

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 11 JANUARY, 2018

REPORT OF THE HEAD OF REGENERATION AND PLANNING

1. BUILDING REGULATION APPLICATIONS AND OTHER BUILDING CONTROL MATTERS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS

(a) Building Regulation Applications - Pass

For the information of Members, the following applications have been determined:

2017/1065/BR	AC	Unit C7, Station Approach Industrial Estate, Station Approach, Penarth	Demolition of existing walled external secure storage/compound area with toilet, to be replaced by a 2 storey extension to the workshop
2017/1279/BR	AC	20, Robinswood Crescent, Penarth	Double and single storey extensions
2017/1285/BR	AC	26, Coed Mawr, Barry	Two storey side extension to provide new kitchen, utility and cloak room with extended bedroom and bathroom at first floor
2017/1288/BN	A	Ty Groes, Heol Y Mynydd, Southerndown	Single storey rear extension and entrance porch to front elevation
2017/1304/BR	AC	16, Hawthorne Road, Barry	Structural support of floor/wall above opening
2017/1306/BN	A	462, Gladstone Road, Barry	Internal alterations including removal of two walls on lower ground floor, installation of patio doors and renovation of WC area
2017/1311/BR	AC	3 Druids Green, Cowbridge	Side two storey extension
2017/1313/BR	AC	Foulds Cottage, 2, West Street, Llantwit Major	Two storey rear extension and new staircase

2017/1315/BR	AC	Fernlea, Port Road West, Barry	Attached garage and alterations
2017/1316/BR	AC	120, Porthkerry Road, Barry	Demolition of existing terrace and reconstruction of new terrace platform, with minor elevational alterations to existing window /door configurations at ground floor level. Works to include structural alterations at ground floor level
2017/1317/BR	AC	Flats 1 and 2 (first and second floor), 284, Holton Road, Barry	To make internal alterations to upgrade existing apartments
2017/1318/BR	AC	7, Walnut Grove, St. Athan	Ground Floor WC in porch area
2017/1319/BN	A	8, The Meridian, Penarth Marina	Refurbishment of apartment throughout including replacement of kitchen, bathroom, bedrooms and remodelling of interior
2017/1321/BN	A	18, Ravenshoe Road, Barry	Single storey rear extension
2017/1322/BN	A	56, Trinity Street, Barry	External wall insulation
2017/1323/BN	A	104, Winston Road, Barry	Loft insulation, Chimney, Fascia/soffits, rainwater goods, soil and vent, firewall, external decoration, windows
2017/1324/BN	A	106, Winston Road, Barry	Loft insulation, chimney, fascia/soffits, rainwater goods soil and vent, firewall, external decoration, windows, doors

2017/1325/BN	A	108, Winston Road, Barry	Loft insulation, chimney, fascia/soffits, rainwater goods soil and vent, firewall, external decoration, windows, pitched roofing, flat roofing, lintels
2017/1326/BN	A	112, Winston Road, Barry	Loft insulation, chimney, fascia/soffits, rainwater goods soil and vent, firewall, external decoration, windows, flat roofing, waste pipes
2017/1327/BN	A	116, Winston Road, Barry	Loft insulation, chimney, fascia/soffits, rainwater goods soil and vent, firewall, external decoration, windows, doors
2017/1328/BN	A	118, Winston Road, Barry	Loft insulation, chimney, fascia/soffits, rainwater goods soil and vent, firewall, external decoration, windows, pitched roofing, flat roofing, lintels
2017/1329/BN	A	160, Winston Road, Barry	Loft insulation, chimney, fascia/soffits, rainwater goods soil and vent, firewall, external decoration, windows, doors
2017/1330/BN	A	201, Winston Road, Barry	Loft insulation, chimney, fascia/soffits, rainwater goods soil and vent, firewall, external finishing, windows, pitched roofing, external pointing
2017/1332/BN	A	207, Winston Road, Barry	Loft insulation, chimney, fascia/soffits, rainwater goods soil and vent, firewall, external decoration, windows, pitched roofing, concrete repair

2017/1333/BN	A	1 - 4, St. Michaels Gardens, Barry	Felt repair, external finishing, property windows, stud fire wall
2017/1334/BN	A	5 - 8, St. Michaels Gardens, Barry	Felt repair, external finishing, property windows, stud fire wall
2017/1335/BR	AC	4, Perclose, Dinas Powys	Single storey side extension
2017/1336/BR	AC	35, Murch Crescent, Dinas Powys	First floor rear extension
2017/1338/BN	A	1, Countess Place, Penarth	Two Rooms into one
2017/1339/BN	A	30, Peterswell Road, Barry	New central heating boiler, FD30 fire door and frame to kitchen
2017/1340/BN	A	Ton y Deryn, Welsh Saint Donats, Cowbridge	Single story, lean-to extension to rear of house
2017/1342/BN	A	20, Paget Road, Penarth	Internal alterations and 3 storey rear extension with loft area conversion
2017/1343/BN	A	21, Daniel Hopkin Close, Llantwit Major	Two storey side extension
2017/1344/BN	A	10, Cory Crescent, Peterston Super Ely	Replacement roof tiles to original roof. Internal modifications to first floor comprising removal of stud wall, new stud wall, repositioning of bathroom and new soil stack. Re-roofing and re-glazing of existing ground floor extension and first floor 'pod' extension to contain en-suite to main bedroom.
2017/1345/BN	A	Sycamore Lodge, 4, Mill Lay Lane, Llantwit Major	Single storey extension above garage and balcony to front. Enlarge window and render
2017/1346/BR	A	8, Winston Road, Barry	First floor W/C room adaptation

2017/1348/BR	AC	Endless Acres Stud, Logwood Hill, Peterston- Super-Ely	Rural enterprise dwelling
2017/1349/BN	A	68, Dochdwy Road, Llandough	Extend porch with new wet room and cloakroom. New pitched roof over porch and adjacent garage
2017/1350/BN	A	32, John Batchelor Way, Portway Marina, Penarth	First floor balcony
2017/1351/BN	A	6, Lord Street, Penarth	Side extension
2017/1353/BN	A	1, Collard Crescent, Barry	Demolish wall between bathroom and WC
2017/1354/BN	A	2, Monmouth Way, Barry	Demolish wall between Bathroom and WC
2017/1355/BN	A	3, Collard Crescent, Barry	Demolish wall between Bathroom and WC
2017/1356/BN	A	3, Cresswell Court, Barry	Demolish wall between Bathroom and WC
2017/1357/BN	A	5, Michaelston Close, Barry	Demolish wall between Bathroom and WC
2017/1358/BN	A	6, Manorbier Court , Barry	Demolish Wall between bathroom and WC
2017/1359/BN	A	6, Monmouth Way , Barry	Demolish wall between Bathroom and WC
2017/1360/BN	A	103, Dock View Road, Barry	Re- roof
2017/1361/BN	A	22, Walker Road, Barry	EWI works
2017/1362/BN	A	24, Walker Road, Barry	EWI works
2017/1363/BN	A	26, Walker Road, Barry	EWI works
2017/1364/BN	A	28, Walker Road, Barry	EWI works
2017/1365/BN	A	30, Walker Road, Barry	EWI works
2017/1366/BN	A	32, Walker Road, Barry	EWI works
2017/1368/BN	A	7, Dorothy Avenue, Barry	Demolish wall between bathroom and WC

2017/1369/BN	A	11, Dale Court, Barry	Demolish wall between bathroom and WC
2017/1370/BN	A	14, Dale Court, Barry	Demolish wall between bathroom and WC
2017/1371/BN	A	17, Dale Court, Barry	Demolish wall between and WC
2017/1372/BN	A	14, Penarth Portway, Penarth	Garage conversion
2017/1373/BN	A	21, Dale Court, Barry	Demolish wall between bathroom and WC
2017/1374/BN	A	22, Dale Court, Barry	Demolish wall between bathroom and WC
2017/1375/BN	A	24, Cornwall Road, Barry	Demolish wall between bathroom and WC
2017/1376/BN	A	33, Coychurch Rise, Barry	Demolish wall between bathroom and WC
2017/1377/BN	A	41, Coychurch Rise, Barry	Demolish wall between bathroom and WC
2017/1378/BN	A	44, Coychurch Rise, Barry	Demolish wall between bathroom and WC
2017/1379/BN	A	48, Coychurch Rise, Barry	Demolish wall between bathroom and WC
2017/1380/BN	A	38, Elfed Avenue, Penarth	Removal of chimney from roof to GF and knock through
2017/1382/BN	A	128, Winston Road, Barry	Demolish wall between bathroom and WC
2017/1383/BN	A	39, West Walk, Barry	Demolish kitchen pantry
2017/1384/BN	A	49, Shakespeare Road, Barry	Demolish kitchen pantry
2017/1385/BN	A	57, Pontalun Close, Barry	Demolish kitchen pantry
2017/1386/BN	A	59, Pontalun Close, Barry	Demolish kitchen pantry
2017/1387/BN	A	62, Pendine Close, Barry	Demolish kitchen pantry
2017/1388/BN	A	83, Pendine Close, Barry	Demolish kitchen pantry

2017/1389/BN	A	2, Amroth Court, Barry	Demolish kitchen pantry
2017/1390/BN	A	3, Dale Court, Barry	Demolish kitchen pantry
2017/1391/BN	A	5, Aberaeron Close, Barry	Demolish kitchen pantry
2017/1392/BN	A	5, Dorothy Avenue, Barry	Demolish kitchen pantry
2017/1393/BN	A	6, Dale Court, Barry	Demolish kitchen pantry
2017/1394/BN	A	44, Pendine Close, Barry	Demolish kitchen pantry and demolish wall between bathroom and WC
2017/1395/BN	A	64, Pendine Close, Barry	Demolish kitchen pantry / demolish wall between bathroom and WC
2017/1396/BN	A	38, Pardoe Crescent, Barry	Demolish kitchen pantry / demolish wall between bathroom and WC
2017/1397/BN	A	16, Narbeth Court, Barry	Demolish kitchen pantry / demolish wall between bathroom and WC
2017/1398/BN	A	1, Elizabeth Avenue, Barry	Demolish kitchen pantry / demolish wall between bathroom and WC
2017/1399/BN	A	5, Dale Court, Barry	Demolish kitchen pantry / demolish wall between bathroom and WC
2017/1400/BN	A	2, Dale Court, Barry	Demolish kitchen pantry / demolish wall between bathroom and WC
2017/1402/BR	AC	10, St. Johns Close, Cowbridge	Single storey extension, conversion of garage and external alterations
2017/1404/BN	A	26, Coleridge Avenue, Penarth	Single storey extension to the rear and internal structural alterations
2017/1405/BN	A	Fir Trees, Romilly Park Road, Barry	First floor extension
2017/1406/BN	A	16, Heol Dewi Sant, Barry	Roof replacement
2017/1407/BN	A	7, Kent Green, Barry	Demolish kitchen pantry

2017/1408/BN	A	7, Margaret Avenue, Barry	Demolish kitchen pantry
2017/1409/BN	A	9, Ael Y Coed, Barry	Garage conversion to habitable space
2017/1410/BN	A	7, Narbeth Court, Barry	Demolish kitchen pantry
2017/1411/BN	A	8, Pontalun Close, Barry	Demolish kitchen pantry
2017/1412/BN	A	9, Borough Avenue, Barry	Demolish kitchen pantry
2017/1413/BN	A	10, Pontalun Close, Barry	Demolish kitchen pantry
2017/1414/BN	A	11, Borough Avenue, Barry	Demolish kitchen pantry
2017/1415/BN	A	11, Narberth Court, Barry	Demolish kitchen pantry
2017/1416/BN	A	12, Cresswell Court , Barry	Demolish kitchen pantry
2017/1417/BN	A	12, Pontalun Close , Barry	Demolish kitchen pantry
2017/1418/BN	A	13, Narberth Court, Barry	Demolish kitchen pantry
2017/1419/BN	A	13, Pontalun Close, Barry	Demolish kitchen pantry
2017/1420/BN	A	15, Pontalun Close, Barry	Demolish kitchen pantry
2017/1421/BN	A	16, Pontalun Close, Barry	Demolish kitchen pantry
2017/1422/BN	A	18, Pontalun Close, Barry	Demolish kitchen pantry
2017/1423/BN	A	19, Pontalun Close, Barry	Demolish kitchen pantry
2017/1424/BN	A	20, Caernarfon Gardens, Barry	Demolish kitchen pantry
2017/1425/BN	A	20, Pontalun Close, Barry	Demolish kitchen pantry
2017/1426/BN	A	21, Caernarfon Gardens, Barry	Demolish kitchen pantry
2017/1427/BN	A	23, Meggitt Road, Barry	Demolish kitchen pantry
2017/1428/BN	A	23, Pontalun Close, Barry	Demolish kitchen pantry
2017/1429/BN	A	25 Caernarvon Gardens, Barry	Demolish kitchen pantry
2017/1430/BN	A	29, Pontalun Close, Barry	Demolish kitchen pantry

2017/1431/BN	A	37, Pontalun Close, Barry	Demolish kitchen pantry
2017/1432/BN	A	25, Dale Court, Barry	Demolish kitchen pantry
2017/1435/BN	A	2, The Glades, Penarth	First floor extension
2017/1437/BN	A	Land adjacent to the Old Dairy Site, Durrell Street, Llantwit Major	2 new build detached houses
2017/1438/BN	A	16, Forrest Road, Penarth	Small rear gable roofed extension to existing kitchen
2017/1440/BN	A	Glanteifi, Railway Terrace, Penarth	Single storey extension to kitchen/diner
2017/1441/BN	A	14, Plassey Square, Penarth	Two rooms into one - installation of beam
2017/1443/BN	A	50, Merthyr Dyfan Road, Barry	Re-roof and external door
2017/1444/BN	A	13, Tennyson Road, Barry	Roofing, loft insulation, chimney, fascia/soffits, gutters and downpipes
2017/1448/BN	A	7, Rees Court, Llantwit Major	Upgrade of property with EWI 90 mm insulation
2017/1449/BN	A	3, Andrews Court, Llantwit Major	Upgrade of property with Pin and Mesh
2017/1450/BN	A	62, Broadway, Llanblethian, Cowbridge	Two storey side extension comprising of bedroom and kitchen diner
2017/1451/BN	A	4, Andrews Court, Llantwit Major	Upgrade of property with pin and mesh insulation
2017/1452/BN	A	21, Berry Court, Llantwit Major	Upgrade of property with PIN and mesh insulation
2017/1453/BN	A	60 Llanmaes Road, Llantwit	Upgrade of property with PIN and mesh insulation
2017/1454/BN	A	72, Llanmaes Road, Llantwit Major	Upgrade property with PIN and mesh insulation
2017/1455/BN	A	74, Llanmaes Road, Llantwit Major	Upgrade of property with pin and mesh insulation

