly bus service (substantially less frequent in the evening and on Sunday - not properly reflected in paragraph 2.17 of the Transport Statement) to Cardiff and Cowbridge (and beyond). The bus service is infrequent and expensive. It is unlikely to be used for most journeys to Culverhouse Cross or Bonvilston.

6. St Nicholas does not have a post office, shop, doctor's surgery, nursery, public house, restaurant, leisure centre or library. The absence of these facilities will inevitably result in the need for the residents of the new houses to make frequent short car journeys to shops 1.5 miles away at Culverhouse Cross or to a shop, public house or restaurant over two miles away at Bonvilston. The nearest doctors' surgeries are in Ely (2.2 miles) and Cowbridge (7 miles). The nearest post office is in Wilson Road, Ely (2.8 miles). It is unrealistic to expect these journeys to be made by walking or cycling by the vast majority of the residents, particularly the elderly. The return journey from Culverhouse Cross involves climbing the long steep hill known as The Tumble.

The absence of these frequently used services in the village and the consequent necessity to make frequent short car journeys is **contrary to Objective 3 and to the objective expressed in paragraph 7.12 of the LDP.**

7. Planning history. It is claimed at paragraph 2 of the Planning Statement that there is no planning history for the Site. This is incorrect. Two planning applications for the construction of houses on part of the Site were refused by the Council. The first application for the construction of ten houses was refused on 10 January 1989 although the Council's reference is unknown. The second application to build six houses was refused on 22 May 1991 under reference 1988/01152/OUT. The grounds for refusal of permission for the construction of six or ten houses apply to a far greater extent for the proposed construction of 79 houses.

8. Village road capacity. The centre of the village (north of the A48) is often heavily congested with parked vehicles, particularly in the roads around the church immediately before the weekday opening and closure of the school. Similar congestion occurs when there is a wedding or funeral at the church. The roads in the north side of St Nicholas are wholly unsuitable for any of the additional traffic which would be generated by the proposed development.



There is no pavement on the roads around the church. It is particularly unsuitable and dangerous for young children and any disabled person on the roads to the north and east of the church. There is no room for a wheelchair on the road to the north where vehicles are usually parked leaving barely enough room for other vehicles to squeeze through.

Photograph 2 in the Transport Statement shows the east side of School Lane to be traffic free. (Photographs illustrating the congestion of parking in St Nicholas, particularly in the north side of School Lane including the north east corner, are Shown in attached file).

Traffic travelling in either direction along School Lane has to negotiate a blind bend at the junction with Well Lane in the north east corner of School Lane. This is particularly dangerous when vehicles are parked on the bend as is frequently the case. The exit from Ger-y-Llan is also blind and dangerous as vehicles travelling south on School Lane pick up speed.

8. Main access to Site. The location of the proposed access to the Site is inside the Conservation Area and some distance to the west of that proposed in MG 2 - 43. Paragraph 4.7 of the Transport Statement estimates that 32 vehicles will exit the Site in the peak morning period. Paragraph 4.10 asserts that there will be no queue of vehicles entering or exiting the Site during this period. This estimate and this assertion are questioned. The 96 houses with an estimated average of two vehicles per house would amount to 192 vehicles excluding visitors and service vehicles. A substantially greater proportion of the vehicles is likely to exit the Site in the peak morning period, without taking account of visitors and service vehicles.

9. Paragraphs 3.10 to 3.13 of the Transport Statement set out proposals for changes to the highway layout near the access to the Site. The A48 from Culverhouse Cross is derestricted for 1.1 miles as far as the eastern end of the village then has a 30 mph speed limit through St Nicholas commencing only 100 metres from the access to the Site. Figure 9 and Appendix F of the Transport Statement do not indicate any proposal to extend the 30 mph limit further east. Whether or not there is any extension, traffic from the east frequently enters St Nicholas outside peak periods at speeds much greater than 30 mph. Traffic leaving the Site to turn west towards Cowbridge would experience difficulty and danger due to the traffic flow in both directions.

At peak periods, it would be difficult for the significant number of vehicles leaving the proposed development to enter the traffic flow in either direction, thus causing a tailback within the Site.

Experience of leaving School Lane (eastern exit) to travel in either direction at peak periods demonstrates the extent of the problem even though it is substantially mitigated by being in the centre of the restricted speed zone and having the intermittent benefit and protection of the traffic lights turning red at the adjacent junction with Duffryn Lane. This forces through traffic to stop and provides the opportunity for vehicles from School Lane to enter the traffic flows. These mitigating factors would not apply to traffic exiting the Site.

Considerable additional problems affecting traffic flow on the A48 will arise during the construction period lasting at least two years.

10. Pedestrian and cycle access to Site. Section 7 of the Design and Access Statement together with the Site Plans provide for a pedestrian and cycle access to the Site via Ger-y-Llan and the Estate Road. While Ger-y-Llan is an adopted road, the Estate Road is unadopted. The owners of the properties known as 11, 12 & 14 Ger-y-Llan ("the Three Properties") require the Estate Road for access to the Three Properties and have an obligation to pay a fair and reasonable share of the costs of maintenance and repair of the Estate Road. No approach has been made by or on behalf of Redrow to the owners of the Three Properties concerning the proposed use of the Estate Road.

The use of Ger-y-Llan and the Estate Road by the residents of 100 properties for pedestrian and cycle access to the Site is inappropriate. Such use would have a considerable impact on the amenity of the residents of Ger-y-Llan, particularly the residents of the Three Properties.

There is also a risk that the Estate Road will be used by residents of and visitors to the Site for unauthorised parking. The tarmac section of the Estate Road is not wide enough for parking without causing considerable difficulty to the residents of the Three Properties in entering and leaving those properties.

As described at item 10 above and illustrated in Appendix D, the proposed pedestrian and cycle route to the centre of the village and, particularly, to the school is unsuitable and very dangerous for young children.

11. Highways and traffic congestion. Section 4 of the Transport Statement seeks to demonstrate that the proposed development will have little impact on traffic travelling on the A48. This is disputed for reasons set out at item 11 above. Of greater impact will be the cumulative effect of this proposed development together with other developments proposed in the LDP near Cowbridge (including Ystradowen and Colwinston) and between Cowbridge and Culverhouse Cross (including Bonvilston). In addition to these proposed developments, there are other significant proposed changes which will increase the traffic on the A48 and at the Tesco junction and Culverhouse Cross roundabout.

The Application relies on the inclusion of the Site as part of an allocated site in the LDP. It is contended that this allocation, in combination with the other allocations referred to above, has been made without due consideration and regard by the Council to the cumulative effect on traffic on the A48. In particular, it is contended that, in formulating the LDP and determining site allocations at St Nicholas and Bonvilston, the Council has very seriously misinformed itself concerning the capacity of the A48. This capacity has been calculated at three points between Cowbridge and Culverhouse Cross, all of which are in the national 60 mph speed limit. No account has been taken of the 40 mph speed limit from West Bonvilston to West St Nicholas; the 30 mph speed limit through St Nicholas; and the inevitable delays at the traffic lights at Sycamore Cross and Duffryn Lane as well as at other uncontrolled junctions.

12. Sustainable Settlements Appraisal and Site Assessments. Paragraphs 6.13 to 6.21 (with Appendix B) of the Planning Statement seek to rely on the results, so far as they apply to the Site, of the three stages of the Sustainable Settlements Appraisal and Site Assessments carried out by the Council in the preparation of the LDP. These three stages resulted in the inclusion of the allocated site MG 2 - 43.

It is contended that there were serious errors, defects and inappropriate scoring at all stages of the Appraisal and Assessments leading to the wrongful and unsupported inclusion of MG 2 - 43 in the LDP. Full details of this contention have been set out at items 13 to 15

13. Wrongful inclusion of the Site in the LDP. It is contended that, in view of serious inaccuracies, misinformation and errors by the Council (as described at items 13 & 14 above) in the preparation of the LDP directly affecting the inclusion of the Site as part of MG 2 - 43, the Application cannot rely on such inclusion until my representations and those of other members of the public have been fully and properly considered by the Council and the Inspector prior to adoption of the LDP (as revised).

For the many reasons set out above, I object to the Application and request the Council to refuse planning permission in response to the Application and to refuse any other planning application relating to all or part of MG 2 - 43 prior to the formal adoption of the LDP (as revised).

Yours sincerely  
Cliff Lewis  
Sandra Lewis

**LATE ITEMS FOR COMMITTEE****COMMITTEE DATE : 6 October 2016**

<b>Application No.:</b> 2015/00249/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Land to the East of St. Nicholas <b>Proposal:</b> Development of 100 houses and associated open space vehicular and pedestrian access, landscaping and infrastructure, including the demolition of Emmaville	

**From: Welsh Government****Summary of Comments:**

Decision letter received to confirm that they do not consider the proposed development to be of more than 'local importance' and therefore it is for the Local Planning Authority to determine the application.

**Adran yr Amgylchedd a Materion Gwledig**  
**Department for Environment and Rural Affairs**



**Llywodraeth Cymru**  
**Welsh Government**

Mr M Goldsworthy  
Head of Planning and Transport  
Vale of Glamorgan Council  
Docks Office  
Barry  
Vale of Glamorgan  
CF63 4RT

By Email [MJGoldsworthy@valeofglamorgan.gov.uk](mailto: MJGoldsworthy@valeofglamorgan.gov.uk)

Ein Cyf/Our ref: qA1211657  
Eich Cyf/Your ref:  
Dyddiad/Date: 5 October 2016

Dear Mr Goldsworthy

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 CALL IN REQUEST  
APPLICATION FOR THE DEVELOPMENT OF 100 HOUSES AND ASSOCIATED OPEN  
SPACE, VEHICULAR AND PEDESTRIAN ACCESS, LANDSCAPING AND  
INFRASTRUCTURE, INCLUDING THE DEMOLITION OF ‘EMMAVILLE’ ON LAND TO  
THE EAST OF ST NICHOLAS, VALE OF GLAMORGAN.  
APPLICATION NO. 2015/00249/FUL**

1. I am writing to inform you that the Welsh Ministers have been asked to call in the application referred to in the heading to this letter for their own determination.
2. I am authorised, by the Cabinet Secretary for the Environment and Rural Affairs, to consider whether the application should be called in for determination by the Welsh Ministers.
3. The Welsh Government's policy on calling in planning applications is set out in Planning Policy Wales (Edition 8, January 2016) (PPW). The Welsh Government considers that local planning authorities, as elected bodies, should be left to make decisions about development proposals wherever possible. The Welsh Ministers do not, in practice, call in many planning applications and will only do so where the proposal raises issues of more than local importance.
4. The application is for the development of 100 dwellings, associated open space, vehicular and pedestrian access, landscaping and infrastructure, including the demolition of Emmaville at land to the east of St Nicholas, Vale of Glamorgan.
5. The request for call-in related to the scale of housing, location of growth, migration rates and infrastructure. As part of our consideration of the request I consulted Natural Resources Wales (NRW) in respect of the environmental issues within its remit, Cadw concerning the historic environment and planning policy officials within Welsh Government with responsibility for housing planning policy. As regards environmental issues NRW has concluded the Local Planning Authority has identified and addressed the relevant planning issues relevant to its remit and has not recommended call-in. Cadw has concluded the impact on the historic assets within the area of the



**BUDDSODDWYR | INVESTORS**  
**MEWN POBL | IN PEOPLE**

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Nicola.Middleton@wales.gsi.gov.uk  
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development will not be significant and, therefore, there are no historic environment grounds for call-in. Planning policy officials consider the officer's report adequately assesses the issues relating to housing, including the housing land supply, agricultural land classification and affordable housing provision and do not recommend call-in.

6. Having considered the issues associated with the application, in the light of the Welsh Government's policy on call-in, the consultation responses, the officer's report and all other information provided as part of this call-in request, I consider that those issues are not of more than local importance. In view of this, I do not consider that the application should be called in for determination by the Welsh Ministers and it is now for your Authority to determine the application as it sees fit.

7. In exercising their functions as part of carrying out Sustainable Development in accordance with the WFG Act, section 2 of the Planning (Wales) Act 2015 ("the 2015 Act") requires the Welsh Ministers, in exercise of their functions under Part 3 of the Town and Country Planning Act 1990 ("the 1990 Act"), to ensure that the development and use of land contribute to improving the economic, social, environmental and cultural well-being of Wales.

8. In the consideration of this call-in request, the Welsh Ministers have taken into account the ways of working set out at section 5(2) of the WFG Act, which is supported by Part 4 of 'SPSF1:Core Guidance: Shared Future – Statutory Guidance on the WFG Act'. Of these ways of working the most relevant in this instance is considered to be 'prevention'. In view of the conclusions I have reached on the call-in request I consider that this decision applies the sustainable development principle.

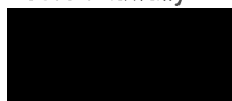
9. The sustainable development principle which is defined by the WFG Act is a fundamental part of how public bodies and public services boards must operate. Hence, I have considered the duty to carry out sustainable development under section 2 of the 2015 Act.

10. In reaching my decision I did not consider the planning merits of the proposed development and my decision not to call in the application should not in any way be taken as a reflection on the planning merits of the proposal.

11. Your Authority has jurisdiction for deciding whether environmental impact assessment is required for this proposal and the Welsh Ministers have not considered the matter. Any screening opinion will need to be made available for public inspection.

12. It would assist us if a copy of any planning decision which your Council issues could be sent to my colleague, Nicola Middleton (E-mail [Nicola.Middleton@Wales.gsi.gov](mailto:Nicola.Middleton@Wales.gsi.gov)).

