

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **24 JUNE, 2021**

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:

2019/0468/BN	A	27, Rectory Close, Wenvoe	Demolition of existing single storey extension and replacement with 2 storey hipped roof extension, comprising of kitchen / dining room and first floor bedroom, new bathroom and increased front bedroom to benefit from en-suite
2021/0013/PO	AC	4 - 6, Broadway, Cardiff. CF24 1NF	Conversion of property to form A3 restaurant use to ground floor and basement, with 12 no. self contained flats to upper floors with associated external works
2021/0015/PO	AC	5, Lynch Blossie Close, Cardiff. CF5 2QU	Double storey side elevation extension
2021/0016/PO	AC	51, West Road, Cardiff. CF14 2FT	Increase in height of roof to rear elevation single storey extension. Rear elevation dormer extension
2021/0032/RG	A	17, High Street, Penarth, CF64 1EZ	Replace existing plastic roof with slated type
2021/0270/BR	AC	104, High Street, Barry. CF62 7DS	New shop front plus new staircase to existing upstairs flat, plus refurbishment and reconfiguration of flat, upgrade roof

2021/0300/BN	A	14, Brenig Close, Barry, CF62 7BL	Single storey extension
2021/0304/BN	A	21, Gelyn Y Cler, Barry, CF63 1FN	Convert front half of garage into habitable office space
2021/0307/BN	A	Oaklands, Broad Close Lane, Moulton CF62 3AB	Double garage, garden store and stables along with a single storey extension plus extension over double garage
2021/0331/BR	AC	45, Winsford Road, Sully, Penarth. CF64 5SB	Replacement porch, single storey side extension unheated storage room and first floor extension over existing extension
2021/0334/BN	A	Gileston Manor, Gileston. CF62 4HX	Installation of en suite facilities
2021/0338/BN	A	Pennon Grange, Llancarfan. CF62 3AG	First floor extension
2021/0340/BN	A	13, Powys Place, Dinas Powys. CF64 4LB	Single storey extension to rear
2021/0341/BN	A	5, Plas Gwernen, Barry. CF63 1AR	Single storey extension to rear with lantern and 1 no. bifold door and 1 no. French door
2021/0342/BN	A	80, Port Road East, Barry, CF62 9PU	Single storey extension to rear
2021/0343/BN	A	48, Broad Street, Barry, CF62 7AD	Installation of UPVC window to external wall including the installation of new lintels
2021/0344/BR	AC	Dow Corning Ltd, Cardiff Road, Barry, CF63 2YL	Alterations of the existing Rigging Store, W601, to an office space erect a new partition, update M and E services to office standard, block up existing and form new door openings including internal decoration and finishes like walls and floors.

2021/0345/BN	A	6, Castle Precinct, Llandough, Cowbridge. CF71 7LX	Repairs to building fabric / foundations following leak of heating oil
2021/0347/BN	A	21 Whittan Close, Rhoose, CF62 3FW	Loft conversion
2021/0348/BN	A	5, Brookside, Robins Lane, Barry, CF63 1QP	Single storey extension 12sqm
2021/0349/BR	AC	34, Coed Mawr, Barry, CF62 8AD	Proposed single storey extension to side
2021/0350/BN	A	43, Masefield Road, Penarth, CF64 2SE	Take off roof and frame from two extensions, replacing with new frames and insulated flat roof with lantern to link the two spaces, no new base
2021/0351/BN	A	2, The Limes, Cowbridge, CF71 7BJ	Extending first floor and making internal and external alterations to rear of property
2021/0352/BN	A	Ffaldwen, Heol Y March, Bonvilston. CF5 6TS	Proposed ground floor extension to provide utility room, shower room and WC
2021/0353/BN	A	97, St. Davids Crescent, Penarth. CF64 3NA	Taking down internal wall and installing structural beam
2021/0354/BR	AC	19, Laburnum Way, Penarth, CF64 3NE	Part single storey, part double storey rear extension and inclusion of dedicated stair to existing converted loft space
2021/0355/BN	A	Ground Floor Flat, 16, Cwrt y Vil Road, Penarth, CF64 3HN	Replace existing ground floor sub ceiling due to fire damage with new upgraded specification to enhance fire protection and noise transfer.
2021/0356/BN	A	127, Glenbrook Drive, Barry. CF63 2FH	Garage conversion
2021/0357/BR	AC	21, Chamberlain Row, Dinas Powys, CF64 4PJ	Two separate single storey rear extensions

2021/0358/BR	AC	40, Purcell Road, Penarth, CF64 3QN	Two storey rear extension
2021/0359/BR	AC	14, Dryden Road, Penarth, CF64 2RT	Single storey rear extension
2021/0360/BR	AC	18, Glastonbury Road, Sully, CF64 5PZ	Two storey rear extension with porch alteration
2021/0361/BR	AC	12, Redbrink Crescent, Barry, CF62 5TT	Shower room adaptation in ground floor utility room. New foul waste run required to existing inspection chamber.
2021/0362/BR	AC	Tegfan, Peterston Super Ely, CF5 6LG	Proposed 2 storey rear extension with associated internal renovation works
2021/0363/BN	A	26, Lombard Street, Barry, CF62 8DP	Reroof plus party wall renewal, plus internal wall removal.
2021/0364/BR	AC	105, Cardiff Road, Dinas Powys, CF64 4JU	2 Storey Extension
2021/0365/BN	A	Pheasant Acre Plants, Llangan, CF35 5DN	New dwelling
2021/0366/BN	A	19, Fairfield Crescent, Llantwit Major. CF61 2XJ	Two storey side extension
2021/0367/BR	AC	5, Bowmans Way, Cowbridge. CF71 7AW	Small extension and alterations to existing dwelling
2021/0368/BN	A	67, Westbourne Road, Penarth. CF64 3HD	Rear two storey annexe with the addition of a single storey rear extension and associated works
2021/0369/BN	A	8, Elan Close, Cwm Talwg, Barry. CF62 7LJ	Internal remodelling to improve current kitchen / dining layout, structural modifications to remove internal column and open up existing rear wall, new floor to ceiling glazing (sliders) to replace existing windows
2021/0370/BN	A	354, Barry Road, Barry. CF62 8HH	Single storey extension

2021/0371/BN	A	14, Cambridge Street, Barry. CF62 6PJ	Removal of wall between kitchen and dining room. replace with RSJ
2021/0372/BR	AC	14, Plassey Square, Penarth. CF64 1HD	Loft conversion with dormer
2021/0373/BN	A	49, Llanmead Gardens, Rhose. CF62 3HX	Renewal of thermal element (change roof of conservatory)
2021/0374/BN	A	Flat 1, 4, Marine Parade, Penarth. CF64 3BE	Removal of a supporting wall separating kitchen and dining room to make an open plan space. Also propose replacing the existing windows to the rear and side of the property
2021/0375/BN	A	5, Plover Way, Penarth. CF64 5FU	Two storey side extension
2021/0376/BN	A	11, Heol Y Brenin, Penarth. CF64 3HR	Single storey extension to rear (5m x 3.5m)
2021/0377/BN	A	5 Castle Precinct, Llandough, CF71 7LX	Removal of internal ground floor load bearing wall, window and door replacement
2021/0378/BN	A	13, St. James Crescent, Barry. CF62 6FP	Single storey extension (12m <sup>2</sup> )
2021/0379/BR	AC	Brookside, Llancafán. CF62 3AD	Internal structural alterations
2021/0380/BN	A	Cradleigh, Swanbridge Road, Penarth. CF64 5UF	Two storey side extension to provide offices lounge and living space
2021/0381/BN	A	56, Heol Collen, Wenvoe. CF5 5TX	Single storey rear extension 27m <sup>2</sup> , extend / build over garage extension 24m <sup>2</sup> and structural opening to rear
2021/0382/BR	AC	103, Minehead Avenue, Sully. CF64 5TL	Construction of a new family room, bedroom and wet room

2021/0384/BR	AC	6, Evenlode Avenue, Penarth. CF64 3PD	Construct new rear kitchen / breakfast room extension and associated works with minor internal works
2021/0385/BR	AC	52, Nant Talwg Way, Barry, CF62 6LZ	Internal refurbishment to include structural alterations
2021/0386/BN	A	14, Plover Way, Penarth, CF64 5FU	Knock through to create a bigger kitchen
2021/0388/BN	A	44, Port Road East, Barry. CF62 9PT	Single storey extension to enlarge kitchen area, flat roof
2021/0389/BN	A	15, West Terrace, Penarth, CF64 2TX	Loft conversion with dormer
2021/0390/BN	A	22, Plassey Street, Penarth, CF64 1EJ	Single storey extension
2021/0391/BR	AC	16, Orchard Crescent, Dinas Powys, CF64 4JZ	Single storey rear extension
2021/0394/BR	AC	20, Mountjoy Avenue, Penarth, CF64 2SY	Enlarge the existing loft conversion
2021/0396/BR	AC	86, Westbourne Road, Penarth, CF64 3HG	Proposed single storey extensions to side and rear
2021/0397/BN	A	1, Columbus Close, Barry, CF62 9HA	Internal alterations and loft conversion with dormer
2021/0399/BN	A	46, Cilgant Y Meillion, Rhoose, CF62 3LH	Loft conversion with dormer
2021/0400/BN	A	89, Porth Y Castell, Barry, CF62 6QF	Take down part of internal wall to make larger opening in living room, installation of a Velux window to the lean-to roof and replacement patio doors.
2021/0401/BR	AC	10, Castle Drive, Dinas Powys	Proposed single storey extension to rear and two storey extension to side
2021/0402/BN	A	13, Elm Grove Lane, Dinas Powys, CF64 4AU	First floor timber frame extension with internal alterations

2021/0403/BN	A	16, Mountjoy Crescent, Penarth. CF64 2SZ	Single storey extension to provide downstairs cloak room
2021/0404/BN	A	38 Crompton Way, Ogmore By Sea, CF32 0QF	Structural opening for window
2021/0405/BN	A	5, Millbrook Road, Dinas Powys, CF64 4BZ	Garden room
2021/0406/BN	A	9D, Albert Crescent, Penarth. CF64 1DA	Erection of single storey balcony
2021/0407/BR	AC	20, Heol Neuadd Cogan, Penarth, CF64 3RQ	Single storey, flat roof garden room rear elevation
2021/0408/BR	AC	11, Porthkerry Road, Barry, CF62 7AY	Extension to existing hotel to create a further 14 rooms
2021/0409/BN	A	11, Dyfrig Street, Barry, CF62 5TW	Rear single storey extension
2021/0410/BN	A	110A, Port Road East, Barry, CF62 9PW	Single storey rear extension with balcony
2021/0412/BR	AC	35, Grange Gardens, Llantwit Major. CF61 2XB	Single storey rear extension
2021/0416/BN	A	129, Wordsworth Avenue, Penarth. CF64 2RQ	Bi folds and steel beam
2021/0417/BR	AC	92, Cog Road, Sully. CF64 5TE	Single storey rear extension

