

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 31 JULY, 2019

Page	Application	Location	Item No.	Description
P.54	2018/01155/FUL	Tregolan House, Bradford Place, Penarth	1.	Penarth Town Council sustain their objection.
			2.	Comments from neighbour at Flat 2, The Lindens.
			3.	Comments from The Director of The Lindens.
P.80	2018/01383/FUL	St. Pauls Church and Hall, St. Pauls Avenue, Barry	4.	Twelve further letters of representation from neighbours.
			5.	Highway comments agreeing with Officer's report.
P.141	2019/00435/RG3	Whitmore High School, Port Road West, Barry	6.	Comments from Shared Regulatory Services with amended Condition 10 and deleted Conditions 11 and 12.
P.181	2019/00520/TPO	Site of existing Waitrose, Palmerston Road, Barry	7.	Comments from the Agent providing justification for the loss of the trees.

MATTERS ARISING FOR COMMITTEE**COMMITTEE DATE : 31 July 2019**

Application No.: 2018/01155/FUL	Case Officer: Mr. S. D. Butler
Location: Tregolan House, Bradford Place, Penarth Proposal: Refurbishment of existing building containing 4 No. flats to form additional 2 No. self contained flats, associated side and rear extensions, vehicular access and external works	

From: Penarth Town Council

Summary of Comments: Following re-consultation on the amended plans Penarth Town Council sustains their objection to the proposal.

Officer Response: The comments are noted.

Action required: None.

Comment for planning application 2018/01155/FUL

Application Number	2018/01155/FUL
Location	Tregolan House, Bradford Place, Penarth
Proposal	Refurbishment of existing building containing 4 No. flats to form additional 2 No. self contained flats, associated side and rear extensions, vehicular access and external works
Case Officer	Mr. S. D. Butler
Organisation Name	
Name	Miss A Woods
Address	Penarth Town Council, West House, Stanwell Road, Penarth, CF64 2YG
Type of Comment	Comment
Type	Other
Comments	Other type details: Penarth Town Council. Comment: Penarth Town Council sustains an objection to the proposal.
Received Date	25/07/2019 10:42:26
Attachments	

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 31 July 2019

Application No.: 2018/01155/FUL	Case Officer: Mr. S. D. Butler
Location: Tregolan House, Bradford Place, Penarth Proposal: Refurbishment of existing building containing 4 No. flats to form additional 2 No. self contained flats, associated side and rear extensions, vehicular access and external works	

From: Mrs Alyson Courtenay, Flat 2, The Lindens, Bradford Place.

Summary of Comments:

Letter received continues to raise an objection to the application, despite the removal of balconies on the grounds of overlooking from the windows; loss of light as a result of the extension; impact on the light well and general overbearing impact of the development.

Officer Response:

All of the matters raised have been fully considered in the officer's report.

Action required:

None

Whilst the balconies to this development have been removed there remain strong reasons to object.

REAR WINDOWS

LARGE floor to ceiling clear glass windows facing the rear of this property. Unlike a row of terraced houses overlooking neighbouring gardens these large windows on the proposed 1st and 2nd floors, provide a wide, very close clear view of the garden of flat 2 The Lindens. The side wall abuts the garden wall of the Lindens and will block any morning light to the gardens of flats 1 and 2 and the windows extremely invasive due to their closeness.

THE LIGHT WELL.

The 2 extra storeys surrounding the light well will undoubtedly create a grave, depressing "walled in" effect, reducing light to the flats relying on light for rooms surrounding the light well. Living on the ground floor I depend on that light for craft work, the impact on 2 rooms and a hallway will plunge my flat into near darkness. I fail to see how painting the walls white will equal the present state.

The overbearing development is at odds with the character of the locality.

Alyson Courtenay Director Lindens Penarth Limited

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 31 July 2019

Application No.: 2018/01155/FUL	Case Officer: Mr. S. D. Butler
Location: Tregolan House, Bradford Place, Penarth Proposal: Refurbishment of existing building containing 4 No. flats to form additional 2 No. self contained flats, associated side and rear extensions, vehicular access and external works	

From: William Stonehouse (Director of Lindens Penarth Limited) Flat 3, The Lindens

Summary of Comments:

Three further letters of representation objecting to the application on the following grounds

- Overlooking and loss of privacy
- Effect on daylight and sunlight amenity enjoyed by neighbours
- Impact on the character and appearance of the street scene
- Potential Noise and nuisance

Officer Response:

The first three matters have been fully considered in the officers report. It is noted that the occupier welcomes the removal of the balconies, introduction of high levels windows and obscure glazing.

In relation to noise and nuisance, concern is raised in respect of transfer of noise from the proposed adjoining flat through the party wall, with a request that a high standard of sound proofing be installed between the party wall, by way of condition.

Members should note that that the construction of the flats will have to fully comply with Building Regulations. Specifically, Part E (resistance to the passage of sound) deals the compliance requirements for sound proofing. The authority would not impose a planning condition as this would be a duplication of separate legislation.

Action required:

None

Revised Planning App 2018/01155/FUL/MS re Tregolan, Bradford Place, Penarth

I am a resident and director of The Lindens, the adjoining property, and am writing on behalf of the residents of both The Lindens and Waltham House, on the other side of Tregolan, to object to the latest revised plans. At the Planning Committee on the 29th May last, Members considered the neighbours' concerns and deferred their decision pending the developer's response to those concerns. The revised plans, however, have partially addressed only one concern and that is overlooking. The remaining concerns are listed below.