Yours faithfully



**Clare Dicks**  
Planning Manager  
Decisions Branch  
Planning Directorate

Signed under authority of the Cabinet Secretary for Environment and Rural Affairs,  
one of the Welsh Ministers

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

**LATE ITEMS FOR COMMITTEE****COMMITTEE DATE : 6 October 2016**

<b>Application No.:</b> 2015/00249/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Land to the East of St. Nicholas	
<b>Proposal:</b> Development of 100 houses and associated open space vehicular and pedestrian access, landscaping and infrastructure, including the demolition of Emmaville	

**From: Environmental Health****Summary of Comments:**

Considered Construction Environmental Management Plan, the Construction Traffic Management Plan and the submitted Noise Survey. Stated that the temporary compound should be kept to a minimum and Option 2 is advised as a permanent compound. Recommended an upgrade of the proposed windows for Plots 1 and 100.

**Officer Response:**

Condition 22 has been added to address the noise mitigation required. There are also conditions requiring final submissions for a Construction Environmental Management Plan, the Construction Traffic Management Plan (Numbers 15 and 16).



Shared **Regulatory Services**  
Gwasanaethau Rheoliadol a Rennir



# MEMORANDUM / COFNOD

To: Mr Steven Rennie  
Dept / Adran:  
Date/Dyddiad 26 September 2016  
:  
Your Ref /  
Eich Cyf: Docks Office, Subway  
Road, Barry, Vale of  
Glamorgan, CF63 4RT

From / Sue Brown  
Oddi Wrth: Pollution Section  
My Ref/Cyf SFB/295401  
Tel / Ffôn:  
  
Fax /  
Ffacs:

Subject / **Re: Planning Application No - 2015/00249/FUL**  
Testyn: **Planning Application, Land to the east of St Nicholas, Vale of Glamorgan, .**

I refer to your memorandum received by this department on 1 March 2016, this department has further comments to make regarding the above application.



## **Compounds**

As indicated on the map above the developer intends to have an temporary compound, shown in yellow, initially to the left hand side of the site. It appears then that a further permanent compound will be constructed on site with two options being indicated; option 1, shown in green above, to the left hand side of the site and option 2, in blue above, to the rear of the site and outside the main development boundary.

As this department in the past has received complaints regarding the use and placing of construction compounds we advise the following;

1. That the temporary compound be used for short a time as possible noting its close vicinity to existing residential properties. A timescale, including hours of use, should be agreed between the Local Planning Authority and the developer.
2. The temporary compound shall be separated from existing residential properties by appropriate acoustic boarding/ fencing.
3. The compounds and any security lighting should ideally not be powered by generators that run 24/7 but should be supplied by mains electricity so to minimise the risk of noise nuisance.

With regard to the 'Permanent Compound' this department advises that option 2, shown in blue, be utilised. This would ensure that the compound is situated away from existing residential properties, option 1 runs it should be noted parallel to existing residential properties.

Again acoustic fencing/ boarding should be utilised so to protect existing and new residents as they move into the new development and generators should not be used on site.

## **Environmental Noise Survey and Assessment**

Having reviewed the above document I am broadly in agreement with the content and the conclusions drawn. As expected the majority of the site is screened from the direct traffic noise originating on the A48 by the existing housing parallel to the road through St Nicholas.

The main property on the development affected by traffic noise is the house to be found the left of the access road and highlighted as NSR1 on the drawing at Appendix F, see below;



11.6. APPENDIX F - Glazing mark-up



As the property, outlined in blue on three sides, at the entrance will be exposed to higher noise levels than the remainder of the site the Noise Survey makes the following recommendations in terms of ventilation and glazing;

**Minimum facade sound insulation**

Receiver	Bedrooms	Dining Room	Living Rooms
NSR 1	24dB $R_w + C_{tr}$	20dB $R_w + C_{tr}$	25dB $R_w + C_{tr}$

**Recommended glazing specification**

Receiver	Bedrooms	Dining Room	Living Rooms
NSR 1	Saint-Gobain 4(12)4	Saint-Gobain 4(12)4	Saint-Gobain 4(12)6
Other areas	No specific requirement		

**Recommended ventilator specification**

Receiver	Bedrooms	Dining Room	Living Rooms
NSR 1	Greenwood 5000EA	Greenwood 5000EA	Greenwood 5000EA
Other areas	No specific requirement		

Having reviewed not only the Survey for this site but the also the adjoining site, planning application 2015/00662/FUL, as well as the data in relation to the Noise Priority Area I am of the opinion that the 'worst-case predicted' figures, below, and calculations used for this site are conservative.

Quantity	Period	Worst-case SPL
L <sub>Aeq,16hr</sub>	Daytime	59.9
L <sub>Aeq,8hr</sub>	Night-time	54.0

Table 6 – Worst-case predicted external sound pressure levels

### 8.1. External results summary – L<sub>Aeq-Day/Night</sub>

8.1.1. The fixed position external measurement results are summarised in Table 5. Hourly average levels and plots of the 5-minute data can be found in the appendix. The reported sound pressure levels are free-field.

Measurement location	Quantity	Inclusive hours	SPL, dB
1	L <sub>Aeq,16hr</sub>	0700-2300	64.6
1	L <sub>Aeq,8hr</sub>	2300-0700	58.1

Table 5 - Summary of the external sound pressure levels measured

Therefore it is recommended that the applicant reconsider projected noise levels and consequently the glazing specification detailed above.

I would advise that the applicant consider the following external noise levels which are higher than those detailed above

Description	Daytime External Level L <sub>Aeq,16hrs</sub> (dB)	Night Time External Level L <sub>Aeq,8hrs</sub> (dB)
External Free-Field Noise Level	66	61

And consequently upgrade the recommended glazing specification from 4(12)4 to 4(20)6 for plot 1.

This reconsideration of the glazing, should also be considered for plot 101 and a specification of 4(20)4 may be considered as appropriate.

Finally with regard to the installation of a ventilation system and the requirements of Approved Document F it is advised that the advice of Building Control be taken.

## **Conclusion**

1. The use of the temporary compound should be kept to a minimum, in terms of hours and time period. Therefore a timescale, including hours of use, should be agreed between the Local Planning Authority and the developer.
2. Permanent compound; the use of option 2 is advised. With both the temporary and permanent compounds be enclosed by acoustic boarding and be supplied with mains electricity so generators will not be required.
3. It is recommended that the applicant reconsider their projected noise levels, which are conservative, and consequently the glazing specification. And consequently upgrade the recommended glazing specification from 4 (12) 4 to 4 (20) 6 for plot 1. This reconsideration of the glazing, should also be considered for plot 101 and 4 (20) 4 may be considered as appropriate.
4. With regard to the installation of a ventilation system and the requirements of Approved Document F it is advised that the advice of Building Control be taken.

**Sue Brown**  
**Neighbourhood Services Officer**

**LATE ITEMS FOR COMMITTEE****COMMITTEE DATE : 6 October 2016**

<b>Application No.:</b> 2015/00249/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Land to the East of St. Nicholas	
<b>Proposal:</b> Development of 100 houses and associated open space vehicular and pedestrian access, landscaping and infrastructure, including the demolition of Emmaville	

**From: Case Officer Steven Rennie****Summary of Comments:**

Following negotiations and consideration of further information submitted since the submission of the originally recommended conditions amendments have been made to the conditions (changes highlighted as 'track changes'). Also, in response to Environmental Health comments, a further condition has been attached (Number 22) requiring noise mitigation for Plot 1, which is closest the A48 highway.

**Officer Response:**

Amended conditions as follows:

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

Reason:

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

2. The development shall be carried out in accordance with the following approved plans and documents: 1537-01-FUL Revision L (Planning Layout); 1537-05 Revision C (Street Elevations) 2.1.3 (One bed flat); 4.2.2 (Two bedroom House); The Amberley Revision A; WF\_AMBY\_DM.1; The Avon Revision A; The Cambridge – Stone/Render Revision A; The Cambridge (Render) Revision A; The Cambridge (Stone) Revision A; WF\_HENL\_DM.1.0; The Henley (Render/Stone) Revision A; The Henley Floor Plans; The Letchworth Revision A; The Letchworth Floor Plans; The Oxford Revision A; The Shaftsbury Revision A; The Shaftsbury Floor Plans; WF\_WARW\_DM1.0 Revision A; WF\_WARW\_DM1.0 (Stone); WF\_WELN\_DM.2 Revision A (Stone/Render); The Welwyn (Stone); The Welwyn Revision A Floorplans; The Worcester (Render/Stone); The Worcester (Stone); The Worcester Floorplans; 1537-04-FUL (Site location Plan); The Avon (terrace) Revision B); 141341-08 Rev C; Arboricultural Impact Assessment (Treescene July 2016);

Arboricultural Impact Assessment Plan; 1537-03D (Material Finishes); 1537-011 (Neighbouring site access); 1537-09A (Landscape Appraisal); ~~1537-02D (Boundary Treatment); 1537-010; 1537-06B (Softworks Plan); 16057\_C-PL02 Revision 4; 16057\_C-PL01-1 Rev 4; 16057\_C-PL01-2 Rev 4;~~ Property Schedule; W141341-A08 Revision C;

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.

3. Notwithstanding the submitted drawings, prior to the commencement of any works within the site (other than the demolition and clearance of Emmaville and associated below ground works), full engineering details (including structural calculations) of the site access, proposed internal roads, turning areas, footways/cycleway, including vision splays, street lighting, highway drainage, gradient details, on site parking and any associated highway structures, (including a programme for the delivery and completion of the works) shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway safety and in accordance with policies ENV 27 and HOUS 8 of the adopted Unitary Development Plan.

4. No part of the development hereby approved shall be brought into beneficial use until such time as the access, internal roads, parking areas, footways and turning areas as applicable to the plot(s) being occupied, have been laid out in full accordance with the details shown on plan 1537-01-FUL Revision L and the parking, access and turning areas shall thereafter be so retained at all times to serve the development hereby approved and fully completed in full accordance with the details approved under Condition 3

Reason:

To ensure the provision on site of parking and turning facilities to serve the development in the interests of highway safety, and to ensure compliance with the terms of Policies TRAN 10 and ENV27 of the Unitary Development Plan.

5. Unless otherwise agreed in writing by the Local Planning Authority, an archaeologist (CIFA Member) from Cotswold Archaeology, shall be present during the undertaking of any ground disturbing works in the development area, so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards of the Institute of Field Archaeologists. A copy of the watching brief report shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist.

Reason :

To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource in accordance with policies ENV 18 and ENV 19 of the Unitary Development Plan.

6. ~~Notwithstanding the submitted details and prior~~ Prior to the commencement of development to the construction of the road to the front of Plot 97, details at a suitable scale to show the footpath/cycle link at the end of the shared drive to the front of Plot 97 will link to the adjacent site to the east shall be submitted to and approved in writing by the Local Planning Authority. The footpath/cycle link as approved shall be implemented and ~~open to public~~ available to use prior to the first occupation of any of the dwellings hereby approved, and remain open at all times thereafter.

Reason:

To ensure suitable permeability through the site, in accordance with policies ENV 27 and HOUS 8 of the adopted Unitary Development Plan.

7. Notwithstanding the submitted information and plans, details of the area of open space, annotated as 'Potential LAP' on submitted plan 1537-01-FUL Revision L, to be provided at a suitable scale, to include details of surfacing and enclosures, shall be submitted to and approved in writing by the Local Planning Authority. The details of this area of the site shall be implemented in accordance with the agreed details and be maintained as such thereafter.

Reason:

In the interests of visual amenities and highway safety, in accordance with policies ENV 27 and HOUS 8 of the adopted Unitary Development Plan.

8. Notwithstanding the submitted details, prior to the commencement of any drainage works on site, full details of a scheme for foul and surface water drainage shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall be fully implemented in accordance with the approved details and ~~completed prior to the first occupation of any of the dwellings approved and thereafter so maintained at all times.~~ and completed prior to the first occupation of the applicable plot being occupied.

Reason:

To ensure a suitable drainage scheme, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

9. ~~No works shall take place within the site, other than the formation of the site access and first 20m of the internal road, until the off site highway works have been constructed and fully completed in full accordance with the details~~

approved under Condition 3. Prior to the commencement of development (other than the demolition and clearance of Emmaville and associated below ground works for Plot 1), details of a timetable for the implementation of off-site highways works (as required by Condition 3) shall be submitted to and agreed in writing by the Local Planning Authority. The off-site highway works shall thereafter be undertaken in accordance with the agreed timetable.

Reason:

In the interest of highway safety and to ensure a satisfactory form of access during the construction stage of the development, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

10. All areas shown to provide visibility splays (at junctions and forward visibility on bends) indicatively illustrated with the access arrangement plan, reference 141341-08 Rev C and within the Planning Layout Plan, reference 1537-01-Full Rev L, shall fall within land identified for highway purposes and not forming part of garden frontages or amenity areas. The details of surfacing of these visibility splays shall be submitted to and approved in writing by the Local Planning Authority, prior to their construction and the visibility splays shall be maintained at all times thereafter.

Reason :

In the interests of highway and public safety and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

11. Notwithstanding the submitted details, all All means of enclosure, associated with the development hereby approved shall be in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development, which shall include a 2 metre high fence along the rear boundaries of units 48, 49 and 50, and the means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use. 48 49, 50 and 51, together with the southern boundary of Unit 52. The means of enclosure shall be implemented in accordance with the approved details prior to the development being put into beneficial use, other than the aforementioned 2 metre high fence that shall be implemented as agreed prior to commencement of development and site clearance for units 48, 49, 50, 51 and 52.