(b) Building Regulation Applications - Reject

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

2021/0387/BN	R	74, Meadow Vale, Barry, CF63 1ES	Upper floor extension
2021/0392/BN	R	31, Cedar Road, Eglwys Brewis, CF62 4JT	Erection of 4 detached bungalows on vacant land
2021/0411/BN	R	13, Wordsworth Close, Llantwit Major, CF61 1WZ	Single storey extension to extend kitchen

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

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

2021/0095/AI	A	10, Merevale, Dinas Powys, CF64 4HS	Installation of a spiral wine cellar
2021/0096/AI	A	13, The Heathers, Barry, CF62 7FL	Proposed replacement of existing conservatory roof with a Warm Roof System (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2021/0097/AI	A	50, Fontygary Road, Rhoose. CF62 3DS	Proposed double storey side extension with terrace to front elevations and internal alterations (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2021/0098/AI	A	Unit 2, Former Public Conveniences, Barry Island	Internal alterations and refurbishment of existing retail unit to form bar / cafe
2021/0099/AI	A	41, Heol Pearetree, Rhoose. CF62 3LB	Single storey rear kitchen / dining extension, garage conversion to a habitable room and associated works
2021/0100/AI	A	116, Westbourne Road, Penarth. CF64 3HH	Single storey rear kitchen / dining extension, single storey side garage extension and associated works
2021/0101/AI	A	2, Ashby Road, Sully, Penarth. CF64 5SH	Proposed outbuilding for enclosed office and music room (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2021/0102/AI	A	Sea View Labour Club, Dock View Road, Barry. CF63 3QQ	Proposed 28 apartments (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)



2021/0103/AI	A	20, Glyn Y Gog, Rhoose, CF62 3LJ	Proposed brick up off dwarfs wall to full height to extension, adding 5160mm bi fold to front, with lightweight roof, internal alteration and associated works
2021/0104/AI	A	The Windmill, Windmill Lane, Llantwit Major, Vale of Glamorgan, CF61 2SE	Conversion to dwelling including connection of utilities, M and E services internally, Installation of insulation internally, 1st and 2nd fixings and associated work
2021/0105/AI	A	49, Longmeadow Drive, Dinas Powys, CF64 4TB	Proposed structural opening to form new doorway at side of property (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2021/0106/AI	A	Building 4, Atlantic Business Park, Hayes Lane, Sully. CF64 5XU	Installation of a first floor and internal fit out to form offices
2021/0107/AI	A	11, Llys Dwynwen, Llantwit Major. CF61 2UH	Proposed single storey rear extension, formation of internal structural opening between living room and kitchen, new floor to kitchen, living room, hall and extension (works to incorporate material alterations to structure, controlled services, fittings and thermal elements)
2021/0108/AI	A	12, Porlock Close, Ogmore By Sea. CF32 0QE	Loft conversion with dormer
2021/0109/AI	A	39, Hillside Drive, Cowbridge, CF71 7EA	Alterations and conversion of garage to bathroom and utility room

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PLANNING COMMITTEE : 24 JUNE, 2021

REPORT OF THE HEAD OF REGENERATION AND PLANNING

2. 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

2018/00318/1/N MA	R	14, Clinton Road, Penarth	Non-material amendment to planning permission 2018/00318/FUL (Replacement Dwelling Due To Demolition under Section 78 Building Act 1984): Change wording of conditions 4 (ground levels and floor levels), 5 (protection of trees) and 6 (surface-water drainage)
2019/00170/1/N MA	A	The Royal Air Forces Association, 21, Porthkerry Road, Barry	Non Material Amendment - Amend location of windows on approved drawings. Previous approval 2019/00170/FUL - Conversion to 8 affordable

			residential flats, rear extension, parking and alterations
2019/00796/1/N MA	A	The Meadows, Peterston Super Ely	Non Material Amendment - 1. Adjustment to the position of the Garage, Gym and Outside Pool, moving them slightly further south into the site. 2. Adjustment to the materials of the building from stone to lime render. Previous approval 2019/00796/FUL - Demolition of the existing dwellings and associated out buildings. Replacement dwelling with new ancillary buildings and open air swimming pool
2019/01027/3/C D	A	1, Harriet Street, Cogan, Penarth	Discharge of Condition 17 (Provision of cycle parking). Planning approval 2019/01027/FUL - Demolition of existing dwelling house plus site clearance and the construction of 7 no. separate apartments plus all associated works
2019/01279/1/N MA	A	Ty Croes Cwrlwys, Valegate Retail Park, Culverhouse Cross	Non Material Amendment - We are proposing to swap the EV Charger technology proposed on the site to a more powerful rapid charger. Previous approval 2019/01279/FUL - To install two rapid electric vehicle charging stations within the car park. Two existing parking spaces will become EV charging bays, along with associated equipment
2019/01421/RES	A	Renishaw Plc, Miskin Business Park, Miskin	Application for the approval of reserved matters

			(appearance, scale, layout, access and landscaping) for the first phase of development relating to Zones A, W, Y and Z providing 33,909 sq.m. of employment floor space (Use Class B1, B2 and B8) and associated works pursuant to outline permission 2014/00228/EAO
2020/00182/1/C D	A	Barns adjacent to Leechmere Farm, Nr. Wick	Discharge of Conditions; 4 (Biodiversity Strategy)) and 15 (Scheme of Foul, Land and Surface Water). Planning approval 2020/00182/FUL - Change of use from agricultural to Holiday Let accommodation. Conversion of two unused existing (derelict for many years) stone barns into two holiday let accommodations
2020/00331/1/C D	A	The Sheilings, 7, Cae Rex, Llanblethian	Discharge of Condition 4 (further details of the proposed cladding and stonework). Planning approval 2020/00331/FUL - Addition of second storey (partially in dormer style) to existing bungalow along with rear single storey extension
2020/00525/FUL	A	Former Public Convenience, Land at Slon Lane, Ogmore By Sea	Variation of condition 2 of planning permission 2018/00224/FUL - Erection of community village hall, incorporating cafe, multipurpose space and the renovation of the existing public toilet block

2020/00592/FUL	O	Land at Morfa Lane, Llantwit Major	Proposed construction of agricultural workers dwelling and access
2020/01236/FUL	A	Ellerslie, Sully Road, Penarth	Proposed garage in place of existing garage and redundant horse stables, including change of use of land
2020/01290/FUL	A	Glasfryn, 11, Lower Cwrt Y Vil Road, Penarth	Demolition of existing garage and construction of a single storey outbuilding to provide store, gym and home office
2020/01400/FUL	A	9, Whitcliffe Drive, Penarth	First floor extension above existing garage utility area and lounge to rear with balcony to front elevation. Single storey ground floor rear extension. Proposed loft conversion complete with rear dormer and balcony and raising existing ridge height. Proposed solar panels
2020/01432/1/N MA	A	Lyndhurst, 105, Cardiff Road, Dinas Powys	Non Material Amendment - Extension shape to change because we have to build around an inspection chamber and set off boundary. Size is reduced but materials are the same. Smaller bifold or sliding doors and a smaller flat roof light will compliment the new shape better. Also cladding would be a darker grey, anthracite. Planning approval 2020/01432/FUL - A drive, a single storey plus a first floor extension
2020/01540/FUL	A	68, Wordsworth Avenue, Penarth	Part single storey part two storey rear extension and loft conversion

2020/01579/FUL	A	Plot 3, Craig Yr Eos Avenue, Ogmore By Sea	Regularise the ground levels of the development, and submit details to satisfy condition no's 6, 7, 8, 9, 15 and 17. Previous approval 2015/00523/FUL - New build 3 bedroom detached dwelling with integral garage at Plot 3, Craig Yr Eos Avenue, Ogmore By Sea
2020/01584/FUL	O	73, Eastgate, Cowbridge	Renovation of Grade II Listed vacant shop and installation of mezzanine structure. Renovation of rear cottage to create two apartments. Renovation and extension of rear coach house to create a new family dwelling. Provision of associated access, parking, landscaping and amenity space
2020/01585/LBC	A	73, Eastgate, Cowbridge	Renovation of Grade II Listed vacant shop at 73 Eastgate and installation mezzanine structure. Renovation of rear cottage to create two apartments. Renovation and extension of rear coach house to create a new family dwelling. Provision of associated access, parking, landscaping and amenity space
2021/00005/FUL	A	Lower Monkton, Broughton	To install two temporary glamping bell tents on decking in our field. Each tent would be place on a wooden decking platform. Separate toilet block with solar powered shower cubicle and toilets would utilise a Glampsan flat tank

2021/00033/FUL	A	The Oystercatcher, Terra Nova Way, Penarth	Alterations to existing beer garden, to include a shipping container structure for use as an outside bar servery and covered timber seating booths. Festoon lighting and landscaping
2021/00047/FUL	A	17, Dochdwy Road, Llandough, Penarth	Balcony at first floor level to front elevation with stainless steel hand railing and toughened etched glass
2021/00058/FUL	A	The Gables, Station Road East, Wenvoe	Change of hip roof to gable roof with new window to gable on front elevation. Re-use existing roof tiles on visible surfaces with window and finishes to match existing
2021/00076/FUL	A	Groeswen, Cowbridge Road, Llantwit Major	Conversion of outbuildings into granny annexe
2021/00092/FUL	R	105, Plymouth Road, Penarth	Installation of trellised fence above the existing brick wall at front and side elevations.
2021/00094/FUL	A	The Old Manse, Chapel Lane, St Nicholas	Erection of a two and a half storey rear extension, slight internal reconfiguration and modification to existing openings.
2021/00133/FUL	A	2, The Limes, Cowbridge	Altering layout internally and extending first floor including Juliet balcony, over back of ground floor
2021/00142/FUL	R	10, Clive Place, Penarth	Replace the single dormer with a dormer spanning the full width of the property roofspace
2021/00154/FUL	A	Larkfield, St. Andrews Road, Dinas Powys	Enlargement of existing vehicle access

2021/00179/FUL	A	13, Fennel Close, Cogan	Single and Two Storey Side Extension, with Single Storey Extension to Front Elevation
2021/00189/FUL	A	The Forge Cottage, Cowbridge Road, St. Nicholas	Replace all windows and doors.
2021/00201/FUL	A	6 Walston Close, Wenvoe	Existing garage to front of property to have the roof raised to allow for adaptations
2021/00202/FUL	A	73A, Stanwell Road, Penarth	Demolish front garden concrete wall and replace with wall constructed with red smooth imperial brick to match house and other front walls in the vicinity and finished with similar quality red smooth coping bricks. Replacement wall to be the same dimensions as existing approx 7500mm x 900m high
2021/00213/LAW	A	11, Picca Close, Culverhouse Cross	Construction of orangery to the rear of the property bringing the ground floor in line with family room of the property.
2021/00225/FUL	A	Frampton Lane, Llantwit Major	Wooden building
2021/00240/FUL	A	The Old Farmhouse, Treerhyngyll	Conversion of existing workshop/store and creation of a second storey to form granny annexe
2021/00243/FUL	A	Glamorganshire Golf Club, Lavernock Road, Penarth	Construction of covered gazebo with partially open sides
2021/00248/FUL	A	Tyn Y Caeau Farm, Sutton Road, Llandow	Extension of existing free-range poultry building from 12,000 to 16,000 hens