2017/1456/BN	A	78 Llanmaes Road. Llantwit Major	Upgrade of property with pin and mesh insulation
2017/1457/BN	A	84, Llanmaes Road, Llantwit Major	Upgrade of property with pin and mesh insulation
2017/1458/BN	A	27, Berry Court, Llantwit Major	Upgrade of property with pin and mesh insulation
2017/1459/BN	A	66, Llanmaes Road, Llantwit Major	Upgrade of property with pin and mesh
2017/1460/BN	A	86, Llanmaes Road, Llantwit Major	Upgrade of property with EWI insulation
2017/1461/BN	A	113, Eagleswell Road, Llantwit Major	Upgrade property with pin and mesh insulation
2017/1462/BN	A	6, Vachell Court, Llantwit Major	Upgrade of property with pin and mesh insulation
2017/1463/BN	A	5, Vachell Court, Llantwit Major	Upgrade of property with pin and mesh insulation
2017/1464/BN	A	25, Nicholl Court, Llantwit Major	Upgrade of property with pin and mesh insulation
2017/1465/BN	A	23, Nicholl Court, Llantwit Major	Upgrade of property with pin and mesh insulation
2017/1466/BN	A	4, Vachell Court, Llantwit Major	Upgrade of property with pin and mesh insulation
2017/1467/BN	A	15, Vachell Court, Llantwit Major	Upgrade of property with pin and mesh insulation
2017/1468/BN	A	6a, Beach Lane, Penarth	New roof
2017/1469/BN	A	1, Avocet Court, Barry	Renewal of roof covering with new concrete tiles
2017/1470/BN	A	3, Avocet Court, Barry	Renewal of roof covering with new concrete tiles
2017/1471/BN	A	7, Avocet Court, Barry	Renewal of roof covering with new concrete tiles
2017/1472/BN	A	9, Avocet Court, Barry	Renewal of roof covering with new concrete tiles
2017/1473/BN	A	11, Avocet Court, Barry	Renewal of roof covering with new concrete tiles

2017/1474/BN	A	13, Avocet Court, Barry	Renewal of roof covering with new concrete tiles
2017/1475/BN	A	15, Avocet Court, Barry	Renewal of roof covering with new concrete tiles
2017/1476/BN	A	17, Avocet Court, Barry	Renewal of roof covering with new concrete tiles
2017/1477/BN	A	1, Osprey Court, Barry	Renewal of roof covering with new concrete tiles
2017/1478/BN	A	3, Osprey Court, Barry	Renewal of roof covering with new concrete tiles
2017/1479/BN	A	7, Osprey Court, Barry	Renewal of roof covering with new concrete tiles
2017/1480/BN	A	9, Osprey Court, Barry	Renewal of roof covering with new concrete tiles
2017/1481/BN	A	11, Osprey Court, Barry	Renewal of roof covering with new concrete tiles
2017/1482/BN	A	13, Osprey Court, Barry	Renewal of roof covering with new concrete tiles
2017/1483/BN	A	15, Osprey Court, Barry	Renewal of roof covering with new concrete tiles
2017/1484/BN	A	17, Osprey Court, Barry	Renewal of roof covering with new concrete tiles
2017/1485/BN	A	19, Osprey Court, Barry	Renewal of roof covering with new concrete tiles
2017/1486/BN	A	21, Osprey Court, Barry	Renewal of roof covering with new concrete tiles
2017/1487/BN	A	15, Merganser Court, Barry	Renewal of roof covering with new concrete tiles
2017/1488/BN	A	16, Merganser Court, Barry	Renewal of roof covering with new concrete tiles
2017/1489/BN	A	17, Merganser Court, Barry	Renewal of roof covering with new concrete tiles
2017/1490/BN	A	18, Merganser Court, Barry	Renewal of roof covering with new concrete tiles

2017/1491/BN	A	19, Merganser Court, Barry	Renewal of roof covering with new concrete tiles
2017/1492/BN	A	20, Merganser Court, Barry	Renewal of roof covering with new concrete tiles
2017/1493/BN	A	21, Merganser Court, Barry	Renewal of roof covering with new concrete tiles
2017/1494/BN	A	22, Merganser Court, Barry	Renewal of roof covering with new concrete tiles
2017/1497/BN	A	46, Glebeland Place, St. Athan	Upgrade of property with EWI 90 mm insulation
2017/1498/BN	A	54, Glebeland Place, St. Athan	Upgrade of property with EWI 90 mm insulation
2017/1499/BN	A	35, Rhoose Road, Rhoose	Upgrade of property with EWI 90 mm insulation
2017/1501/BN	A	13, Dryden Road, Penarth	Proposed internal structural opening (works to include material alteration to structure)
2017/1510/BN	A	56, Lavernock Road, Penarth	Loft conversion with dormer

(b) Building Regulation Applications - Reject

For the information of Members, the following applications have been determined:

2017/1442/BN	R	50, Wordsworth Avenue, Penarth	Two storey extension to include kitchen, utility, store, bedroom and en suite
2017/1500/BN	R	8, Cledwen Close, Barry	Single storey extension to enlarge kitchen

(c) The Building (Approved Inspectors etc.) Regulations 2000

For the information of Members the following initial notices have been received:

2017/0184/AI	A	24, Lon Yr Eglwys, St. Brides Major	Internal alterations including new structural opening
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2017/0185/AI	A	7, Croft Street, Cowbridge	Single storey rear extension and two storey extension from existing single storey extension and associated works
2017/0186/AI	A	Great Hamston Farm, Dyffryn	Proposed replacement sewerage treatment plant and out fall drainage
2017/0187/AI	A	14, Cwrt Ty Mawr, Penarth	Alterations including partial removal of internal walls to ground floor an realign staircase with associated works
2017/0188/AI	A	5, Westgate, Cowbridge	Knock down of part of existing two storey retail premise to reduce size (due to road widening works) and rebuild
2017/0189/AI	A	Penybryn, Cross Common Road, Dinas Powys	New dormer bungalow
2017/0190/AI	A	Woodlands, Woodlands Lane, Leckwith	Internal alterations, refurbishment and associated works
2017/0191/AI	A	10, Dingle Road, Penarth	Dormer loft conversion and associated works
2017/0192/AI	R	13, Dryden Road, Penarth	Proposed internal structural opening (works to include material alterations to structure)
2017/0193/AI	A	Eastern Pier, Cardiff International Airport, Rhoose	Replacement steel air bridges on stands 7 and 9 and materials alterations to structure. Controlled services, fittings and thermal elements
2017/0194/AI	A	Land off Caerleon Road, Dinas Powys	70 residential units

(d) Section 32 Building Act, 1984

It is proposed to implement the above section of the Building Act with a view to remove from the filing system, building regulation plans relating to work which has not commenced. This section of the Building Act makes provision for the Local Authority to serve notice in respect of plans which are three or more years old. Where such notices have been served (when the proposal has not commenced), it means that the plans are of no further effect and can be destroyed.

It is proposed to serve notices in respect of the following Building Regulations applications.

2014/0003/PV

2014/0009/PV

2014/0012/PV

2014/0243/BN

2014/0694/BR

2014/0754/BR

2014/0802/BR

2014/0832/BR

2014/0845/BR

2014/0859/BR

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 11 JANUARY, 2018

REPORT OF THE HEAD OF REGENERATION AND PLANNING

3. PLANNING APPLICATIONS DETERMINED BY THE HEAD OF REGENERATION AND PLANNING UNDER DELEGATED POWERS

If Members have any queries on the details of these applications please contact the Department.

Decision Codes

A - Approved	O - Outstanding (approved subject to the approval of Cadw OR to a prior agreement)
C - Unclear if permitted (PN)	B - No observations (OBS)
EB - EIA (Scoping) Further information required	E - Split Decision
EN - EIA (Screening) Not Required	G - Approved the further information following "F" above (PN)
F - Prior approval required (PN)	N - Non Permittal (OBS - objections)
H - Allowed : Agricultural Condition Imposed : Appeals	NMA – Non Material Amendments
J - Determined by NAFW	Q - Referred to Secretary of State for Wales (HAZ)
L - Approved <u>AND</u> refused (LAW)	S - Special observations (OBS)
P - Permittal (OBS - no objections)	U - Undetermined
R - Refused	RE - Refused (Enforcement Unit Attention)
	V - Variation of condition(s) approved

2011/00438/1/N MA	A	Dock Offices, Subway Road, Barry	Non Material Amendment - Construction of new car park and access ramp on land to rear of Docks Offices and works to upgrade existing Council car park & lighting in order to provide mixed use Council car park & park & ride scheme. Permission ref. 2011/00438/RG3: Construction of new car park & access ramp on land to rear of Docks Offices & works to upgrade existing Council car park & lighting in order to provide mixed use Council car park & park & ride scheme
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2012/01224/1/N MA	A	Garn Farm, St Hilary	Non Material Amendment - Construction of a solar park to include the installation of solar panels to generate up to 7.5MW of electricity with transformer housings. Security fencing and cameras, landscaping and other associated works at Land at the Garn, St. Hilary. Planning permission ref. 2012/01224/FUL: Construction of a solar park to include the installation of solar panels to generate up to 7.5MW of electricity with transformer housings. Security fencing and cameras, landscaping and other associated works
2013/00036/1/N MA	A	10, Park Road, Penarth	Non Material Amendment - Removal of Conditions 3, 4 and 5-Code for Sustainable Homes for New three storey dwelling built over existing pool with access formed off Park Road
2015/00044/1/C D	A	Land adjacent to The Retreat, St. Nicholas	Discharge of conditions 7 and 18 - Proposed new low energy dwelling. (Renewal of Planning Permission ref:- 2009/01205/FUL)
2015/00647/3/N MA	A	2, Stanwell Road, Penarth	Non material amendment - Reposition of window to front elevation and retention of gable as tiled for extension and alteration of existing property to form seven self-contained residential apartments and one town house

2015/00745/FUL	A	Llanerch Vineyard, Hensol	Retention as built - Calon Lodge formerly Secret Garden Room, approved ref. 2014/01137/FUL
2015/01262/1/C D	A	37, Westbourne Road, Penarth	Discharge of condition 2 - Replace 2 windows currently aluminium framed double glazed with UPVC sash sliding double glazed.
2016/00221/1/N MA	A	36, Glyndwr Avenue, St. Athan	Non Material Amendment - Variation of Condition 5 to allow for retention of window with a restricted opening mechanism and the glazing obscured. Planning permission ref. 2016/00221/FUL: Two storey rear extension
2016/00809/5/C D	A	Land to the rear of Westgate (East of Eagle Lane), Cowbridge	Discharge of conditions 22- Obscure glazing and 23- Relocation of guest room- Redevelopment to form 37 apartments for the elderly including communal facilities access, car parking and landscaping
2016/01268/1/C D	A	Land to the rear of Tudor Lodge, A48 Bonvilston	Discharge of condition 2 - Retention of building as erected
2016/01290/3/C D	A	Arno Quay, Barry Waterfront, Barry	Discharge of condition 12 - Development of the site known as Arno Quay for residential development and associated infrastructure works, parking, and landscape at Arno Quay, Barry Waterfront, Barry

2016/01290/4/C D	A	Arno Quay, Barry Waterfront, Barry	Discharge of condition 6 - Development of the site known as Arno Quay for residential development and associated infrastructure works, parking, and landscape at Arno Quay, Barry Waterfront, Barry
2016/01425/1/C D	A	Gileston Manor, Gileston Road, Gileston	Discharge of conditions 5 and 6 - Change of use of coach house and cheese house into 4 no. additional holiday accommodation units, demolition of single story lean-to attached to coach house and replacement with single story conservatory, and internal and external alterations and associated works to Coach House and Cheese House at Gileston Manor, Gileston Road , Gileston
2017/00053/1/C D	A	70, Celtic Way, Rhoose	Discharge of Condition 4- balcony screen. Extension above garage, garage conversion and rear roof terrace
2017/00203/1/N MA	A	Acorn Camping, Rosedew Farm, Beach Road, Llantwit Major	Non material amendment - Installation of a 17.5m column mast accommodating three no. antennas and two no. dishes together with two no. cabinets within a fenced compound at Acorn Farming (east of toilet block): Revised mast, antenna and dish design.

2017/00212/FUL	R	New Broad Street Motors, Ty Verlon Industrial Estate, Barry	Creation of 2 no separate A1 units within footprint of existing Car Sales building (permitted change of use) and alterations to front and rear elevations. Relocation of existing totem sign
2017/00229/1/C D	A	77, Eastgate, Cowbridge	Discharge of condition 4 - Demolition and re-instatement of rear stone boundary wall; construction of new 1.5-storey garage with accommodation over, plus rear driveway with 3 parking spaces; stripping of existing roof covering to main house and re-instatement of grade 1 natural slate
2017/00301/1/N MA	A	9, Nant Talwg Way, Barry	Non Material Amendment - Retention of Granny Annexe. Planning Permission ref. 2017/00301/FUL: Retention of Granny Annexe
2017/00427/FUL	R	Penmaen Livery Yard, St. Mary Church	Change of use from a livery yard and ancillary horse rug wash business to a mixed use of livery yard with ancillary horse rug washing business, agriculture and the commercial storage and distribution of firewood logs as well as the extension of an existing indoor riding school building to house a biomass boiler for use in connection with the drying and sale of firewood logs - resubmission of 15/00177/FUL

2017/00428/FUL	R	Anna Livia, City	Retention of decking and metal balustrade and landscaping scheme
2017/00541/1/C D	A	Northcliffe Lodge, Northcliffe Drive, Penarth	Discharge of Conditions 6- Stopping up of existing access and 20-CEMP for the demolition of existing dwelling and outbuilding and erection of 30 apartments and associated works
2017/00548/FUL	A	9, Paget Place, Penarth	Variation to renew existing planning permission - varying Condition 1 of Planning Permission 2012/00075/FUL. To extend time period for commencement of development
2017/00583/1/N MA	A	24, Mountjoy Avenue, Penarth	Non Material Amendment - Hip to gable roof modification to provide additional living space in the loft. Rear dormer extension with recessed balcony. Planning permission ref. 2017/00583/FUL: Hip to gable roof modification to provide additional living space in the loft. Rear dormer extension with recessed balcony
2017/00619/FUL	A	86, Millfield Drive, Cowbridge	Single story entrance and WC extension to the front elevation
2017/00668/OUT	A	Hazel Court Ponds, Llysworney	Outline planning application for a rural enterprise worker's dwelling.

