

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 27 JULY, 2017

Page	Application	Location	Item No.	Description
P.27	2017/00339/OUT	Bryn Farm, Pont Sarn Lane, Clawddcoch	1.	Further letter of support from Pendoylan Community Council
			2.	Appendices A and B referred to on page 29 of the Committee Report excluded in error
P.46	2017/00473/FUL	30, Porthkerry Road, Rhoose	3.	Comments received from 28 Porthkerry Road, Rhoose
			4.	Email correspondence between Officers and Local Ward Members in respect of neighbour concerns
			5.	Comments from 32 Porthkerry Road, Rhoose
P.69	2017/00520/FUL	Site of proposed new roundabout, land at the A48, North of Darren Farm, Cowbridge	6.	Comment from PROW Officer raising no objection

PENDOYLAN COMMUNITY COUNCIL
CYNGOR CYMUNED PENDEULWYN

Judith Roberts
Clerk
Tel: 01446 760685
Email: judith123roberts@btinternet.com

44 Heol St Cattwg
Pendoylan
Cowbridge CF71 7UG

23 July 2017

Mr Robert Lankshear
Planning Dept
Vale of Glamorgan Council
Civic Offices
Holton Road
Barry CF63 4RU

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

Dear Sir

Re: Planning Application No. 2017/00339/OUT (RL)
Bryn Farm, Pont Sarn Lane, Clawdd Coch

The Pendoylan Community Council's sub planning committee has already advised you that it is happy to support this application.

However, following a full meeting of its Members, I have been asked to write to you to express their views that this application will help to preserve and promote good farming in the area and does not adversely impact on any surrounding properties.

Yours sincerely

Judith Roberts
Clerk

RECEIVED
26 JUL 2017
Regeneration and Planning

Our ref: JH/CB

RECEIVED 03 JUL 2017

Via email to: Cabinetresponses@valeofglamorgan.gov.uk

29 June 2017

FAO: Cabinet Member for Regeneration and Planning

Re: 2017/00339/OUT

I am writing in support of the above application. The Rees family play an active role in the local community, school and church as well as the local agricultural economy which Mr Rees seeks to sustain. I hope his application will be considered on that basis.

Yours sincerely

JANE HUTT AM (VALE OF GLAMORGAN)

Bae Caerdydd
Caerdydd
CF99 1NA
Cardiff Bay
Cardiff
CF99 1NA

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



HOUSE OF COMMONS
LONDON SW1A 0AA

LISA EVERITT 2i
- JONATHAN BIRD

B

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

6 July 2017
Our Ref: VoG/AB/R/T/Jul17

**CONSTITUENT: Mr. Thomas Rees. Bryn Farm, Pont Sarn Lane,
Clawddcoch, Vale of Glamorgan. CF71 7UP.
Planning Application No. 2017/00339/OUT.**

Dear Mark

I am writing on behalf of my constituent as detailed above who has contacted me in relation to the Planning Application as also detailed above. He has asked for my support in this matter.

I have explained that of course I can in no way seek to influence any decision and I can only offer my support in general.

In relation to the application and the material considerations. It is my understanding that the Welsh Government are seeking by way of policy to encourage second dwellings to be established on farms to encourage a younger generation to manage farms. This is certainly the case here as a son looks to slowly take over control of a farm from his father and continue the business within a family environment.

The Vale of Glamorgan remains as an important farming area and this farm forms part of that important economic value brought to the area. I understand that the farm currently has over 400 head of cattle and 550 breeding Yews. This is no small enterprise and requires a constant presence to maintain its efficiency. The economic impact on the area if such farms were lost would be considerable.

I am also of the opinion that the rural culture of the Vale of Glamorgan leads to the area having a reputation for being of a farming nature with open areas of farmland. This does encourage tourism into the area, it is not just about Barry Island and many visit just because of the outstanding countryside and coastal areas.

29 High Street
Barry
CF62 7EB

Rt Hon Alun Cairns MP
www.aluncairns.com
alun.cairns.mp@parliament.uk
W: 020 7219 7175 C: 01446 403 814

29 Y Stryd Fawr
Y Barri
CF62 7EB



HOUSE OF COMMONS
LONDON SW1A 0AA

Having looked at the plans, it appears to me that this building would have very little visual impact on the surrounding area and fits in with the farm itself.

Could I ask therefore that this letter be passed to the Planning Department and added to the correspondence received in relation to the application, for the consideration of the Planning Committee when the matter is brought before them.

Kind regards,

Rt Hon Alun Cairns MP
Vale of Glamorgan

29 High Street
Barry
CF62 7EB

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Y Barri
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MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 27 July 2017

Application No.: 2017/00473/FUL	Case Officer: Mr. Harri Aston
Location: 30, Porthkerry Road, Rhoose Proposal: Proposed alterations and extensions to form additional accommodation	

From: Occupiers of 28 Porthkerry Road (neighbour to the development)

Summary of Comments:

"LATE REPRESENTATION 25 JULY 2017. Comment: I have read the officers report and the paragraph relating to the Proposed Rear Terrace area. Despite attempts by the officer to soften the impact of the location, screening and view. As this is a first floor forward projecting terrace it will allow anyone sitting or standing in that area to look down into my property, regardless of its size and location, which is totally unacceptable, and still be insufficient to screen the view into my amenity space. I still have doubts about the screening at the rear of the two storey extension. The latest objections were relating to the "Amended Plans" but were not included in the report. I request that this application be deferred in order that these objections be made available to the committee members. As this report only refers to plans, which do not give the full picture of the properties involved. I also ask that a site visit be arranged so that the committee can see all the prop..."

Officer Response:

It is considered that the issues raised above and in the neighbour's previous representations have been assessed and are addressed in the report.

Action required:

Members to note.

MATTERS ARISING FOR COMMITTEE**COMMITTEE DATE : 27 July 2017**

Application No.: 2017/00473/FUL	Case Officer: Mr. Harri Aston
Location: 30, Porthkerry Road, Rhoose	
Proposal: Proposed alterations and extensions to form additional accommodation	

From: Councillors M. Lloyd and G. Kemp**Summary of Comments:**

Concerns are raised on behalf of/in respect of issues raised by occupiers of the neighbouring property at 30 Porthkerry Road, in respect of the acceptability of the proposals and how the application has been considered, advertised and reported. The emails request the application be deferred from this Planning Committee agenda. Responses have been issued to Councillors M. Lloyd and G. Kemp, and those emails are appended to this 'late items' note.