2021/00253/FUL	A	24, Glastonbury Road, Sully	Proposed two storey side gable roof extension with new roof dormers to front, rear and existing side elevation
2021/00256/FUL	A	46, Cilgant Y Meillion, Rhoose	Proposed garage conversion, ground floor rear extension, and attic conversion, including raising the ridge height by 800mm and constructing a flat roof dormer at the rear with rooflights in the front.
2021/00262/FUL	A	20, Heol Neuadd Cogan, Caversham Park, Penarth	Single storey rear garden room extension with flat roof and log burner chimney
2021/00269/FUL	R	16, Clive Place, Barry	Erection of garage and gaming room / gym.
2021/00271/FUL	R	42, Illtyd Avenue, Llantwit Major	Replace an existing summerhouse with a log cabin.
2021/00272/FUL	A	8, Maillards Haven, Penarth	First floor side extension and alterations
2021/00273/FUL	A	Stanfield House, Llantwit Road, Wick	Retention of a self-build detached dwelling
2021/00274/FUL	A	35, Coleridge Avenue, Penarth	Demolition of single storey rear extension(s) and front porch. Erection of single storey rear extension, two storey rear extension, hip to gable roof extension and dormer, single storey side extension and replacement porch
2021/00275/FUL	A	Pancross Farm, Llancarfan	Extension to Agricultural Machinery Workshop
2021/00276/FUL	A	Gwynfa, David Street, Wick	First floor side extension above existing garage and single storey rear extension

2021/00277/FUL	A	26, Archer Road, Penarth	Removal of front elevation extension and double garage. New single storey extension to rear elevation. Conservation roof lights to third floor roof. Existing uPVC windows replaced with new PVC sash windows
2021/00280/FUL	A	21, Main Avenue, Peterston Super Ely	Erection of timber framed, cement board clad garden room/office with WC, basin and shower.
2021/00286/FUL	A	MOD St. Athan, St. Athan	Proposed CCTV and fence line screening
2021/00303/FUL	A	98, South Road, Sully	Replace an existing garage with single storey extension. Infill the rear corner between two existing extensions to create a larger dining room. Re-roof the entire property with a dark grey tile and reclad existing dormers with composite cladding to complement new roof finish
2021/00304/FUL	A	8, Tair Onen, St. Hilary	Replacement of a single story rear extension with a larger single story rear extension
2021/00308/FUL	A	18, Mountjoy Avenue, Penarth	Proposed removal of existing detached pre-fabricated and part block garage at side of property and construction of attached double garage with storage area with canopy over front door
2021/00309/FUL	A	5, Burdons Close, Wenvoe	Single storey side extension

2021/00310/FUL	A	2A, Elfed Avenue, Penarth	Two storey side extension with single storey rear extension plus all associated works
2021/00313/FUL	A	15, West Terrace, Penarth	Loft conversion with 2 new flat roof dormers plus all associated works
2021/00319/FUL	A	7, Darren Close, Cowbridge	Ground floor front and rear extensions, first floor extensions to front elevation, balcony to first floor rear elevation and new paving to existing drive
2021/00322/FUL	A	40, Oxford Street, Barry	Two storey kitchen and bathroom domestic extension
2021/00333/FUL	A	Oaktree Farm, Morfa Lane, Wenvoe	Removal of condition 4 of permission 84/00827/OUT that requires that the occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed in the locality in agriculture or forestry.
2021/00334/FUL	A	24, Cardiff Road, Barry	Proposed double garage on existing hardstand to rear
2021/00336/FUL	A	14, Plassey Square, Penarth	Proposed rear dormer extension. Proposed front Velux cabrio and roof lights
2021/00337/FUL	A	2, South View, Boverton, Llantwit Major	Conversion of existing integrated garage to an office and storage space
2021/00347/FUL	A	100, High Street, Barry	Change of use from A1 - A3
2021/00349/FUL	A	137, Stanwell Road, Penarth	Loft conversion with two dormers to the rear of the house

2021/00351/FUL	A	17, Grove Place, Penarth	Single storey side extension
2021/00356/FUL	A	41, Pantycelyn Road, Llandough, Penarth	Loft conversion with rear box dormer
2021/00357/FUL	A	34, Seaview Place, Llantwit Major	Proposed construction of a two storey rear extension
2021/00358/FUL	A	27, Four Acre, Llantwit Major	Proposed construction of a front porch to extend hallway and provide ground floor WC
2021/00362/FUL	A	6, Geraint Place, Barry	To build 6ft wall at rear garden to give security and privacy
2021/00369/LAW	A	129, Plymouth Road, Penarth	Single storey rear extension
2021/00370/FUL	A	12, Coigne Terrace, Barry	Proposed rear dormer loft conversion
2021/00381/FUL	A	16, Dulverton Drive, Sully	Single storey rear extension
2021/00383/FUL	A	13, Windsor Terrace, Penarth	Variation of Condition 1 of 2016/00299/FUL - 5 Year time limit - Single storey rear side extension and install chimney with new steel cowl
2021/00386/FUL	A	17, Fairfield Crescent, Llantwit Major	Front porch extension
2021/00390/FUL	A	6, Pioden For, Barry	Proposed porch
2021/00396/FUL	A	2, Gibbonsdown Rise, Barry	Construct to rear of dwelling new single storey extension - to accommodate new granny flat accommodation for applicant's elderly and frail mother
2021/00398/FUL	A	Upper Field, Clemenstone	Proposed field shelter for ponies and horses

2021/00402/FUL	A	11, Merevale, Dinas Powys	Car port and single storey workshop/storage extension
2021/00411/FUL	A	The Waverley Care Centre, 122-124, Plymouth Road, Penarth	Proposed canopy to first floor roof terrace and rebuild part front unstable boundary wall with new gates
2021/00414/FUL	A	Fox Hollows, Slon Lane, Ogmore By Sea	Full demolition and new build replacement dwelling
2021/00415/FUL	A	41, Badgers Brook Rise, Ystradowen	Rear two storey extension
2021/00416/FUL	A	Gilfach, 42, Grange Gardens, Llantwit Major	Single storey side extension and photovoltaics
2021/00419/FUL	A	46, Gelyn Y Cler, Barry	Proposed garage conversion
2021/00420/FUL	A	24, Phyllis Street, Barry	Proposed loft conversion with rear facing dormer
2021/00427/FUL	R	2, Bungalow, Waycock Road, Barry	Resubmission of 2020/01182/FUL for: Amendments to planning approval 2018/00123/FUL proposed enlargement to garage, gymnasium and hobby room to first floor as approved
2021/00431/FUL	A	Holme View, 10, Evenlode Avenue, Penarth	Modernisation of existing dormer bungalow, including central 2 storey front gable with porch, roof extension above garage to side, and 2 storey rear extension with Juliette balconies
2021/00432/FUL	A	13, Suran Y Gog, Barry	Single storey rear and side extension inc. garage conversion and reconfigured fenestration

2021/00436/LAW	A	21, Heol Miaren, Barry	Single storey rear extension
2021/00442/FUL	A	59, St. Johns View, St. Athan	Part conversion of existing double garage
2021/00443/FUL	A	1, The Barns, Penylan Road, St. Brides Major	Single storey rear extension
2021/00444/LAW	A	342, Barry Road, Barry	Proposed single storey rear extension
2021/00446/FUL	A	The Glamorganshire Golf Club, Lavernock Road, Penarth	Refurbishment of existing car park surface to include asphalt finish to access road and parking spaces and grasscrete parking surfaces to overflow area. Upgrade to surface water drainage in accordance with the SUDS approval. Replacement of perimeter fence to whole of Lavernock Road boundary
2021/00447/FUL	A	74, Redbrink Crescent, Barry	To construct timber framed/clad hot tub enclosure to rear of dwelling to include lowering of ground level (works completed)
2021/00455/FUL	A	Land to the Northern end of Keithrow, Bro Tathan, St. Athan	Erection of 'Meet Me' utilities kiosk, concrete base and associated works
2021/00456/LAW	A	21, Chamberlain Row, Dinas Powys	Proposed rear single storey extensions
2021/00457/FUL	A	Lincoln House, 79, Plymouth Road, Penarth	Replacement of wooden sash windows at both the front and rear of the house with white PVC units, using a comparable sliding sash mechanism and retaining the stain glass features currently at the top of the ground floor bay, within the new windows, in the same

			position and enclosed within non opening units.
2021/00463/FUL	A	Blaenwaun, 13, Albert Crescent, Penarth	Rear single storey extension to replace the existing conservatory
2021/00467/FUL	A	10, Beryl Place, Barry	Proposed ground floor rear kitchen extension and side extension to accommodate a utility Room, shower room, staircase and hall / porch. First floor bedroom and bathroom extension
2021/00478/FUL	A	Penllyn Estate Farm, Llwynhelig, Cowbridge	Development of a hot food takeaway unit (Use Class A3) associated with the existing Forage Farm shop
2021/00481/ADV	A	Royal Bank Of Scotland Plc, 142-144, Holton Road, Barry	Bi-lingual Hoarding to promote Barry
2021/00482/FUL	A	10, White House, Barry	Proposed side extension to the existing garage, and roof alterations with dormer above the garage structure to form an additional bedroom and en-suite shower room
2021/00485/FUL	A	22, Mill Park, Cowbridge	Extension with Juliette balcony over existing ground floor and external alterations
2021/00516/LAW	A	82, Dochdwy Road, Llandough	Rear lean to single storey extension, all finishes to match existing
2021/00530/LAW	A	22, Winsford Road, Sully	Single storey pitched roof rear kitchen extension
2021/00552/FUL	A	109, Pontypridd Road, Barry	Change hip to gable and form dormer loft conversion
2021/00584/PNA	A	Pentre Hwnt Farm, Llampha	Biomass storage building and grain storage building

2021/00659/PNA A Abernant Cottage,  
Llancarfan

Portal Frame Extension to  
existing Agricultural  
Machinery Store - building  
extended from 12.2 m to  
18.3 m, same depth



THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **24 JUNE, 2021**

REPORT OF THE HEAD OF REGENERATION AND PLANNING

3. APPEALS

(a) Planning Appeals Received

LPA Reference No: 2020/01530/FUL  
Appeal Method: Written Representations  
Appeal Reference No: 21/3273339  
Appellant: Mr Matthew Courtney  
**Location: 33, Station Road, Penarth**  
Proposal: Erection of a one bedroom house and associated development thereto  
Start Date: 23 April 2021

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LPA Reference No: 2020/00353/FUL  
Appeal Method: Written Representations  
Appeal Reference No: D/21/3273742  
Appellant: Mr & Mrs Majewski  
**Location: 2, Bramble Rise, Cogan, Penarth**  
Proposal: Two storey extension to side elevation of property and extended curtilage  
Start Date: 30 April 2021