2017/00700/FUL	A	28, Four Acre, Llantwit Major	Demolition of garage and construction of Two storey side and single storey front extension with associated external and drainage works
2017/00738/2/C D	A	Southcot, 27, Cog Road, Sully	Discharge of condition 3 - Replacement of a dwelling (formerly semi detached) with new semi detached dwellings
2017/00742/FUL	A	Offices Barry Fire Station, Port Road West, Barry	Proposed refurbishment works to existing fire station to include change of use for co-location with Welsh Ambulance Service. Works to include new external fire escape stair and re-cladding of existing elevations with new permanent signage
2017/00782/FUL	A	Lynton, Tredodridge	Proposed stable block
2017/00810/FUL	R	Mill Barn, Mill Road, Boverton, Llantwit Major	Change of use of land and building from agricultural to a single dwelling house and associated garden, together with the retention and completion of an attached building.
2017/00872/FUL	A	71, Queens Road, Penarth	Retention of extensions as built
2017/00884/FUL	R	Mill Cottage, Clemenstone	Double storey extension and single storey extension
2017/00894/FUL	A	57, Bron Awelon, Barry	Proposed two storey rear extension
2017/00902/FUL	A	Flanders Barn, Flanders Road, Llantwit Major	Proposed fish pond, with decking and filter bay

2017/00926/FUL	A	14, Greenacres, Barry	Single storey rear extension to replace existing conservatory
2017/00932/FUL	A	Maslin Park Playing Field, Plymouth Road, Barry	Siting of steel storage container unit adjacent to changing rooms
2017/00966/FUL	A	Marcross Farm, Llantwit Major	Extension to existing cow barns, in order to accommodate a robotic milking system
2017/00972/FUL	A	Marks and Spencer, Culverhouse Cross, Copthorne Way, Culverhouse Cross	2 No. four metre high columns for an Automatic Number Plate Recognition (ANPR) camera
2017/00973/LAW	A	2, Railway Terrace, Penarth	Proposed rear dormer and rooflights.
2017/00977/LBC	A	Flanders Barn, Flanders Road, Llantwit Major	Replacement windows and external doors. Proposed new rooflight. Proposed repairs to adjacent stone boundary wall
2017/00981/FUL	A	3, Druids Green, Cowbridge	Two storey side extension
2017/00982/FUL	A	Tusker House, 58, Marine Drive, Barry	First floor extension and alterations to garage
2017/00983/FUL	A	33, Ffordd Cwm Cidi, Barry	Construction of a single storey extension at the rear of the property, 3m x 10m c/w lean-to roof. Brickwork and roof tiles to match existing. To provide extended kitchen, dining area and family room.
2017/00985/FUL	A	Red Oaks, Upper Farm, Rhoose Road, Rhoose	New extension to existing house to incorporate indoor swimming pool and associated plant and change areas and gym room

2017/00990/FUL	A	3, Portland Close, Penarth	Erection of a timber framed summerhouse to the rear of the garden
2017/00994/FUL	A	20, Marine Drive, Barry	To form new car parking bay to front of dwelling- adjusting ground levels and garden wall fronting street. To form new pedestrian access to adjust existing vehicular crossover
2017/00995/FUL	A	258, Holton Road, Barry	Retain front ground floor as retail and conversion of part ground floor and upper floor into 3 one bedroom flats with external alterations
2017/00999/FUL	A	19, Hensol Villas, Hensol	Proposed two storey rear extension with Juliette balcony
2017/01001/FUL	A	The Old Farmhouse, Cowbridge	Proposed single storey extension and conversion of existing garage to a bedroom
2017/01006/FUL	A	Dow Corning Ltd, Cardiff Road, Barry	The proposed structure will consist of a 20 nest box Swift Tower with solar-powered swift caller. The tower will be set in a concrete base, which needs to be 1m x 1m sq., and 0.6m deep. Set in the base are the template and holding down bolts. The distance from the housing at ground level to the base of the nest box housing is 3.8m (so total height is c. 4.8m). The Swift Nest Box housing at the top of the tower is 1.2m x 1.2m, and 1m high.

2017/01009/FUL	A	16, Lake Hill Drive, Cowbridge	Extension to existing dwelling house
2017/01010/FUL	A	Sunnybank, High Street, Llantwit Major	Permission to replace four wooden casement windows to south side of grade 2 listed property known as Sunny Bank CF61 1SS, with sash wooden windows.
2017/01014/ADV	R	Unit 2A, Culverhouse Cross Retail Park,	3 No. freestanding banners
2017/01016/LAW	A	110, Redlands Road, Penarth	The conversion of the existing hipped end attic space into a gable end space for 2 bedrooms & a bathroom
2017/01018/FUL	A	Little Acre, Llangan	Change of use from agricultural land to garden
2017/01021/FUL	A	6, Kingsley Close, Sully	(AMENDED PLANS) Planning approval for a two storey side and single storey rear extension
2017/01022/FUL	A	Land opposite Middlehill on the lane running between Llancarfan and Walterston	Erection of wooden stable barn
2017/01023/FUL	A	12, Downs View, Aberthin	Amendment to permission 2017/00518/FUL to increase ridge height of two storey side extension by 684mm (to match height of existing central hipped gable feature within the terrace), removal of two storey rear extension, new first floor window (obscured glazed) on side elevation of two storey extension, reduce size of patio doors on the rear elevation (of two storey side extension) & changes to fenestration

2017/01025/FUL	A	Chy Avallan, Church Road, Llanblethian	Proposed covered entrance porch and garage with hobby room over
2017/01027/FUL	A	Caer Wigau Isaf, Pendoylan Road, Pendoylan	The construction of an agricultural barn, single storey stable block, and associated manege
2017/01028/FUL	A	49, Lewis Road, Llandough, Penarth	Extension to rear at first floor above existing single storey extension
2017/01033/LAW	A	Norwood, 114, South Road, Sully	Proposed single storey rear extension.
2017/01034/FUL	A	51, Brookfield Avenue, Barry	Proposed first floor extension, to form additional accommodation for an elderly relative
2017/01035/LBC	A	Sunnybank, High Street, Llantwit Major	Permission to replace four wooden casement windows to the south side of the grade 2 listed property known as Sunny Bank CF61 1SS, with sash wooden windows
2017/01037/FUL	A	The Stables, Marcross	Ground floor rear extension (2012/00836). Application to extend permission
2017/01044/FUL	A	61, Pontypridd Road, Barry	Existing garage to be demolished and new single storey extension to be constructed.
2017/01045/FUL	A	18, St. Cyres Road, Penarth	Existing garage to be demolished and replaced with two storey side extension and alterations to fenestration on existing house

2017/01046/FUL	A	5, Castle Court, Llantwit Major	Existing garage demolished and rebuilt to form habitable room, new rear/side extension to existing dwelling
2017/01049/FUL	A	6, Berkley Drive, Penarth	Two storey side extension in place of current single storey extension
2017/01050/FUL	A	Sutton Farm, Fort Road, Lavernock	Proposed extension to existing property to provide ancillary full time carers accommodation
2017/01051/ADV	E	The Old Village Shop, Bonvilston	Existing signs on building. New sign 'The Best Breakfast In Wales'
2017/01052/FUL	A	62, Celtic Way, Rhose	Bedroom extension to front and rear of house
2017/01053/FUL	A	66, Pontypridd Road, Barry	Rear flat roofed extension to accommodate larger bedroom with en suite
2017/01058/FUL	A	Pen Onn Farm, Llancarfan, Barry	Proposed link extension, refurbishment and alterations
2017/01067/FUL	A	5, Pleasant View, Barry	Proposed roof alterations and remodelling of the dwelling to form an additional first floor bedroom and bathroom plus a new first floor master bedroom suite to the rear elevation
2017/01069/FUL	A	19, Caer Worgan, Llantwit Major	Remove existing conservatory, and single storey extension
2017/01071/FUL	A	Aberthaw Power Station, Pump House Road, West Aberthaw	Replacement of the cladding to the northern end of the main power station building

2017/01073/FUL	A	40, Harding Close, Boverton, Llantwit Major	Single storey rear extension and two storey side extension
2017/01074/ADV	A	Captains Wife, Beach Road, Swanbridge	Installation of replacement illuminated and non illuminated sign to the exterior of the building
2017/01078/FUL	A	Southcot, 27, Cog Road, Sully	Replacement of a dwelling (formerly semi-detached) with new semi-detached dwellings - Revision to location and form of ancillary structures 'Workshops & Garden Stores', as part of approved planning application ref. 2017/00738/FUL, dated 26th September 2017 for 27 Cog Road, Sully. Revision to Site Plan extents.
2017/01083/FUL	A	15, Cae Rex, Cowbridge	Demolition of existing bungalow and erection of new 4 bedroom dwelling
2017/01086/ADV	A	Unit 1B, Brooklands Retail Park, Culverhouse Cross	3 No. internally LED illuminated flex face box signs complete with bird spikes and digitally printed flex face skins
2017/01091/LAW	A	Ty Groes, Heol y Mynydd, Southerndown	Single storey rear extension and entrance porch to front elevation.
2017/01092/FUL	R	60, Baruc Way, Barry	Erect a wrought iron fence (1050mm in height) to the front of the property covering 2 sides of the front garden.

2017/01093/FUL	A	9, The Verlands, Cowbridge	Ground floor extensions to the front porch and west side elevation and garage conversion
2017/01094/FUL	A	12, Tudor Place, Llantwit Major	Single storey rear extension
2017/01095/FUL	A	Maltsters Cottage, Factory Road, Llanblethian, Cowbridge	Two additional rooflights on the rear roof slope
2017/01102/FUL	A	Westmoor Barn, Primrose Hill, Cowbridge	Demolition of existing single storey extension and construction of a new single storey extension incorporating glass conservatory elements
2017/01103/FUL	A	6, Coates Road, Penarth	Proposed ground floor kitchen and living room extension, and first floor bedroom extension. New front entrance porch
2017/01104/FUL	A	8, Llwyn Passat, Penarth	Proposed extension to first floor balcony
2017/01105/FUL	A	22, Meadow Court, St. Brides Major	Single storey side extension to existing dwelling
2017/01110/FUL	A	25, Uplands Crescent, Llandough	Single storey side extension
2017/01114/FUL	A	37, Baruc Way, Barry	Conversion of integral garage into living space. With removal of garage door, replaced with in keeping window & new door from the kitchen/dining room to access the new living space.
2017/01121/FUL	A	39, Elfed Avenue, Penarth	Double storey rear extension & single storey side extension

2017/01122/FUL	A	White Lodge, Fox Hollows, Maendy	Double storey side extension with rear orangery
2017/01125/FUL	A	3, Elfed Avenue, Penarth	Single storey orangery to rear side of property
2017/01127/FUL	R	9, Meadow Court, St Brides Major	To build a solar canopy
2017/01138/FUL	A	9, Heol Merioneth, Boverton, Llantwit Major	Dwelling roof extension with balcony over single storey section
2017/01163/FUL	A	2, Merthyr Dyfan Road, Barry	Hipped roof porch to front of dwelling
2017/01174/FUL	A	2, Berkley Drive, Penarth	Proposed two storey side extension and single storey front and rear extension
2017/01180/ADV	A	Workshop Lower Garage, Windsor Road, Penarth	Fascia sign and poster box
2017/01196/FUL	A	Bridge House, 95, Broadway, Llanblethian, Cowbridge	Proposed Rear First Floor Extension
2017/01244/OBS	P	Bridgend Engine Plant, Waterton Industrial Estate, Bridgend	Surface water storage lagoon with separator and flow control device - outfall to existing surface water drainage system

Agenda Item No.

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE: **11 JANUARY, 2018**

REPORT OF THE HEAD OF REGENERATION AND PLANNING

4. APPEALS

(a) Planning Appeals Received

None

(b) Enforcement Appeals Received

None

(c) Planning Appeal Decisions

L.P.A. Reference No:	2016/00659/FUL
Appeal Method:	Written Representations
Appeal Reference No:	17/3181572
Appellant:	Mr. Steve Simpson
Location:	10, Bridgeman Road, Penarth
Proposal:	Conversion of existing building into 3 apartments with new build extensions of 6 apartments
Decision:	Appeal Dismissed
Date:	27 November 2017
Inspector:	Ms. P. Davies
Council Determination:	Committee

Summary

The Inspector was considered the principal matter in the case to relate to whether the development makes adequate provision for affordable housing and public open space, having particular regard to the viability of the development. The Inspector concurred with the Council's assessment that the design of the development was acceptable in framing the principal matters.

Under the provisions of the Development Plan, the Inspector noted that the scheme should provide for both affordable housing and public open space by reason of Policies MG4 and MD3. The total provision sought under this policy framework equates to 3 on-site units, an off-site contribution of £15,486 for affordable housing and a contribution of £21,334 in respect of the provision of public open space. The issue lies primarily with the viability of the scheme in light of these requirements.

Considering the evidence provided, it was clear to the Inspector that at this present time the proposal would be unviable if contribution were sought and it would therefore be unreasonable to seek a planning obligation on this basis. The Inspector noted the scheme's positive aspects, namely, the regeneration of a presently unattractive and run down site, additional housing and improvements to the visual qualities of the area. These positive factors were considered to be justification to accept a reduced planning obligation, given their planning weight in favour of the development.

However, the Inspector considered that the scheme was presently unviable in itself regardless of whether it made any financial contribution to community infrastructure. There was little evidence to indicate that viability would resolve itself in the short term. Therefore a reduced period to implement the permission was considered acceptable in principle. However, and more fundamentally, the Inspector considered it would be appropriate to bind the Developer to implementing a set amount of development, so as to ensure the development is not merely commenced and then sat on until market conditions improve development viability. Without such safeguarding, the Inspector considered there was no certainty that the development would be complete.

Taking the above matters into consideration, notwithstanding the planning merits of the scheme, the development would not make adequate provision for affordable housing or public open space contrary to the overarching principles of the development plan. The appeal was dismissed accordingly.

L.P.A. Reference No:	2016/00639/FUL
Appeal Method:	Written Representations
Appeal Reference No:	17/3183250
Appellant:	Mr Dean Caddy
Location:	Kia Ora, 2, Cold Knap Way, Barry
Proposal:	Proposed demolition of substandard bungalow and construction of 2 No. 4 bedroom dwellings
Decision:	Appeal Dismissed
Date:	5 December 2017
Inspector:	Ms. P. Davies
Council Determination:	Delegated

Summary

The Inspector considered the main issues to relate to the design of the development and its impact on the character and appearance of the Barry Marine Conservation Area. The Inspector considered that whilst the scale of the proposed dwellings and their spacing would compare to other houses further along the reason, given its particular siting on the upper part of the street and siting between two low profile dwellings, the proposal would result in an overly large and bulky form of development. The Inspector was not minded to agree that the design of the dwellings, with short eaves to ridge height, would be materially at odds with the diverse surrounding. Nonetheless, the massing of the development would fail to respect the relationship with its neighbours and the proposal would stand out as an insensitive form of development out of scale with its direct context.

Insofar as the wider conservation area was concerned, the Inspector concluded that the proposal would have a neutral effect. Whilst the raised roof profile of the proposal might be evident, it would not naturally draw the eye or appear incongruous when viewed from a wider context. However, in a localised context, the harm identified above would consequently have adverse effects on the character and appearance of the area. As such the Inspector dismissed the appeal.

L.P.A. Reference No:	2017/00721/TPO
Appeal Method:	Written Representations
Appeal Reference No:	T/17/3186116
Appellant:	Arbtech Tree Services Ltd.
Location:	13, Pwll Y Min Crescent, Peterston Super Ely
Proposal:	Work to a tree covered by TPO 1959, Number 2 - Group A04 - Remove One Horse Chestnut
Decision:	Appeal Dismissed
Date:	5 December 2017
Inspector:	V. Hirst
Council Determination:	Delegated

Summary

The Inspector considered the main issues to relate to amenity value the tree has and the effect the proposed works would have on the character and appearance of the area, and whether there was sufficient grounds to justify the works.

Considering the amenity value of the tree, the Inspector noted the character and layout of the area as being defined by mature and semi mature trees set within the large frontages of houses set back from the road. The area was deemed to be an attractive, wooded and verdant appearance. The Inspector agreed that the tree was highly visible from both roads and the wider estate. The tree is a mature specimen, and it was noted that it suffers from bleeding canker and leaf discolouration. Nonetheless, the Inspector considered it makes an important contribution to the pleasant wooded character and appearance of the area. Consequently, the loss of the tree would be harmful to the area.

Turning the justification for its removal, the Inspector noted the tree's declining health, but agreed with the Council's submission that the tree's decline is very low at present and it is likely the tree would continue to make a contribution to the character of the area for a number of years even in declining health. Potential risks associated with the tree's health could be remedied by reductions in crown and sail area. Damage to a wall was noted, however, the Inspector was satisfied that there was no imminent danger arising from this wall.

The Inspector concluded that there was little justification for the felling of the tree at the present time and the result of which would harm the character and appearance of the area. The appeal was dismissed accordingly.

L.P.A. Reference No: 2017/00559/ADV
Appeal Method: Written Representations
Appeal Reference No: H/17/3185302
Appellant: Mr Hassan Mustafa
Location: Paramount Tandoori, 5, Station Approach, Penarth
Proposal: Banner sign
Decision: Appeal Dismissed
Date: 23 November 2017
Inspector: Richard Duggan
Council Determination: Delegated

Summary

The Inspector considered the main issues to relate to the impact the advertisement would have on the visual amenity of the area with particular regard to its location within the Penarth Conservation Area. The appeal sign is sited on the first floor of the restaurant which is part of an attractive older style parade of buildings set within the conservation area. Other than some difference in the fenestration and dimensions of the shopfronts at ground floor level of the parade, it has similar architectural character and appearance and makes a positive contribution to the conservation area. The Inspector noted that there were very few sign located above shopfronts at first floor level within the conservation area.