Officer Response:

It is considered that the matters have been addressed in the Committee report and that the application has been processed in accordance with the relevant Regulations.

Action required:

Members to note.



Subject: FW: 2017/00473/FUL 30 Porthkerry Rd. Rhoose

From: Goldsworthy, Marcus J
Sent: 26 July 2017 11:00
To: Bird, Jonathan (Cllr); Robinson, Victoria L; Kemp, Gordon C (Cllr); Lloyd, Matthew (Cllr)
Cc: Robinson, Ian; Aston, Harri
Subject: RE: 2017/00473/FUL 30 Porthkerry Rd. Rhoose


Councillors,

Thank you for the emails, which I have passed on to the case officer and will be included in the late representations to the planning committee.

However for clarity I do think it is worth establishing the facts around the determination process of this application to ensure all Councillors are fully aware of the position prior to any decision being made by the planning committee.

Firstly In respect of Dwr Cymru Welsh Water, they are not a statutory consultee for household extension planning applications (as set out in relevant procedure order), and drainage matters relating to household extensions would normally be dealt with by the Building Regulations process.

In terms of the construction process, the Local Planning Authority would not typically condition a planning permission for a household extension to require a Construction Management Plan to be submitted. This type of condition is often placed on larger developments for new housing, however, a condition requiring this on a household extension would not satisfy the tests in the Conditions Circular in terms of necessity and reasonableness, given the size of the development. If permission is granted and if, for example, the applicant sought to carry out construction works at unsociable hours, the Council's Environmental Health Section have powers to consider whether there is an unreasonable impact on residential amenity (under the Control of Pollution Act) and restrict operational hours if there is a need.

 the planning application could not be refused on the basis of the nature of occupant next door. While I appreciate Mr and Mrs McGowan have concerns regarding the potential sub-division of the property into 2 units, the internal accommodation is all linked and in planning terms, this remains a single dwelling house. In the representations received, Mr and Mrs McGowan refer to the stress and anxiety caused by the process, and I can sympathise in this situation where a series of applications are submitted. However, every application must be assessed on its own merits and it is considered in this case (by officers) that the previous reasons for refusal have been overcome by the amendments.

I note from emails that concerns are also raised regarding the consultation process. I have copied below the relevant sections of the email recently sent to Councillor Lloyd by the planning team leader on the same matter, which explains the consultation process:

- *Neighbouring properties (including number 32) were re-consulted on the 28th June, in respect of amended plans. This re-consultation affords neighbours 21 days to make comments. A decision has not been made on the application and Mr Aston has not advised Mr and Mrs McGowan that a decision has been made, rather he advised Mr McGowan on the telephone that he was minded to recommend the application for approval. This does not amount to a decision having been made, since that recommendation must firstly be agreed by myself and Victoria Robinson, and then a decision can only be made at Planning Committee. Mr Aston was (appropriately in my opinion) being open and transparent with Mr McGowan, to advise him of how he was considering the proposal. As you will appreciate there is a lead-in time before Planning Committee where the report has to be written, approved by senior management and then put together into the Committee agenda report. The officer has to form a view on the acceptability of the proposal before planning committee, in*

order to make the recommendation. Any responses received from Mr and Mrs McGowan, or any other neighbour, which follow the report being finalised (representations received up until midday of the day before committee), will still be reported to Committee. Please note all of the responses received thus far have been considered and will be referenced in the committee report.

- We do not as a matter of course, go back through previous planning applications to see who commented on previous applications, and re-notify them of a new application as this would be extremely time consuming and impractical. We carry out the initial consultations in accordance with the statutory requirements (i.e. notify all immediately adjoining neighbours). In addition in this case, a public site notice was displayed to notify any other persons in the vicinity who may have an interest in the application. Furthermore, there is no formal requirement to re-consult neighbours and in particular where a development is being reduced in size (i.e. where there are no greater impacts compared to the previous set of plans) the planning authority would not normally re-consult. In this case, while the useable terrace area has been reduced in size, Mr Aston nevertheless re-consulted to give neighbours to either side the opportunity to consider whether this overcame any of their concerns. I would therefore emphasise this is above and beyond the required and normal practice for consultation. In this case, the amendments were pertinent to the neighbours on either side, consequently neighbours farther afield were not re-consulted. I am therefore satisfied that the correct procedures have been followed.
- I am ensuring that all of the representations received are being uploaded to the website to be available to view. This is not always done instantaneously and there is no requirement for us to do so. In fact most other Councils do not make representations available through their website, but we do so throughout the life of the application in an attempt to be helpful. However, we cannot guarantee this is done immediately as they need to be checked and redacted where necessary before going online. However, any person monitoring the website would have been aware that amended plans had been received as these are uploaded almost immediately (on 21st June 2017) and before any re-consultation is undertaken (on 28th June 2017). Furthermore, we always advise people to keep in touch with the case officer directly for the most up to date information and we endeavour to be as helpful as possible in this regard.

I would also add on this matter that the site notice was not only erected on the neighbours insistence, the case officer was always intending to erect a site notice. It is also important to note that there is no statutory requirement to re-consult (or erect a further site notice on receipt of amended plans) and the rationale for re-consulting with the neighbours on either side is explained above. In response to the final point raised, I have noted that the application 2016/00977/FUL was withdrawn and consequently no decision was made on it, however the file is available on the councils online register a subsequent application was submitted but was withdrawn before it was registered and therefore is not placed on the on line register as it does not constitute an application.

I trust the above addresses the points raised and gives you comfort that the application has been processed appropriately and in accordance with the relevant regulations. I recognise that the neighbours on both sides of the site clearly disagree with the Officers' assessment of the acceptability of the proposals, but that does not infer that the matter has not be fully assessed, or that process has not been followed. On that basis I can see no reason to defer the application from the agenda at tomorrow's meeting.