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LPA Reference No: 2020/01467/FUL  
Appeal Method: Written Representations  
Appeal Reference No: 21/3275640  
Appellant: Mr Anthony Pritchard  
**Location: Land adjacent The Lindens, Bradford Place, Penarth**  
Proposal: New predominantly single storey dwelling with recessed two storey element  
Start Date: 25 May 2021

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LPA Reference No: 2021/00181/FUL  
Appeal Method: Written Representations  
Appeal Reference No: D/21/3275598  
Appellant: Mr. Alan Newton  
**Location: 51, Amherst Crescent, Barry**  
Proposal: Proposed first floor extension over existing garage with Juliette balcony to front elevation, additional window to first floor rear elevation  
Start Date: 26 May 2021

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LPA Reference No: 2021/00427/FUL  
Appeal Method: Written Representations  
Appeal Reference No: D/21/3275782  
Appellant: Mr Wahid Khan  
**Location:** **2, Bungalow, Waycock Road, Barry**  
Proposal: Resubmission of 2020/01182/FUL for:  
Amendments to planning approval  
2018/00123/FUL proposed enlargement to  
garage, gymnasium and hobby room to first floor  
as approved  
Start Date: 3 June 2021

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L.P.A. Reference No: 2020/00093/FUL  
Appeal Method: Written Representations  
Appeal Reference No: 21/3276345  
Appellant: Mr. S. H. Walters  
**Location:** **St. Maeburne, 15, Marine Parade, Penarth**  
Proposal: Proposed alteration works and roof extension to  
convert existing disused garage into additional  
unit of residential accommodation  
Start Date: 7 June 2021

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(b) Enforcement Appeals Received

LPA Reference No: ENF/2020/0208/PRO  
Appeal Method: Written Representations  
Appeal Reference No: C/21/3273028  
Appellant: Mrs Jillian Lias  
**Location:** **98, South Road, Sully**  
Proposal: Without planning permission, the installation of a  
1.8-metre-high (approximately) wooden fence  
along the front boundary of the Property  
Start Date: 10 May 2021

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(c) Planning Appeal Decisions

LPA Reference No: 2020/01267/FUL  
Appeal Method: Written Representations  
Appeal Reference No: D/21/3269191  
Appellant: Mr Kevin Moss  
**Location:** **Meadow Barn, Llantrithyd**  
Proposal: Single storey side extension  
Decision: Appeal Dismissed  
Date: 15 April 2021  
Inspector: J Tudor  
Council Determination: Delegated

## Summary

The main issue was considered to be the effect of the proposed single story extension on the character and appearance of the existing dwelling and the area. The appeal property was a single-storey dwelling, converted in 1992 from part of a larger barn building and was located within the Lower Thaw Valley Special Landscape Area.

The proposed single-storey extension was designed to be lightweight, with its contemporary timber and glazed form differentiating it from the parent building. The Inspector identified that Meadow Barn and the adjoining dwelling, Y Grawndy, had been sensitively converted from a sizeable U-shaped agricultural barn, which maintained its original form and character. However in contrast, the proposed extension would protrude noticeably from the side of the existing building by some 4m, materially compromising the simple linear form of the original barn, which currently helped preserve its agrarian character. The 11.5m timber side elevation would also obscure a significant proportion of the attractive stonework along the side of the main building which contributed to its historic form and appearance.

The Inspector considered other nearby extensions, including that at the adjoining dwelling, Y Grawndy and also an extension at Gigman Barn, St Mary Church which was allowed on appeal, but considered in both cases that there were limited similarities with the appeal proposal.

It was therefore concluded that the design, position and size of the extension would have a significant adverse effect on the character and appearance of the existing single-storey dwelling and thereby, on the area and consequently, it would conflict with LDP Policies MD2, MD11 and MD12 and supporting advice contained within the SPG. The appeal was therefore dismissed.

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LPA Reference No:	2020/00940/FUL
Appeal Method:	Written Representations
Appeal Reference No:	D/20/3265992
Appellant:	Mr Daryl Hall
<b>Location:</b>	<b>11, Anchor Road, Penarth</b>
Proposal:	Loft conversion with sun terrace to front and external alterations including an increased balcony to the rear and Juliet balcony to the first floor front elevation
Decision:	Appeal Dismissed
Date:	16 April 2021
Inspector:	Aidan McCooey
Council Determination:	Delegated

## Summary

The main issues were considered to be the effect of the proposal on the character of the existing dwelling and character and appearance of the area and the impact of the proposal on the living conditions of the occupiers of the

adjoining dwellings due to loss of privacy. The appeal property was a 3-storey townhouse at the end of a terrace within a large modern development at Penarth marina. The Inspector identified that there were two aspects of the development which were of concern, firstly the alterations to the roof to provide a lounge to the rear and bi-fold doors leading to a sun terrace and secondly, the proposed larger first-floor balcony to the rear.

### ***The roof alterations***

It was identified that the removal of the front gable feature and roof to create the terrace and surrounding glass screens would have a significant impact on the dwelling and the street scene and would result in an imbalance in the identical pair of semi-detached dwellings. The existing modern development was uniform in design and appearance, however the proposal would be a large scale, prominent alteration to the roof that would be out of character with its immediate context and the wider surroundings and contrary to Policies MD2 and MD5 and the SPG. Whilst the loss of privacy for occupants of the flats to the front of the dwelling had been raised in objections, the Inspector considered that the degree of overlooking from the roof terrace would not be significantly greater than that from existing windows, the distance between the buildings and the nature of the windows overlooked would mitigate any impact and views to either side would be limited by the proposed privacy screen.

### ***The proposed balcony***

It was identified that the rear balconies on properties in this part of the development were of a uniform design and their size and shape also prevented significant overlooking of the rooms of adjoining properties, however the enlarged balcony would be out of character with those on other properties in the local area. The increase in the depth of the balcony by around 1.5m on one side would also have an adverse effect on the privacy of the neighbouring property and although the LPA had indicated that this could have been addressed by a privacy screen, the appellant considered that this would not be acceptable because it would block views. As no privacy screen was proposed, the Inspector concluded that the potential for overlooking would adversely affect the living conditions of the adjoining residents and the proposal would therefore be contrary to LDP Policy MD2 and guidance within the SPG.

The Inspector acknowledged that there was already a high degree of overlooking of garden areas from existing balconies but concluded that the proposed roof alterations and rear balcony would not be acceptable and that the appeal should be dismissed.

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LPA Reference No:	2020/00436/FUL
Appeal Method:	Written Representations
Appeal Reference No:	21/3266410
Appellant:	Mr Richard Hubbard
<b>Location:</b>	<b>Bryn Eglwys Barn, Heol Las, Monknash</b>
Proposal:	Change of use of barn to 1 no. holiday let along with associated ancillary works
Decision:	Appeal Allowed
Date:	16 April 2021

Inspector: Richard Jenkins  
Council Determination: Delegated

## Summary

The main issue was whether the development would preserve or enhance the character or appearance of the barn and Monknash Conservation Area.

The appeal proposal was to convert and extend a disused barn within the Glamorgan Heritage Coast and Monknash Conservation Area to form a self-contained unit of holiday accommodation. The Inspector noted that the LDP was generally supportive of low impact rural tourism related development and the Council had confirmed that the conversion of the barn would be acceptable in principle.

### ***Character and Appearance/ Monknash Conservation Area***

The Council considered that the development would be contrary to criterion 2 of Policy MD11 of the LDP, which states that conversions will be acceptable where the reuse can be achieved “*without substantial reconstruction, extension or alteration that unacceptably affects the appearance and rural character of the building or its setting*” and also Policy MD2, relating to the ‘*Design of New Development*’.

The Inspector was satisfied however that the building was structurally sound and capable of conversion without ‘*substantial reconstruction*’ and the extension would follow the line of an existing stone wall which was of a substantial scale and formed an integral element of the existing built form. Whilst considering the SPG relating to ‘*Conversion and Renovation of Rural Buildings*’ which states that buildings must not rely on substantial new build elements, the Inspector was of the view that as the extension would be within the confines of a substantial wall, this would act as significant mitigating circumstances. The Inspector therefore concluded that the proposed extension would remain a subservient feature and the sensitive use of materials would also assist in assimilating the structure into the existing built form and would not therefore unacceptably affect the appearance and rural character of the building or its setting.

Whilst the Council considered that the development would extend into the adjacent field, the Inspector did not agree that this would represent an unacceptable incursion into undeveloped land as the extension would be sited within the confines of a stone wall and would not be materially inconsistent with the existing pattern of development in the area. The barn was highlighted as a ‘*positive building*’ in the Monknash Conservation Area Management Plan and the Inspector did not consider that the wider conversion would unacceptably impact upon the barn and the fact that a vacant and unkempt parcel of land would be brought back into use weighed further in its favour. It was therefore concluded that the proposed development would preserve the character and appearance of the barn and Monknash Conservation Area and would thereby be compliant with the legislative requirements of S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, LDP Policies SP1, SP10, MD1, MD2, MD8 and MD11 and the Council’s SPG.

### **Other Matters**

The Inspector did not consider that the proposal would not represent a material risk to pedestrian or highway safety or materially harm the living conditions of the occupiers of neighbouring properties. It was acknowledged that the LDP was generally supportive of tourism related development and concerns relating to antisocial behaviour were unsubstantiated by any evidence. It was therefore concluded that the appeal should be allowed, subject to conditions.

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LPA Reference No:	2020/01258/FUL
Appeal Method:	Written Representations
Appeal Reference No:	D/21/3270982
Appellant:	Mrs. Christine Pegg
<b>Location:</b>	<b>26, Plas Taliesin, Portway Marina, Penarth</b>
Proposal:	Proposed glass screened balcony to front elevation, new bedroom window/door unit and porch roof works
Decision:	Appeal Allowed
Date:	27 April 2021
Inspector:	Richard Duggan
Council Determination:	Delegated

### **Summary**

The main issue was considered to be the impact of the proposal on the character and appearance of the host dwelling and street scene.

The appeal property was a mid-terraced property located within a residential cul-de-sac on Plas Taliesin and it was proposed to erect a glass screened balcony on the front elevation overlooking the marina extending 3.8m across the width of the elevation at first floor level and 1.4m in depth. The balcony would replace the small lean-to roof above the front porch, would incorporate 1.8m privacy screens made of opaque toughened safety glass placed on either end and be accessed via new doors that would replace the existing first floor bedroom windows.

The Inspector noted that balconies, glass balustrades and other modern glazed additions were commonplace within the marina, especially on those properties that overlooked the marina and changes had taken place to a number of properties in close proximity to the appeal site, including the addition of glass balustrades and balconies. In this context, it was considered that the changes, whilst clearly altering the appearance of the building and this terrace of properties, would not materially harm the appearance of the building or the character of the area as a whole. The main part of the glazed balcony would also be essentially transparent and would not in itself appear out of place.

Whilst the Inspector took into account another proposal for a first floor balcony at Plas Pamir which was dismissed on appeal, he considered that the two schemes were sufficiently different and concluded that the proposed

development would not cause material harm to the character and appearance of the host dwelling or the street scene and would not conflict with Policies SP1, MD2 or MD5 of the LDP. The appeal was therefore allowed, subject to conditions.