The Inspector considered the overall size, projection and position of the banner sign to have a dominating feature above the shop front within an area that is largely devoid of advertisements at first floor level. That was considered to have a detrimentally harmful impact on the visual amenity of the area. In reaching that conclusion, the Inspector was not satisfied the advertisement would preserve or enhance the character and appearance of the conservation area and dismissed the appeal accordingly.

(d) Enforcement Appeal Decisions

None

(e) April 2017 - March 2018 Appeal Statistics

		Determined Appeals			Appeals withdrawn /Invalid
		Dismissed	Allowed	Total	
Planning Appeals (inc. tree appeals and appeals for conservation area consent)	W	9	4	13	-
	H	1	-	1	-
	PI	-	2	2	-
Planning Total		10 (63%)	6 (37%)	16	-
Enforcement Appeals	W	1	1	2	1
	H	-	-	-	1
	PI	-	1	1	-
Enforcement Total		1 (33%)	2 (66%)	3	2
All Appeals	W	10	5	15	-
	H	1	-	1	-
	PI	-	3	3	-
Combined Total		11 (58%)	8 (42%)	19	-

Background Papers

Relevant appeal decision notices and application files (as detailed above).

Contact Officer:

Mrs Justina M Moss, Tel: 01446 704690

Officers Consulted:

HEAD OF REGENERATION AND PLANNING

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 11 JANUARY, 2018

REPORT OF THE HEAD OF REGENERATION AND PLANNING

5. TREES

(a) Delegated Powers

If Members have any queries on the details of these applications please contact the Department.

Decision Codes

A - Approved
 E Split Decision
 R - Refused

2017/00968/TPO	A	Hensol Castle Park (North), Hensol	Works to trees on TPO. No.4 2003
2017/00989/TPO	A	75, Romilly Park Road, Barry	Oak Tree: Light Reduction (1.5-2m), Crown lift to a maximum of 5.2M over road to allow vehicle clearance and 4.2m on garden side to rebalance the tree so a good form is kept, removal of deadwood.
2017/01032/TPO	A	The Cottage, St. Hilary	Reduction by 50% of mature Weeping Silver Lime on boundary with Llantrithyd Road - within TPO no. 07 1972
2017/01043/TPO	A	Holly House, Duffryn Lane, St. Nicholas	Work to two trees at the front of the property within TPO no 04 1952 (work to tree to the rear covered by separate application 2017/01089/TCA)

2017/01065/TCA	A	Oak Hill House, Causeway Hill, Llanblethian, Cowbridge	30% Canopy reduction to Fagus Sylvatica Purpurea within the Llanblethian Conservation Area
2017/01075/TPO	A	Monmouth House, Salisbury Close, Penarth	Line of oaks SW Boundary - Crown raise all to 4m above ground, reduce back to clear any buildings by up to 2m, removing any unstable deadwood, sever ivy, and fell and treat all self seeded saplings along this boundary. Removing all arisings leaving site tidy.
2017/01077/TCA	A	Lorna Hughes Park, High Street, Llantwit Major	Works to trees in the Llantwit Major Conservation area
2017/01085/TPO	A	Great House, Treoes	Work to trees covered by TPO 1994 No 23 A01
2017/01087/TCA	A	Dan y Bryn, Flemington Road, Flemingston	Work to trees within the Flemingston Conservation area
2017/01089/TCA	A	Manor House, Duffryn Lane, St. Nicholas	Removal of overhanging branches of a Conifer tree which are also growing through a Holly tree which is on my property at the rear of the house (i.e. garden - see photographs)
2017/01107/TCA	A	1, Maesyfelin, Llandow	Work to trees in the Llandow Conservation Area
2017/01108/TCA	A	The Buffers, Cardiff Road, Cowbridge	Work to tree in the Cowbridge Conservation Area
2017/01120/TPO	R	71 Broadway, Llanblethian, Cowbridge	Work to trees covered by TPO 2004 no 18 Gp 2
2017/01123/TCA	A	The Old Farm, St.. Hilary	Work to trees in St Hilary Conservation Area

2017/01129/TCA	A	Parish Hall, 2, Britway Road, Dinas Powys	Works to trees in the Dinas Powys Conservation Area
2017/01155/TPO	A	The Chestnuts, Llysworney	Work to trees - TPO 1972 No 2 G02 and G08
2017/01160/TCA	A	11, Clement Place, Barry	Overall crown reduction to Norway Maple in rear garden
2017/01170/TCA	A	The Chestnuts, Llysworney	Work to trees - Llysworney Conservation Area
2017/01176/TPO	A	Tree to rear 52 Scott Close, St. Athan	Work to trees covered by TPO 2003 No12 T24 - Crown raise Ash to 3m to clear parking space
2017/01186/TCA	A	Holly Cottage, Penmark	Work to tree in Penmark Conservation Area - Remove Sycamore Tree
2017/01266/TCA	A	The Paddocks, Llanmaes	Works to trees - Llanmaes Conservation Area

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 11 JANUARY, 2018

REPORT OF THE HEAD OF REGENERATION AND PLANNING

7. WITHDRAWAL OF ENFORCEMENT NOTICE

LAND AND BUILDINGS AT HANGARS A AND B, LLANTWIT MAJOR ROAD, LLANDOW (SITE SERV)

Background

1. The unauthorised operations at Hangars A and B (Site Serv), Llandow have previously been reported to Planning Committee on 12 February, 2015, whereby it was resolved to issue an Enforcement Notice and Stop Notice in respect of the unauthorised use of the site as a waste recycling station. A copy of the Committee Report is attached as **Appendix A**.
2. As an application for planning permission had been submitted in an attempt to resolve the breach of planning control, the authorised notices were not issued immediately.
3. Application reference 2014/01464/FUL was determined on 15 April, 2016 and permission was refused for the retention of the unauthorised use.
4. An Enforcement Notice was issued on 10 June, 2016. As your officers were still working with the operator in an attempt to resolve the matter, it was not considered appropriate to issue the Stop Notice at that time. A copy of the Enforcement Notice is attached as **Appendix B**.
5. The reason for issuing the Enforcement Notice was as follows:

The use of the site as a waste transfer station and for the storage and processing of municipal waste is considered to have a harmful impact upon the amenities, health and safety of the public and neighbouring land and on the safety of highway users contrary to the Policies EMP2- New Business and Industrial Development, WAST1 - Provision of waste management facilities, WAST2 - Criteria for assessing waste management facilities, ENV27 – Design of New Developments and ENV29- Protection of Environmental Quality of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as guidance provided in Planning Policy Wales and Technical Advice Note 21: Waste (2014).

6. An appeal was made against the refusal of the 2014/01464/FUL application shortly after the decision was issued, with a further appeal having been made in respect of the Enforcement Notice. The appeals have been linked and are being considered by the Planning Inspectorate jointly.
7. The site suffered a devastating fire in March 2017, prior to the public inquiry date, and Hangar B was effectively burnt to the ground. As such, all operations on that site ceased. During the incident Natural Resources Wales are understood to have suspended the Permit that had been issued by them for the waste recycling operation, but shortly after it partially lifted the suspension in order to allow the continued operation of the part of the site not affected by the fire, i.e. the Hangar building in the west of the site (Hangar A).
8. In May 2017 an application reference 2017/00329/FUL was submitted in an attempt to retain the use of Hangar A for the sorting of plastic, paper and cardboard. As a result of the application, the linked appeals were placed into abeyance pending the determination of the application. In November 2017 the 2017/00329/FUL application was approved.
9. The abeyance period in respect of the appeals relating to the Enforcement notice and the 2014 planning application has now ended. As such, this report considers how the Council proceeds in light of the recent planning history and events at the site and recommends the withdrawal of the Enforcement Notice.

Reasons for Withdrawal of the Enforcement Notice

10. As noted above, a fire has destroyed one (Hanger B) of the two buildings on the site that are the subject of the Enforcement Notice. The building subject of the fire was used for the sorting and baling of black bag waste. The processing of this waste caused an element of the adverse effects experienced outside of the site (e.g. odour and pests) and the 24 hour operation of the site being sought by the developer also resulted in further detrimental impact on the adjoining land uses.
11. Since the fire, the receipt and sorting of black bag waste has ceased at the site. In addition to this, the 2017 permission for plastic, cardboard and paper recycling strictly prohibits the receipt, sorting, storage and export of any other type of material, including black bag waste. Furthermore, the 2017 permission also limits the hours of operation of the site to daytime hours. It is understood that the site is operating in accordance with the 2017 planning permission.

12. In view of the above, it is considered appropriate to now withdraw the Enforcement Notice. Your officers would advise that there are now sufficient controls in place that would prevent the adverse effects that formed the reason for issuing the Enforcement Notice in the first instance. Furthermore, if those controls are not complied with, it is still open to the Council to issue a new Enforcement Notice or Breach of Condition Notice to resolve any breach. Your officers are monitoring the site in order to ensure compliance with the conditions that are in place under the 2017 permission and are currently pursuing the submission of certain details (e.g. fire prevention plan, details of hard surfacing, etc.) in compliance with a number of the conditions.
13. In addition to the above, if the Enforcement Notice is not withdrawn, it is likely that the appeal will continue. It is your officers' advice that such an appeal would be an unnecessary use of Council resources and officer time, particularly in light of the recent planning permission and the operation of the site in compliance with that permission.

Conclusions

14. The Local Planning Authority has a responsibility to review the expediency of Enforcement Action that has been pursued. In view of the recent planning permission and the loss of a building on the site that prevents the receipt and sorting of black bag waste, it is considered appropriate to withdraw the Enforcement notice at this juncture. It is, of course, open to the Authority to pursue further Enforcement action should there be any further breaches of planning control. The site will continue to be monitored in order to ensure compliance with the planning permission granted.

Resource Implications (Financial and Employment)

15. Any costs involved in withdrawing the Notice can be met within the departmental budget. There are no employment issues.

Legal Implications (to include Human Rights Implications)

16. It should be noted the operator of the site is entitled to make an application for costs via the appeal process in the event that the Enforcement Notice is withdrawn. However, costs would only be awarded if it is considered that the Council have acted unreasonably in withdrawing the Notice during the course of the appeal. Your officers have undertaken a risk assessment and, in view of the reasons given for withdrawing the Notice (as set out above), it has been concluded that the withdrawal of the Notice would, in the circumstances, demonstrate reasonable behaviour. Notwithstanding this, your officers have sought and received written confirmation from the operator that a costs application will not be made if the Notice is withdrawn.

Equal Opportunities Implications (to include Welsh Language Issues)

17. None.

RECOMMENDATION

- (1) That, in accordance with section 173A of the Town and Country Planning Act 1990 (as amended), the Head of Legal Services be authorised to withdraw the Enforcement Notice issued on 10th June, 2016, in respect of the site at Hangars A and B, Llantwit Major Road, Llandow (Site Serv).

Background Papers

Enforcement File Ref: ENF/2015/0201/PC

Contact Officer - Mrs. Justina M. Moss, Tel: 01446 704

All relevant Chief Officers have been consulted on the contents of this report.

MARCUS GOLDSWORTHY
HEAD OF REGENERATION AND PLANNING

APPENDIX A

Agenda Item No. _____

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 12 FEBRUARY 2015

REPORT OF THE DIRECTOR OF DEVELOPMENT SERVICES

**MATTER WHICH THE CHAIRMAN HAS DECIDED IS URGENT
BY REASON OF THE NEED TO MAKE A DECISION PRIOR TO THE NEXT
COMMITTEE**

7. ENFORCEMENT ACTION

LAND AND BUILDINGS AT SITE SERV RECYCLING HANGERS A & B, LLANDOW
TRADING ESTATE, LLANDOW

Background

1. A complaint was received by the Local Planning Authority on 26 January 2015, regarding the construction of an extension and use of the site at Site Serv Hangers A & B, Llandow Trading Estate, Llandow.
2. The site comprises of two former aircraft hangars located to the south end of Llandow Trading, immediately to the south of a race track and to the west of a caravan park.

Details of the Breach

3. Following an initial site inspection it was noted that works have been carried out to clear a larger area of land to the rear of the site for parking of large vehicles, the erection of a weighbridge and office and for the construction of extension to the rear of the building.
4. With regard to the extension, its dimensions and location are such that it would be considered to be permitted development under the new permitted development rights granted under The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2014.
5. In addition, the large hardstanding area was not complete but it could be considered permitted development if constructed of a porous material or provided the run-off water from the hard surface was directed to a porous or permeable area or surface within the curtilage of the site. The owners have been advised that if these requirements are adhered to when completed then it would be permitted, however, if not then it would be considered a breach of planning control.

Cg.Urg.1

APPENDIX A

6. With regard to the use of the original hangars, from an internal inspection it would appear that these are being used for the storage of waste material with some sorting of that material taking place on the site, as follows:
 - Hangar 1- had paper, cardboard being stored, with a two machines and a person sifting through the material. A baler was situated in the corner of the building but was not in use. It was stated by an employee at the site that the baler would be operational by March 2015. It was also stated that the material in the building was being sifted through to remove large items in order for the material to then be transported off site to be incinerated.
 - Hangar 2- had mixed plastics materials and mounds of what would appear to be processed plastic materials. There were no persons or machines inside this hangar.
7. It is understood that the established use of the hangar buildings is for a use falling within Use Class B8 of the Town and Country Planning (Use Classes) Order 1987. The site is not located within an employment site but it is accepted that the hangars have been used for purposes in accordance with the B8 Use class use. This lawful use would permit the storage of certain types of waste material on the site but would not permit the processing of that material in any way. The processing of material, depending on the type of material being processed, would either fall within use Class B2 of the Order or would be considered to be a *sui generis* use (i.e. a use within its own use class). A material change of use of the buildings to either of these uses from a B8 use would require the benefit of planning permission. As the necessary permission for processing the material has not been granted, the use of the buildings would be unauthorised and in breach of planning control; that breach being the material change of use of the land and buildings from a use for the purposes of Storage & distribution falling within use Class B8 of Order, to a mixed use for storage of plastic, glass and wood waste and the processing of plastic, glass and wood waste material, involving crushing, baling and sorting (falling within use Class B2 of the Order).
8. It should be noted that a planning application has been submitted for the change of use of the buildings to a waste transfer station including the storage of municipal waste, ancillary offices, erection of a weighbridge and construction of a weighbridge office. The application is not, however, valid and discussions are taking place with the applicant with regard to the information necessary to validate the application. It is, however, unlikely that the required information will be submitted imminently.

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9. In the light of the application it is clear that the occupier of the site intends to operate a waste transfer station and to store municipal waste (household waste) at the site. Taking into account the amount of activity currently underway, it is likely that this use will be fully operational in the near future. Officers were advised that Site Serv staff and the administration offices were currently in the process of being moved to Hangers A & B. Accordingly, it is likely that the processing activity will increase to the levels required for a fully operational waste transfer station in the near future. In view of the stage at which the planning application is currently at, it is not likely that the application will be determined before this use is operational.

Planning History

10. The site benefits from the following planning history:
- 2012/00716/SC1 Proposed material recycling facility- EIA required
 - 2003/00985/FUL: Unit B, Wick Road, Llantwit Major - New access doors to gable. Approved 5 September 2003.
 - 1985/01015/FUL: Wick Road, Llandow Trading Estate, Llandow - Canopy to provide covered loading/unloading area. Approved 26 November 1985.
 - 1983/01004/OBS : Hangars at site 'C', Llandow Airfield, Llandow - For use as residential purposes, light/general/special industrial purposes, warehouse purposes or recreation purposes. P – 15 February 1984.