Regards

Marcus Goldsworthy
 Head of Regeneration and Planning / Pennaeth Adfywio a Chynllunio
 Director's Office - Resources / Swyddfa'r Cyfarwyddwr - Adnoddau
 Vale of Glamorgan Council / Cyngor Bro Morgannwg
 tel / ffôn: 01446 704630
 mob / sym: 07976112326
 e-mail / e-bost: MJGoldsworthy@valeofglamorgan.gov.uk

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----- Original Message -----

Subject: FW: Planning no30
From: "Kemp, Gordon C (Cllr)" <gckemp@valeofglamorgan.gov.uk>
Date: 24 Jul 2017, 21:43
To: "Bird, Jonathan (Cllr)" <JBird@valeofglamorgan.gov.uk>
Jon,

Further email.

Kind regards,

Gordon Kemp
Councillor/Cynghorydd
Cabinet Member for Social Care, Health & Leisure
Aelod Cabinet dros Ofal Cymdeithasol, Iechyd a Hamdden
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn:
mob / sym: 07701372547
e-mail / e-bost: gckemp@valeofglamorgan.gov.uk

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-----Original Message-----

From: Amanda McGowan [<mailto:> ██████████]
Sent: 24 July 2017 20:57
To: Kemp, Gordon C (Cllr) <gckemp@valeofglamorgan.gov.uk>
Subject: RE: Planning no30

Sorry Gordon I for got to mention the issues we discussed with regards to welsh water as consultation is a statutory requirement .
We have also requested on all four application that if they are in mind to approve these plans that a schedule of work be made in
the recommendations due to issues with noise ██████████ this has
not been addressed but ignored.

Pl eased add this to the previous email I sent you, regards Mandy -----Original Message-----

----- Original Message -----

Subject: FW: Planning no30
From: "Kemp, Gordon C (Cllr)" <gckemp@valeofglamorgan.gov.uk>
Date: 24 Jul 2017, 21:42
To: "Bird, Jonathan (Cllr)" <JBird@valeofglamorgan.gov.uk>
Jon,

This is what I have received from the constituent regarding deferral.

Kind regards,


Gordon Kemp
Councillor/Cynghorydd
Cabinet Member for Social Care, Health & Leisure
Aelod Cabinet dros Ofal Cymdeithasol, Iechyd a Hamdden
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn:
mob / sym: 07701372547
e-mail / e-bost: gckemp@valeofglamorgan.gov.uk

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-----Original Message-----
From: Amanda McGowan [<mailto:> 
Sent: 24 July 2017 20:46
To: Kemp, Gordon C (Cllr) <gckemp@valeofglamorgan.gov.uk>
Subject: RE: Planning no30

Hi Gordon, as promised our reasons for a deferment .
1) It was not made clear within the paperwork which is being presented to the committee that this application has had 3 consultation periods a) 12th may ,b) 6th june due to the insistence from us and yourself to erect a public notice which started the public consultation again, c) june 28th for the amended plans. With the amended plans on 28th june this gave the public a further 21 days to make objections which took this up to july 19th. No public notice was erected for this application and only us and number 28 received notification of this. Previous objections were made by four other neighbours who were no told of these revised plans, only by a chance meeting did they find out on the 10th july. Their objections to these revised plans are not presented to the committee. With regards to the timing of this , on the 10th july my husband phoned the case officer to ask if he had received our objections as they were not on the public register and to ask when was the new decision date for this application as it still stated on line that it was the 3rd july, at this point the case officer replied that he had already made his recommendation of approval and was in the process of writing it up. How can this be possible when there was a further 11 days to go for the public consultation and not all objections had been received . This application was presented to the committee on Tuesday 18th july to be presented to committee on 27th july , again the closing date for public consultation didn't end until the 19th. We are also unhappy with the case officers judgement that this dwelling is not a sub division but I have contacted the VOA'S department on may 16th and 24th july to be informed that due to the kitchen and wash room on both floors this is deemed two dwelling and need to be re banded which Maria Webber of VOG own building control department was going to inform the banding office after receiving my email. Previous case officer Emma Longmaids case files for application 2016/00977/FUL is still absent from the public register and not referred to when VOG planning department replied to my email. Hope this is enough information and look forward to your reply.

From: Kemp, Gordon C (Cllr) [<mailto:gckemp@valeofglamorgan.gov.uk>]
Sent: 24 July 2017 13:47
To: Amanda McGowan 
Subject: RE: Planning no30

Are you letting me have a list of the reasons you think the matter should be deferred? This would be in respect of the way the department has dealt with the application not the planning aspects of the application.

Please let me have this asap.

Regards,

Gordon Kemp
Councillor/Cynghorydd
Cabinet Member for Social Care, Health & Leisure Aelod Cabinet dros Ofal Cymdeithasol, Iechyd a Hamdden Vale of

44

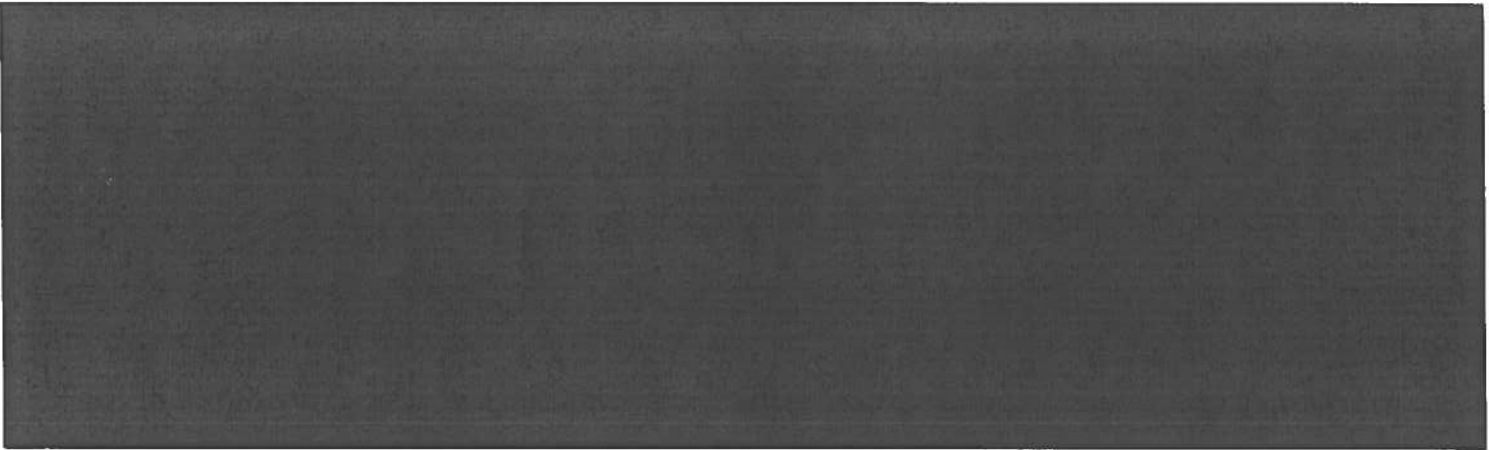
Glamorgan Council / Cyngor Bro Morgannwg tel / ffôn:
mob / sym: 07701372547
e-mail / e-bost: gckemp@valeofglamorgan.gov.uk