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LPA Reference No:	2020/00675/FUL
Appeal Method:	Written Representations
Appeal Reference No:	21/3267821
Appellant:	Mr Alan Barker
<b>Location:</b>	<b>Front Garden of The Beeches, Penllyn</b>
Proposal:	New dwelling
Decision:	Appeal Dismissed
Date:	28 April 2021
Inspector:	Richard Jenkins
Council Determination:	Delegated

### **Summary**

The main issues were the effect of the proposed development upon the character and appearance of the area, whether the development would provide acceptable living conditions for future occupiers, including outdoor amenity space and whether the development should make a financial contribution towards the delivery of affordable housing.

### ***Character and Appearance***

The Inspector agreed with the Council's objection to the proposed development, that it would appear a visually incongruous and insensitively designed form of development. He considered that the scale, siting and overall relationship with the existing dwelling ('*The Beeches*') would result in a harmful form of tandem development that would appear as an insensitive, contrived and discordant feature in the street scene. A protected beech tree located within close proximity to the appeal site had significant amenity value and there was potential for it to be damaged by the proposed development. Whilst the appellant had submitted a Tree Report, this was not prepared by a qualified arboriculturist as required by the Council's SPG and the Inspector therefore considered that the Council's concerns regarding the long-term health of that tree were well-founded. It was therefore concluded that the proposal would conflict with LDP Policies MD2 and MD5, the Council's SPG and the placemaking principles that underpin national policy.

### ***Living Conditions***

The Council considered that in accordance with its SPG standards for outdoor amenity space, around 80 square metres amenity space was required for dwellings such as that proposed. Whilst the Inspector considered that such standards should not be applied prescriptively, given that a significant proportion of the amenity space would be located to the front and side of the dwelling, adjacent to the shared access to '*The Beeches*', there was little to suggest that adequate private space would be provided. As the only private amenity space proposed would be severely restricted in its width, and thereby of limited use, the Inspector agreed with the Council's assessment that the

development would fail to provide adequate private and usable amenity space, to the detriment of the living conditions of future occupiers.

Whilst noting that there were other properties within the area that would not meet such space standards, there was no evidence to suggest that planning permission had been granted under the same planning policy framework. It was therefore concluded that the development would conflict with LDP Policies MD2 and MD5 and the '*Residential and Householder Development*' SPG.

### **Affordable Housing**

Whilst the appellant had not objected to providing the financial obligation required by the Council's affordable housing policy, the appeal was not accompanied by a legal agreement and there was no mechanism for executing such an agreement. As the appeal proposal did not make provision for necessary obligations in respect of the delivery of affordable housing, it therefore failed to satisfy the requirements of LDP Policies SP1, MG4 and MD4, the Council's SPG and national policy.

It was therefore concluded that the proposed development would cause material harm to the character and appearance of the area, fail to provide acceptable living conditions for future occupiers and fail to provide a mechanism to deliver necessary financial contributions towards affordable housing and that the appeal should be dismissed.

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LPA Reference No:	2020/01238/FUL
Appeal Method:	Written Representations
Appeal Reference No:	D/21/3269183
Appellant:	Mr & Mrs Meredith-Hardy
<b>Location:</b>	<b>Mews Cottage, Llantrithyd</b>
Proposal:	Replacement of single storey extension with two storey extension and internal alterations
Decision:	Appeal Dismissed
Date:	19 May 2021
Inspector:	R Duggan
Council Determination:	Delegated

### **Summary**

The main issue was considered to be the effect of the proposal on the character and appearance of the host building and the surrounding area.

The appeal building was located within the open countryside and formed part of a group of buildings including Ty Uchaf Farm. 'Mews Cottage' was a two-storey barn and appeared as a very traditional agricultural barn, especially when viewed from the adjacent highway. The Inspector noted that although the barn had been renovated and refurbished in recent years, it continued to have a simple architectural form with a limited number of window and door openings. The appeal proposal was to create a second floor extension above the existing pitched roof single-storey structure on the southern elevation.



The Inspector considered that whilst the extension would utilise stonework to match the existing barn and would be set down from the existing ridge, the scale and bulk of the extension would be excessive and its design would not complement the agricultural character of the barn. Additional windows and rooflights would be inserted and also a flue within the roof of the extension. It was considered that these alterations along with the much larger ground floor patio doors and first floor window would introduce modern and domestic features to an historic agricultural barn and as such, the development would unacceptably harm the simple agricultural appearance of the barn. The identity and composition of the barn would therefore be lost.

It was therefore concluded that the proposed development would have a detrimental impact on the host building and surrounding area, contrary to Policies MD2, MD11 and SP10 of the LDP and the Council's SPG and that the appeal should be dismissed.

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LPA Reference No:	2020/00690/OUT
Appeal Method:	Written Representations
Appeal Reference No:	21/3269937
Appellant:	Mr. David Hannah
<b>Location:</b>	<b>1, Breach Cottages, Bonvilston</b>
Proposal:	Three-bedroomed bungalow with accommodation in the roof space
Decision:	Appeal Dismissed
Date:	7 June 2021
Inspector:	J P Tudor
Council Determination:	Delegated

### **Summary**

The main issues were considered to be the effect of the proposal on the character and appearance of the area, highway safety, trees and protected species and whether the proposal would make an appropriate contribution towards affordable housing.

### ***Character and appearance***

The appeal site comprised a parcel of land adjacent to 1 Breach Cottages which was located not far from the entrance to Cottrell Park Golf Club, east of the defined settlement boundary of Bonvilston. The proposal was for outline permission for a three bedroom bungalow with accommodation in the roof space.

The dwelling would be between 6 and 7 metres high, 13 to 14 metres wide and 6 to 7 metres deep and the Inspector identified that substantial parts of it would be visible from public vantage points along the adjacent footpath and road, notwithstanding the boundary hedge, fencing or possible additional landscaping. Whilst the appellant suggested that an existing hedge could provide greater screening, the Inspector considered that there was no guarantee that screening would be maintained or would provide sufficient mitigation. The existing group of residential buildings was relatively discrete

and it was not therefore considered that the appeal proposal would constitute 'infilling' or that it 'adjoins' or would be a 'minor extension' to an existing settlement.

The Inspector concluded that the proposed development would extend a significant level of urban built form into a largely open, undeveloped, grassed area within the countryside and the effect of allowing such sporadic development in the countryside could incrementally and cumulatively, erode its character and appearance contrary Policies SP1, SP10 and MD1 for the LDP.

### ***Highway safety***

The Inspector considered that drivers using the access would not put pedestrians using the footway at risk and approaching drivers would be able to see vehicles attempting to join the road and was therefore acceptable in that respect. It was acknowledged however that the A48 remains a major distributor road and the Highways Authority (HA) considered that a ghost island (right turning) facility would be required to ensure efficient flows of traffic. The Inspector considered it to be unclear however if the geometry and dimensions of the road would be sufficient to accommodate a ghost island or that the matter could reasonably be addressed through a condition. It was therefore concluded that the proposed access arrangement would have an adverse effect on highway safety and on the efficient use of the highway network policy MD2 of the LDP.

### ***Trees and protected species***

The appeal site was identified as an open grassed area with several mature trees and it is bounded by hedgerow to the south however no tree survey or ecological assessment was provided with the original planning application or had been submitted with the appeal. Whilst it was acknowledged that layout and landscaping were reserved matters, the Inspector agreed with the Council that insufficient information had been provided to demonstrate that the proposed development could be carried out without harming healthy trees or protected habitats or species and the proposal would therefore not comply with LDP policies SP1, SP10, MD2 and MD9 or the supporting SPG.

### ***Affordable housing***

The Inspector identified that there was a 40% contribution for residential developments at this location which could be met by a financial contribution. Whilst the appellant had agreed that such a contribution was necessary and had advised that a Unilateral Undertaking (UU) to secure the sum was being submitted, none had been received.

The relevant Procedural Guide indicated that an executed and a certified copy of a planning obligation or UU had to be submitted no later than 6 weeks from the start date of the appeal, however there was no completed legal agreement. It was not appropriate to seek to secure such an agreement by means of a planning condition and the Inspector therefore concluded that the proposal failed to make the necessary contribution to affordable housing, contrary to the requirements of the LDP and supporting SPG.

***Planning Balance and Conclusion***

Whilst the proposed development would offer some economic benefits, future occupiers would contribute towards the local economy and there would be a contribution towards the supply of housing in a relatively sustainable location, the Inspector considered that benefits would be relatively modest. These factors were however outweighed by the harm to the character and appearance of the countryside and highway safety and the lack of information regarding on trees, biodiversity and protected species and it was therefore concluded that the appeal should be dismissed.

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(d) Enforcement Appeal Decisions

None

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(e) April 2021 – March 2022 Appeal Statistics

		Determined Appeals			Appeals withdrawn /Invalid
		Dismissed	Allowed	Total	
<b>Planning Appeals</b> (to measure performance)	<b>W</b>	5	2	7	-
	<b>H</b>	-	-	-	-
	<b>PI</b>	-	-	-	-
<b>Planning Total</b>		5 (71%)	2	7	
<b>Committee Determination</b>		-	-	-	-
<b>Other Planning appeals (inc. appeal against a condition)</b>		-	-	-	-
<b>Enforcement Appeals</b>	<b>W</b>	-	-	-	-
	<b>H</b>	-	-	-	-
	<b>PI</b>	-	-	-	-
<b>Enforcement Total</b>		(0%)	-	-	-
<b>All Appeals</b>	<b>W</b>	5	2	7	-
	<b>H</b>	-	-	-	-
	<b>PI</b>	-	-	-	-
<b>Combined Total</b>		5 (71%)	2	7	-

Background Papers

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

Contact Officer:

Sarah Feist - Tel: 01446 704690

Officers Consulted:

HEAD OF REGENERATION AND PLANNING

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : **24 JUNE, 2021**

REPORT OF THE HEAD OF REGENERATION AND PLANNING

4. 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

2020/01592/TPO	A	28, Clos Derwen, Dinas Powys	Works to two trees covered by Tree Preservation Order No. 4, 2014
2021/00224/TPO	A	Cross Common Road, Dinas Powys	Works to trees covered by Tree Preservation Order No. 5, 2014 to T6 - Oak (full details on form)
2021/00373/TPO	A	Ashwood House, Ystradowen	T1 lime tree, proposed 30% reduction- TPO No. 07 2005
2021/00375/TPO	A	The Spinney, St. Mary Church, Cowbridge	Works to Tree covered by TPO No. 10 2004-Removal of 1 x Ash tree
2021/00384/TPO	A	Tesco's Stores, Dinas Powys Castle Express, Castle Drive, Dinas Powys	Work to Trees covered by TPO No. 15, 2004 : Reduction of a English Oak Tree to rear of store. Reduce the Oak tree by 1.5m - over the whole tree 360% - Removing any dangerous branches & deadwood from within the tree