Policy

11. The Development Plan for the area comprises the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, which was formally adopted by the Council on 18th April 2005, and within which the following policies are of relevance:
- EMP1 - Land for employment uses.
 - EMP2- New Business And Industrial Development
 - WAST1 - Provision of waste management facilities.
 - WAST2 - Criteria for assessing waste management facilities.
 - ENV27 - Design of New Developments.
 - ENV29- Protection of Environmental Quality
12. In addition to the adopted Unitary Development Plan, the Council has approved Supplementary Planning Guidance (SPG). The Following SPG is of relevance to this appeal:
- Amenity Standards

APPENDIX A

13. Planning Policy Wales (Edition 6, 2014) advises that where development plan policies are outdated or superseded local planning authorities should give them decreasing weight in favour of other material considerations, such as national planning policy, in the determination of individual applications. It is for the decision-maker to determine whether policies in the adopted Development Plan are out of date or have been superseded by other material considerations and this should be done in light of the presumption in favour of sustainable development.
14. In this case, the relevant material considerations are considered to be as follows:
 - Technical Advice Note 9: Enforcement of Planning Control (1997)
 - Technical Advice Note 11: Noise (1997)
 - Technical Advice Note 12: Design (2009)
 - Technical Advice Note 15: Development and Flood Risk (2004)
 - Technical Advice Note 21: Waste (2014)
 - Technical Advice Note 23: Economic Development (2014)
 - Environmental Strategy for Wales (2006)

Reasons for Serving an Enforcement Notice

15. The main issues to consider in this report are the principle of the use of the site as a waste transfer station, the impact of the unconditional use of the premises as a waste transfer station and the wider issues that could arise from such a use if there are no conditions i.e. impact of the use on noise, odour, operating times, access, parking and highway safety.
16. It is noted that Strategic Policy 13, and Policies WAST1 and WAST2 of the UDP, as well as advice contained within TAN 21 (Waste) 2001, all actively seek to encourage waste transfer operations in appropriate and sustainable locations, to meet both national and European Union targets and objectives on waste recycling and to lessen the increasing demand for further landfill. Policy WAST1 allows for the siting of waste management facilities on employment allocated sites or well established employment sites, subject to the proposal satisfying the criteria of Policy WAST2.
17. Whilst these policies are noted, the criteria of UDP Policy WAST2 include requirements that proposals conform to the principles of the waste hierarchy and the proximity principle, do not unacceptably affect residential amenity or pose a threat to public health, and have regard to the adequacy of the highway network. Furthermore, Policy ENV29 states that development will not be permitted if it would be liable to have an unacceptable effect on either people's health and safety or environment, by releasing pollutants into water, soil or air (on or off site) or from smoke, fumes, gases, dust, smell, noise, vibration or light pollution emissions.

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In addition, Policy EMP2 and EMP3 states that proposals for new business and industrial development will be permitted if they do not have an unacceptable effect on residential amenity by virtue of traffic congestion, noise, smell, safety, health impacts and emissions, etc. (amongst other criteria). These policies are supported by the general development criteria set out in Policy ENV27 – Design of New Developments.

18. The site is located to the south of the previously used unit in the Llandow Trading Estate and is not in close proximity to any residential property, but adjoins a caravan holiday park and Llandow car racing track. Notwithstanding this, the Council are in receipt of complaints from the residents with regard to dust, health and safety issues, and waste material on the adjoining highways. In addition to this, the current occupiers of the site have operated from other premises within the Llandow area where complaints were received in respect of odour, flies, litter and rats.
19. Having considered the relevant criteria of the above policies, it is essential that the Council is given the opportunity to properly consider the impact of the development before the site becomes fully operational. To do this it is essential that the Council have the opportunity to consider a full Transport Statement and a waste management plan. It is also essential that the Council have the opportunity to fully consult with its Highways and Environmental Health Department, as well as Natural Resources Wales. It is unreasonable and, it would be suggested, not possible for the proper consideration of the impacts of the development outside of the planning application process as such an assessment would be made without all the necessary information. Accordingly, and without the necessary information to establish that the use of the premises as a waste transfer station and place for the storage of household waste is acceptable, it is considered that the current use of the site is unacceptable, contrary to the policy and guidance mentioned above.
20. Notwithstanding the above, if it is established that the use of the site as a waste transfer station and place for the storage of household waste is acceptable, it will be essential that such a use is subject to controls to mitigate against the potentially harmful effects of noise, dust, odour, waste storage and transportation and the contamination of land in order to protect the amenities, health and safety of the public or neighbouring sites and highway safety. It is not possible to impose such controls via an enforcement notice. Whilst the National Resource Wales have imposed some restrictions via the permit that has been granted for the site, it is not clear whether or not that permit allows for the storage of municipal waste. Accordingly, the uncontrolled nature of the use could result in the use having a harmful impact upon the amenities, health and safety of the public or the safety of highway users.
21. It is accepted that the existing B8 use can give rise to a level of noise and traffic disturbance; the storage of inert waste does result in some vehicles visiting the site and occasional movement of materials. However, there is potential for the currently unauthorised use and the intended fully operational use of the site to generate additional and unacceptable levels of noise and traffic, as well as dust, odour, vermin or other types of pollution.

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The day to day running of a waste transfer station and storage of municipal waste would result in continuous activity and noise that would, without conditions on the operating hours, levels of waste, odour controls etc., undoubtedly produce issues at the site that would impact upon the adjoining holiday accommodation and wider area to an unacceptable degree.

22. In light of the findings above, it is recommended that authorisation is granted to serve an Enforcement Notice and, if necessary, a Stop Notice to require the cessation of any possible and future unauthorised use of the site. In view of the current level of activity at the site, your officers do not intend to serve the notices as soon as authorised. The occupier of the site will be advised of the authorisation and the site will be monitored, and should any evidence be found of the intensity of the unauthorised use incurring a formal Notice served.

Resource Implications (Financial and Employment)

23. Any costs involved in drafting and issuing Notices, attending enquiries and undertaking monitoring work can be met within the departmental budget. There are no employment issues.

Legal Implications (to include Human Rights Implications)

24. If an Enforcement Notice is served, the recipient has a right of appeal under Section 174 of the Town and Country Planning Act 1990 (as amended).
25. It should be noted that the issuing of a Stop Notice must be preceded by an Enforcement Notice, although they may be served concurrently. As mentioned above, the enforcement notice has already been issued. In serving a Stop Notice, the Council must ensure all details contained therein are precise, clear and enforceable. Compensation may be payable only where the notice is flawed in some respect, subsequently altered, varied or withdrawn. Compensation is not payable if a subsequent appeal underground (a) is allowed to the benefit of the appellant. In view of the serious nature of the above unauthorised activities and the possible implications for the amenity of nearby residents, highway safety and the countryside, it is considered that the Stop Notice is warranted.
26. I would confirm my officers have undertaken a risk assessment in respect of the service of such a Notice. It has been concluded that the operator has no legitimate reason to be undertaking the activities specified above and that accordingly the possibility for compensation would be extremely low.
27. It is considered that the only grounds on which any appeal may successful would be in respect of ground (a), that planning permission should be granted, and in this respect no compensation would be payable by the Authority.

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28. The Action is founded in law and would not be considered to breach any of the rights referred to in the Human Rights Act.

Equal Opportunities Implications (to include Welsh Language Issues)

29. None.

RECOMMENDATIONS

- (1) That the Head of Legal Services be authorised to serve an Enforcement Notice under Section 172 and a Stop Notice under section 183 of the Town and Country Planning Act 1990 (as amended) to require:
- (i) The cessation of the use of the site as a waste transfer station and the cessation of the use of the site for the storage and processing of municipal (household) and general waste.
- (2) In the event of non-compliance with the Notices, authorisation is also sought to take such legal proceedings as may be required.

Reason for Recommendations

- (1) The use of the site as a waste transfer station and for the storage and processing of municipal waste is considered to have a harmful impact upon the amenities, health and safety of the public and neighbouring land and on the safety of highway users contrary to the Policies EMP2- New Business And Industrial Development, WAST1 - Provision of waste management facilities, WAST2 - Criteria for assessing waste management facilities, ENV27 - Design of New Developments and ENV29- Protection of Environmental Quality of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011, as well as guidance provided in Planning Policy Wales and Technical Advice Note 21: Waste (2014).

Background Papers

Enforcement File Ref: ENF/2015/0010/PC

Contact Officer - Mr. Morgan P. Howell, Tel: 01446 704743

Officers Consulted:

All relevant Chief Officers have been consulted on the contents of this report.

ROB THOMAS
DIRECTOR OF DEVELOPMENT SERVICES

**IMPORTANT - THIS COMMUNICATION
AFFECTS YOUR PROPERTY**

MATERIAL CHANGE OF USE

ENFORCEMENT NOTICE

The Town and Country Planning Act 1990
(as amended) – Section 172

APPENDIX B



**ISSUED BY THE VALE OF GLAMORGAN COUNCIL
COUNCIL REFERENCE ENF/2015/0201/PC**

1. **THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control under Section 171A(1)(a) of the Town and Country Planning Act 1990 at the land described below. They consider that it is expedient to issue this Notice having regard to the provisions of the development plan and all other material planning considerations. The Annex at the end of the notice contains important and additional information.

2. **THE LAND TO WHICH THIS NOTICE RELATES**

Land and buildings known as Hangars A and B, Llantwit Major Road, Llandow in the Vale of Glamorgan ("the Land"), shown edged red on the plan appended hereto ("the Plan").

3. **BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the material change of use of the Land to a waste transfer station for the receipt, sorting, storage and export of waste material.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last **ten** years.

The continued use of the Land for the receipt, sorting, storage and export of waste material is considered to have an unacceptable effect on residential amenity of adjoining occupiers and is considered to have an unacceptable impact on the adjacent areas and on the use of land adjoining the site by virtue of noise, disturbance, dust, odour and pests. Accordingly, the unauthorised use of the Land is not considered to accord with policies ENV 27 - Design of New Developments, EMP 2 - New Business and Industrial Development, EMP 3 - General Industry, and WAST 2 - Criteria for Assessing Waste Management Facilities of the Vale of Glamorgan Adopted Unitary Development Plan 1996-2011 as well as guidance provided Planning Policy Wales (Edition 8, 2016), Technical Advice Note 11 – Noise (1997) and Technical Advice Note 21 - Waste (2014).

5. WHAT YOU ARE REQUIRED TO DO

- (i) Cease the use of the Land for the receipt, sorting, storage and export of waste material.
- (ii) Cease the use of the Land for the storage and export of all material that results from the sorting of waste material.
- (iii) Remove from the Land all waste material and all material that results from the sorting of waste material.
- (iv) Remove from the Land all machinery used for the purposes of sorting waste material.
- (v) Remove from the Land the generators.
- (vi) Remove from the Land all skips.
- (vii) Remove from the Land the weigh bridge.
- (viii) Remove from the Land all oil, petrol and diesel containers and tanks.

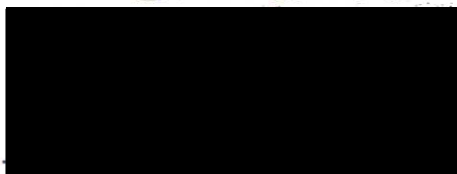
6. TIME FOR COMPLIANCE

One month beginning with the day on which this Notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the 15th July, 2016, unless an appeal is made against it before that date.

Dated: 10th June 2016

Signed..... 
Head of Legal Services
Head of Legal Services
The Council's Authorised Officer

On behalf of: Vale of Glamorgan Council
Civic Offices
Holton Road
Barry
Vale of Glamorgan.
CF63 4RU

ANNEX

APPENDIX B

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Welsh Government before the specified date which is the 15th July, 2016. The Enclosed booklet, "Making Your Enforcement Appeal" sets out your rights and further advice is available on line at www.planning-inspectorate.gov.uk or by contacting The Planning Inspectorate on 029 2082 3866. Please read it carefully along with the relevant appeal form. If you decide to appeal you should send a copy of the appeal form together with a copy of the Enforcement Notice to both the Welsh Government and the Council.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on the specified effective date which is the 15th July, 2016, and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.

PLEASE NOTE

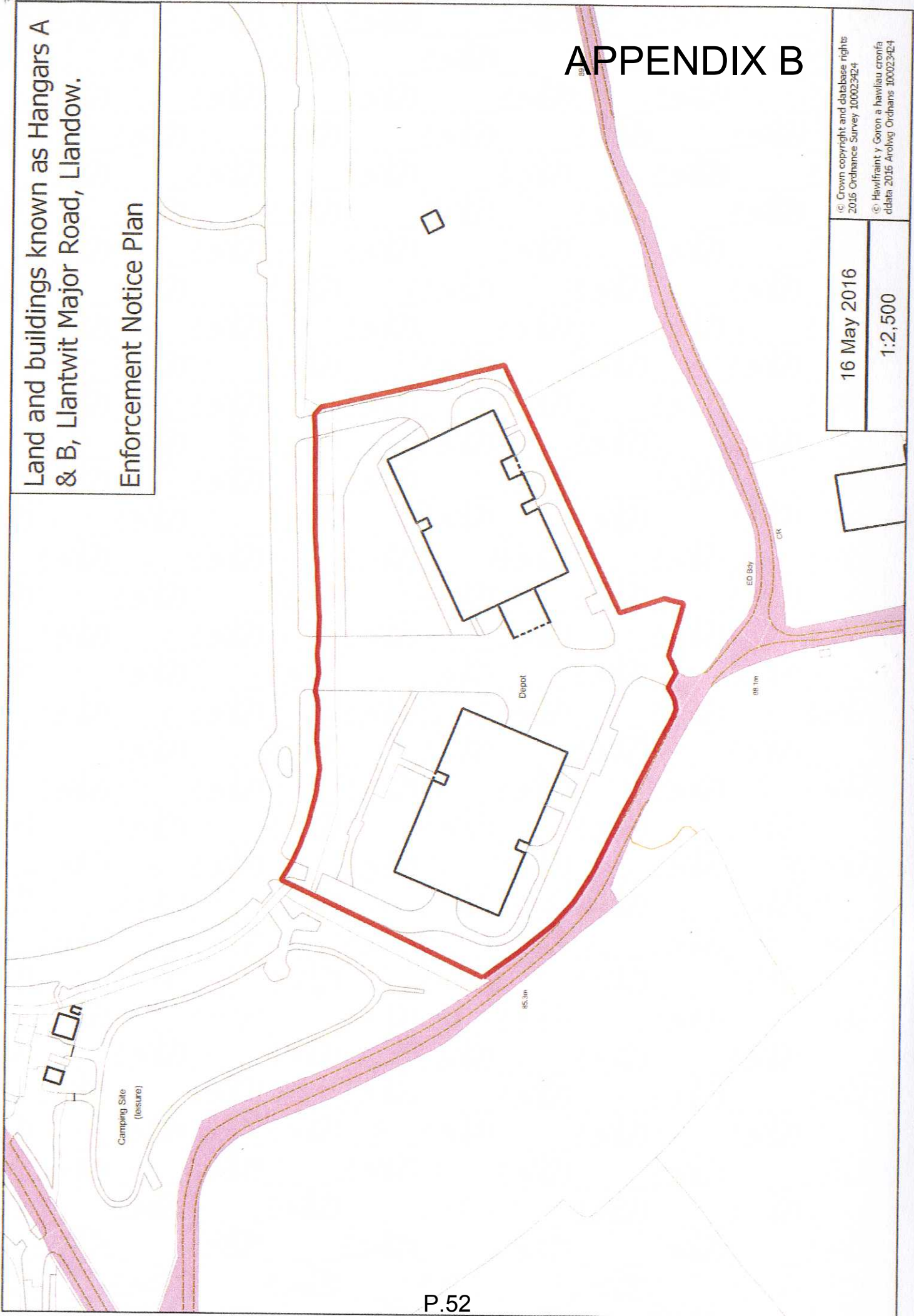
If you are any doubt as to what this Notice requires you to do you should immediately contact Mrs. Justina M. Moss, Planning Enforcement Office, who is based in Development Services of the Vale of Glamorgan Council at the Dock Offices, Subway Road, Barry, Vale of Glamorgan CF63 4RT, and whose telephone number is 01446 704690.