Reason:

To safeguard local visual amenities and neighbour amenities, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

12. A scheme providing for the fencing of the trees to be retained, based on the submitted Arboricultural Impact Assessment (Treescene, July 2016), and showing details of any excavations, site works, trenches, channels, pipes, services and areas of deposit of soil or waste or areas for storage shall be

submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development (other than the demolition and site clearance within Emmaville). No development shall be commenced on site including site clearance until the approved protection scheme has been implemented and the scheme of tree protection shall be so retained on site for the duration of development works.

Reason:

In order to avoid damage to trees on or adjoining the site which are of amenity value to the area and to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

13. A landscaping scheme, to include the proposed new hedgerow shall be submitted to and approved in writing by the Local Planning Authority for the housing development hereby approved, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained. The existing hedgerows to be retained shall be maintained at all times thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

14. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with Policies ENV11 and ENV27 of the Unitary Development Plan.

15. Notwithstanding the submitted details and prior ~~Prior~~ to the commencement of any works within the site or associated with new access (other than the demolition and site clearance within Emmaville), a Construction Traffic Management Plan setting out the hours of delivery, which shall be outside of the peak hours of 8:00am to 9:30am and 4:00pm to 6:00pm on any working day, together with details of the temporary construction access into the site, shall be submitted to and approved in writing with the Local Planning Authority. All construction works shall fully accord with the agreed CTMP and no other local roads shall be used by construction traffic other than that agreed 'Construction Traffic Access Route'



Reason :

In the interests of maintaining highway efficiency and public safety and to comply with the terms of Policy ENV27 of the Unitary Development Plan.

16. Notwithstanding the submitted information, no development (other than the demolition and site clearance within Emmaville and below ground works of Plot 1) No development (other than the demolition and site clearance within Emmaville) shall take place until there has been submitted to, approved in writing by the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated, including details of a system of wheel washing, surface water management, parking for construction workers and commercial vehicle, site materials storage, bunds and compounds and the hours of operation set out within Condition 17. The CEMP will utilise the Considerate Constructors Scheme ([www.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved CEMP unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

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

0800 – 1800 Mon – Fri

0800-1300 Saturday

Not at all on Sundays and bank holidays

Unless such work –

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

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

Reason:

To safeguard the amenities of local residents, and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

18. Prior to their use in the construction of the development hereby approved, a schedule and samples of the proposed materials to be used shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be carried out in accordance with the approved details.

Reason:

To ensure a satisfactory standard of development and to ensure compliance with Policy ENV27 of the Unitary Development Plan

19. Notwithstanding the submitted details, prior to the commencement of development (other than the demolition and clearance of Emmaville and associated below ground works for Plot 1), prior to the commencement of development, details of the finished levels of the site and housing development hereby approved, in relation to existing ground levels, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in full accordance with the approved details.

Reason:

To ensure that visual amenities are safeguarded, and to ensure the development accords with Policies ENV 1, ENV 4 and ENV27 of the Unitary Development Plan.

20. The development shall be carried out in accordance with the recommendations for mitigation and enhancements within the submitted 'Ecological Appraisal', produced by Ecology Solutions Ltd (November 2014), unless the Local Planning Authority agrees in writing to any variation.

Reason:

To safeguard protected species, in accordance with Policy ENV16 of the Unitary Development Plan.

21. Notwithstanding the submitted information, prior to the commencement of development (other than the demolition and site clearance within Emmaville and below ground works for Plot 1), a Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority, which shall include details of the timings and methods of site clearance, a scheme for enhancing and maintaining biodiversity on site, a street lighting strategy to ensure protection of dark flight corridors for bats, and the locations of newt-friendly features. The submission should also include confirmation of whether there has been/is to be any application for a Protected Species Licence from Natural Resources Wales. The development shall thereafter be constructed and maintained in accordance with the approved Biodiversity Strategy.

Reason:

To safeguard protected species and enhance biodiversity, in accordance with Policy ENV16 of the Unitary Development Plan.

22. Prior to the first beneficial occupation of dwelling at Plot 1 hereby approved, details of noise mitigation protecting future occupants from noise from the A48 highway, shall be submitted to and approved in writing by the Local Planning Authority. The approved noise mitigation measures shall be implemented prior to the first beneficial occupation of the dwelling.

Reason:

In order to protect the residential amenities of the occupiers of the dwellings and in accordance with policies ENV 27 and ENV 29 of the Unitary Development Plan.

## LATE ITEMS FOR COMMITTEE

**COMMITTEE DATE : 6 October 2016**

<b>Application No.:</b> 2015/00662/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Land to the east of Mink Hollow, St. Nicholas	
<b>Proposal:</b> Proposed residential development for 17 dwellings and associated highway and ancillary works	

**From: Letters/Emails from neighbours – 5 received**

### **Summary of Comments:**

Correspondence received cited objections including the following:

- Loss of high quality agricultural land
- Not in accordance with planning policy
- The proposals would be an unsustainable development due to the lack of shops and services within the village
- There is no demand for affordable housing in the area
- There would be a detrimental impact to the Conservation Area
- The proposals would result in highway congestion and hazards, with adverse safety issues
- There is no need for additional housing due to other recent housing developments in the Vale
- The proposals would be detrimental to the gateway to the village
- Detrimental impact to the countryside setting and the Special Landscape Area. Urbanisation of the countryside

### **Officer Response:**

It is considered that all the primary issues raised in the objections above are assessed in full within the submitted Committee Report, including the policy context, highway matters, design and scale of development, and neighbour impact.

**Payne, Adrienne J**

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**From:** Planning  
**Sent:** 02 October 2016 21:22  
**To:** Planning  
**Subject:** New comments for application 2015/00662/FUL  
**Attachments:** 2015\_00662\_FUL\_SR2\_JMacneil\_The Croft\_StNicholas\_Oct16.pdf

New comments have been received for application 2015/00662/FUL at site address: Land to the east of Mink Hollow, St. Nicholas

from Mr John Macneil [REDACTED]

**Address:**  
The Croft,,Cowbridge Road,,St Nicholas,,Vale of Glamorgan,CF56SH

**Comments:**  
I object to this application. Details comments can be found in the attached document.

The following files have been uploaded:  
2015\_00662\_FUL\_SR2\_JMacneil\_The Croft\_StNicholas\_Oct16.pdf

**Case Officer:**  
Mr. Steven Rennie

RECEIVED  
03 OCT 2016  
Regeneration  
and Planning

D.E.E.R
RECEIVED
ACTION BY: SDB
NO: 24
ACK:

Mr. S. Rennie  
Development Control  
Vale of Glamorgan Council  
Dock Office  
Barry Docks  
Barry, CF63 4RT



The Croft,  
Cowbridge Road,  
St. Nicholas,  
Vale of Glamorgan,  
CF5 6SH.

2<sup>nd</sup> October 2016

Dear Mr. Rennie,

**Ref: - Application No. 2015/00662/FUL/SR2 Land to the east of Mink Hollow, St. Nicholas**

In response to your letter reference P/DC/SR2/2015/00662/FUL dated 14<sup>th</sup> September 2016 I would like to state my objection to the proposed development, 2015/00662/FUL/SR2, on the Eastern boundary of St. Nicholas, Vale of Glamorgan.

I do not think that situating 17 houses with potentially 34+ cars on 0.77ha of high quality (good) agricultural land at the boundary a rural village of ~ 144 houses is a sound development. It does not seem to be consistent with the objectives stated in LDP Vision document.

Neither the site of the planning application, nor the proposals for this site appear to relate to sound spatial planning practices, the Wales Spatial Plan or Planning Policy Wales (PPW) and relevant Technical Advice Notes (TAN). Furthermore, the plan does not appear to deliver the intentions of the emerging LDP.

My concerns include:

- The Welsh Government's presumption against unsustainable development;
- The impact of the proposed development on the St Nicholas Conversation Area, the Ely Valley and Ridge Slopes Special Landscape Area;
- Absence of demand for affordable housing in the area;
- The loss of finite, scarce agricultural land rated: good;
- Disruption of traffic on and in the vicinity of the A48 in St Nicholas;
- Inclusion of infrastructure to support future developments to East of St Nicholas.

### **Unsustainable development.**

With limited public transport, footpaths and cycle paths, it is likely that the primary mode of transport from these proposed dwellings will be by car. As there are very limited amenities in the village this will necessitate the use of cars to travel to work and carry out basic shopping tasks.

In the case of this application, it is considered that the development would not accord with the key principles and policy objectives of sustainable development as defined by PPW. To demonstrate this

harm, the scheme is assessed against relevant sustainability objectives provided in Section 4.4 of PPW below:

- **Promote resource-efficient and climate change resilient settlement patterns** -Given the lack of services and facilities within the village there is a real possibility that the proposed development will increase dependency on cars, promoting unsustainable travel patterns. As there is no identified affordable housing need within the East Vale area most, if not all of this development should be re-distributed to the areas where the need is greatest, which is also where there are the greatest number of services and facilities. This should result in a more sustainable pattern of development. The prematurity of this scheme does not allow for this consideration in the most appropriate forum;

- **Locate developments so as to minimise the demand for travel, especially by private car** – the lack of services and facilities within St Nicholas will mean that residents of the proposed development will have to access services and facilities in other areas. The majority of these trips will be made by car;

- **Support the need to tackle the causes of climate change by moving towards a low carbon economy** – the proposed development is adjacent to a village with limited services and facilities. Residents of the proposed development will therefore have to access services and facilities within higher tier settlements. The majority of these trips will be made by car and therefore the development will not assist in tackling the causes of climate change.

- **Help to ensure the conservation of the historic environment and cultural heritage, acknowledging and fostering local diversity** – the proposed development will have a significant harmful effect on the St Nicholas Conservation Area.

- **Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs** – there is currently no affordable housing need within the Eastern Vale area. The majority of need is within Barry, Penarth and the Coastal areas, where there exists a greater number of services and facilities.

- **Promote access to employment, shopping, education, health, community, leisure and sport facilities and open and green space, maximising opportunities for community development and social welfare** – the application does not provide access to any employment, education, shopping, community, leisure or sports facilities. Whilst it does provide an element of public open space, there is no certainty provided by the application as to whether the public open space provided will meet the deficit of specific types of public open spaces in St Nicholas, which was a major consideration in the site's allocation in the Deposit LDP.

- **Foster improvements to transport facilities and services which maintain or improve accessibility to services and facilities, secure employment, economic and environmental objectives, and improve safety and amenity** – the proposed development does not provide any improvements to accessing services and facilities, both for the existing and proposed resident population. Conversely, it could create an unsustainable pattern of development and a greater dependency on the private car.

- **Foster social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone that the development of land and buildings provides** – as indicated above, the proposed development would lead to a greater dependency on the use of cars.

It is clear from the assessment above that the proposed development would not constitute sustainable development and therefore the presumption in favour of sustainable development that applies as a result of the time lapsed nature of the Adopted UDP and the housing land supply situation from 2016, does not apply.

### **The Impact on the St Nicholas Conservation Area**

The application site is located immediately adjacent to the boundary of the St Nicholas Conservation Area. The Conservation Area was first designated in 1970 in recognition of the Villages special architectural and historic interest. The proposed development would adversely affect the setting of the Conservation Area and would be very visible on the approach to the village from the East..

### **No Demand for affordable housing in East of Vale of Glamorgan.**

As stated above there is no affordable housing need within the East Vale area as indicated in Table 8 of the Council's Local Housing Strategy (2015-20).

### **Degradation of valuable agricultural land.**

High quality agricultural land is a valuable resource which should be retained where possible in the UK. This land provides environmental, economic and security benefits and should be viewed as an asset for our country. This type of land is not suitable for residential development until all other sources of land have been exhausted.

### **Disruption of traffic on A48.**

The A48 at St Nicholas, which has a 30mph speed limit, can be very congested with traffic at certain times of the day. Frequently during rush hours cars can be slowly travelling "nose to tail" for 10's of minutes. The assertion that in 3.5 of the Transport Note(1) that "It is considered that the vehicle movements associated with the proposed development will not have an adverse impact on the operation or safety of the existing local highway network" seems at odds with the reality of the situation during rush hours. It can frequently take several minutes for us to leave our driveway in the village which faces directly onto the A48. At rush hours without the traffic lights changing at the Dyffryn Lane intersection it can be very difficult for us to get onto the A48. It seems highly unrealistic to believe the vehicles, potentially 34+ from the current proposal and presumably ~250 from the two developments, will be able to access the A48 without any "adverse impact on the operation or safety of the existing" A48. These additional vehicles must result in additional load on the transport system and will result in more congestion and also potential increased risk for school children crossing the A48 on their way to/from school.

### **Inclusion of infrastructure to support Future developments to East of St Nicholas Area.**

This application should be considered as providing infrastructure to support future "urbanization" of St Nicholas. If this development occurs it will likely be used to support further "unsustainable" developments in the St Nicholas area such as the proposed application for 100 houses to the West (2015/0249/FUL) and the urbanisation of adjacent agricultural land. .



In conclusion, I am of the opinion that this is an "unsustainable" development which should not be considered near a Conservation Area such as St Nicholas. The proposed development is a poor use of valuable agricultural land and will likely be the "thin end of the wedge" as it promotes future "unsustainable" developments to the East of St Nicholas.

Yours sincerely,

Dr John Macneil.