Overlooking and loss of privacy

Whilst the removal of balconies, the introduction of high level windows and obscure glazing are all welcome, it is the sheer size of the proposed rear and side extensions that has caused most of the overlooking concerns in the first place. Those concerns continue in relation to the full length, clear glazed, rear facing windows on the first and second storeys, all of which overlook both the gardens of Waltham House and the garden of flat 2, The Lindens. One of the first floor windows, in particular, virtually sits on the boundary wall with The Lindens, affording a view of most of the garden of flat 2. The rear facing glazing of the side extension hallway is still a concern as its proximity to Waltham House affords a view of most of the gardens there. It being a hallway I can't see why the glazing shouldn't be obscured similar to the section directly facing Waltham House.

Effect on daylight and sunlight amenity enjoyed by neighbours

There are two issues here, the effect of the proposed development on daylight received within the respective premises and the effect on the level of daylight and sunlight currently enjoyed within both sets of gardens.

Dealing with The Lindens first, the original plans were revised, and the proposed 3 storey extension stepped back, to reduce the loss of daylight into the light well that provides the only source of natural daylight into 5 rooms. This is a feature of the original building and was clearly designed for that purpose. One of the rooms in question is a ground floor dining room used as a craft workshop by the occupier of flat 2. The revised plans still mean that the existing first floor pitched roof alongside the light well is to be replaced by a two storey rectangular block and that will inevitably impact on the amount of daylight received into the dining room. Indeed there would no longer be any sky at all directly visible from her craft table by the window. That would make craftwork virtually impossible. Other areas that would be badly affected include 2 kitchens, a bathroom, bedroom and a corridor, details of which have been provided in an earlier representation.

As to Waltham House, the proposed extension is not only overbearing but would block out a lot of direct daylight in the rooms to the west side and the rear of the dwelling, especially the kitchen.

Properties in Bradford Place are aligned NNW to the rear and the proposed development would overshadow both mature gardens and considerably reduce the level of daylight and sunlight received, in the morning within the garden of flat 2, The Lindens and later in the day within the gardens of Waltham House.

Impact on the character and appearance of the street scene

The revised plans do not alter the size of the 3 storey extension whatsoever, which at 10.8m deep x 8.7m high x 8.8m high is truly massive and, as I have said before, it is so large that it could easily accommodate 8 old London double decker buses stacked 2 high! It extends 1 metre past the rear wall of The Lindens and the first storey element extends a further 3.4 metres beyond that, making a total first floor projection beyond The Lindens of some 4.4 metres. There is also a single storey extension all the way to the rear wall of the garden.

We maintain that the scale of the proposed extension is disproportional in size to the original property, the plot within which it sits and to neighbouring properties. Reference has been made in the Planning Officer's original report to the extension to The Lindens as an example of what has already been permitted, but there is really no comparison nor does it justify any precedent. The Lindens and Tregolan were originally built for the shipping line owner, Thomas Morel and his mother respectively but, although semi-detached, they are completely different. The Lindens was built as a far larger dwelling than Tregolan and it sits within extensive grounds. Its extension was to the side only, not to the rear, had no effect on any other property. It is sympathetic in style and blends in with the original frontage of The Lindens. The proposed extension to Tregolan would be the only contemporary structure in a row of Edwardian houses and its overbearing mass would be completely out of character with the area.

The side elevation plans, purporting to show the relative proportions of the proposed development and neighbouring properties, are still somewhat misleading. They give the height of the established boundary wall with The Lindens to be approximately 3 metres when in fact it tapers to 2 metres at its lowest point. Given that the maximum height of the proposed first floor extension is 3.6 metres then I disagree with the Planning Officer's comments that it is "of a commensurate height and would as such be largely obscured from view within the garden area". It would in parts project 1.6 metres above the boundary wall.

Were the proposed development to be allowed, access for construction traffic would presumably be via the narrow back lane which provides garage access to a number of properties. This would present difficulties for a number of residents who use this lane. The noise and disturbance of construction traffic would also adversely affect the living conditions of neighbours, especially the occupiers of Waltham House, none of whom enjoy the best of health.

Summary

We consider that the proposed development neither maintains nor enhances the character of the Conservation Area. It is unneighbourly, excessively large for the plot within which it sits and is visually incongruous within the existing street scene. It would adversely affect the living condition of neighbours considerably, through loss of privacy and an unacceptable reduction in the amenity of daylight and sunlight. Weighed against the above there is little or no benefit to the community, no Affordable Housing Contribution and neither does it appear to be of much benefit to the developer whose projected profit margins are clearly so low that he is unable to meet his Section 106 responsibilities to the community.

William Stonehouse, Director of Lindens Penarth Limited

Revised plans 2018/01155/FUL/MS re Tregolan, Bradford Place, Penarth

I've already submitted objections on behalf of the residents of The Lindens and Waltham House but I've omitted to mention one impact of the proposed development that would affect mainly myself and my wife, and that being the potential for noise nuisance. This is by way of an addition to my current objection, not a replacement.