If you need any independent advice about this Notice you are advised to contact a lawyer, planning consultant or other professional adviser specialising in planning matters.

APPENDIX B

Land and buildings known as Hangars A & B, Llantwit Major Road, Llandow.

Enforcement Notice Plan



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2015 Ordnance Survey 100023924
© Hawlfraint y Goron a hawliau cronfa
data 2015 Arolwg Ordhans 100023924

16 May 2016

1:2,500

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE :

REPORT OF THE HEAD OF REGENERATION AND PLANNING

9. PLANNING APPLICATIONS

Background Papers

The following reports are based upon the contents of the Planning Application files up to the date of dispatch of the agenda and reports.

2016/01501/FUL Received on 9 August 2017

Mr. G. Davies c/o Agent

Mr. Andrew Bates Geraint John Planning, 33, Cathedral Road, Cardiff, CF11 9HB

Llanerch Vineyard, Hensol

Retention and completion of guest accommodation block

REASON FOR COMMITTEE DETERMINATION

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because the application is of a nature that is not covered by the scheme of delegation.

EXECUTIVE SUMMARY

The application site is land at Llanerch Vineyard, Hensol. The property was formerly only in agricultural use but in recent years has developed into a tourism and events complex that incorporates a restaurant, event venue, cookery school and hotel/ holiday accommodation.

The application seeks permission for the retention and completion of a 26 bedroom guest accommodation block. It would, effectively, provide a new hotel at the site, albeit it would also provide accommodation in support of some of the existing tourism related functions, such as events, such as weddings.

The application has been subject to public consultation and no comments or representations have been provided from members of the public.

The recommendation is for the approval of the application.

SITE AND CONTEXT

The application site is land at Llanerch Vineyard, Hensol. The property was formerly only in agricultural use but in recent years has developed into a tourism and events complex that incorporates a restaurant, event venue, cookery school and hotel/holiday accommodation. The site is still used for growing grape vines, although wine production is understood to take place off site. The site is within the rural Vale, between Hensol and the M4 Motorway, with Junction 34 within a short distance by car to the northeast, and is accessed via a driveway that meets with the highway to the western edge of the site. The site is within the designated Special Landscape Area of the 'Ely Valley & Ridge Slopes'.

In terms of built development, the site is occupied by the former farmhouse building that has been converted and extended to provide the restaurant, kitchens and accommodation at first floor. The event venue (known as the Secret Garden) has been recently constructed to the west of the original farmhouse and further guest accommodation and the cookery school is provided in an extended and converted farm building to the north of the farmhouse. A semi-detached pair of holiday let cottages are within the site but to the west of the complex of buildings.

Finally, a temporary marquee has been on site (to the north west of the complex of buildings) in the past providing additional accommodation for events.

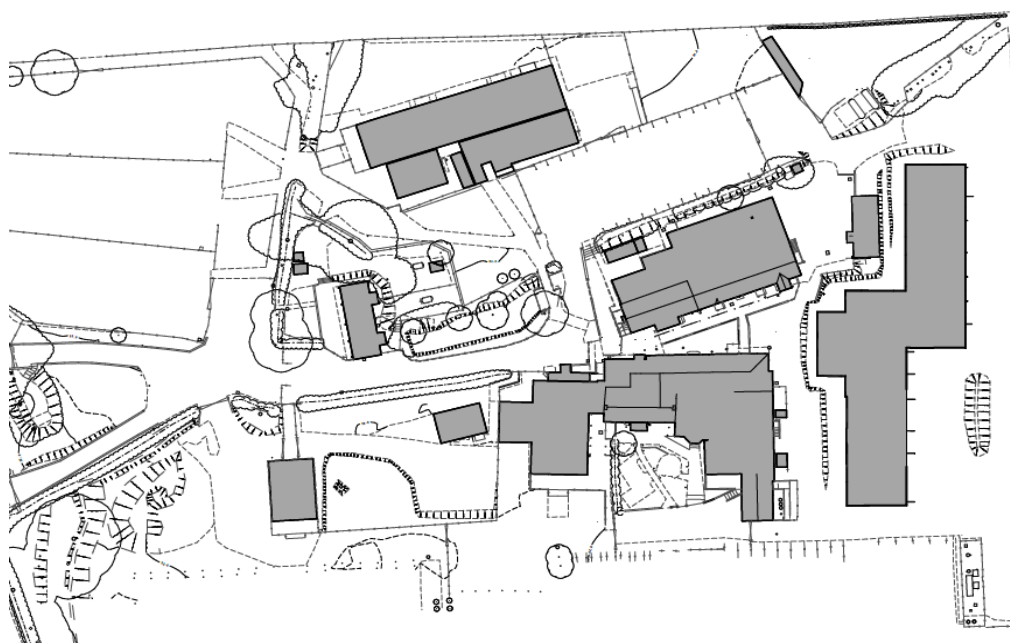
The application seeks planning permission for the retention and completion of a 26 bedroom guest accommodation block. The building is partly constructed and has been erected without the benefit of planning permission.

It should be noted that the Council has already resolved to approve a development in a similar location to that subject of this report, for a 19 bedroom guest accommodation with a link to the main existing building on site (application 2013/01095/FUL). Planning permission was not ultimately granted as a Section 106 agreement was not completed. The developer made a decision to revise the scheme and submitted a proposal for a 26 bedroom development in December, 2016. On submission, the application was invalid. Despite the application being invalid, works commenced on site in earnest to construct the larger 26 bed development, without planning permission.

Despite warnings and requests from the Council's Enforcement officers to cease the works, that development progressed to first floor level before an Enforcement Notice and Stop Notice were authorised and issued in April 2017. An appeal has been submitted in respect of the Enforcement Notice. That appeal is now in abeyance pending the determination of this application.

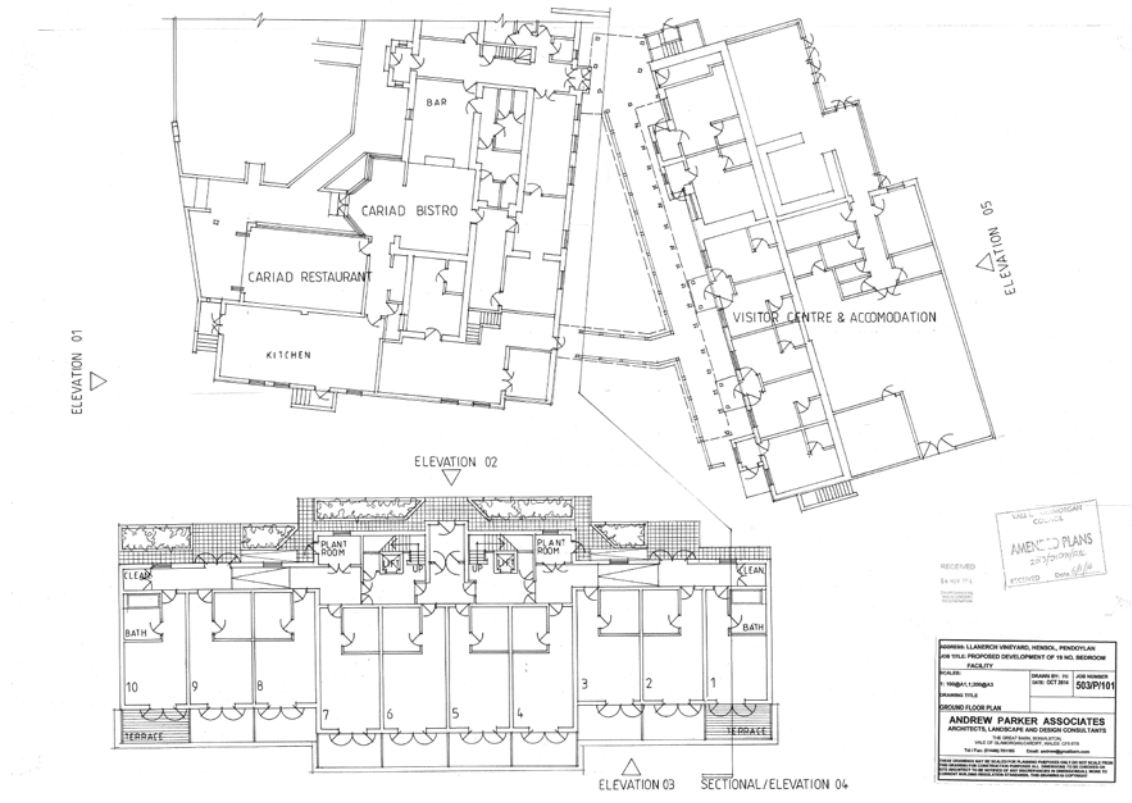
With regard to the current application for the 26 bedroom development, attempts have been made to negotiate amendments to the scheme. The final submission comprises two main wings to accommodate the 26 rooms, with a reception, entrance lobby, laundry room and linen store.

The building is located to the west of the farmhouse and other buildings that comprise the main complex at Llanerch Vineyard. The layout of the site, with the accommodation block located to the western side of the complex, is shown in the below plan extract:

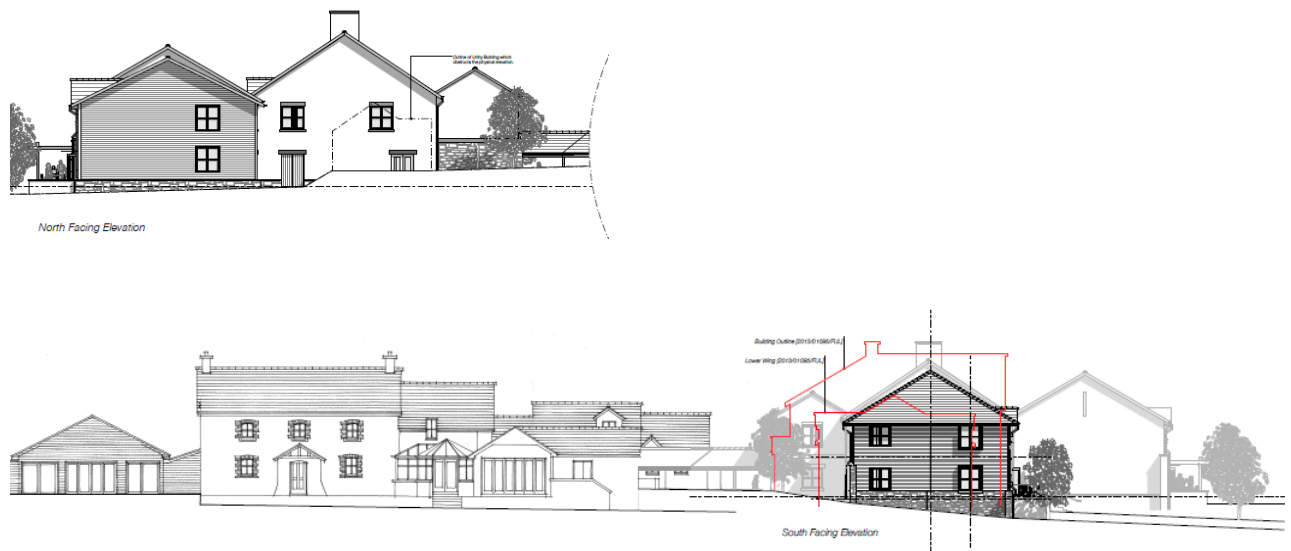


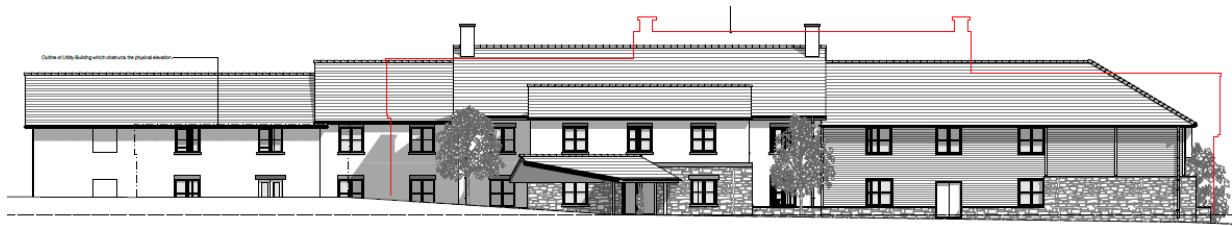
The building measures a total span of approximately 67m x 28m at its widest points, albeit broken up into two main wings as depicted on the site plan above. The two wings measure approximately 36m x 11m and 42m x 11m, respectively. It is a two storey building and mainly comprises a pitched roof. The external finishes are shown to be a mixture of stone, render and timber cladding, with a reconstituted slate roof.

For comparison the plan below shows the layout plan of the previously approved 19-bed hotel (2013/01095/FUL):

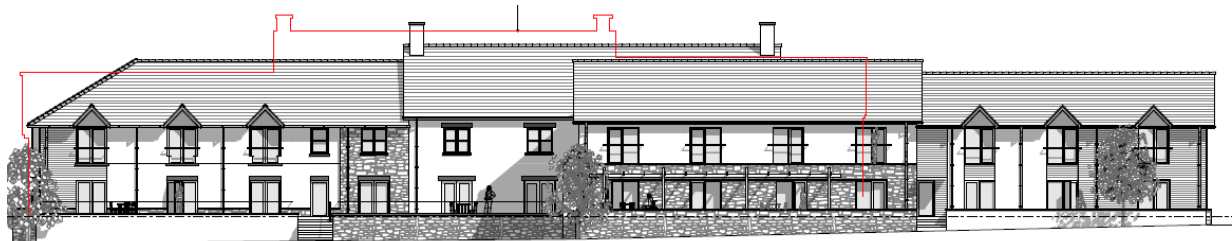


The elevations of the building are shown in the below plan extracts:





West Facing Elevation



East Facing Elevation

For comparison the plan below shows the elevations of the previously approved 19-bed hotel (2013/01095/FUL):



PLANNING HISTORY

1988/01210/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Proposed conversion of existing barn and extension to winery, Decision: Approved

1990/01229/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Convert barn; ground floor visitor centre, 1st floor living accommodation, extend barn to form 2 W.C.'s (one disabled), convert stables to 2 holiday apartments, Decision: Approved

1991/00212/FUL, Address: Llanerch Vineyard, Hensol, Proposal: New visitors centre/living accommodation, Decision: Approved

1998/01034/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Extension to existing house, Decision: Approved

2000/01258/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Proposed conversion of part of the wine producing complex to 8 no. self-contained guest studios, Decision: Approved

2011/00680/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Proposed single storey events complex comprising two linked buildings on site of existing pool house, with associated vehicle turning space and associated works. Also proposed is an additional car park area (approximately 80 spaces). Decision: Approved

2013/00038/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Proposed extension to existing restaurant including new toilets, staffroom and first floor office accommodation. Retention of dry food store, cold store and refuse store (Constructed), Decision: Approved

2013/01095/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Proposed additional 19 No bedrooms including undercover walkway with drop off point to link farmhouse, cookery school/machinery store and accommodation, Decision: Approve subject to Legal Agreement (outstanding)

2014/00234/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Proposed marquee for use between April to September. Marquee and ancillary structures to be removed between October to March, Decision: Approved

2014/00633/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Proposed retention of wine store and ancillary side marquee to main farmhouse, Decision: Approved

2014/00634/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Proposed retention of canopy linking main farmhouse to Visitor Centre and accommodation block, Decision: Approved

2014/01188/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Temporary kitchen, toilets, table and chair storage, bar and cellar to be used with existing marquee, Decision: Approved

2014/01137/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Proposed secret garden room, Decision: Withdrawn

2015/00745/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Retention as built - Calon Lodge formerly Secret Garden Room, approved ref. 2014/01137/FUL, Decision: Approved

2016/00096/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Proposed all year temporary use of marquee and ancillary building, Decision: Approved

2016/00897/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Removal of Condition 3-Change restricted hours shown to 24:00-12:00 hours, Decision: Approved

2016/00735/FUL, Address: Llanerch Vineyard, Hensol, Proposal: Extension to the existing restaurant kitchen, Decision: Approved

Relevant Enforcement Matters

The unauthorised operations at Llanerch Vineyard have previously been reported to Planning Committee on 30th March 2017, whereby it was resolved to serve an Enforcement Notice and Stop Notice in respect of the works. An Enforcement Notice and Stop Notice was served on 24th April 2017 and the former remains in effect. There was no valid planning application in place at the time and there was concern that development in progression would be unacceptable. A report approved by Planning Committee on 7th December 2017 authorised the withdrawal of the Stop Notice to enable the developer to weatherproof the unauthorised building, pending the further consideration of this planning application. In view of the recommendation below to approve planning permission, it is also recommended to withdraw the relevant Enforcement Notice.