**Payne, Adrienne J**

---

**From:** Planning  
**Sent:** 02 October 2016 22:16  
**To:** Planning  
**Subject:** New comments for application 2015/00662/FUL  
**Attachments:** 2015\_00662\_FUL\_SR2\_SCurien\_The Croft\_StNicholas\_Oct16.pdf

New comments have been received for application 2015/00662/FUL at site address: Land to the east of Mink Hollow, St. Nicholas

from Ms Sophie Curien [REDACTED]

Address:  
The Croft,,Cowbridge Road,,St Nicholas,,Vale of Glamorgan,CF56SH

Comments:  
I object to this proposed development. For details see attached document.

The following files have been uploaded:  
2015\_00662\_FUL\_SR2\_SCurien\_The Croft\_StNicholas\_Oct16.pdf

Case Officer:  
Mr. Steven Rennie

RECEIVED  
03 OCT 2016  
Regeneration  
and Planning

D.E.E.R  
RECEIVED  
ACTION BY: SDB  
NO: 25  
ACK:

Mr. S. Rennie  
Development Control  
Vale of Glamorgan Council  
Dock Office  
Barry Docks  
Barry, CF63 4RT



The Croft,  
Cowbridge Road,  
St. Nicholas,  
Vale of Glamorgan,  
CF5 6SH.

2<sup>nd</sup> October 2016

Dear Mr. Rennie,

**Ref: - Application No. 2015/00662/FUL/SR2 Land to the east of Mink Hollow, St. Nicholas**

In response to your letter reference P/DC/SR2/2015/00662/FUL dated 14<sup>th</sup> September 2016 I would like to state my objection to the proposed development, 2015/00662/FUL/SR2, on the Eastern boundary of St. Nicholas, Vale of Glamorgan.

I do not think that situating 17 houses with potentially 34+ cars on 0.77ha of high quality (good) agricultural land at the boundary a rural village of ~ 144 houses is a sound development. It does not seem to be consistent with the objectives stated in LDP Vision document.

Neither the site of the planning application, nor the proposals for this site appear to relate to sound spatial planning practices, the Wales Spatial Plan or Planning Policy Wales (PPW) and relevant Technical Advice Notes (TAN). Furthermore, the plan does not appear to deliver the intentions of the emerging LDP.

My concerns include:

- The Welsh Government's presumption against unsustainable development;
- The impact of the proposed development on the St Nicholas Conversation Area, the Ely Valley and Ridge Slopes Special Landscape Area;
- Absence of demand for affordable housing in the area;
- The loss of finite, scarce agricultural land rated: good;
- Disruption of traffic on and in the vicinity of the A48 in St Nicholas;
- Inclusion of infrastructure to support future developments to East of St Nicholas.

### **Unsustainable development.**

With limited public transport, footpaths and cycle paths, it is likely that the primary mode of transport from these proposed dwellings will be by car. As there are very limited amenities in the village this will necessitate the use of cars to travel to work and carry out basic shopping tasks.

In the case of this application, it is considered that the development would not accord with the key principles and policy objectives of sustainable development as defined by PPW. To demonstrate this

harm, the scheme is assessed against relevant sustainability objectives provided in Section 4.4 of PPW below:

- **Promote resource-efficient and climate change resilient settlement patterns** -Given the lack of services and facilities within the village there is a real possibility that the proposed development will increase dependency on cars, promoting unsustainable travel patterns. As there is no identified affordable housing need within the East Vale area most, if not all of this development should be re-distributed to the areas where the need is greatest, which is also where there are the greatest number of services and facilities. This should result in a more sustainable pattern of development. The prematurity of this scheme does not allow for this consideration in the most appropriate forum;

- **Locate developments so as to minimise the demand for travel, especially by private car** – the lack of services and facilities within St Nicholas will mean that residents of the proposed development will have to access services and facilities in other areas. The majority of these trips will be made by car;

- **Support the need to tackle the causes of climate change by moving towards a low carbon economy** – the proposed development is adjacent to a village with limited services and facilities. Residents of the proposed development will therefore have to access services and facilities within higher tier settlements. The majority of these trips will be made by car and therefore the development will not assist in tackling the causes of climate change.

- **Help to ensure the conservation of the historic environment and cultural heritage, acknowledging and fostering local diversity** – the proposed development will have a significant harmful effect on the St Nicholas Conservation Area.

- **Ensure that all local communities – both urban and rural – have sufficient good quality housing for their needs** – there is currently no affordable housing need within the Eastern Vale area. The majority of need is within Barry, Penarth and the Coastal areas, where there exists a greater number of services and facilities.

- **Promote access to employment, shopping, education, health, community, leisure and sport facilities and open and green space, maximising opportunities for community development and social welfare** – the application does not provide access to any employment, education, shopping, community, leisure or sports facilities. Whilst it does provide an element of public open space, there is no certainty provided by the application as to whether the public open space provided will meet the deficit of specific types of public open spaces in St Nicholas, which was a major consideration in the site's allocation in the Deposit LDP.

- **Foster improvements to transport facilities and services which maintain or improve accessibility to services and facilities, secure employment, economic and environmental objectives, and improve safety and amenity** – the proposed development does not provide any improvements to accessing services and facilities, both for the existing and proposed resident population. Conversely, it could create an unsustainable pattern of development and a greater dependency on the private car.

- **Foster social inclusion by ensuring that full advantage is taken of the opportunities to secure a more accessible environment for everyone that the development of land and buildings provides** – as indicated above, the proposed development would lead to a greater dependency on the use of cars.

It is clear from the assessment above that the proposed development would not constitute sustainable development and therefore the presumption in favour of sustainable development that applies as a result of the time lapsed nature of the Adopted UDP and the housing land supply situation from 2016, does not apply.

### **The Impact on the St Nicholas Conservation Area**

The application site is located immediately adjacent to the boundary of the St Nicholas Conservation Area. The Conservation Area was first designated in 1970 in recognition of the Villages special architectural and historic interest. The proposed development would adversely affect the setting of the Conservation Area and would be very visible on the approach to the village from the East..

### **No Demand for affordable housing in East of Vale of Glamorgan.**

As stated above there is no affordable housing need within the East Vale area as indicated in Table 8 of the Council's Local Housing Strategy (2015-20).

### **Degradation of valuable agricultural land.**

High quality agricultural land is a valuable resource which should be retained where possible in the UK. This land provides environmental, economic and security benefits and should be viewed as an asset for our country. This type of land is not suitable for residential development until all other sources of land have been exhausted.

### **Disruption of traffic on A48.**

The A48 at St Nicholas, which has a 30mph speed limit, can be very congested with traffic at certain times of the day. Frequently during rush hours cars can be slowly travelling "nose to tail" for 10's of minutes. The assertion that in 3.5 of the Transport Note(1) that "It is considered that the vehicle movements associated with the proposed development will not have an adverse impact on the operation or safety of the existing local highway network" seems at odds with the reality of the situation during rush hours. It can frequently take several minute for us to leave our driveway in the village which faces directly onto the A48. At rush hours without the traffic lights changing at the Dyffryn Lane intersection it can be very difficult for us to get onto the A48. It seems highly unrealistic to believe the vehicles, potentially 34+ from the current proposal and presumably ~250 from the two developments, will be able to access the A48 without any "adverse impact on the operation or safety of the existing" A48. These additional vehicles must result in additional load on the transport system and will result in more congestion and also potential increased risk for school children crossing the A48 on their way to/from school.

### **Inclusion of infrastructure to support Future developments to East of St Nicholas Area.**

This application should be considered as providing infrastructure to support future "urbanization" of St Nicholas. If this development occurs it will likely be used support further "unsustainable" developments in the St Nicholas area such as the proposed application for 100 houses to the West (2015/0249/FUL) and the urbanisation of adjacent agricultural land. .

In conclusion, I am of the opinion that this is an "unsustainable" development which should not be considered near a Conservation Area such as St Nicholas. The proposed development is a poor use of valuable agricultural land and will likely be the "thin end of the wedge" as it promotes future "unsustainable" developments to the East of St Nicholas.

Yours sincerely,

Sophie Curien.

**Payne, Adrienne J**

---

**From:** Planning  
**Sent:** 25 September 2016 15:04  
**To:** Planning  
**Subject:** New comments for application 2015/00662/FUL

New comments have been received for application 2015/00662/FUL at site address: Land to the east of Mink Hollow, St. Nicholas

from Mr Neal Benford



**Address:**  
2 Broadway green, st nicholas, cf5 6sr

**Comments:**  
as with all of the previous applications I OBJECT to this development on the grounds that it will detrimentally change the village, which is the gateway to the Vale and also that this will have an adverse effect upon road traffic on the A48, which is already too busy during peak times.

**Case Officer:**  
Mr. Steven Rennie

RECEIVED  
26 SEP 2016  
Regeneration  
and Planning

D.E.E.R
RECEIVED
ACTION BY: <b>SDB</b>
NO: <b>17</b>
ACK:

**Payne, Adrienne J**

---

**From:** Planning  
**Sent:** 25 September 2016 08:10  
**To:** Planning  
**Subject:** New comments for application 2015/00662/FUL

New comments have been received for application 2015/00662/FUL at site address: Land to the east of Mink Hollow, St. Nicholas  
from Ms MECHELLE Collard [REDACTED]  
Address:  
2 Broadway green, st Nicholas ,ct56sr

RECEIVED  
26 SEP 2016  
Regeneration  
and Planning

**Comments:**  
This will alter the character of the village which is the 'gateway to the vale'. This development will produce more cars on an already very busy stretch of the A48, during peak times eg 8am traffic is already backed up to the junction with 5 mile lane. There are no shops in the village so anyone living in this development would need a car (or 2) adding to the traffic problems we already have in the village. There are large urbanisations in the Vale eg Barry and Cowbridge and new homes should be built in these areas where there are facilities for new residents. With new developments in Colwinston, Culverhouse cross and Wenvoe there is no need for further housing in St Nicholas.

**Case Officer:**  
Mr. Steven Rennie

D.E.E.R
RECEIVED
ACTION BY: <i>BRUNNEN SDR</i>
NO: <i>15</i>
ACK:



**Payne, Adrienne J**

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**From:** Planning  
**Sent:** 26 September 2016 15:57  
**To:** Planning  
**Subject:** New comments for application 2015/00662/FUL  
**Attachments:** Planning Objection. 17 houses (1).doc

New comments have been received for application 2015/00662/FUL at site address: Land to the east of Mink Hollow, St. Nicholas

from Mr Cliff Lewis [REDACTED]

**Address:**  
Village Farmhouse, St. Nicholas, Cardiff, CF5 6SG

**Comments:**  
Please see my attachment for letter stating my objections to this proposed development.

Yours Faithfully  
Cliff Lewis  
Sandra Lewis

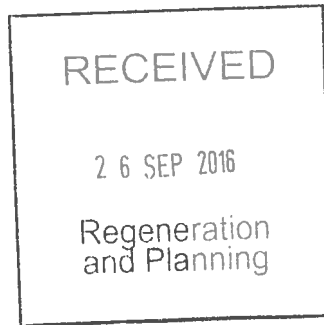
The following files have been uploaded:  
Planning Objection. 17 houses (1).doc

**Case Officer:**  
Mr. Steven Rennie



D.E.E.R
RECEIVED
ACTION BY: <i>[Signature]</i> SDB
NO: 12
ACK:

Mr. Cliff Lewis,  
Village Farmhouse,  
St. Nicholas.  
Cardiff.  
CF5 6SG.  
Email: [REDACTED]



26<sup>th</sup> September 2016.

Dear Mr Rennie

I wish to object to the planning application dated 22 June 2015 submitted on behalf of Watersone Homes under your references 2015/00662/FUL/SR2

The grounds of my objection are as follows:

1. It has been confirmed by the Council in a pre-application response to Harmers Limited dated 5 February 2014 under reference P/DC/SR2/2013/0200/PRE that no deficiency now exists in the Council's five year housing land supply. Thus, there is no justification for bringing forward the Site based on its inclusion as part of an allocated site in advance of formal adoption of the LDP, as revised following completion of all due processes.

I will refer to some of those matters below without prejudice to the overriding contention that the Application is premature and should be refused.

2. Contrary to adopted Unitary Development Plan. Prior to the adoption of the LDP (as revised), the Application should be considered in the context of the adopted Unitary Development Plan 1996-2011 ("the UDP"). The proposals in the Application are in breach of policies in the UDP, including the following:

a. Dwellings in the Countryside (HOUS 3). The policy is that "The erection of new dwellings in the countryside will be restricted to those that can be justified in the interests of agriculture and forestry." The Application proposes to turn agricultural land into a housing development which has no benefit to agriculture or forestry. On the contrary, it removes valuable agricultural land.

b. Development in the Countryside (ENV 1). The Site is situated in open countryside. The proposed development does not meet any of the four exceptions to the policy that development in the countryside will not be permitted.

c. Agricultural Land (ENV 2). The policy provides that "The best and most versatile agricultural land (grades 1, 2 & 3A) will be protected from irreversible development, save where overriding need can be demonstrated." The land comprising the Site is officially designated as green belt.

There is no current overriding need for the development.

d. Conservation in the Countryside (ENV 10). The policy provides that "Measures to maintain and improve the countryside, its features and resources will be favoured, particularly in areas subject to development pressure. The residents of St Nicholas have chosen to live in a rural community and, particularly the residents of Ger-y-Llan and Well Lane, enjoy the benefit of an outlook over green fields. If the proposed development proceeds, that outlook will be irreversibly changed to an urban scene of dense housing. Notwithstanding the proposed landscaping, substantial wildlife habitat will be lost. The proposal does not maintain or improve the countryside and is contrary to ENV 10.

Vale of Glamorgan Council – 26 March 2015

The Site lies outside the defined settlement boundary of St Nicholas in a Special Landscape Area. There is no overriding justification or material consideration to outweigh the in principle policy presumption against development of the Site. The development of this rural area and landscape would be contrary to the adopted policies of the Council as identified above.