I should explain that we live in flat 3 which comprises the whole of the first floor rear annex of The Lindens. As such, it is only attached at the rear by its entrance to the communal stairway of The Lindens and all the other 3 sides of our flat have no property attachments whatsoever. We haven't suffered therefore from the noise disturbance experienced by the ground floor flat 2 through its party wall with Tregolan. I know from personal experience that television and voices from Tregolan can be clearly heard in flat 2 The Lindens. The present sound insulation, if there is any at all, is totally inadequate. If the development goes ahead in its latest form it will involve a 2 storey block being attached to one complete side of our flat 3 with the obvious concerns about noise nuisance. It would be similar in impact to an additional house being built alongside an end of terrace property against the occupier's wishes.

Should the Planning Officer still be minded to approve the proposed development as revised, I would ask that he impose a condition that high standard sound proofing material be installed between all party walls, both existing and proposed.

William Stonehouse, Director of Lindens Penarth Limited

Revised Planning App 2018/01155/FUL/MS re Tregolan, Bradford Place, Penarth

Dear Sir,

I understand that the above revised application is to be considered by Members at the meeting on the 31st July and is again recommended for approval by the Planning Officer.

Having read the Planning Officer's report to committee I wish to submit my additional representation against the application on behalf of the residents of the directly neighbouring properties, The Lindens and Waltham House.

At the Planning Committee on the 29th May last, Members considered the neighbours' concerns and deferred their decision pending the developer's response to those concerns. The revised plans, however, have partially addressed one concern only, and that is overlooking. The remaining concerns are listed below.

Overlooking and loss of privacy

Whilst the removal of balconies, the introduction of high level windows and obscure glazing are all welcome, it is the sheer size of the proposed rear and side extensions that has caused most of the overlooking concerns in the first place. Those concerns continue in relation to the full length, clear glazed, rear facing windows on the first and second storeys, all of which overlook both the gardens of Waltham House and the garden of flat 2, The Lindens. The first floor lounge window, in particular, virtually sits on the boundary wall with The Lindens, affording a close-up view of almost all of the garden of flat 2. The rear facing glazing of the side extension hallway is still a concern as its proximity to Waltham House affords a view of most of the gardens there. It being a hallway I can't see why the glazing shouldn't be obscured similar to the section directly facing Waltham House.

Effect on daylight and sunlight amenity enjoyed by neighbours

There are two issues here, the effect of the proposed development on daylight received within the respective premises and the effect on the level of daylight and sunlight currently enjoyed within both sets of gardens.

Dealing with The Lindens first, the original plans were revised, and the proposed 3 storey extension stepped back, to reduce the loss of daylight into the light well that provides the only source of natural daylight into 5 rooms. This is a feature of the original building and was clearly designed for that purpose. One of the rooms in question is a ground floor dining room used as a craft workshop by the occupier of flat 2. The revised plans still mean that the existing first floor pitched roof alongside the light well is to be replaced by a two storey rectangular block and that will inevitably impact on the amount of daylight received into the dining room. Indeed there would no longer be any sky at all directly visible from her craft table by the window. That would make craftwork virtually impossible. Other areas that would be badly affected include 2 kitchens, a bathroom, bedroom and a corridor, details of which have been provided in an earlier representation.

As to Waltham House, the proposed 3 storey side and rear extensions bring a much larger mass considerably nearer to it and not only would they be overbearing but would block out a lot of direct daylight in the rooms to the west side and the rear of the dwelling, especially the kitchen.

Properties in Bradford Place are aligned NNW to the rear and the proposed development would overshadow both mature gardens and considerably reduce the level of daylight and sunlight received, in the morning within the garden of flat 2, The Lindens and later in the day within the gardens of Waltham House.

Impact on the character and appearance of the street scene

The revised plans do not alter the size of the 3 storey extension whatsoever, which at 10.8m deep x 8.7m wide x 8.8m high is truly massive and, as I have said before, it is so large that it could easily accommodate 8 old London double decker buses stacked 2 high! It extends 1 metre past the rear wall of The Lindens and the first storey element extends a further 3.4 metres beyond that, making a total first floor projection beyond The Lindens of some 4.4 metres. There is also a single storey extension all the way to the rear wall of the garden.

We maintain that the scale of the proposed extension is disproportional in size to the original property, the plot within which it sits and to neighbouring properties. Reference has been made in the Planning Officer's report to the extension to The Lindens, as an example of what has already been permitted, but there is really no comparison nor does it justify any precedent. The Lindens and Tregolan were originally built for the shipping line owner, Thomas Morel and his mother respectively but, although semi-detached, they are completely different. The Lindens was built as a far larger dwelling than Tregolan and it sits within extensive grounds. Its extension was to the side only, not to the rear, had no effect on any other property. It is sympathetic in style and blends in with the original frontage of The Lindens. The proposed extension to Tregolan would be the only contemporary structure in a row of Edwardian houses and its overbearing mass would be completely out of character with the area.

The side elevation plans, purporting to show the relative proportions of the proposed development and neighbouring properties, are still somewhat misleading. They give the height of the established boundary wall with The Lindens to be approximately 3 metres when in fact it tapers to 2 metres at its lowest point. Given that the maximum height of the proposed first floor extension is 3.6 metres then I disagree with the Planning Officer's comments that it is "of a commensurate height and would as such be largely obscured from view within the garden area". It would in parts project 1.6 metres above the boundary wall.