CONSULTATIONS

Pendoylan Community Council were consulted on the application. An objection was initially raised however later retracted and comments provided in support of the proposals.

Highway Development have been consulted and no objection was raised to the proposed development.

The Peterston Super Ely Ward Councillors were consulted and no responses have been received to date.

Dwr Cymru Welsh Water was consulted and no objections to the proposed development.

The Council's Ecology Officer was consulted and had no comment to make on the application.

Natural Resources Wales was consulted and did not object to the proposals; however commented that an environmental permit or exemption was required in respect of the septic tank.

The Design Commission for Wales were consulted on the application and provided comment stating that:

- *The December 2016 proposal presented two long wings that were at odds with the scale of the existing buildings which appear to be made up of smaller component parts. The proposal also did not take the level change across the site into account. The level change could have been used positively to address the mass of the building.*

- *The revised July 2017 proposal has greater variety in the elevations but the plan remains largely the same. Variety in the roof line has been applied artificially rather by addressing the level change through the plan of the building. This is a missed opportunity and does not help to resolve the issues created by the levels.*
- *The variety in the façade does not seem to be related to a clear rationale and creates visual complexity that contributes to the impact of the proposed development.*
- *The flat-roof element at the front of the building does not fit well with the overall character of the building and does not deal with the lift shaft well.*

REPRESENTATIONS

The neighbouring properties were consulted on 9 August 2017. A site notice was also displayed on 28th September 2017. The application was also advertised in the press on 12th October 2017. No representations have been received as a result of this consultation.

REPORT

Planning Policies and Guidance

Local Development Plan:

Section 38 of The Planning and Compulsory Purchase Act 2004 requires that in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026, which was formally adopted by the Council on 28 June 2017, and within which the following policies are of relevance:

Strategic Policies:

POLICY SP1 – DELIVERING THE STRATEGY
 POLICY SP10 – BUILT AND NATURAL ENVIRONMENT
 POLICY SP11 – TOURISM AND LEISURE

Managing Growth Policies:

POLICY MG17 – SPECIAL LANDSCAPE AREAS
 POLICY MG29 – TOURISM AND LEISURE FACILITIES

Managing Development Policies:

POLICY MD1 - LOCATION OF NEW DEVELOPMENT
 POLICY MD2 - DESIGN OF NEW DEVELOPMENT
 POLICY MD3 - PROVISION FOR OPEN SPACE
 POLICY MD4 - COMMUNITY INFRASTRUCTURE AND PLANNING OBLIGATIONS
 POLICY MD7 - ENVIRONMENTAL PROTECTION

In addition to the Adopted LDP the following policy, guidance and documentation supports the relevant LDP policies.

Planning Policy Wales:

National planning policy in the form of Planning Policy Wales (Edition 9, 2016) (PPW) is of relevance to the determination of this application. Of particular relevance it the guidance on the sustainable development principle and wellbeing objectives in Chapter 4, as well as the following supporting extracts from Chapter 5 and Chapter 11:

5.8.1 The special qualities of the rural landscape and coastline of Wales should be recognised. The qualities should be enhanced through conservation of the character of the countryside and by achieving quality in new development.

11.1.7 In rural areas, tourism-related development is an essential element in providing for a healthy, diverse, local and national economy. It can contribute to the provision and maintenance of facilities for local communities. Here too development should be sympathetic in nature and scale to the local environment and to the needs of visitors and the local community.

11.2.7 The development plan should encourage the diversification of farm enterprises and other parts of the rural economy for appropriate tourism, sport, recreation and leisure uses, subject to adequate safeguards for the character and appearance of the countryside, particularly its landscape, biodiversity and local amenity value.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes.

- Technical Advice Note 12 – Design (2016)

2.5 Good design is not inevitable. It requires a collaborative, creative, inclusive, process of problem solving and innovation – embracing sustainability, architecture, place making, public realm, landscape, and infrastructure.

3.2 Early consideration of design, well in advance of any planning application is essential to achieving good design. At the outset, appreciation of the site's context, and the development of a vision and agreed design objectives must be established and remain central to the evolutionary process. Setting details too early in the process should be avoided and a clear understanding of the long-term implications of design decisions is also essential from the outset. A design and access statement is a valuable tool in such considerations.

- Technical Advice Note 13 – Tourism (1997)

Supplementary Planning Guidance:

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). Some SPG documents refer to previous adopted UDP policies and to ensure conformity with LDP policies, a review will be carried out as soon as is practicable following adoption of the LDP. The Council considers that the content and guidance of the adopted SPGs remains relevant and has approved the continued use of these SPGs as material considerations in the determination of planning applications until they are replaced or otherwise withdrawn. The following SPG are of relevance:

- Design in the Landscape

Other relevant evidence or policy guidance:

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management
- Welsh Office Circular 13/97 - Planning Obligations
- Welsh Government's Tourism Strategy 2013 – 2020 – Partnership for Growth

Well-being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

Issues

In view of the location of the proposed development and its proposed use, the principle issues to consider in this case are the principle of the development, design, landscape and visual impact, highway safety and parking; and residential amenity. These are each dealt with in turn as follows.

Principle of the Development:

The principle of a 19 bedroom guest accommodation block has been accepted with the resolution to approve planning application 2013/01095/FUL for a new block containing 19 bedrooms of accommodation. The predominant use of the site for many years was as a commercial vineyard, which is considered a form of agricultural use. It has grown significantly as a tourism attraction in recent years, with several piecemeal extensions, conversions and other development that has been granted planning consent.

It is noted that PPW (section 7.3.3) states that Local Planning Authorities should adopt a positive approach to farm diversification, to financially underpin existing working farm practises. However, it is no longer accurate to describe the addition of a guest accommodation block (or indeed, hotel) as a farm diversification (or small scale rural enterprise) proposal. The vineyard is already supported by the existing leisure and tourism uses at the site, comprising the restaurant, existing guest accommodation, wedding services and events complex / marquee and cookery school. These tourism and leisure uses have in fact become the predominant use of the site, albeit the vineyard is a key feature of its attraction to visitors.

It is understood that the building is intended to provide additional guest accommodation as an expansion of the existing guest accommodation at the site. The building is within the established operational area of the tourism/recreation complex, albeit with an extension to this area resulting in the loss of vines to the east of the complex. Whilst its exact position, scale and form is a matter considered in more detail below, the intention is that the accommodation is closely linked to, and part of, the existing tourism and leisure business at Llanerch Vineyard. In this regard the unauthorised development could be considered to benefit from the provisions of policy MD13, providing that the development is acceptable in all other regards and can be controlled to ensure that its use remains wholly connected with the existing tourism and recreation use at the site. On this basis, the development would also be in accordance with LDP policy SP11, as well as the sustainability principles of PPW, particularly as they relate to tourism and support of the rural economy. These policies supports appropriate and acceptable economic and tourism based development.

It is noted within the supporting planning statement that the provision of additional, high-quality hotel accommodation is promoted with the Welsh Government's Tourism Strategy 2013 – 2020, noting that 'a range of quality accommodation including luxury destination hotels' are required and should be promoted. The Tourism Strategy notes that:

"There are, for example, too few luxury, high-end and reputation changing hotels which can create new demand. There are also issues of scale, with a lack of quality accommodation in some areas to meet the needs and expectation of larger tour parties."

It is noted that there is, with the Vale Hotel, already a large hotel in the vicinity of the site; however the expansion of the accommodation options at Llanerch Vineyard provides an opportunity to provide both additional luxury accommodation (supported by national policy in this sector) and provide increased bed stock for periods when demand for such accommodation outstrips supply, such as during large sporting or music events in South Wales.

Design of the building

The main character of the site is derived from its agrarian origins and the more recent development on the site has consisted of conversions of existing buildings or extensions that may well have altered the site, but have still had regard to its character in terms of their scale, form, layout, location and overall design. The agrarian character of the site is reinforced by the continued presence of the vineyard, which remains a significant element of the site's character, despite the recent expansion of tourism related development. This is particularly evident for views across the site where new building operations have not only been within the operational area of the tourism/leisure complex, but have been located to the west of the original farm buildings (i.e. between the original farm buildings and the highway). The proposed development does involve an expansion of the operation area of the site eastwards, but still within the site boundary of Llanerch Vineyard.

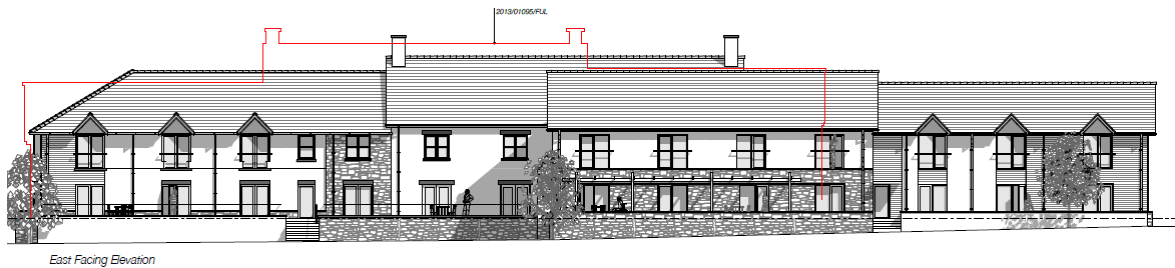
The scheme submitted in 2013, which Council have resolved to approve, is located to the east of the main complex, as noted earlier, where a particular attention was paid to the design of the development. Whilst it was accepted that the development would result in some encroachment into the undeveloped agricultural land to the east of the site, it was considered that such a scheme would otherwise have a minimal impact on the rural setting. Negotiation achieved a scheme that appropriately responded to the topography of the site and the character of built development in the existing complex. The result being a building that appeared to have grown organically, as has been the case with the other original farm buildings and farm house on site.

The revised scheme, with resolution for approval, had a main central section with an appearance reflective of the main farmhouse. That scheme proposed two subservient wings, both of which had lower ridges and were narrower in width than the main central section. These side sections were designed to be similar in design to the converted dairy buildings, with stone walls and low eaves punctuated by dormer windows to allow for a second floor. It was noted that this scheme would be comparable in size to the undeveloped events complex and the plans showed it being stepped broadly in line with existing site levels. To ensure the scheme reflected the topography of the site, a condition was suggested requiring the submission of levels details (typically in the form of a topographical survey) to be submitted and approved prior to commencement of the development. The elevations of the scheme with a resolution to approve are provided below together with those elevations now proposed as part of the current scheme:

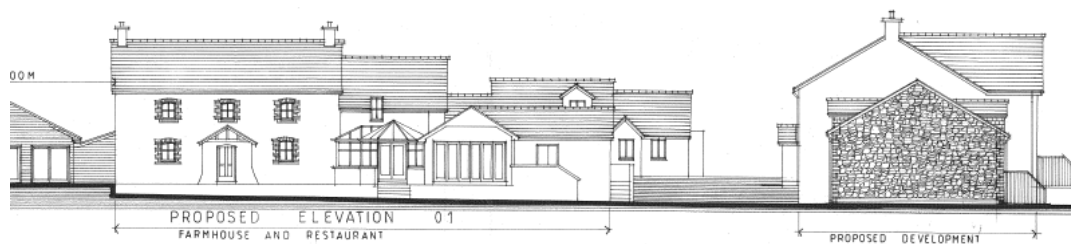
East facing elevation of the scheme resolved to approve:



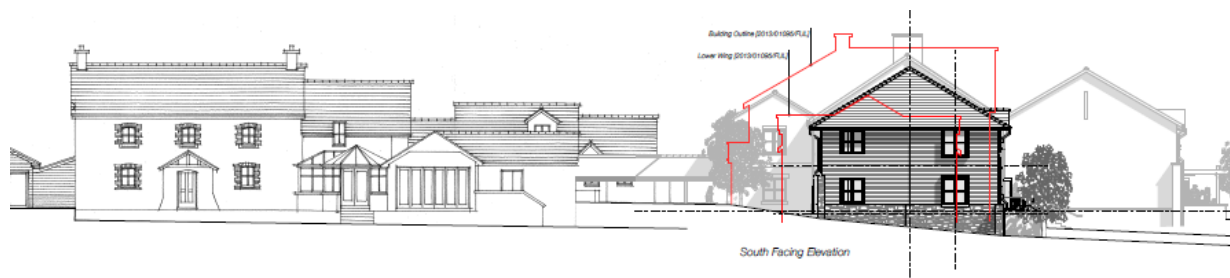
East facing elevation of the scheme subject of the current application:



South facing elevation of the scheme resolved to approve



South facing elevation of the scheme subject of the current application*:



* the dotted line is an approximation of the outline of the main section of the resolved to approved scheme, albeit the levels had not been finalised. Also, the northernmost elements of the current scheme are shown as transparent.

There is a particular emphasis on good design prevalent in Planning Policy Wales and supported by Technical Advice Note 12 – Design. PPW supports the sustainable use of the countryside for appropriate use and the benefits that this development could bring to the local economy are acknowledged. However, TAN 12 recognises ‘*sustaining and enhancing local character*’ as a main objective in achieving good design and sustainable development. New development that is visually harmful and/or poorly designed can detract from the visitor’s enjoyment and appreciation of the countryside, which is a key asset to rural tourism in the Vale. In addition to this, the Council’s recently adopted LDP policy MD2 requires new development to be of a ‘high standard of design’ and that such development should not only ‘respond appropriately to the local context and character of neighbouring buildings’, etc. but also positively contribute to the context and character of the surrounding natural and built environment (criteria 1 and 2).