2021/00389/TPO	A	1, Cwrt Leubren, Barry	Works to Trees covered by Preservation Order No. 10 2001. Reduction of crowns to T3 Oak two number
2021/00429/TCA	A	Cartref, St Hilary, Cowbridge	T1 - Ash - 30% reduction; T2 - Birch- end weight reduction of lower limbs; T3 - Cherry 25% reduction; T4 - Holly - reduce by 2-3m and cut back overhang from garden
2021/00433/TCA	A	55, Plymouth Road, Penarth	Work to Tree(s) in a Conservation Area: Fell Oak Tree
2021/00454/TCA	A	1, Llanmihangel Rise, Llanblethian, Cowbridge	Work to Tree(s) in a Conservation Area: Dismantle and remove the group of Conifers and Weeping Cypress in the front garden
2021/00461/TCA	A	New Mill Cottage, Llancarfan	Work to Trees in a Conservation Area: There are eleven Ash trees along the bank of Nant Llancarfan within my property that are at various stages of Ash Dieback. Also four willow trees of poor form, all these trees removed and to plant various replacement Willows along the bank A clump of eight Sycamore trees in my garden should be removed as it is encroaching on the shed. This tree does not add to the crown of the trees. The others are planned to be pollarded to about 15-20 feet as previously.
2021/00486/TCA	A	17, Archer Road, Penarth	Work to tree(s) in a Conservation Area: Remove Tree in our rear garden ( species unknown)

			is leaning on to our garden wall
2021/00507/TCA	A	Madison, Llysworney	Work to Trees in a Conservation Area: Removal of two Silver Birch trees in rear garden
2021/00519/TCA	A	In field at rear of Whitwell House, Llanbethery	Work to trees in a Conservation Area: Removal of five Leylandii
2021/00557/TCA	A	The Green, Llancarfan, Barry	Works to Trees in Llancarfan Conservation Area: Removal of branches off one Field Maple tree overhanging garage area (T1) Removal of two overhanging Leylandii trees (T2 and T3) Coppicing of one Hazel tree (T4)
2021/00602/TPO	A	Butleigh, Pendoylan	Works to trees covered by Tree Preservation Order No.4 of 1972: Oak - Reduce canopy by 40% and reshaping

THE VALE OF GLAMORGAN COUNCIL

PLANNING COMMITTEE : 24 JUNE, 2021

REPORT OF THE HEAD OF REGENERATION AND PLANNING

5. 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.



**2020/00938/FUL** Received on 7 October 2020

**APPLICANT:** J.E. Thomas & Son. Flemingston Court, Flemingston Road, Flemingston, CF62 4QJ

**AGENT:** Mr Jeremy Mead, No. 2, The Courtyard, Lion Street, Abergavenny, NP7 5PE

**Flemingston Court, Flemingston Road, Flemingston**

New stock shed and feed storage space off existing stock/feed shed

**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 has been submitted by a current Member of the Council.

**EXECUTIVE SUMMARY**

The application seeks planning permission for the erection of a new steel framed general stock shed and feed storage space, positioned off the western end of an existing agricultural stock shed. The application site is on land adjacent to and part of the existing farm complex at Flemingston Court Farm, Flemingston. The proposed development is considered acceptable in relation to its siting, design and its impact on the rural area and the Special Landscape Area (SLA). Furthermore it is considered acceptable with regard to the setting of nearby listed buildings and the character and appearance of the Flemingston conservation area, neighbouring amenity and archaeology. The application is recommended for approval subject to conditions.

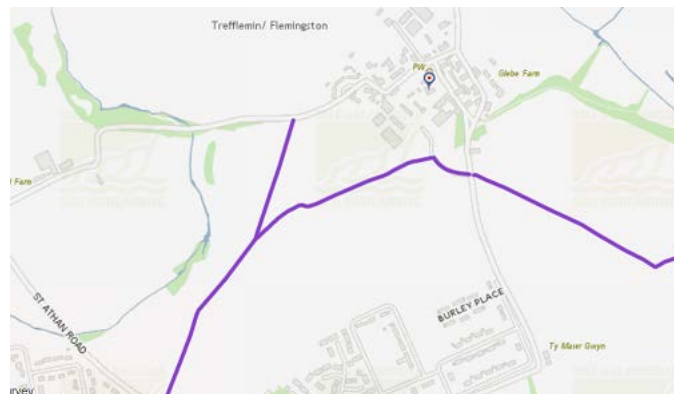
**SITE AND CONTEXT**

The site relates to agricultural land adjoining the existing farm complex at Flemingston Court. The main farmhouse is a large Grade II\* listed building and County Treasure within the Flemingston Conservation Area. The site itself and the majority of the farmyard (which contain more modern agricultural barns) are located adjacent to the boundary of the Conservation Area. The site is within the Upper & Lower Thaw Valley Special Landscape Area. The field which includes the application site is bounded to the south by a public right of way which links to a further public right of way to the west.

## Site Location Plan



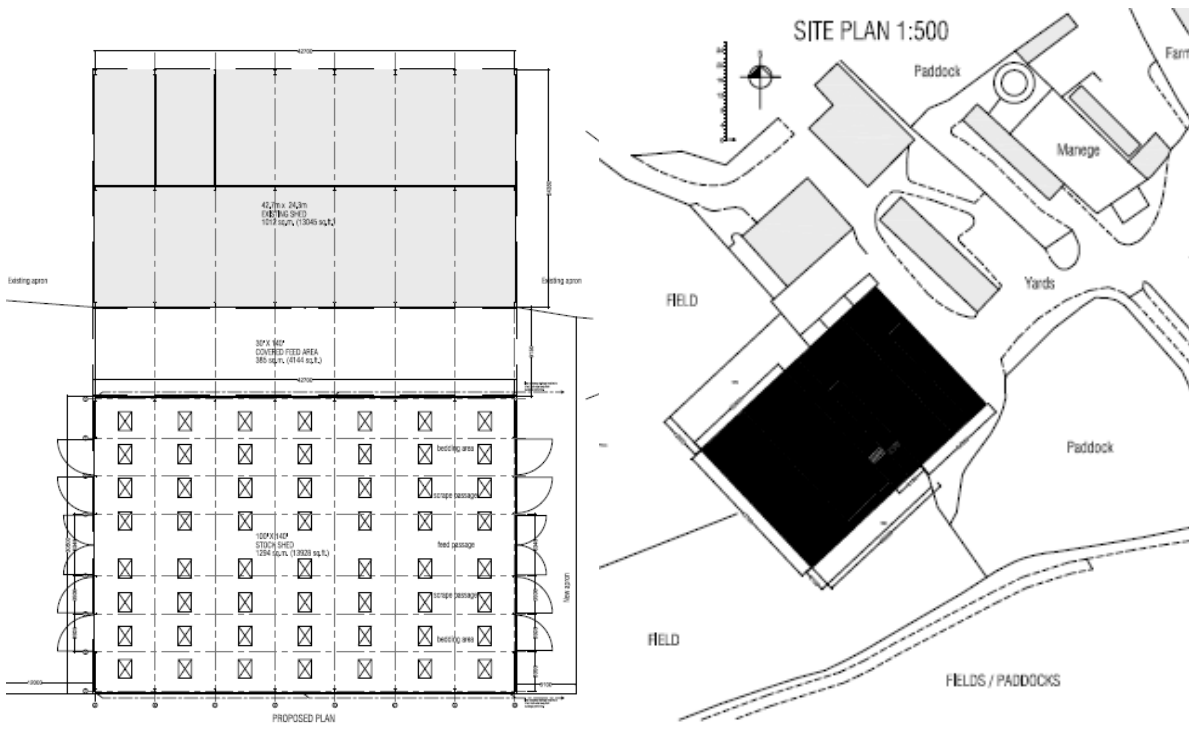
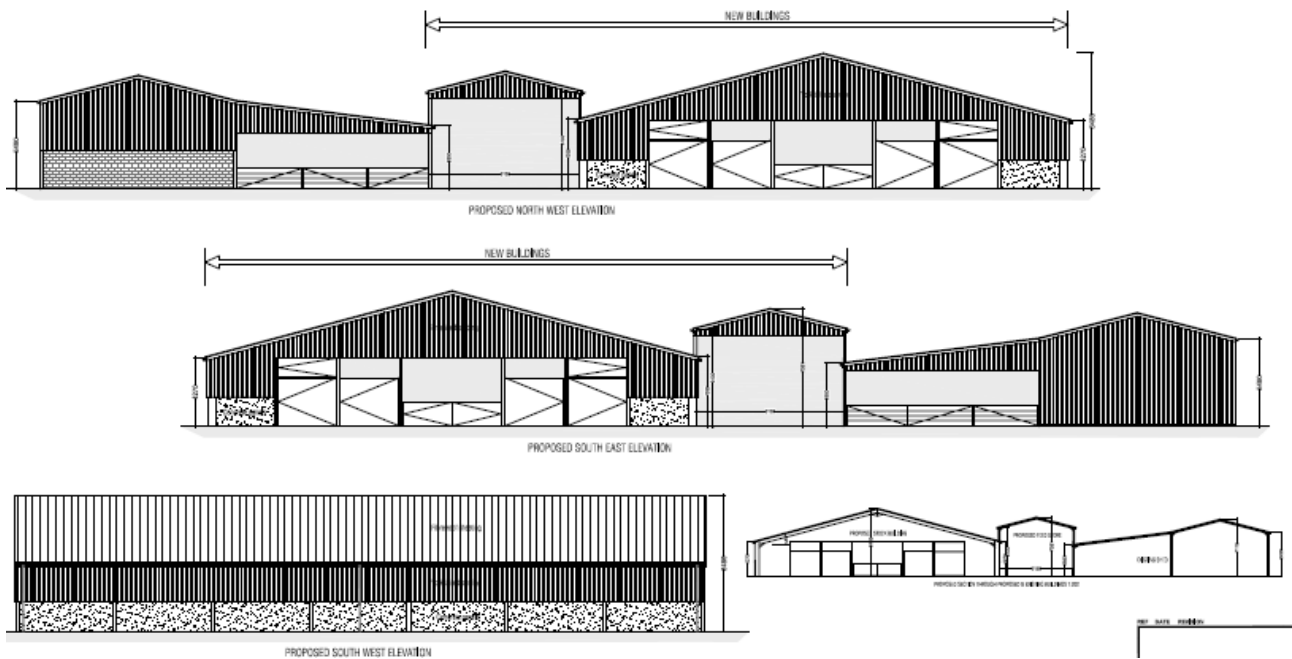
Public Rights of Way adjoining the field are shown on the extract below



## DESCRIPTION OF DEVELOPMENT

The application seeks consent for the erection of a new steel framed general stock and storage building positioned off the western end of an existing agricultural stock shed. The proposed agricultural building would have a total footprint of 39.8m by 42.7m with a total height of approximately 8.5m. The proposal will be constructed using grey fibre cement sheets for its roof and timber space boarding and concrete block for the walls.

The barn, whilst an extension to an existing building within the farmyard, would be erected on the adjacent field. The proposal area is currently used as a flat run out area from the existing stock housing.