Were the proposed development to be allowed, access for construction traffic would presumably be via the narrow back lane which provides garage access to a number of properties. This would present difficulties for a number of residents who use this lane. The noise and disturbance of construction traffic would also adversely affect the living conditions of neighbours, especially the occupiers of Waltham House, none of whom enjoy the best of health.

Potential noise nuisance

I should explain that my wife and I live in flat 3 which comprises the whole of the first floor rear annex (part of the original construction not an extension) of The Lindens. As such, it is only attached at the rear by its entrance to the communal stairway of The Lindens and all the other 3 sides of our flat have no property attachments whatsoever. We haven't suffered therefore from the noise disturbance experienced by the ground floor flat 2 through its party wall with Tregolan. I know from

personal experience that television and voices from Tregolan can be clearly heard in the ground floor flat 2 The Lindens. The present sound insulation, if there is any at all, is totally inadequate. If the development goes ahead in its latest form it will involve a 2 storey block being attached to one complete side of our flat 3 with the obvious concerns about noise nuisance. It would be similar in impact to an additional house being built alongside an existing end of terrace property against the occupier's wishes.

We hope that Members reject the current application but should it be approved, in whatever form, we would ask that it be made conditional upon high standard sound proofing material being installed between all party walls, both existing and proposed.

Summary

We consider that the proposed development neither maintains nor enhances the character of the Conservation Area. It is unneighbourly, excessively large for the plot within which it sits and is visually incongruous within the existing street scene. It would adversely affect the living condition of neighbours considerably, through loss of privacy and an unacceptable reduction in the amenity of daylight and sunlight. Weighed against the above there is little or no benefit to the community, no Affordable Housing Contribution and neither does it appear to be of much benefit to the developer whose projected profit margins are clearly so low that he is unable to meet his Section 106 responsibilities to the community.

William Stonehouse, Director of Lindens Penarth Limited

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 31 July 2019

Application No.: 2018/01383/FUL	Case Officer: Mr. I. Robinson
Location: St. Pauls Church and Hall, St. Pauls Avenue, Barry Proposal: Proposed demolition of existing church and hall; development of 27 flats and associated works	

From: Neighbouring residents

Summary of Comments:

Twelve further representations have been received, and the grounds of objection are summarised as follows:

- Loss of a historic building
- Traffic generation.
- Adverse impact on parking.
- The development will not fit in with the street.
- Loss of community facility.
- Problems during the construction phase.
- Overlooking and loss of privacy.
- Adverse impact on highway safety.
- Insufficient outdoor space.
- There are already enough flats in Barry.
- Adverse impacts on health and well-being.
- The development would be contrary to LDP policy and national guidance.
- Adverse impact on bats.
- Potentially unsuitable tenants.
- Devaluation of property.

Officer Response:

These matters are addressed in the officer's report

Action required:

Members to note.

[REDACTED]

From: Planning
Sent: 28 July 2019 16:24
To: Planning
Subject: New comments for application 2018/01383/FUL

New comments have been received for application 2018/01383/FUL at site address: St. Pauls Church and Hall, St. Pauls Avenue, Barry

from Mr Dave Lewis [REDACTED]

Address:
20 Queen Street ,Barry,CF62 7EE

Comment type:
Objection

Comments:

I'm sure that the council could use money to make this town a better place and start by putting back buildings that you have already destroyed. We are in need of a cinema a swimming pool possibly a bowling alley. Just to start where you have ruined anything that the community had.

I will be protesting against you destroying anymore buildings in Barry and the Vale

Case Officer:
Mr. I. Robinson

13 Montgomery Road
Barry, CF62 7DA
24 June 2019

Dear Councillor

Proposed development of St Paul's Church and Church Hall
Planning ref: 2018/01383/FUL

Further to our letters dated 27 January 2019 and 12 May 2019, we note that the developers of this site have 'tweaked' the original plans by reducing the number of units from 31 to 27, i.e. four flats and re-sited some of the north-facing windows to the east-facing wall.

The former just removes the dormer-type windows in the roof structure and lessens the 'overlooking' of gardens in Montgomery Road. However, this does nothing to reduce the overall impact of the size of the structure, viewed from both Montgomery Road and St Paul's Avenue. Additionally, there appears to be no intention of installing solar panels on the large south-facing roof.

The latter improves some of the natural light issues for the north-facing flats, but surely just creates 'overlooking' issues for the residents of 9 St Paul's Avenue.

These amendments do not lessen our objections to this proposed development. As stated in our earlier correspondence our objections primarily concern:

1. The overall size and design of the proposed development;
2. The health and well-being of the future residents and;
3. Environmental considerations

Our objections are supported by several policy documents published by The Welsh Assembly and the Vale of Glamorgan Council. These include:

- Planning Policy Wales (PPW) and its associated Technical Advice Note-Planning and Affordable Housing (TAN2)
- The Vale of Glamorgan's Local Development Plan (LDP) and supporting documents
 - Design and New Development (MD2)
 - Provision for Open Spaces (MD3)
 - Housing Densities (MD6)
 - Barry Development Guidelines

In addition, we should like to remind you that the development on the corner of Gladstone Road and Tynwydd Road and the proposed development on Subway Road both provide a substantial number of apartments in the Barry. St Paul's Avenue is primarily a residential street consisting of two-storey houses. We still maintain that the development of this site should consist of houses and/or two-storey flats.