In comparison with the resolved to approve scheme, the building subject of the current application is larger and more expansive, with two main wings and a front reception area. The principal operational reasons for the increase in the number of bedrooms are to meet a greater anticipated demand and provide larger and more luxurious rooms. The form of the building has been rationalised into two main wings and it has also been laid on a level slab. The design of the building, principally for these reasons, was the cause of some concern due to the broad expanse of the elevations, site context, and, that the level is less reflective of the topography of the site than could have been the case if internal slopes and steps were incorporated into the development. It is understood that the as built slab allows for level access from the western elevation and a level floor within the building and a more rational layout, but has nevertheless resulted in the building requiring a plinth that is raised above ground level to the southern and part of the eastern elevations.

In the negotiation process of the application, it has now been proposed to lower the eaves height of the southernmost (and most visible) section of the building, as well as having a hipped roof profile and lower ridge height. The as built floor level remains the same, but the break in eaves and ridge at the roof now means the building responds much better to the contours of the site, particularly when viewed from outside of the perimeter. The ridge line of the building has been altered throughout and variations made to the external treatment in order to create more visual interest to the external elevations. The appearance of the building has significantly been improved upon, and the difference at eaves height in particular, helps to successfully 'break up' the visual perception of the building. The building still has two broad expanses at the eastern elevation, but this design approach gives the impression that is comprised of four distinct sections. The approach results in a building that is more modern in its appearance, however, this was considered to be the most appropriate design response given the increased mass of the building. The redesign of the building has improved its appearance when compared to the 26 bedroom scheme originally submitted, and it also better responds to the mass of the building.

The western elevation faces inwards towards the complex of buildings within the site, with an existing canopy structure extended to meet the building above the doorway to reception. This section has incorporated a valley roof that is both smaller in mass and sits better with the overall design of the building than previous proposals. It sits to the front of the main bulk of the front elevation and also houses proposed laundry areas, plant and the lift shaft. It does form a substantial addition to the main two wings, however would face (and only have prominent views from) internally and it is proposed to tie-in to a previously approved canopy connecting the main buildings. It is noted that this part of the building is less sensitive as it faces inwards to the site and is in relative close proximity to and partially masked by the other buildings.

The palette of proposed materials is considered to be generally acceptable, subject to a condition requiring the submission of samples prior to use. The use of high quality materials is evidently of importance to delivery of a scheme within a sensitive context such as this, as well as achieving the aim of providing a visual distinction between the component blocks.

In summary, the gradual enhancement of the design of the building has resulted in a much improved proposal, such that it is considered that the development is now acceptable and complies with the Local Development Plan Policies SP1 – Delivering the Strategy and MG2 – Design of New Development. It is also to comply with national advice and guidance on good design contained within PPW and TAN12 – Design. In addition, the principle of the development is supported by LDP Policies SP11 – Tourism and Leisure and MD13 – Tourism and Leisure.

Landscape and visual impact

Llanerch Vineyard is positioned within the open countryside and the designated Special Landscape Area of the 'Ely Valley and Ridge Slopes'. In such highly sensitive landscape areas the visual and landscape impact of the proposals is of significant importance.

Whilst there will only be a localised impact on the landscape setting to the site (as a result of limited views of the building) that impact is nevertheless significant when considered against the context of the existing built development on the site. LDP Policy MG19 – Special Landscape Areas states: *“development proposals will be permitted where it is demonstrated they would cause no unacceptable harm to the important landscape character of the area.”* In addition, the supporting text states *“The designation of SLAs is not intended to prevent development but to ensure that where development is acceptable careful consideration is given to the design elements of the proposal such as the siting, orientation, layout and landscaping, to ensure that the special qualities and characteristics for which the SLAs have been designated are protected.”*

In support of the application a Landscape Visual Impact Assessment (LVIA) was also submitted. The LVIA identifies the public vantage points from Hensol and from the entrance to Gwaun Wen Farm. It also identified a potential vantage point from the bridge crossing the railway line south of Junction 34, where a distant view of the building can be gained. However, it is recognised that the latter is partially obscured by trees and the bridge barriers, plus it is not commonly used by pedestrians. The main public vantage points, those from Hensol and the approach road, are shown below:



The nature and distance of the public views, as identified within the LVIA, are noted. A lack of or limited public view of a development is not, in itself, a good argument in favour of permission. However, it is considered that the improved appearance of the building, in terms of addressing its massing, ensures that it is not significantly detrimental to the character of the site and the surrounding landscape. The additional bulk of the building can be appreciated from the identified viewpoints, but the southern elevation is the most prominent and the additional wing would not be seen from this location.

It is appreciated that there will be an additional localised impact to viewpoints from private land surrounding the development; however, it is considered that the relative lack of public views, together with the improvements to the design, result in a development that does not unacceptably harm the landscape character of the SLA. It is noted that Policy MG19 is not intended to prevent development, but ensure that *“where development is acceptable careful consideration is given to the design elements of the proposal such as the siting, orientation, layout and landscaping.”* It is considered that the development is acceptable in principle, and given the improved design, no longer conflicts with this policy.

In addition to the above, it should be noted that the building is situated on land that formerly comprised part of the vineyard. In relation to planning application 2013/01095/FUL, it was suggested in the original submission that part of the area would be retained for this purpose. The vines have now been completely removed from this area and several trees to the eastern boundary, which offered some screening to the site, have been felled. Having considered the previous resolution for approval, the remaining area would not have provided sufficient space to grow significant amounts of vine, but nevertheless there is an opportunity to soften the impact of the development through a good landscaping scheme that also re-establishes a hedgerow or planting of replacement trees along this boundary.

Parking and highway safety:

The development would provide a total of 26 bedrooms for guests within the complex. A Transport Statement was also submitted in support of the development. In review of the this information, whilst there will be some inevitable increase in traffic to the site, the increased demand is not considered to be so significant as to result in an unacceptable congestion or highway safety risk within the local road network. The site is also served by a substantial car park, which is considered to be of sufficient size to accommodate the additional parking demand that would arise from the visitors (who would also be likely to attend the various events hosted at the site) and additional staff.

Highways Development has been consulted and did not raise an objection to the application. Accordingly, the development is considered to be acceptable in terms of highway safety and parking and according with the relevant criteria of LDP policy MD2.

Neighbouring amenity:

The building is sufficiently divorced from any neighbouring dwellings, by some 200m, as to have no appreciable impact upon residential amenity, such as loss of light or overbearing impact.

In relation to the use of the building, it is considered that the use of the building as guest accommodation, ancillary to the existing use, is not likely to result in any increased levels of noise or disturbance to neighbouring properties in the vicinity of the site. For this reason the development is considered to be acceptable in terms of the amenity of nearby residents and in accordance with the relevant criteria of LDP policy MD2.

Other matters:

In consultation with Environmental Health, conditions were recommended that would require soil contamination testing is carried out for any soil imported on to the site and in the case of unforeseen contamination. It has been advised and there is no indication that any contamination was encountered during the construction of the foundation. It is therefore considered that such a condition is no longer necessary. It has been that no soil has been imported as part of this development, however a suitably worded condition can require such details in the event that soil importation is required as part of a landscaping scheme.

No objections to the proposed foul drainage to a septic tank have been raised by Natural Resources Wales. It is noted that an environmental permit (or exemption) is required to be obtained. It is considered that surface water can be adequately dealt with in compliance with Building Regulations requirements and the building does not present a flood risk.

The building is not located inside of any minerals safeguarding zones and whilst classed as 'sensitive development' is not located any closer to the nearby sandstone safeguarding area to the west of the site. It is located within Grade 4 agricultural land, which is not recognised to be the best and most versatile land.

Planning obligations:

The Council's approved Planning Obligations (2017) Supplementary Planning Guidance (SPG) provides the local policy basis for seeking planning obligations through Section 106 Agreements in the Vale of Glamorgan. It sets thresholds for when obligations will be sought, and indicates how they may be calculated. However, each case must be considered on its own planning merits having regard to any material circumstances.

The need for planning obligations based on the type of development proposed has been considered taking account of the local circumstances and needs arising from the development, and what it is reasonable to expect the developer to provide in light of the relevant national and local planning policies.

In light of the particular circumstances of this development, the following planning obligations have been considered and agreed by the developer:

Sustainable transport – A contribution of £2,300 per 100sqm of gross floorspace (including balconies and terraces etc.) would be required prior to beneficial use of the development as guest accommodation to provide sustainable transport facilities serving the site (i.e. for public transport users, cyclists, pedestrians and car sharers).

This has been calculated as:

$$2100/100 = 21$$

$$21 \times 2300 = 48300$$

Total contribution: £48,300

Public Art – The 'Planning Obligations' SPG requires that developers should set aside a minimum of 1% of their project budget specifically for the commissioning of art and, as a rule, public art should be provided on site integral to the development proposal.

The total contribution has been calculated as: £12,000

Training and development - Part of the justification for permitting new developments such as this is the employment opportunities they present. Training local residents, especially those in deprived areas, to be able to apply for some of the new job opportunities helps to create sustainable communities. Therefore on major developments the Council looks for opportunities to maximise training and development for the Vale of Glamorgan's resident population.

In this case, it is considered reasonable to expect training (on a recognised training course) to be provided for at least 4 employees, or alternatively pay the Council a contribution of £5,020 as an in lieu contribution. The financial contribution would be used to remove the barriers to work by providing assistance such as training, skills development, childcare etc. It is noted that there is already employment provided at the site, and it is stated that the accommodation would provide more employment opportunities, which could be in accordance with this requirement.

Public open space - Policy MD3 'Provision for Public Open Space' sets out that where there is an identified need for public open space, new developments of over 1000sqm floor area will be required to provide public open space. The Open Space Background Paper (2013) identified the amount and distribution of open space types within the Vale of Glamorgan, in order to determine areas of deficiency or surplus for the existing population. A deficiency is identified within children's play space and amenity green space within the ward. In addition, planning obligations must be directly related to and cater for need arising from the development for provision on or in the vicinity of the site. In considering the nature of the development and open space availability within the site and nearby Hensol, it is not considered necessary to request a contribution towards public open space in this instance.

Ancillary use

The development would provide new hotel accommodation at the Llanerch Vineyard site, principally to serve the existing tourist use. Whilst any future change of use of the site would require planning permission in its own right, it would be possible to utilise it as a separate enterprise. The justification for the building is reliant, in part, upon the expansion of this successful rural enterprise and as such, it is considered necessary to tie the guest accommodation into the existing vineyard enterprise to ensure these two aspects of the business would remain fully integrated and continue to be served by the shared services to the site, such as the vehicular access, parking etc.

The negotiation of a suitable Section 106 agreement relating to the delivery of the above is underway.

RECOMMENDATION

That the Enforcement Notice served on 24th April 2017 in respect of the 'Guest Accommodation Block' be withdrawn.

Subject to a Legal Agreement to tie the guest accommodation into the existing vineyard enterprise to ensure these two aspects of the business would remain fully integrated and;

The relevant person(s) first entering into a Section 106 Legal Agreement or undertaking to include the following necessary planning obligations:

- The developer shall pay the sum of £48,300 to the Council to provide or improve sustainable transport facilities in the vicinity of the site.

- The developer will provide public art on site to a value of 1% of the build costs of the development or provide a financial contribution to the same value in lieu of on-site provision for the Council's public art fund.
- The developer shall provide training (on a recognised training course) for at least 4 employees or alternatively pay the Council a contribution of £5,020 as an in lieu contribution.

APPROVE subject to the following condition(s):

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

'01_Site Layout Plan', '02_Ground Floor Plan', '15_Site Location Plan', '17_Block Plan', '18_First Floor Plan' received 13 July 2017

'08_E_West Facing Elevation', '11_E_North Facing Elevation', '26_Sketch Section' received 6 December 2017

'03_East Facing Elevation', '05_K_South Facing Elevation', '06_I_South Facing Sectional Elevation 01', '07_I_South Facing Sectional Elevation 02', '09_K_South Facing Elevation (with context)', '10_J_Complete East Facing Elevation' received 20 December 2017

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.

2. Notwithstanding the submitted details and prior to their use in the construction of the development hereby approved, a schedule and samples of materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason:

To safeguard local visual amenities, as required by Policies SP1 (Delivering the Strategy), Policy MD2 (Design of New Development), Policy MG17 - Special Landscape Areas and SP10 (Built and Natural Environment) of the Local Development Plan.

3. Prior to the first beneficial use of the development hereby approved, a Travel Plan shall be prepared to include a package of measures tailored to the needs of the site and its future users, which aims to widen travel choices by all modes of transport, encourage sustainable transport and cut unnecessary car use. The Travel Plan shall thereafter be completed in accordance with the approved details.

Reason:

To ensure the development accords with sustainability principles and that site is accessible by a range of modes of transport in accordance with Policies SP1 (Delivering the Strategy), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

4. A scheme of landscaping shall be submitted to and approved by the Local Planning Authority prior to the first beneficial use of the development hereby approved. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and identify the position and a proposed schedule of planting.

Reason:

To safeguard local visual amenities, and to ensure compliance with the terms of Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MG17 (Special Landscape Areas), MD1 (Location of New Development) and MD2 (Design of New Developments) of the Local Development Plan.

5. 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 5 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.

Reason:

To ensure satisfactory maintenance of the landscaped area to ensure compliance with [Policy / Policies SP1 (Delivering the Strategy) / SP10 (Built and Natural Environment) / MG17 (Special Landscape Areas) / MD1 (Location of New Development) / MD2 (Design of New Developments) / MD9 (Historic Environment)] of the Local Development Plan.

6. Any topsoil or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with Pollution Control's Imported Materials Guidance Notes. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason:

To ensure that the safety of future users of the site is not prejudiced in accordance with Policies SP1 (Delivering the Strategy) and MD7 (Environmental Protection) of the Local Development Plan.

REASON FOR RECOMMENDATION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the area comprises the Vale of Glamorgan Adopted Local Development Plan 2011-2026.

It is considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

Having regard to Policies SP1 – Delivering the Strategy, SP10 – Built and Natural Environment, SP11 – Tourism and Leisure, MG17 – Special Landscape Areas, MG29 – Tourism and Leisure Facilities, MD1 – Location of New Development, MD2 - Design of New Development, MD3 – Provision of Open Space, Policy MD4 – Community Infrastructure and Planning Obligations and Policy MD7 – Environmental Protection of the Vale of Glamorgan Adopted Local Development Plan 2011-2026, and the advice contained within the Council's Supplementary Planning Guidance on Design in the Landscape, Planning Policy Wales 9th Edition, Technical Advice Note 12- Design and 13-Tourism, the development is considered acceptable in terms of its size and massing, design, impact to the character of the area and wider landscape value of the Special Landscape Area, the impact to neighbouring properties and the local environment and ecology.

NOTE:

- 1. The applicants are advised that all necessary consents/ licences for foul drainage must be obtained from Natural Resources Wales (formerly Environment Agency Wales) prior to the progression of any site works and/or beneficial use of the building. The Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff, CF24 0TP
General enquiries: telephone 0300 065 3000 (Mon-Fri, 8am - 6pm).**

Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

Do not scale this drawing. Discrepancies to be reported immediately!

PLANNING



2016/01501/FUL

Guest Accommodation for Llanerch Vineyard
SCHEME DESIGN - Site Location Plan



Unit Two Chapel Barns Merthyr Mawr Bridgend CF32 0LS

Guest Accommodation for Llanerch Vineyard

T 01656 656267
 E mail@spring-consultancy.co.uk
 W spring-consultancy.co.uk

2239-15: Site Location Plan
 1:2500 at A3, April '17

Spring Design is a trading name of Spring Design Consultancy Limited. A company registered in England and Wales. 07810184.
 Registered Office: Unit Three Chapel Barns, Merthyr Mawr, CF32 0LS