## PLANNING HISTORY

1991/00742/FUL, Address: Flemingston Court Farm, Flemingston, Proposal: Change of use of stone barns into four dwelling units, Decision: Approved

1991/00743/LBC, Address: Flemingston Court Farm, Flemingston, Proposal: Conversion of barns to residential units, Decision: Approved

1991/00744/CAC, Address: Flemingston Court Farm, Flemingston, Proposal: Conversion and change of use of stone barns - demolition of brick, steel, asbestos barns and animal sheds, Decision: Approved

1996/01127/FUL, Address: Flemingston Court Farm, Flemingston, Proposal: Variation of Condition 1 of permission 91/00742/FUL, Decision: Approved

1996/01128/FUL, Address: Flemingston Court Farm, Flemingston, Proposal: Variation of Condition 1 of permission 91/00743/LBC, Decision: Approved

2004/01462/FUL, Address: Flemingston Court Farm, Flemingston, Proposal: Agricultural building, Decision: Approved

2006/00025/FUL, Address: Flemingston Court Farm, Flemingston, Proposal: Conversion of three redundant agricultural buildings to create four holiday units, Decision: Approved

2006/00056/LBC, Address: Flemingston Court Farm, Flemingston, Proposal: Conversion of three redundant agricultural buildings to create four dwelling units and the construction of two new garages and five external car parking spaces to serve the new dwellings, Decision: Approved

2020/00950/FUL, Address: Flemingston Court, Flemingston Road, Flemingston, Proposal: New horse accommodation building. Decision: Approved

## CONSULTATIONS

**St. Athan Ward Members** – No response received to date

**St. Athan Community Council** – No response received to date

**Councils Drainage Section** – No objection, but advised that a SAB application will be required

**Shared Regulatory Services (Pollution)** – No objection

**Shared Regulatory Services (Contamination)** – No Objection

**Ecology Officer** – No objection - Acknowledges that the proposed two nest boxes would provide some mitigation for nesting birds, however the provision of native trees and shrubs along the south western side of the stock sheds would provide a more significant improvement in local opportunities for biodiversity.

**Glamorgan Gwent Archaeological Trust** - The proposal is within located within an area of extensive prehistoric and medieval activity therefore a field evaluation should be carried out before the determination of the application. Following the submission of this, GGAT have confirmed they have no objection.

**Natural Resources Wales** – No objection - recommendation to seek the advice of the Council's in-house ecologist to determine if there is a reasonable likelihood of bats.

## REPRESENTATIONS

The neighbouring properties were consulted on 8 October 2020, a site notice was also displayed on 21 October 2020 and the application was also advertised in the press on 30 October 2020. No representations have been received.

## 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 Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP 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

#### **Managing Growth Policies:**

POLICY MG17 – Special Landscape Areas

#### **Managing Development Policies:**

POLICY MD1 - Location of New Development  
POLICY MD2 - Design of New Development  
POLICY MD7 - Environmental Protection  
POLICY MD8 - Historic Environment  
POLICY MD9 - Promoting Biodiversity  
POLICY MD17 - Rural Enterprise

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

#### **Future Wales: The National Plan 2040:**

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process. The following chapters and policies are of relevance in the assessment of this planning application:

#### Chapter 3: Setting and achieving our ambitions

- 11 Future Wales' outcomes are overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales.

## **Planning Policy Wales:**

National planning policy in the form of Planning Policy Wales (Edition 11, 2021) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales,

The following chapters and sections are of particular relevance in the assessment of this planning application:

Chapter 2 - People and Places: Achieving Well-being Through Placemaking,

- Maximising well-being and sustainable places through placemaking (key Planning Principles, national sustainable placemaking outcomes, Planning Policy Wales and placemaking)

Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Placemaking in Rural Areas
- Development in the Countryside (including new housing)

Chapter 6 - Distinctive and Natural Places

- Recognising the Special Characteristics of Places (The Historic Environment, Green Infrastructure, Landscape, Biodiversity and Ecological Networks, Coastal Areas)

## **Technical Advice Notes:**

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)
- Technical Advice Note 12 – Design (2016)

## **Supplementary Planning Guidance:**

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG). 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

## **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

#### Principle of the development

Policy MD1 (Location of New Development) of the Local Development Plan sets out criteria for the development of unallocated sites. This requires that such development should have no unacceptable impact on the countryside. Furthermore the policy seeks to emphasise the importance of protecting the countryside from unacceptable and unjustified new development.

The applicant owns approximately 186.7 hectares and rents an additional 153.7 hectares of farmland. The farm currently has 1200 breeding ewes producing 1750 lambs, 60 suckler cows and 3 stock bulls producing 58 calves. The applicant wishes to erect a new building that will be built to modern standards to help improve cattle health and welfare. The proposed feed store will replace an existing barn which is approximately 80 years old and in need of demolition. It will also increase capacity to allow adequate feed and bedding to be stored. It is considered that sufficient justification has been given for constructing the barn in this case, given that it clearly serves a large, established agricultural enterprise. Given the above the proposal is considered to be wholly justified in need and in principle.

#### Visual impact

In terms of visual impact, Policy MG17 (Special Landscape Areas) advises that development proposals will be permitted where it is demonstrated they would cause no unacceptable harm to the important landscape character of a special landscape area.

The building is of typical finishes and character for a modern agricultural barn. It is notable that the barn would be erected on land adjoining the farmyard and it would be visible from the roads to the north-west and south-east. The hedgerows alongside the roads would provide some screening, however the barn would be visible through gaps. It would also be visible from the nearby rights of way.

Whilst the barn would be visible and is sited in an adjoining field to the farmyard, it will be viewed as part of, and directly in the visual context of the existing complex of farm buildings and it would not appear as an incongruous incursion into the surrounding rural landscape. As such, and in light of the overtly agrarian appearance and design of the building, it is considered acceptable in terms of its visual impact on the countryside and is not considered to harm the character of the special landscape area.

Given the above, the impact of the proposal on the countryside is considered acceptable and it would comply with policies MD1, MD2 and MG17 of the Local Development Plan.

### Setting of listed buildings and conservation area

The primary consideration for any works affecting a listed building or conservation area is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses (in the case of listed buildings), and the desirability of preserving or enhancing character or appearance in the case of conservation areas.

There will be no direct impact on any designated historic asset, however, the proposal will have some impact on the setting of several listed buildings and the Flemingston Conservation Area. It is, therefore, necessary to assess whether this impact will preserve or enhance the significance of the setting of the listed buildings and conservation area.

Taking account of the local topography and townscape it is considered that the setting of Flemingston Court (Grade II\*), Detached Kitchen and Flemingston Court (Grade II) and (Combination Farm Building) and the Conservation Area will be affected to some degree by the proposed development. The extent of the yard associated with Flemingston Court Farm has expanded progressively west from the house and listed outbuildings since the early 20th century. This has given the site an overtly agrarian character.

The proposed development is considered to reflect this and whilst the scale and materials are significantly different to those used in the historic buildings, they reflect changing agricultural practices and, as such, preserve this aspect of the identified character. Given the continuity that the development would have with the existing farm complex and the distance from the listed buildings, it is considered that the proposal will preserve the setting of the listed buildings and the conservation area.

The proposal therefore also complies with policy MD8 of the Local Development Plan.

### Neighbouring Amenity

The building would not be within close proximity to neighbouring dwellings, with the closest being over 60m away from the proposal.

Noting the physical separation between the building and the nearest dwelling, along with the location of the proposed building, it is considered that the proposals would not result in harm to the amenities of neighbouring residential occupiers by reason of being overbearing. Neither would it result in noise that would detrimentally impact upon the nearest residential properties.

The proposal therefore complies with policies MD2 and MD7 of the Local Development Plan.

### Highway Safety

The proposed new structure is set well away from the public highway and there is no change to the existing access arrangements. Consequently, the proposal is not considered to have any impact on highway safety.

The proposal therefore complies with policy MD2 of the Local Development Plan in this respect.



## Ecology

The applicant has proposed the installation of 2 classic RSPB style nesting boxes at high level on the North West facing elevation of the proposed shed. The Ecology Officer has acknowledged that the proposed two nest boxes would provide some mitigation for nesting birds, and has advised that the provision of native trees and shrubs along the south western side of the stock sheds would provide a more significant improvement in local opportunities for biodiversity as well as giving other benefits.

Whilst the Ecology Officer's comments have been noted, it is considered that in this instance, given the proposal in an extension of an existing building and that hedgerow surrounds the site, that the two nesting boxes would be sufficient enhancement.

The proposal therefore complies with policy MD9 of the Local Development Plan.

## Archaeology

The proposal is within located within an area of extensive prehistoric and medieval activity.

The impact of the development on archaeological resources is a material consideration in the determination of this application. GGAT requested that a field evaluation be carried out before the determination of the application and that has now been carried out. The evaluation did not reveal any archaeological resource of consequence, however, GGAT responded to request additional information and some minor amendments. The new report has been submitted and satisfies GGAT's requirements (GGAT have confirmed 'no objection'). On that basis, the proposed development is considered acceptable in respect of archaeological impacts.

## RECOMMENDATION

### APPROVE subject to the following condition(s):

1. The development shall begin no later than five years from the date of this decision.

Reason:

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

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

-Plan 20-020 03  
-Plan 20-020 04

Reason:

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

3. Two RSPB classic bird nesting boxes shall be erected on the building, prior to its first beneficial use, in accordance with the document titled 'Ecology Enhancement', submitted 14/8/20.

Reason:

In order to secure ecological enhancements and to ensure compliance with Policy MD9 of the LDP.

### 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 and Future Wales – the National Plan 2040.

Having regard to Policies SP1 (Delivering the Strategy), SP10 (Built and Natural Environment), MG17 (Special Landscape Areas), MG22 (Development in Minerals Safeguarding Areas), MD1 (Location of New Development), MD2 (Design of New Development), MD7 (Environment Protection), MD8 (Historic Environments), MD9 (Promoting Biodiversity), MD17 (Rural Enterprise) 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 and Sustainable Development, Planning Policy Wales 11th Edition, the development is considered acceptable in terms of its impact on the wider landscape, scale, design, impact on the historic environment, residential amenity, highway safety and archaeology.

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.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.

### NOTE:

1. **New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres as defined by The Flood and Water Management Act 2010 (Schedule 3), will require SuDS Approval Body (SAB) approval prior to the commencement of construction.**

**Further information of the SAB process can be found at our website or by contacting our SAB team: [sab@valeofglamorgan.gov.uk](mailto:sab@valeofglamorgan.gov.uk)**

**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.**



REF DATE REVISION

**OnlineCAD** Ltd.  
ARCHITECTURAL SERVICES

No.2 The Courtyard  
Lion Street  
ABERGAUENNY  
MONMOUTHSHIRE  
NP75PE  
01873 840617 info@onlinecad.co.uk

CLIENT:  
J.E.Thomas and Son.