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Robinson, Ian

From: Robinson, Ian
Sent: 19 July 2017 17:59
To: Lloyd, Matthew (Cllr); Robinson, Victoria L
Subject: RE: Planning application 2017/00473/FUL

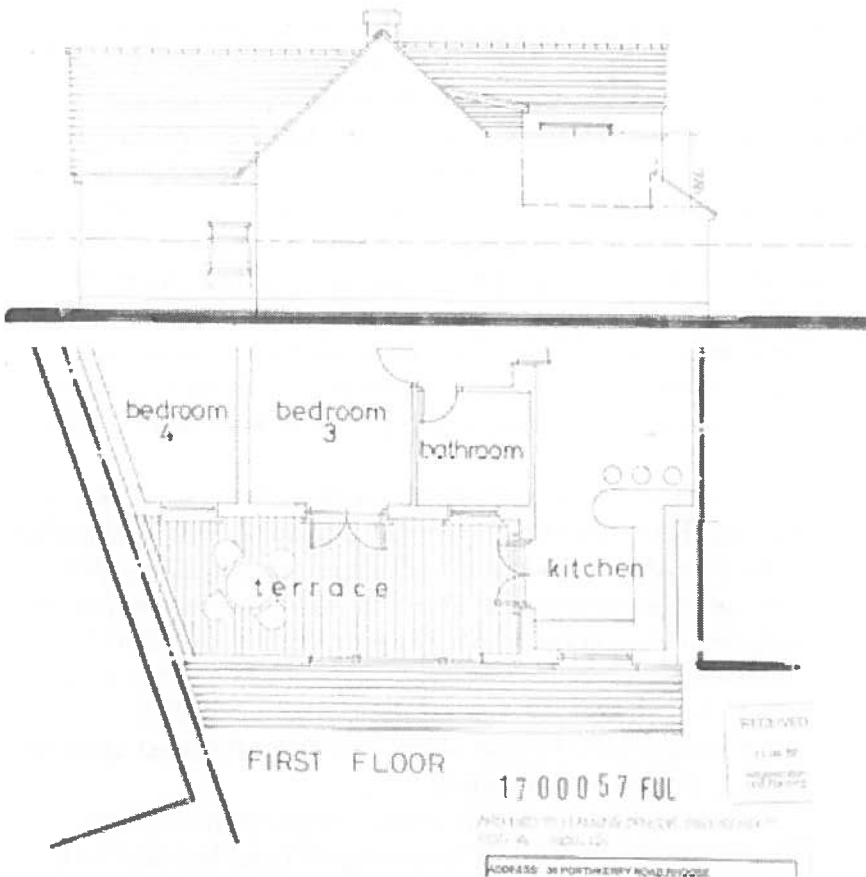
Good Evening Councillor Lloyd,

I will respond to the queries below in order, for clarity:

- Neighbouring properties (including number 32) were re-consulted on the 28th June, in respect of amended plans. This re-consultation affords neighbours 21 days to make comments. A decision has not been made on the application and Mr Aston has not advised Mr and Mrs McGowan that a decision has been made, rather he advised Mr McGowan on the telephone that he was minded to recommend the application for approval. This does not amount to a decision having been made, since that recommendation must firstly be agreed by myself and Victoria Robinson, and then a decision can only be made at Planning Committee. Mr Aston was (appropriately in my opinion) being open and transparent with Mr McGowan, to advise him of how he was considering the proposal. As you will appreciate there is a lead-in time before Planning Committee where the report has to be written, approved by senior management and then put together into the Committee agenda report. The officer has to form a view on the acceptability of the proposal before planning committee, in order to make the recommendation. Any responses received from Mr and Mrs McGowan, or any other neighbour, which follow the report being finalised (representations received up until midday of the day before committee), will still be reported to Committee. Please note all of the responses received thus far have been considered and will be referenced in the committee report.
- We do not as a matter of course, go back through previous planning applications to see who commented on previous applications, and re-notify them of a new application as this would be extremely time consuming and impractical. We carry out the initial consultations in accordance with the statutory requirements (i.e. notify all immediately adjoining neighbours). In addition in this case, a public site notice was displayed to notify any other persons in the vicinity who may have an interest in the application. Furthermore, there is no formal requirement to re-consult neighbours and in particular where a development is being reduced in size (i.e. where there are no greater impacts compared to the previous set of plans) the planning authority would not normally re-consult. In this case, while the useable terrace area has been reduced in size, Mr Aston nevertheless re-consulted to give neighbours to either side the opportunity to consider whether this overcame any of their concerns. I would therefore emphasise this is above and beyond the required and normal practice for consultation. In this case, the amendments were pertinent to the neighbours on either side, consequently neighbours farther afield were not re-consulted. I am therefore satisfied that the correct procedures have been followed.
- I am ensuring that all of the representations received are being uploaded to the website to be available to view. This is not always done instantaneously and there is no requirement for us to do so. In fact most other Councils do not make representations available through their website, but we do so throughout the life of the application in an attempt to be helpful. However, we cannot guarantee this is done immediately as they need to be checked and redacted where necessary before going online. However, any person monitoring the website would have been aware that amended plans had been received as these are uploaded almost immediately (on 21st June 2017) and before any re-consultation is undertaken (on 28th June 2017). Furthermore, we always advise people to keep in touch with the case officer directly for the most up to date information and we endeavour to be as helpful as possible in this regard.
- As per point one above, the application has not been approved and the officer's full assessment of the matter will be provided in the Committee Report due to be published later today. If it assists, I can clarify the principle differences between this and the last application. The previous application included a large, gable fronted extension to the front/side of the property, and all of the rear flat roof would have been useable as a terrace/balcony. This application has seen the removal of the large gabled front extension and the roof terrace has been materially reduced in size. Please see plan extracts below from the previous

application. The reasons for refusal on the previous application related to those two elements alone and consequently the applicant has sought to address those two issues.