We hope that you will consider our substantiated objections when this proposed development is presented to the Planning Committee.

Yours faithfully

Margaret and John Bennett

Distribution: Members of the Vale of Glamorgan Planning Committee

To: Mr I Robinson, Case Officer, Planning Department, Vale of Glamorgan Council

Proposed development of St Paul's Church and Church Hall

Your ref: 2018/01383/FUL

Although the developers have made minor changes to their original plans, we still strongly object to this development. Please see the details of our objections which were sent to you in January and May as Word documents.

Our stance is that the proposed development is totally unsuitable for this site and is in effect 'a slum of the future'. The site is relatively small and the development is just too large.

We understand that there is a need for small housing units, but there have been several developments of flats in the Barry area during the last few years - the latest being the development in Station Street on the site of the old Conservative club.

Where are the houses, which can provide private outside space for residents, especially those with children? There are no attempts to provide environmental-friendly facilities such as outdoor drying facilities for laundry or solar panels to provide hot water and/or green electricity.

St Pauls Avenue is primarily a residential street of two-storey houses. This development is totally out of keeping with its surroundings. The impact on parking/traffic in the vicinity of two junior schools will be far greater than that purported in the developers' proposal. This will be even more substantial during the demolition/construction phases. There is an accident waiting to happen.

We hope that you will consider our substantiated objections to this proposed development, when you present your findings to the Planning Committee.

Margaret and John Bennett
13 Montgomery Road, Barry, CF62 7DA

Comment for planning application 2018/01383/FUL

Application Number	2018/01383/FUL
Location	St. Pauls Church and Hall, St. Pauls Avenue, Barry
Proposal	Proposed demolition of existing church and hall; development of 27 flats and associated works
Case Officer	Mr. I. Robinson
Organisation Name	
Name	Mrs Denise MacDonald
Address	9 St Nicholas Rd, CF62 6qw
Type of Comment	Objection
Type	Neighbour
Comments	too many properties are being built with inadequate parking. The area is busy with a school and a nearby shopping quarter, lack of parking causes people to park illegally which leads to accidents.
Received Date	25/07/2019 16:42:50
Attachments	

4(v)

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Enforcement Complaint Form

Your Details

Name

Address

Postcode

Telephone

Mobile

Email

Details of Your Complaint

Address or location of the property that you are complaining about

Brief description of your complaint

My property has been devalued as a result of the proposed development and NO onsite parking allocation for the flats

Further details of your complaint

Parking is tight at present even with school holidays at present , and as a result the properties adjacent have become less desirable, we have now lost our 4th potential buyer as a result of this development and NO parking , we strongly object to any development that has no parking allocation, our only option would be to sue for devaluation of our property.

Relevant Documents

Please include here any documents that you may think are relevant to your complaint. If you have photographs and would like us to consider these as part of your complaint, these can also be included.

Site/Owner Details (if known)

If you are aware of the name and address of the owner of the site, please provide this below.

Owner Name

Address

Telephone

Mobile

Once your complaint has been submitted, you will automatically be sent an acknowledgement via e-mail. To see

Comment for planning application 2018/01383/FUL

Application Number	2018/01383/FUL
Location	St. Pauls Church and Hall, St. Pauls Avenue, Barry
Proposal	Proposed demolition of existing church and hall; development of 27 flats and associated works
Case Officer	Mr. I. Robinson
Organisation Name	
Address	Mr hilip Kinsey-Griffiths
Type of Comment	54 Saint Paul's Avenue, ,Barry,,VoG,CF62 8HT
Type	Objection
Comments	Neighbour
Received Date	i object to this planning application because the proposed buildings are three story and would therefore overlook neighbouring residences in both Saint Paul's Avenue and Montgomery Road. I appreciate that the church is a tall building but I dont object to being overlooked by God. Also parking provision does not provide for all the properties in the developement in a street where parking is already chaotic throughout the day during school term time forceing residents to park in adjoining streets.
Attachments	25/07/2019 10:46:33

Comment for planning application 2018/01383/FUL

Application Number	2018/01383/FUL
Location	St. Pauls Church and Hall, St. Pauls Avenue, Barry
Proposal	Proposed demolition of existing church and hall; development of 27 flats and associated works
Case Officer	Mr. I. Robinson
Organisation Name	
Name	Miss Jenna Moreton
Address	7 Ffordd Y Dociau, CF62 5BN
Type of Comment	Objection
Type	Other
Comments	Other type details: Disagree with proposal . Comment: The proposal is completely unfitting with the area, it will cause too much traffic on a road where there is a primary school. There's not enough spaces per flat. In addition the current residential area have off road parking which will cause trouble for current residents as you aren't proposing enough spaces for the flats.
Received Date	25/07/2019 09:59:47
Attachments	