3. Scale of proposed development. The Application relates to 17 new houses but covers only part of MG 2 - 43. It anticipates future development in the remaining two fields comprising MG 2 - 43 (Planning Statement - paragraph 3.1). This would eventually increase the total development to about 100 houses, as proposed in the LDP. The scale would be substantially out of proportion to the size of the existing village of St Nicholas, much of which is in a Conservation Area.

The core village of St Nicholas has 144 houses of which 77 are on the north side of the A48 which runs through the centre of the village and 67 houses on the south side. Of the 144 houses, 105 houses are in the post-2009 Conservation Area, 32 houses were in the pre-2009 Conservation Area but excluded in 2009 and 7 houses are located between the Conservation Area and the commencement of the 30 mph speed limit at the western end of the village.

A total development of 100 houses would increase the size of the core village by 69% and the north side by 130%. This represents a massive scale of development for a small rural settlement.

In its representations to the Council on the LDP, the Welsh Assembly Government ("WAG") stated "Allocations in some minor rural settlements, for example, 100 units at St Nicholas and 120 units at Bonvilston appear disproportionate to current services and facilities." (paragraph B.1(d) of the Annex to the letter dated 20 December 2013 under the Council's reference P/POL/AMW/LDP3).

4. Urbanisation of open countryside. Paragraph 4.10.1 of Planning Policy Wales dated July 2014 ("PPW") states "...considerable weight should be given to protecting [agricultural land of grades 1, 2 and 3A] from development because of its special importance. Land in [these grades] should only be developed if there is an overriding need for the development and either previously developed land or land in lower agricultural grades is unavailable...". There is no overriding need for housing development, particularly affordable housing, in St Nicholas or the East Vale (designated in Figure 1.1 of the Local Housing Market Assessment 2013) ("the LHMA") as confirmed in Table 6.13 of the LHMA. Any need for housing elsewhere in the Vale of Glamorgan could be provided on brownfield land (eg Llandow) or land of lower agricultural grade. The proposed site allocation on grade 2 (or grade 3A) agricultural land conflicts with paragraph 4.10.1 of PPW.

Vale of Glamorgan Council – 26 March 2015

Out of character with the existing minor rural settlement. St Nicholas is a minor rural settlement in the Vale of Glamorgan which has developed gradually over many centuries.

The development would impact directly on, remaining houses on the east side of Ger-y-Llan and would have a serious adverse impact for all these properties on the existing residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance contrary to paragraph 7 of Policy MD 2 and paragraph 4 of Policy MD 3.

The properties on the north side of the A48 form part of the Conservation Area of St Nicholas. Most of the directly affected houses occupy plots substantially larger than the proposed dense development. Similarly, the adjacent houses in Ger-y-Llan and Well Lane have a substantially lower density. The proposed development is contrary to paragraph 2 of Policy MD 2.

The Site is located at the eastern approach to St Nicholas on the north side of the A48. Instead of seeing an established conservation village on entry from the east, travellers would be greeted by a dense urban development entirely out of character with the existing village and Conservation Area. The proposed development does not respond appropriately to the local context and character of neighbouring buildings in terms of type, form, scale, mix and density contrary to paragraph 2 of Policy MD 3.

Vale of Glamorgan Council – 26 March 2015

5. Paragraph 4.7.8 of PPW states "All new development should respect the character of the surrounding area and should be of appropriate scale and design." For reasons described in this item and in item 3 above and item 6 below, the proposed development at the entrance to the Conservation Area of St Nicholas does not comply with paragraph 4.7.8 of PPW.

In summary, St Nicholas does not have the capacity to accommodate this proposed development without its having an unacceptable effect on its character.

6. Contrary to Policy MD 6 – Development within Minor Rural Settlements. The relative scale and density of the proposed development substantially conflicts with Policy MD 6. It would not have a distinct visual relationship with the existing settlement, it would not be of a scale and character that is sympathetic to and respects its immediate setting and wider surroundings, it would have an unacceptable impact on the character and appearance of the [existing] settlement, it would represent a visual intrusion into the countryside and it would not be consistent with Policies MD 2 and MD 3.

The proposed development would not reinforce the role and functions of the settlement or maintain its character and attractiveness contrary to paragraph 7.28 of the LDP. A relatively dense development would not be sympathetic to and respect the existing character of the village and the range of services and facilities that are available contrary to paragraph 7.29 of the LDP.

Such a development would be unrelated to the existing properties and settlement and would represent an incongruous and large scale extension of the built form into the open countryside contrary to paragraph 7.30 of the LDP. The allocated site is green field and any development would result in the loss of open space which currently contributes at its entrance to the character and setting of the Conservation Area village contrary to paragraph 7.31 of the LDP.

7. Services and facilities. St Nicholas has a church, chapel, primary school, church hall, post box and a half-hourly bus service (substantially less frequent in the evening and on Sunday).

8. St Nicholas does not have a post office, shop, doctor's surgery, nursery, public house, restaurant, leisure centre or library. The absence of these facilities will inevitably result in the need for the residents of the new houses to make frequent short car journeys to shops 1.5 miles away at Culverhouse Cross or to a shop, public house or restaurant over two miles away at Bonvilston. The nearest doctors' surgeries are in Ely (2.2 miles) and Cowbridge (7 miles). The nearest post office is in Wilson Road, Ely (2.8 miles). It is unrealistic to expect these journeys to be made by walking or cycling by the vast majority of the residents, particularly the elderly.

The return journey from Culverhouse Cross involves climbing the long steep hill known as The Tumble. The absence of these frequently used services in the village and the consequent necessity to make frequent short car journeys is contrary to Objective 3 and to the objective expressed in paragraph 7.12 of the LDP.

9. Affordable housing. The Application includes provision for 3 low cost houses. While the need for affordable housing in the Vale of Glamorgan, particularly in urban areas with adequate local services, is not questioned, the net local need for affordable housing in St Nicholas and the East Vale does not exist, as confirmed by Table 6.13 of the LHMA. It is also reflected in the lowest priority area attributed to the East Vale in paragraph 5.47 of the LDP.

As stated at item 7 above, there is an absence in St Nicholas of those services (particularly a shop, post office and doctor's surgery) which would be frequently required by residents of affordable houses. Even with subsidised prices, it is probable that a new 'affordable house' in St Nicholas would cost as much as or more than a similar property in the west side of Cardiff (say, Culverhouse Cross or Ely) or in the Key and Service Centre Settlements in the Vale of Glamorgan (identified in paragraph 5.14 of the LDP) where essential local services are available nearby. Consequently, the cost of living in St Nicholas would be greater due to transport costs and far less convenient for residents of those houses.

The main location with a need for affordable housing is Barry followed by Coastal and Penarth (Figure 1.1 and Table 6.13 of the LHMA). The distance from St Nicholas to the nearest settlements in any of these locations exceeds five miles and most parts substantially exceed this distance. If affordable houses are built in St Nicholas, where there is no need, residents of the Vale requiring such houses will have to move away from their current locations which have all relevant local services as well as their families and established friends. There is no direct bus service from St Nicholas to Barry, Coastal or Penarth. In order to maintain essential and desirable links with their families and communities, these residents (if they possess cars) will need to make frequent car journeys contrary to Objective 3 and to the objective expressed in paragraph 7.12 of the LDP.

The proposed development does not possess or have good access to a wide range of services and facilities contrary to paragraph 7.53 of the LDP.

Vale of Glamorgan Council – 26 March 2015

#### 10. Planning history.

Two planning applications for the construction of houses on part of the Site were refused by the Council. The first application for the construction of ten houses was refused on 10 January 1989 although the Council's reference is unknown. The second application to build six houses was refused on 22 May 1991 under reference 1988/01152/OUT. The grounds for refusal of permission for the construction of six or ten houses apply to for the proposed construction of 20 houses.

11. Village road capacity. The centre of the village (north of the A48) is often heavily congested with parked vehicles, particularly in the roads around the church immediately before the weekday opening and closure of the school. Similar congestion occurs when there is a wedding or funeral at the church. The roads in the north side of St Nicholas are wholly unsuitable for any of the additional traffic which would be generated by the proposed development.

There is no pavement on the roads around the church. It is particularly unsuitable and dangerous for young children and any disabled person on the roads to the north and east of the church. There is no room for a wheelchair on the road to the north where vehicles are usually parked leaving barely enough room for other vehicles to squeeze through.

Traffic travelling in either direction along School Lane has to negotiate a blind bend at the junction with Well Lane in the north east corner of School Lane. This is particularly dangerous when vehicles are parked on the bend as is frequently the case. The exit from Ger-y-Llan is also blind and dangerous as vehicles travelling south on School Lane pick up speed.

12. Main access to Site. The location of the proposed access to the Site is inside the Conservation Area. The 20 houses with an estimated average of two vehicles per house would amount to 100 vehicles excluding visitors and service vehicles.

Vale of Glamorgan Council – 26 March 2015

Traffic leaving the Site to turn west towards Cowbridge would experience difficulty and danger due to the traffic flow in both directions.

At peak periods, it would be difficult for the number of vehicles leaving the proposed development to enter the traffic flow in either direction, thus causing a tailback within the Site.

Experience of leaving School Lane (eastern exit) to travel in either direction at peak periods demonstrates the extent of the problem even though it is substantially mitigated by being in the centre of the restricted speed zone and having the intermittent benefit and protection of the traffic lights turning red at the adjacent junction with Duffryn Lane. This forces through traffic to stop and provides the opportunity for vehicles from School Lane to enter the traffic flows. These mitigating factors would not apply to traffic exiting the Site.

Considerable additional problems affecting traffic flow on the A48 will arise during the construction period.

13. Transport Statement seeks to demonstrate that the proposed development will have little impact on traffic travelling on the A48. This is disputed for reasons set out at item 11 above. Of greater impact will be the cumulative effect of this proposed development together with other developments proposed in the LDP near Cowbridge (including Ystradowen and Colwinston) and between Cowbridge and Culverhouse Cross (including Bonvilston). In addition to these proposed developments, there are other significant proposed changes which will increase the traffic on the A48 and at the Tesco junction and Culverhouse Cross roundabout.

The Application relies on the inclusion of the Site as part of an allocated site in the LDP. It is contended that this allocation, in combination with the other allocations referred to above, has been made without due consideration and regard by the Council to the cumulative effect on traffic on the A48. In particular, it is contended that, in formulating the LDP and determining site allocations at St Nicholas and Bonvilston, the Council has very seriously misinformed itself concerning the capacity of the A48. This capacity has been calculated at three points between Cowbridge and Culverhouse Cross, all of which are in the national 60 mph speed limit. No account has been taken of the 40 mph speed limit from West Bonvilston to West St Nicholas; the 30 mph speed limit through St Nicholas; and the inevitable delays at the traffic lights at Sycamore Cross and Duffryn Lane as well as at other uncontrolled junctions.

For the many reasons set out above, we object to the Application and request the Council to refuse planning permission in response to the Application and to refuse any other planning application relating to all or part of MG 2 - 43 prior to the formal adoption of the LDP (as revised).

Yours sincerely  
Mr. Cliff Lewis  
Mrs. Sandra Lewis

**LATE ITEMS FOR COMMITTEE**

**COMMITTEE DATE : 6 October 2016**

<b>Application No.:</b> 2015/00662/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Land to the east of Mink Hollow, St. Nicholas	
<b>Proposal:</b> Proposed residential development for 17 dwellings and associated highway and ancillary works	

**From: Case Officer Steven Rennie**

**Summary of Comments:**

Error noted on Condition 14 (reference to Emmaville) to be deleted. Condition should be as follows:

14. No Development shall take place until there has been submitted to, approved in writing by the Local Planning Authority a Construction Environmental Management Plan (CEMP). The CEMP shall include details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated, including details of a system of wheel washing, surface water management, parking for construction workers and commercial vehicle, site materials storage, bunds and compounds and the hours of operation set out within Condition 19. The CEMP will utilise the Considerate Constructors Scheme ([www.considerateconstructorsscheme.org.uk](http://www.considerateconstructorsscheme.org.uk)). The CEMP will include a system for the management of complaints from local residents which will incorporate a reporting system. The construction of the Development shall be completed in accordance with the approved CEMP unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment and to ensure compliance with the terms of Policy ENV27 of the Unitary Development Plan.

Furthermore, condition 2 has been amended to make reference to the garages plan:

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

- Site location plan dated 17 September 2015
- Site layout plan 2132/101 Rev H received 20 September 2016
- Design and Access Statement Revision 2 received 8 September 2016
- David Clements Ecology Ecological Assessment received 04 November 2015

Landscape Character and Visual Impact Assessment (TDA Associates) received 01 June 2016

Tree Constraints Plan (TDA associates received 1 June 2016

Agricultural Land Classification prepared by Kernon dated June 2015

Plans and Elevations House Type A1 plan number 2132-210-01 Rev A received 25 May 2016

Plans and Elevations House Type B1 2132-211-01 received 25 May 2016

Plans and Elevations House Type C1 2132-212-01 received 25 May 2016

Plans and Elevations House Type D1 2132-213-01 received 25 May 2016

Plans and Elevations House Type E1 2132-214-01 received 25 May 2016

Elevations 1 - Plots 6 to 12 2132-215-02 Rev A received 17 May 2016

Elevations 2 - Plots 6 to 12 2132-215-03 Rev A received 25 May 2016

Floor Plans Plots 6 to 12 2132-215-01 Rev A received 25 May 2016

**2132/216/01 - Single Garage**

Tree Survey Plan (TDA Associates) reference TDA.2127.01 dated June 2015

Noise Assessment for Planning Purposes received 15 June 2016

Reason:

For the avoidance of doubt as to the approved development and to accord with Circular 016:2014 on The Use of Planning Conditions for Development Management.



## LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 6 October 2016

<b>Application No.:</b> 2015/01072/RES	<b>Case Officer:</b> Mr. S. D. Butler
<b>Location:</b> Land North of the railway line (West), Porthkerry Road, Rhoose	
<b>Proposal:</b> The development of 227 dwellings with associated access, roads and footpaths, drainage works, landscaping, public open space and other ancillary works	

**From:** Highway Development Team

### Summary of Comments:

Finalised comments submitted to replace the Draft comments initially submitted. The final comments have sought minor additional revisions to the internal highway layout to provide the correct geometry, swept paths and visibility splays etc., at one or two locations.

### Officer Response:

The application has been assessed and considered in light of the Draft comments initially submitted, as set out in the Committee Report. The additional elements sought, are minor and have been secured in Condition 4.

### Action required:

None, as at the time of finalising the report, the wording of Condition 4 had already been amended to reflect the final comments received and the final comments have been appended for information.:





## Vale of Glamorgan Highway Authority Observation Sheet

Planning Application Ref:	2015/01072/RES
Observations By:	Paul D Harrison
Date:	26 September 2016
Location:	Land North of the railway line (West), Porthkerry Road, Rhoose
Proposal:	The development of 231 dwellings with associated access, roads and footpaths, drainage works, landscaping, public open space and other ancillary works
Case Officer:	Mr. S. D. Butler

Further to reviewing revised details in relation to the above, the following comments are provided, which are required to be included on amended plans and be submitted for consideration.

1. Additional speed tables are required to be provided along the access road within the site, adjacent to plots 165/189 and 220/235.
2. The tapered carriageway alignment adjacent to plots 93, 197 and 201 is not acceptable and is required to be amended to provide a straight kerb line.
3. Visibility splays at the access serving plots 33 to 36 are provided across the front garden area of plot 33. Therefore, the garden area is required to be realigned to provide visibility of 2.4m x 17.0m over land that will form the adopted highway.
4. The access serving plots 189 to 191 is required to be designed as a shared surface while maintaining the vehicle barrier as shown on the submitted drawings.

5. The footways adjacent to plots 254 and 245 are required to be extended in length by 2.0m past the location of the proposed rumble strip.
6. The junctions of the access road and each shared surface area are required to be provided in accordance with the attached detail. In addition, rumble strips are required to be provided at the mouth of each shared surface.
7. Standard car parking bays are required to be provided at 4.8m x 2.6m in accordance with the councils parking standards.
8. The width of driveways associated with individual dwellings are required to be provided at 3.6m in accordance with the councils parking standards.
9. The parking spaces serving plot 106 (and adjacent visitor) and 120 are located within the mouth of adjacent junctions and will lead to vehicle conflicts. Therefore these parking spaces are required to be relocated away from the junction.
10. The proposed visitor parking is required to be evenly distributed/located within the site.
11. Additional visitor car parking (2 spaces) is required to be provided adjacent to plots 81-82, 90- 92 and plot 255.
12. The visitor parking spaces located adjacent to plots 51 and 212 will lead to conflicts due to their location and orientation. Therefore, these parking spaces are required to be relocated.
13. A barrier system (ornate fencing or similar) is required to be provided along the proposed cycle/footway adjacent to plots 221- 233 and along the southern boundary of the site, in order to prevent encroachment by vehicles onto the cycle/footway.
14. The swept paths of a refuse vehicle entering/exiting the shared surface area adjacent to plots 93 and 197 are showing significant encroachment on to the opposite side of the carriageway which is not acceptable and required to be addressed.
15. Swept paths of a 11.22m ridged vehicle manoeuvring within the turning area adjacent to plot 254 is required to be provided.
16. Clarification is required to confirm that the access serving plots 212 to 217 will be offered for adoption. If the access is not to be offered for adoption, the maximum number of dwellings that the council will permit to be served via this private drive is 5.

**Note:**



## LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 6 October 2016

<b>Application No.:</b> 2016/00645/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Ty Broc Parc Farm, Parc Farm Lane, St Donats	
<b>Proposal:</b> Conversion of existing barns to 4 holiday lets with associated parking	

**From:** Mr Stephen Hopkins QC

**Summary of Comments:**

Objected to proposal for several reasons, including that holiday lets are available for abuse and the proposals would be detrimental to highway safety.

## Edgerton, Elaine

---

**From:** Planning  
**Sent:** 05 October 2016 09:55  
**To:** Planning  
**Subject:** New comments for application 2016/00645/FUL

New comments have been received for application 2016/00645/FUL at site address: Ty Broc Parc Farm, Parc Farm Lane, St Donats

from Mr Stephen Hopkins QC [REDACTED]

**Address:**  
Parc Farm, St Donats, Vale of Glamorgan, CF611ZB

**Comments:**  
8th application on same property, and 3rd by this applicant in 7 months, only 10 days after last application determined.

Location plan at p332 wrong - incorporates some of my land.

Application Notice not displayed for 28 days.

Application joins 2 separate parcels of land - breach of "Conversion of Rural Buildings".

Septic tank report - unable to locate soakaway in field - my field, public footpath on it.

No mains water to application site - nearest mains approx 1/2 mile away.

Restriction on "holiday lets" - open to abuse.

HIGHWAYS OBJECT - "detrimental impact on highway safety".

Parking proposal dangerous and unworkable. Applicant has no legal right to use access to Ty Broc for access other than for domestic use.

Flooding - Highways aware.

Increase of residential footprint in agricultural area - breaches of Policy ENV8, MD14 and ENV1.

Ignores previous Ty Broc decision (2008/00023/FUL) prohibiting "commercial or business use" of stables.

**Case Officer:**  
Mr. Steven Rennie

**LATE ITEMS FOR COMMITTEE**

**COMMITTEE DATE : 6 October 2016**

<b>Application No.:</b> 2016/00645/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Ty Broc Parc Farm, Parc Farm Lane, St Donats	
<b>Proposal:</b> Conversion of existing barns to 4 holiday lets with associated parking	

**From: Glamorgan Gwent Archaeological Trust**

**Summary of Comments:**

No significant archaeological remains likely at the site. No objections raised.

**Payne, Adrienne J**

---

**From:** Rob Dunning <Rob@ggat.org.uk>  
**Sent:** 28 September 2016 12:48  
**To:** Planning & Transportation (Customer Care)  
**Subject:** GGAT Response to 2016/00645  
**Attachments:** A52749 Ty Broc Parc Farm, St Donats Sept 16 DD+.pdf

Please find attached our response to the above application.

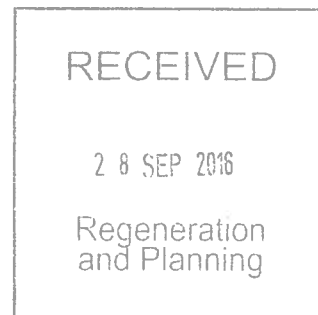
Regards,

Rob

Rob Dunning BSc MCIfA  
Archaeological Planning Officer  
Glamorgan-Gwent Archaeological Trust Ltd  
Heathfield House  
Heathfield  
Swansea  
SA1 6EL

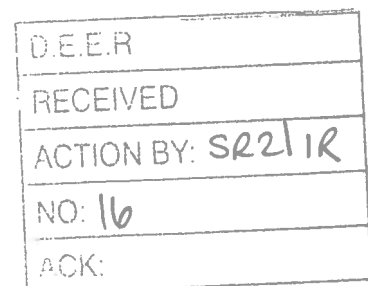
Tel 01792-655208  
Fax 01792-474469

e-mail [rob@ggat.org.uk](mailto:rob@ggat.org.uk)  
web [www.ggat.org.uk](http://www.ggat.org.uk)



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Our ref: A52749/RD

## ARCHAEOLOGICAL PLANNING

Head of Planning and Transportation  
The Vale of Glamorgan Council  
Dock Office  
Barry Docks  
BARRY  
CF63 4RT

28th September 2016

Dear Sir

**Re: Conversion of existing barns to 4 holiday lets with associated parking  
Ty Broc Parc Farm, Parc Farm Lane, St Donats  
Pl.App.No.: 2016/00645/FUL**

Thank you for consulting us concerning the proposed development; consequently we have reviewed the detailed information contained on your website.

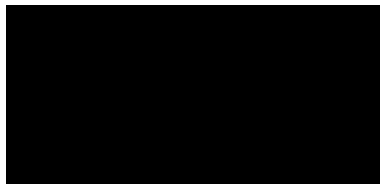
We have consulted the regional Historic Environment Record which indicates that whilst, no designated sites are located within the application area it is located at the northern extent of St. Donats Castle Historic Park and Garden (GM30). As a result, Cadw should be consulted over the proposal. A review of the historic Ordnance Survey mapping of the area depicts a similar layout of buildings to the current, but it is apparent that modern alterations have been made to the structures. We note the previous change of use application (2008/00203/FUL) which converted from stables/cowsheds to a stable, tack room and feedstore.

We consider it unlikely that significant archaeological remains will be uncovered during the requisite works. Therefore it is also unlikely that there is an archaeological restraint to this proposed development. Consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application.

The record is not definitive, however, and features may be disturbed during the course of the work. In this event, please contact this department of the Trust.

Thank you for the opportunity to comment. Should you require further information or assistance, please contact us.

Yours faithfully



Rob Dunning BSc MCifA  
Archaeological Planning Officer



Archaeological  
Planning



Registered Organisation

Glamorgan-Gwent  
Archaeological Trust  
Limited  
Heathfield House  
Heathfield  
Swansea SA1 6EL  
Tel: (01792) 655208  
Fax: (01792) 474469

www.ggat.org.uk  
email: curatorial@ggat.org.uk

Registered Office: As above  
Registered in Wales No. 1276976  
A Company limited by Guarantee  
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Registered Charity No. 505609

**LATE ITEMS FOR COMMITTEE****COMMITTEE DATE : 6 October 2016**

<b>Application No.:</b> 2016/00645/FUL	<b>Case Officer:</b> Mr. Steven Rennie
<b>Location:</b> Ty Broc Parc Farm, Parc Farm Lane, St Donats	
<b>Proposal:</b> Conversion of existing barns to 4 holiday lets with associated parking	

**From: Mrs Joanna Hopkins – Parc Farm**

**Summary of Comments:**

Questioned about the link to the Atlantic College to support the holiday cottage proposed development.

Raised concern that septic tank would overflow onto their land.

A response has been received from the applicant's agent and is included;

**Officer Response:**

Firstly, there is no email to confirm the link to Atlantic College. It was verbally described by the applicant at the time of the site visit as a possible business link. There has been no requirement for the applicant to demonstrate this further though the business potential has been covered as part of the Committee Report.

The applicant has stated that the outlet to the septic tank points towards the side garden of Ty Broc and does not include any land owned by Ty Broc (see attached email). However, a drainage condition has been attached to the recommended Committee Report for full drainage details, where any soakaway for the existing septic tank should be established.



**Payne, Adrienne J**

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**From:** Planning  
**Sent:** 04 October 2016 08:58  
**To:** Planning  
**Subject:** New comments for application 2016/00645/FUL

New comments have been received for application 2016/00645/FUL at site address: Ty Broc Parc Farm, Parc Farm Lane, St Donats

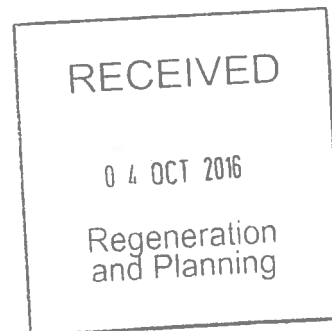
from Mrs Joanne Hopkins [REDACTED]

Address:  
Parc Farm, St Donats,, CF61 1ZB

**Comments:**

- 1.. I cannot find the correspondence from Atlantic College in support of this holiday cottage development - can you please publish it.
2. The report produced by Elite Pipeline Services' re the 'septic tank' clearly states that 'the tank is situated in the side garden adjacent to the entrance gate and the overflow for septic tank goes to a soakaway in the field (unable to detect exact location). TY BROC HAS NO FIELD - THE FIELD BELONGS TO PARC FARM - THIS STATEMENT IS OF GRAVE CONCERN TO US. AN INVESTIGATION NEEDS TO BE CARRIED OUT TO LOCATE PRECISELY THE SOAKAWAY AND THAT IT DOES NOT 'SOAKAWAY' ONTO OUR LAND. IF 'ELITES PIPELINE SERVICES' STATEMENT IS CORRECT IT WILL ALSO EFFECT THE PUBLIC FOOTPATH WHICH IS IN VERY CLOSE PROXIMITY. THIS APPLICATION SHOULD BE DEFERRED UNTIL THIS VITAL MATTER IS CLARIFIED.