- I am sorry but I am not clear on what you are referring to in respect of *correspondence from a previous case handler*. Mr Aston has been the officer on this application from the outset. Previous applications have been considered by different officers, however, it would not be normal practice to upload documents from a previous application to this documents page of the subsequent application. However, our online register provides full details of all previous applications, including the officer's report which can be viewed online. <http://vonline.planning-register.co.uk/PlaRecord.aspx?AppNo=2017/00057/FUL>



I hope the above addresses your queries and gives you comfort that it is not inappropriate to report the matter to planning committee at this time.

Regards

Ian

Ian Robinson
Principal Planner / Prif Gynllunyydd Ceisiadau
Regeneration and Planning / Adfywio a Chynllunio
Vale of Glamorgan Council / Cyngor Bro Morgannwg
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From: Robinson, Victoria L
Sent: 18 July 2017 17:52
To: Lloyd, Matthew (Cllr)
Cc: Gray, Benjamin T (Cllr); Robinson, Ian
Subject: RE: Planning application 2017/00473/FUL

Dear Cllr Lloyd,

Apologies, I have been away from my desk all day and only just picked this up. I will ask the case officer and his team leader (Ian Robinson) to explain more fully to respond to the points you raise below.

However, to put your mind at ease, the application has not been determined (approved or refused) and it has been called to Committee for determination by Cllr Gordon Kemp. Having discussed the agenda with the Chair this afternoon, it is intended to be on the agenda for next week's meeting and we will do a site visit on the day of committee given the degree of public interest. The papers will be circulated shortly.

Kind regards,

Victoria Robinson
Operational Manager for Planning and Building Control / Rheolydd Gweithredol - Rheoli Datblygu
Regeneration and Planning / Adfywio a Chynllunio
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704661
mob / sym: 07860526606
e-mail / e-bost: VLRobinson@valeofglamorgan.gov.uk

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From: Lloyd, Matthew (Cllr)
Sent: 17 July 2017 20:40

To: Robinson, Victoria L
Cc: Gray, Benjamin T (Cllr)
Subject: Planning application 2017/00473/FUL
Importance: High

Hi Victoria – hope all is well with you.

On Sunday I met with Mr & Mrs McGowan to discuss the above planning application for 30 Porthkerry Road, Rhoose who expressed some concerns which I'd like to bring to your attention. The concerns relate to the administration of the above file by VOG planning, and an apparent premature decision, which to my mind would warrants consideration and a formal response.

- Mr & Mrs McGowan were told initially that they would have 21 days to respond to any revisions to the application, please can you confirm whether this is the case? This has been raised as they were informed by Mr. Aston (handling the application) that a decision has already been reached without the appropriate time frame having been followed. Please can you reply with a timeline of the decisions made and a rationale as to the dates stated on the case file.
- They were also concerned that other residents who had objected to the initial (and subsequent submissions – this application I'm told has been refused three times previously) application were not informed that a revision had been made, thereby not giving them any opportunity to object, which I'm told they would have. Please can you confirm whether this is proper process in this instance and also comment as to why different local residents were selected each time during consultation.
- They also informed me that as at yesterday (Sunday 16th), there was missing paperwork relating to the file, including their own recent objection had not been uploaded to the VOG website. They state this is important as other concerned local residents were keeping an eye on the online file for any changes or subsequent objections – but as none had materialised did not realise that revisions and amendments had been made.
- Also requested on more than one occasion has been an explanation as to why the latest application has been approved (if it indeed has), following the three unsuccessful previous attempts, they are unclear as to what has materially changed in order that the previous decision has been over turned.
- They specifically have asked for correspondence from a previous case handler to be uploaded to the VOG website which gave clear reasons as to why the application was initially deemed unsuitable, and therefore refused permission. Please can you confirm when all available documents have been uploaded if this indeed turns out to be the case.

I hope you can see from just the above five bullet points that Mr & Mrs McGowan have raised some significant concerns which need addressing and which on this basis I'd like to suggest the presentation of this (called-in) case be deferred until such time as all parties are comfortable that a full suite of documentation has been made available to the public through our website.

If you can come back to me on these points as soon as is practicably possible I would be most grateful.

Kind Regards,

Cllr. Matt Lloyd

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 27 July 2017

Application No.: 2017/00473/FUL	Case Officer: Mr. Harri Aston
Location: 30, Porthkerry Road, Rhoose	
Proposal: Proposed alterations and extensions to form additional accommodation	

From: Occupiers of number 32 Porthkerry Road (neighbour to the development)

Summary of Comments:

The letter from the occupiers of number 32 Porthkerry Road is attached. A summary of the issues raised can be viewed below:

- Issues relating to the siting, density and overshadowing, (including assessment of the Council's Supplementary Planning Guidance on Amenity Standards)
- Issues relating to Building Control, particularly fire safety.
- Issues surrounding privacy, particularly potential overlooking from the proposed two storey extension.
- Comments on the Officer's assessment of the proposed rear terrace in the Final Committee Report.

Officer Response:

Having received the comments above, it is considered that the issues raised have already been assessed thoroughly in the Committee Report.

Action required:

Members to note comments.

5i

Head of Planning & Transportation,
Planning Department,
Vale of Glamorgan Council
Docks Office
BARRY
Vale of Glamorgan
CF63 4RT

D.E.E.R
RECEIVED
ACTION BY: HA
NO:
ACK:

RECEIVED
26 JUL 2017
Regeneration and Planning

APPLICATION NO: 2017/00473/FUL
NO 30, Porthkerry Road, Rhws

32 Porthkerry Road,
Rhoose,
BARRY
Vale of Glamorgan
CF62 3HD

25TH July 2017

There seems to be an impression that we object to any kind of development at number 30, when in fact we have made it clear in all four applications that our objections are about the sitting, density, overshadowing along with our privacy issues.