Comment for planning application 2018/01383/FUL

Application Number	2018/01383/FUL
Location	St. Pauls Church and Hall, St. Pauls Avenue, Barry
Proposal	Proposed demolition of existing church and hall; development of 27 flats and associated works
Case Officer	Mr. I. Robinson
Organisation Name	
Name	Miss Fiona Noble
Address	7 Coed-Yr-Odyn ,Barry,CF62 6NY
Type of Comment	Objection
Type	Other
Comments	Other type details: General concern. Comment: 27 residences yet only 18 parking places. This is inadequate and shows no regard for the neighbourhood. It's time the VoG gave thought to parking issues of those who already live in the area AND the future residents of this development.
Received Date	25/07/2019 07:21:44
Attachments	

Comment for planning application 2018/01383/FUL

Application Number	2018/01383/FUL
Location	St. Pauls Church and Hall, St. Pauls Avenue, Barry
Proposal	Proposed demolition of existing church and hall; development of 27 flats and associated works
Case Officer	Mr. I. Robinson
Organisation Name	
Address	Ms Sara George 53 Queen Street ,Barry ,CF62 7EG
Type of Comment	Objection
Type	Other
Comments	Other type details: Not sure what this section means. Comment: I am opposed to the demolition of the church. My main reason is because I hate to see anymore historical buildings in Barry destroyed. I am also concerned with the increase in traffic and problems with parking with the extra residential properties. I also have concerns with the likely disruption to the area considering it is a one way street up to that area whilst the demolition and building would be underway! I do not agree with the demolition of the community centre, as it can obviously bring so much to the residents in the area.
Received Date	24/07/2019 20:52:53
Attachments	

Comment for planning application 2018/01383/FUL

Application Number	2018/01383/FUL
Location	St. Pauls Church and Hall, St. Pauls Avenue, Barry
Proposal	Proposed demolition of existing church and hall; development of 27 flats and associated works
Case Officer	Mr. I. Robinson
Organisation Name	
Name	Miss Rachel Westerman
Address	43 Queen Street, Barry, CF63 7EF, CF62 7EF
Type of Comment	Objection
Type	Neighbour
Comments	I feel very strongly that we already have a plethora of flats all over the town and should keep this historic building. The traffic in this area of Barry is already very busy with few parking spaces and not conducive to that many more people moving into the area. The flats are the same bland boxes that have been put up near Holton Road and the waterfront. They will not blend into the area at all.
Received Date	24/07/2019 20:39:12
Attachments	

From: Planning
Sent: 29 July 2019 20:21
To: Planning
Subject: New comments for application 2018/01383/FUL

New comments have been received for application 2018/01383/FUL at site address: St. Pauls Church and Hall, St. Pauls Avenue, Barry

from Miss CLAIRE PRINCE [REDACTED]

Address:
17, St Paul's Avenue, Barry, CF62 8HT

Comment type:
Objection

Comments:
The Church houses bats, and has done for decades.
Can you tell me what measures you have taken to ensure their safety, IF permission is granted?

I would also like to know if there is a minimum age for residents, and, whether tenants would have to have excellent tenancy records to apply for the flats?

Thank you.

Case Officer:
Mr. I. Robinson

From: katie.l.b10 [REDACTED]
Sent: 30 July 2019 08:18
To: Planning
Subject: St Paul's Church - comments for meeting 31st July 2019

Follow Up Flag: Follow up
Flag Status: Completed

Good morning,

My husband and I are not able to attend the meeting however would like the below item to be considered and discussed.

Our main aspect of real concern is parking for the development. St Paul's Avenue becomes incredibly busy at times and it is very difficult to stop or park anywhere, this mainly occurs at School drop off and pick up times, cars park all over the place, along St Paul's Avenue up to the roundabout and down Hilda Street, including on the corner to Hilda Street, it actually becomes incredibly dangerous! Having a development of 27 flats without allocated on site parking for all cars will inevitably cause further problems to this issue and we have real concerns that someone is going to have a serious accident.

Please asses the area yourselves around school pick up and drop off times during term and you will understand our real concern.

We understand there is a housing need and support housing development however feel it is unjust for the surrounding home owners to suffer or be put at risk due to this development.

Please don't hesitate to contact me if needed.

Kindest regards,
Mrs Hill
11 St Paul's Avenue

MATTERS ARISING FOR COMMITTEE**COMMITTEE DATE : 31 July 2019**

Application No.: 2018/01383/FUL	Case Officer: Mr. I. Robinson
Location: St. Pauls Church and Hall, St. Pauls Avenue, Barry	
Proposal: Proposed demolition of existing church and hall; development of 27 flats and associated works	

From: VOG Highways**Summary of Comments:**

The highways conclusions in the report are robust with the amount of information that has been provided.

Officer Response:

No further comment

Action required:

Members to note

From: Robinson, Ian
Sent: 30 July 2019 14:09
To: Robinson, Ian
Subject: FW: 18/01383/FUL- st. paul's ave, barry

Ian Robinson
Principal Planner / Prif Gynllunydd Ceisiadau
Regeneration and Planning / Adfywio a Chynllunio
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 01446 704777
mob / sym: 07976112355
e-mail / e-bost: IRobinson@valeofglamorgan.gov.uk

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

From: Godsall, Tony (Agency)
Sent: 25 July 2019 15:15
To: Robinson, Ian
Cc: Clogg, Michael T; Robinson, Victoria L
Subject: RE: 18/01383/FUL- st. paul's ave, barry

Afternoon Ian. I have now read your highway comments on this application and I consider that your conclusions are robust with the amount of information that has been provided. Tony