Case Officer:  
Mr. Steven Rennie



D.E.E.R
RECEIVED
ACTION BY: SR21/R
NO: 13
ACK:

## Rennie, Steven

---

**From:** Andrew Bates [REDACTED]  
**Sent:** 05 October 2016 11:25  
**To:** Rennie, Steven  
**Cc:** Geraint John; Zoe Williams; Jack Pugsley  
**Subject:** FW: Ty Broc  
**Attachments:** Page 1 - Land Registry.pdf; Page 2 (title plan).pdf; Parc farm (1841141).pdf

Steven,

Please find below a response provided by our client, to the issues raised this morning:

- 1) **Claim that our soak away goes onto land a Parc Farm** This is not the case as **A**) the land adjacent to us is not owned by Parc Farm, rather it's owned by Atlantic College under title CYM447491. This was disputed by Parc Farm, though as you can see from the enclosed letter from the Land Registry, this was denied (attachments labelled Page 1 and Page 2). Furthermore, I have enclosed the updated title of Parc Farm and it can be clearly seen the ONLY boundary is the outbuilding which is 'uphill' from the septic tank and is in the opposite direction (attachment labelled Parc Farm). Parc Farm believe, and have done for some time, they own more land than they actually do! **B**) the outlet from the septic tank points in a south westerly direction, away from Parc Farm and into our extensive side garden.
- 2) **Parc Farm have disputed we've had discussions with Atlantic College** - how they can substantiate this is beyond me, however, I've left a message with them to write to me ASAP stating that we've already had conversations with them and that we have a follow up meeting in the diary for Friday 7<sup>th</sup> October at 2pm. I hope to have this with you shortly.

We hope the above is of use, and that you are able to include this response to the claims made by the occupiers of Parc Farm, as a late rep.

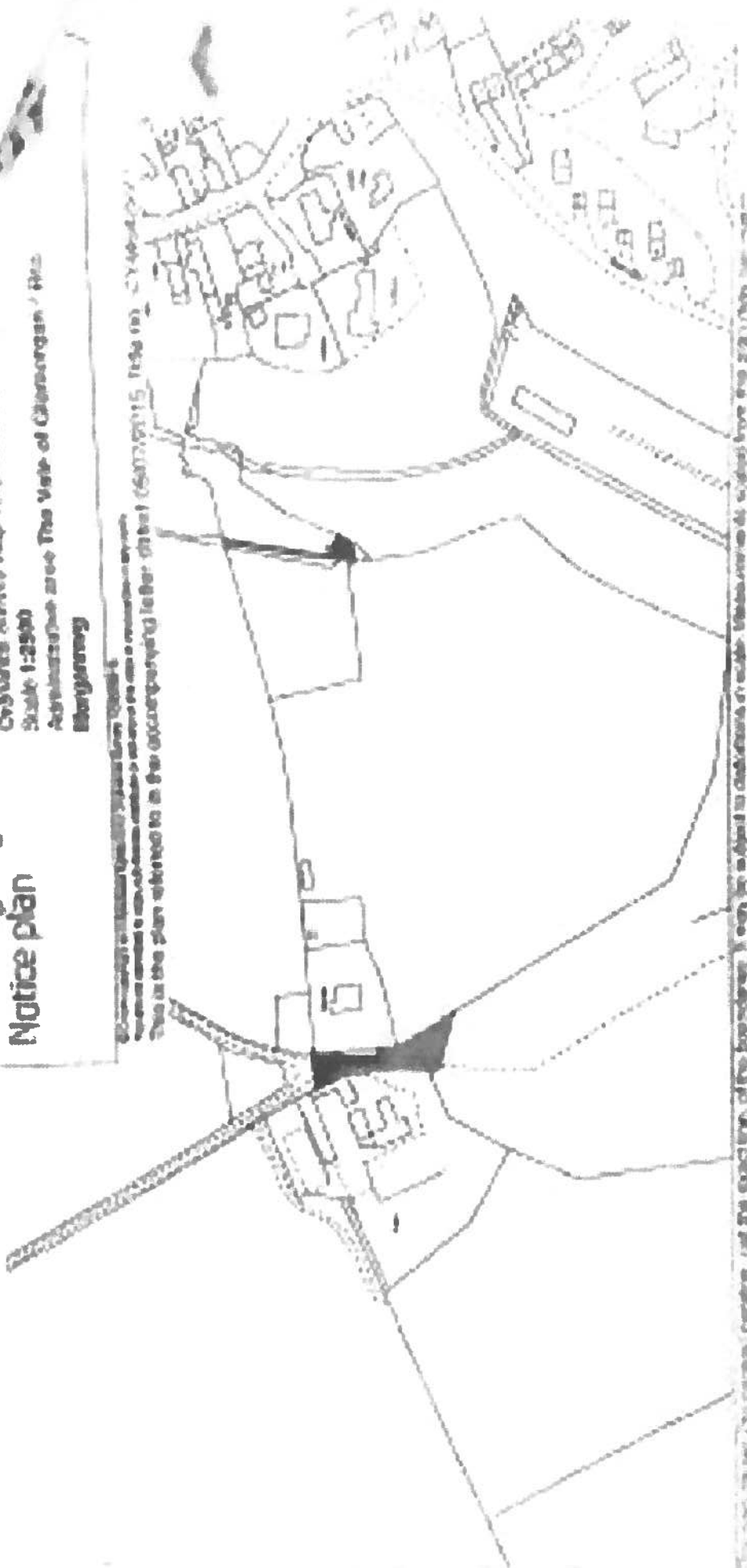
Thanks,

Andrew

# Notice plan

CV930000 Survey map reference 559368110  
Scale 1:2500  
Administrative area The Vale of Glamorgan / Rhondda Cynon Taf

This is the plan referred to in the accompanying letter dated 06/07/2015. It is a reproduction of the original plan as shown on the map.



This plan is subject to the provisions of the Land Registration Act 2002. It is a reproduction of the original plan as shown on the map.

*[Handwritten signature]* 10/3/16

*[Handwritten signature]* 10/3/16





*copy*

Hopkins Law  
DX 50957  
COWBRIDGE

DX

Date/Dyddiad  
9 July 2015

Your ref/Eich cyf  
NCP/4812

Our ref/Ein cyf  
CYM642227/F/226/JW/WA CT12

Proprietor/Applicant **Stephen John Hopkins**

Title number **CYM642227**

Property **Land At Parc Farm, St Donats, Llantwit Major (CF61 1ZB)**

Land Registry  
Wales Office  
PO Box 6344  
Coventry  
CV3 9LL

DX 740900 Coventry 24

Tel 0300 006 0009  
Fax 0300 006 0029  
wales.office  
@landregistry.gsi.gov.uk  
www.gov.uk/land-registry

Cofrestrfa Tir  
Swyddfa Cymru  
PO Box 6344  
Coventry  
CV3 9LL

Rhif DX 740900 Coventry 24

Ffôn 0300 006 0009  
Ffacs 0300 006 0029  
wales.office  
@landregistry.gsi.gov.uk  
www.gov.uk/land-registry

*Land Registry welcomes  
correspondence in Welsh or English  
/ Mae'r Gotrestrfa Tir yn croesawu*

Dear Sirs

I write further to our recent telephone conversation. Unfortunately, the position is somewhat complicated as different considerations apply to the disparate parcels of land. I am attaching an illustrative print which hopefully will assist in understanding the position:

1. The land tinted pink on the attached print, whilst being in your client's occupation, is correctly registered in the name of Atlantic College under title number CYM447491. This land forms part of the land conveyed to Atlantic College in 1960 by The National Magazine Company Limited. As the sale of the land pre-dated the purported conveyance of the same parcel of land by the same vendor to Aubrey Morgan and John Aubrey Morgan in 1963, documentary title to the land lies with the current registered proprietor, Atlantic College. It would be necessary for your client to make an application based on adverse possession of registered land in order to seek registration of this land in his own name. You may wish to consider the information contained in the relevant Land Registry Practice Guides in this regard.
2. The land tinted brown on the attached print (currently unregistered) is land that falls within the 1963 Conveyance to Aubrey Morgan and John Aubrey Morgan but was omitted from the plan to the subsequent Conveyance of Parc Farm dated 4 June 1990 made by the Morgans in favour of Ian Jeffrey Thomas and Judith Elizabeth Thomas. On the assumption that documentary title to this land remains vested in the Morgan family, it may be possible for your client to obtain a confirmatory Conveyance of that land in order to seek first registration of the documentary title.



Official copy  
of register of  
title  
Copi  
swyddogol o  
gofrestr teitl

Title number / Rhif teitl  
WA550614

Edition date / Dyddiad yr  
argraffiad 09.09.2016

- This official copy shows the entries in the register of title on 13 September 2016 at 12:37:26.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 13 September 2016.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website [www.landregistry.gov.uk](http://www.landregistry.gov.uk) or Land Registry Public Guide 1 - *A guide to the information we keep and how you can obtain it.*
- This title is dealt with by Land Registry Wales Office.
- Mae'r copi swyddogol hwn yn dangos y cofnodion yn y gofrestr teitl ar 13 Medi 2016 am 12:37:26.
- Rhaid dyfynnu'r dyddiad hwn fel y "dyddiad y chwilir ohono" mewn unrhyw gais am chwiliad swyddogol sy'n seiliedig ar y copi hwn.
- Y dyddiad ar ddechrau cofnod yw'r dyddiad y gwnaethpwyd y cofnod yn y gofrestr.
- Cyhoeddwyd ar 13 Medi 2016.
- Dan adran 67 Deddf Cofrestru Tir 2002, mae'r copi hwn yn dderbyniol fel tystiolaeth i'r un graddau â'r gwreiddiol.
- I gael gwybodaeth am y gofrestr teitl gweler gwefan y Gofrestrfa Tir [www.cofrestrfatir.gov.uk](http://www.cofrestrfatir.gov.uk) neu Gyfarwyddyd Cyhoeddus 1 - *Cyfarwyddyd i'r wybodaeth rydym yn ei chadw a sut y gallwch ei chael.*
- Gweinyddir y teitl hwn gan Gofrestrfa Tir Swyddfa Cymru.

## A: Property register / Cofrestr eiddo

This register describes the land and estate comprised in the title.  
Mae'r gofrestr hon yn disgrifio'r tir a'r ystad a gynhwysir yn y teitl.

THE VALE OF GLAMORGAN/BRO MORGANNWG

- 1 The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Parc Farm, St Donats, Llantwit Major.
- 2 The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title dated 4 June 1990 made between (1) Aubrey Morgan and others (Vendors) and (2) Ian Jeffrey Thomas and Judith Elizabeth Thomas (Purchasers):-

"together with the rights granted and excepting and reserving to the Vendors in fee simple for the benefit of the retained land the New Exceptions and Reservations

## A: Property register continued / Parhad o'r gofrestr eiddo

## THE SECOND SCHEDULE

## (The Rights Granted)

1. A right for the Purchasers and their successors in title to the Property to run water soil gas fuel oils electricity telephonic signals and other services through any sewers drains watercourses pipes cables wires or other channels or conductors ("the conduits") which now are or may at any time during the period of 18 years from the date of this Conveyance (which shall be the perpetuity period applicable to the rights contained in this Schedule) be in under or over the Retained Land with power at all times on giving to the owner or occupier for the time being of the Retained Land reasonable notice (except in the case of emergency when no notice shall be required) to enter onto so much as shall be reasonably necessary of the Retained Land for the purpose of repairing renewing maintaining inspecting replacing and cleansing the conduits and laying any further conduits (as above defined) and apparatus in order to connect into the conduits for the purpose of obtaining any such service as mentioned above PROVIDED that the rights contained in this clause are at all times subject to the persons exercising those rights:

1.1. making good all damage caused to the retained land to the reasonable satisfaction of the owner for the time being of the Retained Land

1.2. paying reasonable compensation to any person affected for any damage not capable of being made good as mentioned above, and

1.3. paying a fair and reasonable proportion of the costs of repairing renewing maintaining and cleansing the conduits which serve the Property in common with the Retained Land and paying all costs incurred in repairing renewing maintaining and cleansing any part of the conduits which serve only the Property

2. A right for the Purchasers and their successors in title to the Property to take a supply of waer from the mains water pipe (the approximate position of which is shown by a continuous purple line on the plan (the Vendors having first provided a separate system to meter such supply to the reasonable satisfaction of the Purchasers) or their successors in title and also to the satisfaction of Welsh Water Plc or other appropriate body before any such supply is taken by the Purchasers or their successors in title through the existing water supply pipes serving the Property ("the water supply pipes") (the approximate routes of which are shown by a dotted blue line on the plan) together with the right to enter upon so much of the Retained Land as is reasonably necessary to enable the Purchasers and their successors in title to inspect repair maintain renew and replace the water supply pipes and the water meter system mentioned above subject to the Purchasers and their successors in title keeping the water supply pipes in good repair and water-tight condition and keeping the water meter system mentioned above in good and working condition and subject to such rights being exercised:

2.1. so as to cause as little damage as reasonably possible to the Retained land in the exercise of those rights and

2.2. taking all reasonable care for the persons lawfully on or using those parts of the Retained land being entered and

2.3. making good all damage caused to the parts of the Retained Land being entered and any crops on it in the exercise of the above mentioned rights to the reasonable satisfaction of the Vendors or their successors in title and paying reasonable compensation for any damage not capable of being made

## A: Property register continued / Parhad o'r gofrestr eiddo

good.

3. The right for the Purchasers and their successors in title to the Property and those authorised by them at all reasonable times upon giving reasonable written notice (except in the case of emergency when no notice shall be required) to enter with or without scaffolding and other equipment onto so much as may be necessary of the Retained Land for the purpose of erecting maintaining and repairing the wall between the points marked X and Y on the plan subject to such rights being exercised:

3.1 so as to cause as little damage as reasonably possible to the Retained Land in the exercise of those rights and

3.2 taking all reasonable care for the persons lawfully on or using those parts of the Retained Land being entered and

3.3 making good all damage caused to the parts of the Retained Land being entered and any crops on it in the exercise of the above mentioned rights to the reasonable satisfaction of the Vendors or their successors in title and paying reasonable compensation for any damage not capable of being made good.