The existing first floor kitchen which is already constructed without any building regulations (material alterations to a controlled service) is situated on the adjacent wall with our 2 main bedrooms. The new proposals are to extend this kitchen into a two-story rear extension, thus making this a large open plan area. All major kitchen appliances will be installed on the same adjacent wall. This itself causes us concern due to the health and safety issues, fire, fumes and possibly, if the worst was the happen, "risk to life". This kitchen is affectively in the roof space and as these two properties are dormer bungalows, within the attic space there is open space between these two dwellings which will increase the risk of fire spreading quickly through the properties. We feel that these important issues have not been addressed within the report presented by the case officer.

- Why is there a need for a second kitchen if this is deemed multi generation living?
- Why does this kitchen have to be cited on a party wall and not recommended for the gable end which would be considered a safer and improved design?

The proposed first floor kitchen window (measures at 1.6 metres wide) will be situated in line with the end of our conservatory, we completely disagree with the case officers' views/comments that he has written in this report, which he states; "window would not provide a greater view than what is already possible from the applicants existing window". We have lived at our property for over 25 years and we have always had an area we can sit without being overlooked by our neighbours. It is not possible for the residents of number 30 or ourselves to be able to overlook the majority of our patio area as our conservatory roof prevents this from happening. Number 30 may be able to see part of our rear garden but at present not our patio area, however this will be at full view if this kitchen window is allowed to be placed in its proposed position (please see photographs provided). In light of this and in light of the V.O.G SPG5.5 which states; "an essential requirement of all private garden is a degree of privacy. Developers should aim to provide visual privacy for at least part of the garden." We feel this proposed kitchen window contravenes these guidelines. Also, PPPW9.33 states "insensitive filling in or cumulative effect of development includes: conversions or adaptations, should not be allowed to damage character, amenity, this includes any such impact on neighbouring dwellings such as; loss of privacy or overshadowing"

In light of this statement we also feel that our concerns with the overshadowing this two-story extension will cause, especially in the winter months, has also been minimised within this report. The overshadowing will block light into our rear bedroom and ground floor kitchen, leaving us no option but to use artificial lighting during daylight hours. This breaches ENV27 POLICY 125 which states; *"by encouraging good design, planning decisions should limit the impact of light pollution from artificial light"*. We also feel that this does not meet with the 45 degree test, which also be taken into account. It is obvious that overshadowing will occur due to the close proximity of this two-story extension, which will be less than half a metre from our property. Due to this we disagree with the case officers statement within the report with this issue. We have enclosed a copy of illustration 4 of 5.12 from the Vale of Glamorgan own amenity standards, which is relevant with our objections to this application.

Terrace/Balcony

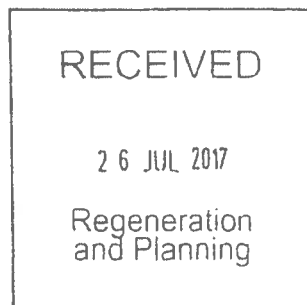
This is the forth application with regards to a roof garden/terrace/balcony, in March 2017 this was refused because the case officer deemed this *"2) by reason of the location of the balcony and its orientation relative to number 28 Porthkerry Road, the development would result in a elevated and direct level of overlooking towards the rear garden of this neighbour, thereby unacceptable impacting upon the privacy enjoyed by the occupiers. The development is therefor contrary to policy ENV27 "design of new development" of the Vale of Glamorgan's adopted unitary development plan 1996-2011 and supplementary planning guidance on amenity standards"*

Looking at these amended plans the elevation has not changed or the orientation, and even with a glass screening within the footprint of the flat roof it does not change the fact that it will still offer unacceptable direct views into number 28's garden and possibly their side bathroom window. Within the case officers own report, he has quoted that the Vale of Glamorgan SPG POLICY 3 *"the construction of new residential development must respect the character of existing residential development, whilst insuring that privacy and amenity of surrounding property are safeguarded."*



We wish our late representation, along with all photos and illustration, to be presented to all the committee members who are sitting on the panel, which takes place on Thursday 27th July 2017 at the Vale of Glamorgan Chambers.