Tony Godsall
Engineer (Agency) - Highway Development & Traffic
Highway Development (Engineering Design & Procurement)
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 02920 673151
mob / sym:
e-mail / e-bost: [REDACTED]

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MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 31 July 2019

Application No.: 2019/00435/RG3	Case Officer: Mr. I. Robinson
Location: Whitmore High School, Port Road West, Barry	
Proposal: Construction of a replacement secondary school building with associated playing fields and parking at the site of the existing Whitmore High School and the demolition of the existing secondary school building upon completion	

From: The applicant and Shared Regulatory Services

Summary of Comments:

The applicant has submitted a ground investigation report, which has been considered by Shared Regulatory Services (SRS). The SRS response states:

The above report has not identified any significant contamination issues and provides appropriate further recommendations including supplementary assessments. Subject to adherence to these, it is accepted that the standard condition for a pre-commencement contamination assessment is not required. The unforeseen contamination condition is requested, as this is sufficient to deal with any potential contamination encountered during the progression of the development.

Officer Response:

Consequently, conditions 11 and 12 can be deleted, and condition 10 should be replaced with the following:

Amended condition 10:

The development shall be carried out in accordance with the document "Whitmore High School Geotechnical and Geo-environmental Interpretative Report (Project number: 60571313) November 2018" and all recommendations with that document shall be carried out.

Reason:

To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policy MD7 of the LDP.

Action required:

Members to note.



COFNOD / MEMORANDUM

I / To:	Mr. I. Robinson
Adran / Dept:	Planning Department
Dyddiad / Date:	26th July 2019
Eich Cyf / Your Ref:	P/DC/LC/IR/2019/00435/R G3

Oddi Wrth / From:	D Margetson
Ein cyf / Our ref:	SRS/E/DMM/2019/00435/RG3
Ffôn / Tel:	03001236696
Ebost / Email:	EnvPlan-SRSWales@valeofglamorgan.gov.uk

SUBJECT: PLANNING APPLICATION NO: 2019/00435/RG3: WHITMORE HIGH SCHOOL, PORT ROAD WEST, BARRY; CONSTRUCTION OF A REPLACEMENT SECONDARY SCHOOL BUILDING WITH ASSOCIATED PLAYING FIELDS AND PARKING AT THE SITE OF THE EXISTING WHITMORE HIGH SCHOOL AND THE DEMOLITION OF THE EXISTING SECONDARY SCHOOL BUILDING UPON COMPLETION.

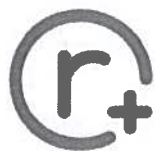
Further to my memo of 30th April 2019, the following additional information has been submitted and reviewed:

Aecom, November 2018; Whitmore High Geotechnical and Geo-environmental Interpretative Report Ref: 60571313

The above report has not identified any significant contamination issues and provides appropriate further recommendations including supplementary assessments. Subject to adherence to these, it is accepted that the standard condition for a pre-commencement contamination assessment is not required. The unforeseen contamination condition is requested, as this is sufficient to deal with any potential contamination encountered during the progression of the development.

Landscaping/amenity is indicated as part of the proposal. Should there be any importation of soils to develop the landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. Consequently, the inclusion of conditions to ensure the use of suitable materials is requested.

Shared Regulatory Services requests the inclusion of the following conditions and informative statement in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy MD7 of the Vale of Glamorgan Local Development Plan:



COFNOD / MEMORANDUM

CONDITIONS

PC14D. CONTAMINATED LAND MEASURES – UNFORESEEN CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land , neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

PC15A IMPORTED SOIL

Any topsoil [natural or manufactured], 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 the relevant Code of Practice and 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 occupiers is not prejudiced.

PC15B IMPORTED AGGREGATES

Any aggregate (other than virgin quarry stone) or recycled aggregate material 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.



COFNOD / MEMORANDUM

Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material 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 occupiers is not prejudiced.

PC15C USE OF SITE WON MATERIALS

Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced.

ADVISORY/INFORMATIVE

R4 CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints;
- (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;

- Unprocessed / unsorted demolition wastes.
- Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.



COFNOD / MEMORANDUM

- Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

Environment Team
Shared Regulatory Services
Bridgend, Cardiff & the Vale of Glamorgan

MATTERS ARISING FOR COMMITTEE

COMMITTEE DATE : 31 July 2019

Application No.: 2019/00520/TPO	Case Officer: Mr. I. Robinson
Location: Site of existing Waitrose, Palmerston Road, Barry	
Proposal: Work to trees under TPO No.5 of 2013. Clearance of trees G3 (7 alders) and G4 (8 alders)	

From: The applicant's agent

Summary of Comments:

Representations received, which express concerns that the committee report does not sufficiently express the full extent of material considerations. In summary (para-phrased from the representations):

- The report does not provide sufficient contextual background to inform Members of the regenerative benefits of the prospective site occupiers, which should be taken into account as part of the planning balance.
- The report does not make reference to a letter from a representative of Home Bargains, advising that the company would not exchange contracts or formally commit until the trees were removed.
- Trees 18-25 are only in a "fair condition"
- Trees 11-17 are considered to be of "minor value"- this status has not been taken into account.
- Nowhere in the report is there any assessment of the relative merits of the proposed mitigation
- New tree planting in place of trees 11-17 would be of greater benefit.