4. The right of support from the Retained Land for the Property (and all buildings on it)

### THE THIRD SCHEDULE

(The New Exceptions and Reservations)

1. Full right and liberty for the Vendors and their successors in title to the Retained Land to take a supply of water through the private water supply pipes the approximate position of which is indicated on the plan by a broken purple line between the points marked W and A on the plan annexed hereto ("the Estate water supply pipes") by means of the existing apparatus for all agricultural and domestic purposes together with such ancillary rights of entry onto the Property as are required for the purpose of inspecting repairing renewing replacing and maintaining the Estate water supply pipes and taking the supply of water provided that the above mentioned rights are granted on the following terms:

1.1 so as to cause as little damage as reasonably possible to the Property in the exercise of those rights and

1.2 taking all reasonable care for the persons lawfully on or using those parts of the Property being entered and

1.3 making good all damage caused to the parts of the Property being entered and any crops on it in the exercise of the above mentioned rights to the reasonable satisfaction of the Purchasers or their successors in title and paying reasonable compensation for any damage not capable of being made good."

NOTE: The continuous purple line, the dotted blue line and the broken purple line are shown by a yellow broken line, blue broken line and a brown broken line on the filed plan respectively. The points X, Y, W and A referred to have been reproduced on the filed plan.

3 The Conveyance dated 4 June 1990 referred to above contains the following provision:-

"The Agreements and Declarations shall apply to this Conveyance

## A: Property register continued / Parhad o'r gofrestr eiddo

### THE FOURTH SCHEDULE

(The Agreements and Declarations)

1. This Conveyance does not include any estate title or right in any water supply pipes referred to in the Second Schedule lying outside the boundaries of the Property except for those rights contained in the said Second Schedule
2. In relation to any boundary of the Property which adjoins land which is not in the Vendors' ownership and which boundary is an existing party wall or fence the Purchasers shall contribute equally to all necessary repairs to it."
- 4 A new title plan based on the latest revision of the Ordnance Survey Map with an amended extent has been prepared.
- 5 (09.09.2016) A new title plan based on the latest revision of the Ordnance Survey Map has been prepared.

## B: Proprietorship register / Cofrestr perchnogaeth

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Mae'r gofrestr hon yn nodi'r math o deitl ac yn enwi'r perchennog. Mae'n cynnwys unrhyw gofnodion sy'n effeithio ar yr hawl i waredu.

### Title absolute / Teitl llwyr

- 1 PROPRIETOR: STEPHEN JOHN HOPKINS of Parc Farm, St. Donat's, Llantwit Major CF61 1ZB.
- 2 The proprietor's address for service has been changed.

## C: Charges register / Cofrestr arwystlon

This register contains any charges and other matters that affect the land.

Mae'r gofrestr hon yn cynnwys unrhyw arwystlon a materion eraill sy'n effeithio ar y tir.

- 1 The land tinted pink on the title plan is subject to the following rights reserved by a Transfer dated 15 March 2016 made between (1) John Aubrey Morgan (Transferor) and (2) Stephen John Hopkins (Transferee):-  
  
"The Transferor hereby reserves for the benefit of Ty Broc registered under title number WA988748 all such rights and easements in over or under the Property as are existing and continue to be used and enjoyed"

## End of register / Diwedd y gofrestr

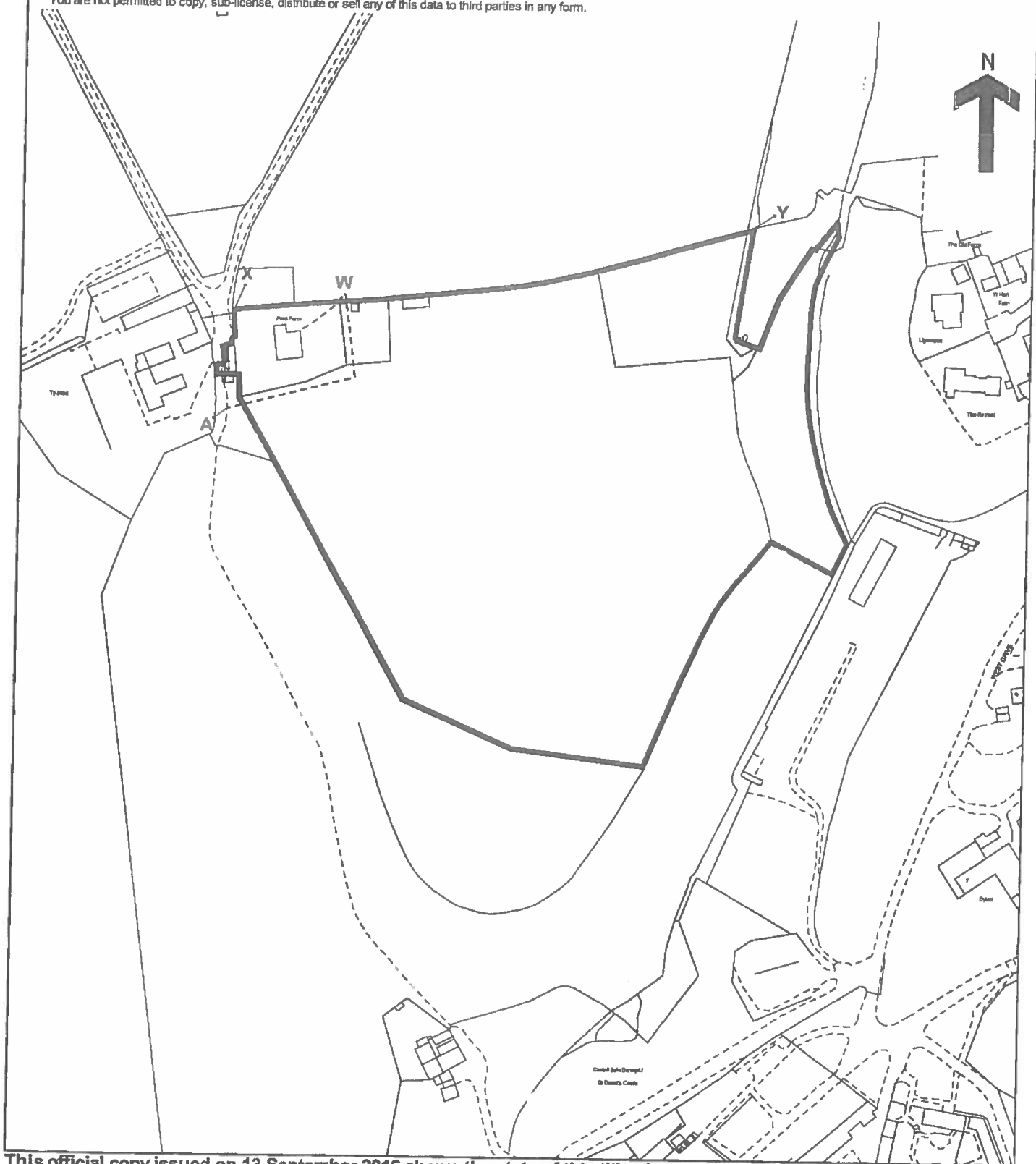


# Land Registry Official copy of title plan

Title number **WA550614**  
Ordnance Survey map reference **SS9368SW**  
Scale **1:2500**  
Administrative area **The Vale of Glamorgan / Bro  
Morgannwg**



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**This official copy issued on 13 September 2016 shows the state of this title plan on 13 September 2016 at 12:37:26. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).**

**This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.**

**This title is dealt with by Land Registry, Wales Office.**

## LATE ITEMS FOR COMMITTEE

COMMITTEE DATE: 6 October 2016

<b>Application No.:</b> 2016/00869/FUL	<b>Case Officer:</b> Ms. E. L. Langmaid
<b>Location:</b> Meadowvale Nursery, Cowbridge Road, Llantwit Major	
<b>Proposal:</b> Proposed nursery workers functional needs dwelling with annexe for aged relative	

**From:** Natural Resources Wales

**Summary of Comments:** No objection subject to conditions relating to adopting a precautionary approach to great crested newts, possibly securing a method statement in relation to Japanese Knotweed and a note for the applicant that an Environmental Permit under the Environmental Permitting regulation 2010 from NRW may be required.

**Officer Response:** Appropriately worded conditions could be attached to respond to the comments. Application is however recommended for refusal.

**Action required:** None

**Payne, Adrienne J**

**From:** South East Planning <southeastplanning@cyfoethnaturiolcymru.gov.uk>  
**Sent:** 26 September 2016 09:03  
**To:** Planning; Langmaid, Emma (Agency)  
**Subject:** 2016/00869/FUL - Meadowvale Nursery, Llantwit Major - NRW Response NRW:01180930  
**Attachments:** 2016 00869 FUL - Meadowvale Nursery, Cowbridge Road, Llantwit Major.pdf



Dear Emma

Please find attached our response to the above application, if you have any queries please do not hesitate to contact me.

Kind Regards  
Lindy Barratt

**Tîm Cynllunio Datblygu / Development Planning Team**  
**Cyfoeth Naturiol Cymru / Natural Resources Wales**

Ffôn / Tel: 03000 653091

Gwefan / Website: [www.cyfoethnaturiolcymru.gov.uk](http://www.cyfoethnaturiolcymru.gov.uk) / [www.naturalresourceswales.gov.uk](http://www.naturalresourceswales.gov.uk)

Ein diben yw sicrhau bod adnoddau naturiol Cymru yn cael eu cynnal, eu defnyddio a'u gwella mewn modd cynaliadwy, 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.

DEER
RECEIVED
ACTION BY: EWJIR
NO: 25
OK:



**Cyfoeth  
Naturiol  
Cymru**  
**Natural  
Resources  
Wales**

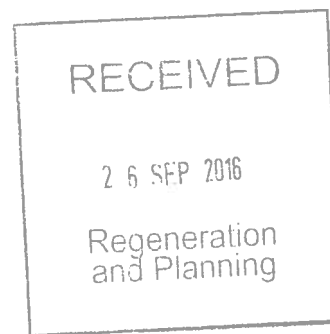
Ein cyf/Our ref: **CAS-23350-Y6C9**  
Eich cyf/Your ref: **2016/00869/FUL**

Rivers House  
St Mellons Business Park  
Fortran Road  
Cardiff  
CF3 0EY

Ebost/Email:  
[southeastplanning@cyfoethnaturiolcymru.gov.uk](mailto:southeastplanning@cyfoethnaturiolcymru.gov.uk)  
Ffôn/Phone: 03000 653 091

**FAO: Emma Langmaid**

The Vale of Glamorgan Council  
Development Control  
Docks Office  
Subway Road  
Barry  
CF63 4RT



26 September April 2016

Annwyl Syr/Madam / Dear Sir/Madam,

**PROPOSED NURSERY WORKERS FUNCTIONAL NEEDS DWELLING WITH ANNEXE FOR AGED RELATIVE AT MEADOWVALE BURSARY, COWBRIDGE ROAD, LLANTWIT MAJOR.**

Thank you for consulting us on the above application, which we received on the 6 September 2016. We do not object to the application as submitted and provide you with our response below.

**European Protected Species**

We have reviewed the following documents:

- 'Ecological Assessment' prepared by Udall-Martin Associates Ltd dated October 2015.

We note the application site is located in an area where there are records of great crested newts. We also note that results of the ecological site assessment, and in particular that the site has been cleared. Although hedgerows are proposed to be retained as part of the development, the site clearance appears to have affected a large area of terrestrial habitat. The cleared area appears to now be of low value to great crested newts, although it is not clear whether there may still be places on site where newts may take refuge.

Therefore, we advise that a precautionary approach be adopted and that a condition is included on any permission your Authority is minded to grant requiring the submission of a great crested newt method statement for the development prior to any works. This should include measures to check the site for any newts prior to works commencing, keeping the site cleared of newts, and measures to protect the remaining newt habitat on and adjacent to the site.

### **Further Advice**

We note from the Ecological Assessment that Japanese Knotweed was recorded on site. Invasive non-native species can cause problems for native UK species and reduce biodiversity (the variety of living organisms). Japanese knotweed can block footpaths and damage concrete, tarmac and the stability of river banks.

Your Authority may wish to secure through a condition the submissions of a method statement to be agreed by you ecologist and put appropriate control measures in place regarding the invasive species present. The method statement should include measures that will be used to prevent the spread of the species during any operations e.g. mowing, strimming or soil movement. It should also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant listed under the Wildlife and Countryside Act 1981, as amended.

### **Foul Drainage**

We note that the proposed application proposes connection to a septic tank. The installation of private sewage treatment facilities is not normally considered environmentally acceptable because of the greater risks of failures leading the pollution of the water environment compared to publically sewered areas. However, we note that the development site is some distance away from the nearest Dwr Cymru / Welsh Water (DCWW) sewage catchment.

#### *Environmental Permit*

The proposed septic tank may require an Environmental Permit under the Environmental Permitting regulation 2010 from Natural Resources Wales. For further information on the requirements of the permitting process, the applicant is advised to contact our Customer Contact Centre on 0300 065 3000 and ask for the permitting team. Further information on the permitting process can be found on our website at the following address:

<http://naturalresources.wales/how-we-regulate-you/permit-applications-consultations-and-decisions/?lang=en>

### **Other Matters**

Our comments above only relate specifically to matters that are included on our checklist Natural Resources Wales and Planning Consultations (March 2015) which is published on our website at this link (<https://naturalresources.wales/planning-and-development/planning-and-development/?lang=en>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including

environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

If you have any further queries, please do not hesitate to contact us.

Yn gywir / Yours faithfully

**Lindy Barratt**

Ymgynghorydd Cynllunio Datblygu/ Development Planning Advisor  
Cyfoeth Naturiol Cymru / Natural Resources Wales