Kind Regards,





PATIO AREA OF NO 80's

24/07/2015 15:11

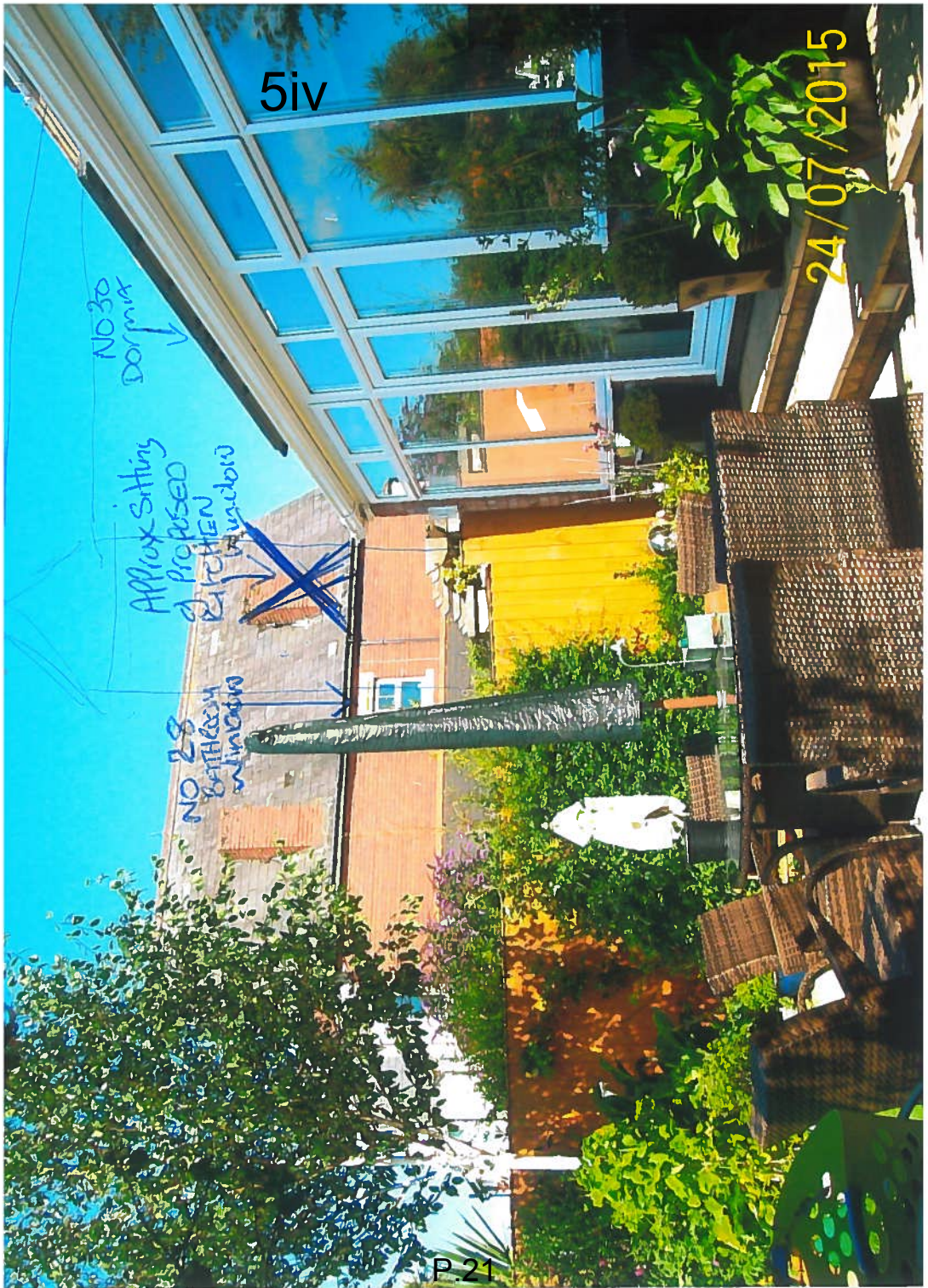
5iv

24/07/2015

NO 30
DORMIT

APPROX SITTING
A PROPOSED
KITCHEN
WINDOW

NO 28
BATHROOM
WINDOW

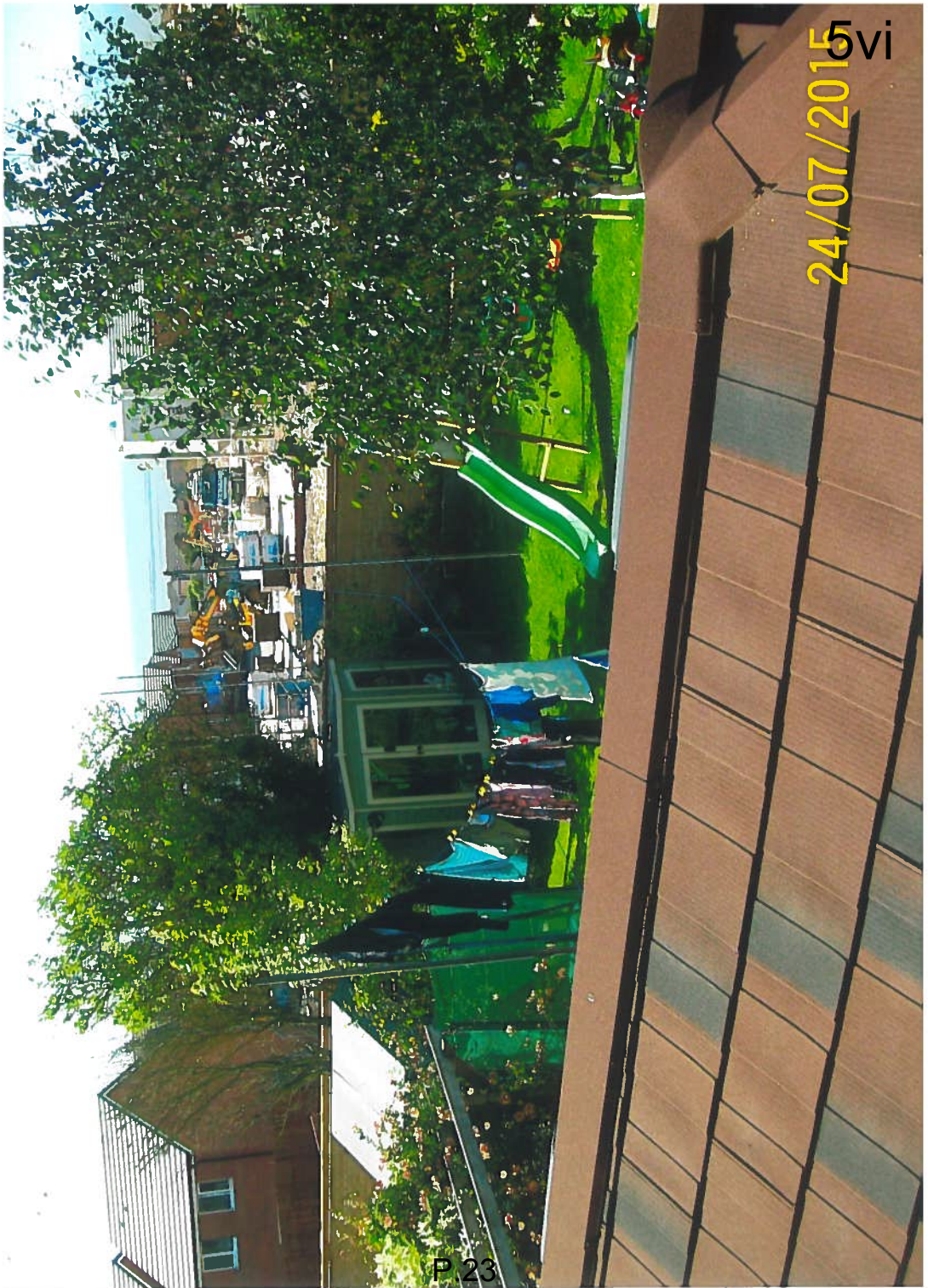


can only see end of
PATIO & GRASSED LEANIN.
CANTOR SEE OUR SEATING AREA
Due to our conservatory roof
obscuring viewing

Approx
siting of
proposed
kitchen
window.