Officer Response:

(ordered in response to the points above)

- Officers do not agree that the retention of the trees can reasonably be asserted as necessary to deliver regeneration benefits, and this is covered in the report. The agent is of the view that more weight should be afforded to regeneration benefits, however, that position assumes an acceptance that the trees are a barrier to this.
- The stance of Home Bargains has been represented in the report: *"The applicant's agent has asserted that the refusal of the application would result in the prospective occupiers of the store withdrawing."*
- The report recommends the removal of trees 18-24. Notwithstanding the asserted "fair" condition of tree 25, the report suggest 20-40 years of remaining life and it is not causing problematic damage.
- Officers do not agree that trees 11-17 are "trees offering only low or short term

landscape benefits". They are trees which, according to the Tree Survey, have 20-40 years of remaining useful life and they are not causing problematic damage. They contribute positively to wider amenity and the landscaping of the site, hence their protection with a TPO.

- It is considered that perimeter replacement planting, while of value, would not outweigh the harm that would be caused by losing the existing, more mature trees that are located within prominent parts of the car park.

Action required:

Members to note.

Robinson, Ian

From: Gary Sutton [REDACTED]
Sent: 30 July 2019 11:11
To: Robinson, Ian
Subject: Former Waitrose Site, Barry - Application Ref No 2019/00520/TPO

Ian,

I refer to the Committee Report in relation to the above application which, in our judgement, is cause for concern for a number of reasons.

Firstly, the report is devoid of any contextual background for the benefit of Planning Committee Members. Nowhere in the report is there any reference to the closure of the Waitrose store in early June this year, the associated loss of over 120 jobs, the acquisition of the store by the applicant, Anlo Properties Ltd, and the recent grant of planning permission under delegated powers for the re-configuration of the former supermarket in order to create two new stores with associated elevational improvements. The current application for the removal of specific trees effectively represents the second stage of a "regeneration proposal" that with the support of two named-operators, namely, Home Bargains and Iceland, will create at least 80 much-needed new employment opportunities that will assist in compensating for the loss of jobs associated with the Waitrose closure. This background information and the potential economic benefits associated with the overall proposed investment and development are important material considerations which should, in our view, be fully presented to Members as part of the necessary planning balance and to inform the Committee's decision.

With regard to the scheme's named-operators and their qualified support, it is surprising that the report makes no reference whatsoever to my e-mail to key officers dated 14th June 2019 and, in particular, the attached letter from James Clarke, Group Legal Counsel for Home Bargains. This letter confirms that Home Bargains will not exchange contracts and formally commit to the development unless it is confirmed that specific trees can be removed. The correspondence on behalf of Home Bargains represents an important material consideration which is not referred to in the report. In light of the economic benefits associated with the overall development, we would suggest that Members need to be fully informed of this position.

With regard to the condition of the trees it is proposed to remove, the report notes that trees numbered 11-17 are in "good" condition in relation to "health and vigour". The report does not, however, acknowledge that the trees numbered 18-25 (the removal of which the Officers support) are classified in the Tree Report as being in only a "fair" condition, with evidence of slight stress or minor disease. This latter finding is relevant in that it supports the case for the removal of these particular trees. Furthermore, and of particular relevance, the Committee Report makes no reference to the "Retention Category" used in the Tree Schedule contained in the Tree Report. Trees numbered 11-17, which the Officers favour retaining, are classified under the "Retention Category" as C(ii). Category C trees are of "Minor Value", representing "Trees or groups of rather low quality, although potentially capable of retention for at least about 10 yearsbut not of sufficient value to be regarded as a significant planning constraint", whereas those classified as Category C(ii) are "trees offering only low or short term landscape benefits". There is no evidence, based on the Committee Report, that these considerations have been properly taken into account in the necessary planning balance.

Turning to the proposed mitigation for the loss of certain trees, namely, the planting of new trees at a ratio of 2:1 in line with Council policy, nowhere in the report is there any assessment of the relative merits of the proposed mitigation. Most of the replacement tree planting will be along the northern perimeter of the site, which will improve enclosure and screening and, importantly, ameliorate the impact of the stark and visually unattractive steel palisade fencing on the northern boundary. The proposed mitigation will deliver an important aesthetic or visual benefit, both in terms of the northern part of the site itself and the site's overall visual appearance. In summary, the safe and useful life expectancy of the trees numbered 11-17 will be limited by the compromised growing conditions imposed by the limited space and poor drainage of the tree pits, as confirmed by Mackley Davies Associates. In sharp contrast, new tree planting, as proposed, within the open ground on the perimeter of the site, will provide a

longer term, more sustainable solution to the provision of tree cover and associated visual amenity. We believe the report should address these considerations in order to inform the necessary planning balance and the advice presented to Members.

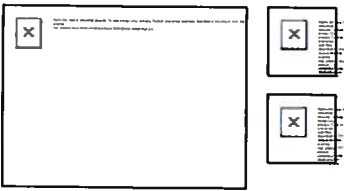
We trust you will accept this correspondence as a duly made "late representation" and inform the Planning Committee accordingly.

Thank you for your continued assistance.

Kind Regards

**Gary Sutton
Consultant**

T: [Redacted]
M: [Redacted]
E: [Redacted]



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Sophia House
28 Cathedral Road
Cardiff
CF11 9LJ

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