5v

24/07/2015



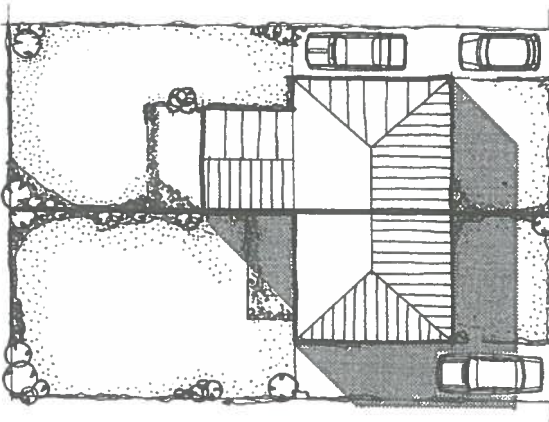
24/07/2015 5vi

POLICY 5: THE CONSTRUCTION OF RESIDENTIAL DEVELOPMENT SHOULD NOT RESULT IN AN UNACCEPTABLE LOSS OF DAYLIGHT OR SUNLIGHT TO NEIGHBOURING PROPERTIES



5.12 The siting of two or more storey developments within close proximity of an existing residential boundary can result in an unreasonable loss of daylight and sunlight to neighbouring properties. As a result these properties and their gardens can be made gloomy and unattractive resulting in an unacceptable reduction in the quality of life of the residents. Developers should aim to ensure that development proposals do not by virtue of their scale or location result in an unacceptable loss of daylight and/or sunlight to habitable rooms or private garden areas of neighbouring properties. In order to overcome the problems of overshadowing, consideration should be given to siting the development away from neighbouring boundaries (see paragraph 5.12 above), stepping back the upper storeys of the building and the use of shallow pitched rooflines.

Illustration 4 shows the impact a poorly designed extension can have on private garden area of the adjacent property



POLICY 6: PROPOSALS FOR NEW RESIDENTIAL DEVELOPMENT SHOULD CONTAIN APPROPRIATE LANDSCAPING AND HAVE REGARD TO EXISTING LANDSCAPE FEATURES.

5.13 In order to mitigate the impact of new development upon the existing urban fabric consideration should be given to the use of appropriate landscaping and means of enclosure.

Successful landscaping schemes rely on the sensitive and imaginative co-ordination of natural features such as vegetation, landform and water, together with paving, walls, lighting and street furniture. Developers should assess existing landscape features and seek to retain those of environmental and ecological value. Consideration should be given to the incorporation of existing mature trees and hedgerows into residential development and their protection during works. Guidance on this matter is contained within the Council's Supplementary Guidance Note relating to Trees and Development.

5.14 The erection of appropriate means of enclosure such as walls and fencing may also assist in mitigating the impact of new development upon existing properties. Careful consideration should be given to the siting and design of all means of enclosure to ensure that they respect the character of the area and do not unacceptably affect the amenity of surrounding properties.

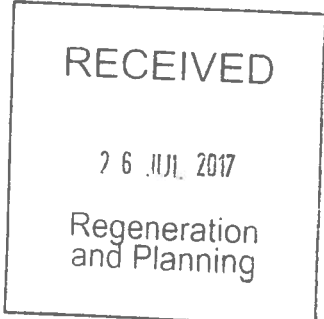


An example of an attractively landscaped development

6. FURTHER INFORMATION

6.1 Further information and general advice on the submission of planning applications for residential development can be obtained from:-

Development Control Group,
 Directorate of Economic Development,
 Planning, Transportation & Highways,
 Vale of Glamorgan Council,
 Dock Office, Barry Dock,
 Barry. CF63 4RT.
 Telephone (01446) 704600



MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 27 July 2017

Application No.: 2017/00520/FUL	Case Officer: Mr. Robert Lankshear
<p>Location: Site of proposed new roundabout, Land at the A48, North of Darren Farm, Cowbridge</p> <p>Proposal: Revised roundabout arrangement to facilitate access to the new link road and the strategic housing development approved under 2014/01505 and to provide 4th arm for access to land to the north of the A48</p>	

From: Gwyn Teague, Public Rights of Way Officer

Summary of Comments:

Indicate that the bridleway should be diverted to accommodate the revised access arrangement although it would be more appropriate to do this under a subsequent application for the provision of the access track connecting to the access. They anticipate that the PROW section would make arrange to divert the path themselves, noting previous good will from the owner.

Action required: None – informative 4 already indicates presence of PROW and inform applicant of issues relating to diversion

Lankshear, Robert F

From: Teague, Gwyn W
Sent: 25 July 2017 09:48
To: Lankshear, Robert F; Thomas, Sandra A
Subject: RE: Roundabout application Darren Farm (2017/00520/FUL)

Hi Rob

As discussed a bridleway runs to the north of the site and would be affected by the northern exit from the roundabout. The bridleway should be diverted slightly to accommodate this however it may be more appropriate to do this on the basis of a future application that describes the access track that will connect to the exit. The bridleway has been created relatively recently by agreement and with considerable good will from the landowner who dedicated a large number of bridleway routes in the area, we would therefore anticipate making the arrangements to divert the path ourselves and work with the owner to achieve this.

Kind regards

Gwyn Teague
Public Rights of Way Officer / Swyddog Hawliau Tramwy Cyhoeddus
Regeneration and Planning / Adfywio a Chynllunio
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704810
mob / sym: 07976112360
e-mail / e-bost: gwteague@valeofglamorgan.gov.uk

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Ystyriwch yr amgylchedd. Peidiwch ag argraffu'r neges hon oni bai fod gwir angen.*

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Ewch i'n gwefan yn www.bromorgannwg.gov.uk

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

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

From: Lankshear, Robert F
Sent: 25 July 2017 09:05
To: Teague, Gwyn W; Thomas, Sandra A
Subject: Roundabout application Darren Farm (2017/00520/FUL)

Hi Gwyn,

Sorry to bother/chase you but after seeing you I realised that I don't appear to have had your comments re the above. Please can you let me know your comments as soon as possible so Vicky can report them to Committee on Thursday? I assume as per my discussion with Sandra that there are no major issues?

Thanks

Robert Lankshear
Senior Planner / Swyddog Gorfodaeth
Regeneration and Planning / Adfywio a Chynllunio
Vale of Glamorgan Council / Cyngor Bro Morgannwg
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