PROJECT:  
Flemingston Court  
Flemingston, Barry  
CF62 4QJ

SHEET TITLE:  
Location and Site

New Livestock & Feed Storage Sheds

SCALE: 1:2500 on A4	DATE: Aug 20	DRAWN: RAP
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DRAWING No	REV
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20-020 01

**2021/00536/FUL** Received on 7 May 2021

**APPLICANT:** Mr J McCarthy Ty Trisant, Penybryn, Pyle, CF336RB

**AGENT:** Mr Alex Smith Simply Planning, 214 Creative Quarter, 8a Morgan Arcade, Cardiff, CF10 1AF

### **Land at Tynywaun Farm, Newton**

Retrospective planning permission for the erection of close board timber fence

### **REASON FOR COMMITTEE DETERMINATION**

The application is required to be determined by Planning Committee under the Council's approved scheme of delegation because there is a dual recommendation for the refusal of the application and the authorisation of enforcement action.

### **EXECUTIVE SUMMARY**

Retrospective planning permission is sought to retain a two metre high close boarded fence that forms part of the northern and eastern boundaries of Tynywaun Farm, Newton. The site is outside the settlement boundary. It is within the Upper and Lower Thaw Valley Special Landscape Area.

The fence has been erected behind the existing hedgerow to the north, which forms the boundary with the highway. The fence is approximately 44 metres in length along its northern boundary with the highway and 30 metres in length along its eastern boundary.

Three representations have been received from neighbours, one making comments and two raising objections on a number of matters relating to the fence.

The key issues for this application are considered to be the impact of the fence on the countryside, including its visual impact and impact on the special landscape area.

The fence erected is of significant length and is considered out of character in this setting. Its presence gives the farmyard a rather suburban and domesticated appearance, which is considered inappropriate in this rural location. This impact on the character and appearance of the countryside and landscape is exacerbated by the fence being at the front of the premises alongside the public highway, so in a prominent location and easily visible from public viewpoints. The hedgerow and trees in front of the fence do provide some screening of the fence, but the fence is still visible behind these to the extent that it is considered to have adverse visual impacts.

It is therefore considered that the proposed fence has an unacceptable impact on the visual amenity of the countryside and special landscape area and is contrary to Policies MD1 (Location of New Development), MD2 (Design of New Development) and MG17 (Special Landscape Areas) of the Local Development Plan.

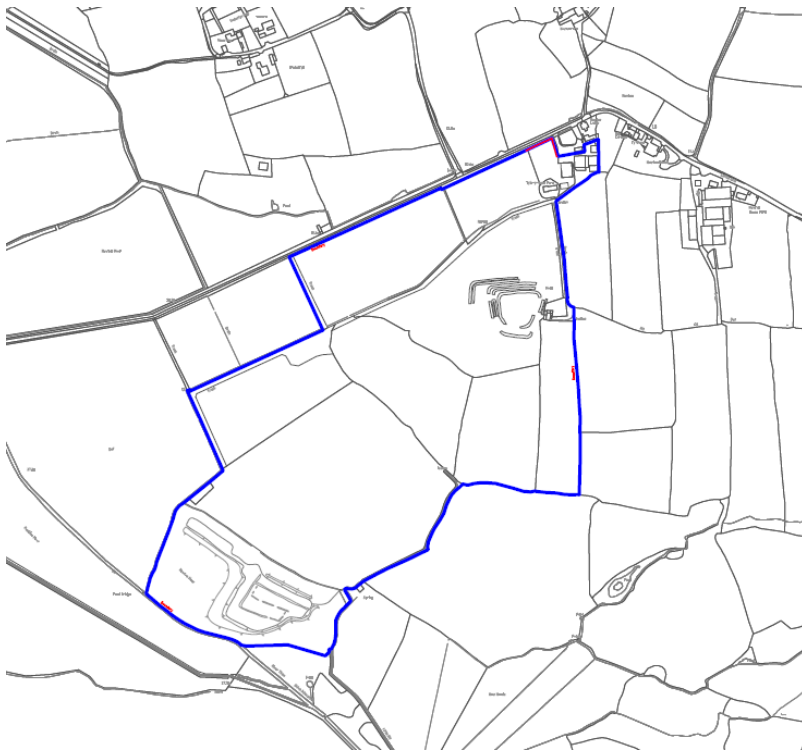
Consequently, it is recommended that the planning application be **REFUSED** and that **PLANNING ENFORCEMENT ACTION BE AUTHORISED** in the form of a planning Enforcement Notice. The Notice will seek to remedy the breach of planning control by securing the removal of the northern section of fence adjacent to the highway or its reduction to a height which can benefit from permitted development rights.

## SITE AND CONTEXT

Tynywaun Farm, Newton is located within a small group of properties in the countryside. There is currently a hedge, a fence and a watercourse forming the boundary with the road to the north. Within the hedge line there are also some larger trees. The dwelling known as Tynywaun Farmhouse is adjacent to the application site, but is a separate property, in different ownership, and is not part of Tynywaun Farm. The dwelling known as Newton Bungalow is an agriculturally tied dwelling within the Tynywaun Farm site.

The application site, and the location of the fence is shown in red on the plans below, with the rest of Tynywaun Farm outlined in blue.

*Location Plan:*



*Part of Location Plan:*



The site is outside any settlement boundary. It is within the Upper and Lower Thaw Valley Special Landscape Area. The site is located within the C2 Flood Risk Zone, as defined by the Development Advice Maps accompanying Technical Advice Note 15 (Development and Flood Risk). It is also considered at risk from surface water flooding, with the risk being defined as intermediate. The site is within an area safeguarded for its limestone resources.

#### DESCRIPTION OF DEVELOPMENT

Retrospective planning permission is sought to retain a two metre high close boarded fence that forms part of the northern boundary of Tynywaun Farm with the adjacent highway and the eastern boundary of Tynywaun Farm with Tynywaun Farmhouse. The fence has been erected behind the existing hedgerow to the north. The fence is approximately 44 metres in length along its northern boundary with the highway and 30 metres in length along its eastern boundary with the neighbouring property.

It is acknowledged that the fencing on the east elevation adjoining Tynywaun Farmhouse is likely to be considered permitted development under the Town and Country Planning (General Permitted Development) Order 1995 (as amended), as would fencing of up to 1 metre in height along the north elevation adjacent to the highway.

*Location of Fence (submitted as part of application):*



*Photograph from within Tynywaun Farm (applicant's photograph):*





*Local context (from Google street view) prior to fencing – Site to the right hand side:*



*Site Photographs:*

*Early March - North elevation to road:*



*Late May (2021) - North elevation to road:*



*Northeast corner*



*North-west corner:*



## PLANNING HISTORY

1988/00436/FUL, Address: Tynywaun Farm, Newton, Cowbridge, Proposal: Proposed resiting of single storey dwelling, Decision: Approved 16<sup>th</sup> December 1988.

2012/01078/PNA, Address: Tynywaun Farm, Newton, Cowbridge, Proposal: Construction of private way, Decision: Prior Approval Not Required 7 January 2013.

2012/01315/PNA, Address: Tynywaun Farm, Newton, Cowbridge, Proposal: Steel frame portal barn, Decision: Prior Approval Not Required 7 January 2013.

2014/00111/FUL, Address: Tynywaun Farm Newton, Cowbridge, Proposal: Single storey extensions to front and rear of existing single storey dwelling. Decision: Refused 3<sup>rd</sup> April 2014.

2014/00957/PNA, Address: Tynywaun Farm Newton, Cowbridge, Proposal: Alterations to hay barn, Decision: Prior Approval Not Required. 25<sup>th</sup> September 2014.

2015/00368/FUL, Address: Tynywaun Farm Newton, Proposal: Single storey extensions to front and rear of existing single storey dwelling (resubmission of application reference 2014/00111/FUL). Decision: Approved 21<sup>st</sup> May 2015.

2018/00637/FUL, Address: Tynywaun Farm Newton, Proposal: Variation of Condition 2 of Planning Permission 2015/00368/FUL to increase the height of the building by 750mm, Decision: Approved 18<sup>th</sup> July 2018.

2018/00637/1/CD, Address: Tynywaun Farm Newton, Proposal: Discharge of Condition 4-Hedgerow of Planning Application 2018/00637/FUL (Variation of Condition 2 of Planning Permission 2015/00368/FUL to increase the height of the building by 750mm), Decision: Approved 16<sup>th</sup> August 2020.

2018/01414/FUL, Address: Land at Tynywaun Farm Newton, Proposal: Proposed erection of a residential garage, Decision: Approved 9<sup>th</sup> May 2018.

2018/01414/1/CD, Address: Address: Land at Tynywaun Farm Newton, Proposal: Non material changes to windows in approved garage, Decision: Approved 1<sup>st</sup> October 2020.

## CONSULTATIONS

Penllyn Community Council were consulted on 10<sup>th</sup> May 2021. They responded on 20<sup>th</sup> May 2021 commenting they request that account is taken of the views of neighbours in resolving this application.

Highways Development were consulted on 10<sup>th</sup> May 2021. They responded on 1<sup>st</sup> June 2021 advising that they have no objections to the proposals in principle.

Natural Resources Wales were consulted on 27<sup>th</sup> May 2021. They responded on 7<sup>th</sup> June 2021 advising that given the scale and nature of the proposed development (and in the absence of a flood consequences assessment) they consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks.

The Ward Members for Cowbridge, Cowbridge with Llanblethian Town Council, the Council's Drainage Section and the Ecology Officer were consulted on 10<sup>th</sup> May 2021 and 27<sup>th</sup> May 2021, but no comments have been received at the time of writing this report.

## REPRESENTATIONS

The neighbouring properties were consulted on 10<sup>th</sup> May 2021. A site notice was also displayed on 27<sup>th</sup> May 2021.

One representation has been received commenting that the close boarded fence to the front of this property changes the character of the road.

Two representations have been received objecting to the application. These objections are summarised as follows:

- Upon the completion of the works to Newton Bungalow, Tynywaun Farm, a landscape plan was approved to ensure the character of the countryside is not harmed;
- The applicant gives no reason as to why the close boarded 2 metre fence is required;
- Object to the affect and appearance of the fence upon the countryside;
- The property is an agriculturally tied property, the addition of a 2 metre high close boarded fence abutting the highway creates a more "suburban" appearance to the property;
- Urbanisation of the countryside;
- Impact upon wild plants and flowers within the hedgerow due to lack of sunlight as the fence abuts the hedgerow;
- The watercourse is one metre from fence thus meaning that the fence would impact upon crustaceans due to a lack of sun light;
- The maintenance of the fence will be problematic as it is immediately above a watercourse;
- The fence is chemically treated:
- The fence does not comply with the appropriate legislation.

## 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 Vale of Glamorgan Adopted Local Development Plan 2011-2026 forms the local authority level tier of the development plan framework. The LDP 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 SP9 – Minerals

POLICY SP10 – Built and Natural Environment

### **Managing Growth Policies:**

POLICY MG17 – Special Landscape Areas

POLICY MG19 – Sites and Species of European Importance

POLICY MG20 – Nationally Protected Sites and Species

POLICY MG21 – Sites of Importance for Nature Conservation, Regionally Important Geological and Geomorphological Sites and Priority Habitats and Species

POLICY MG22 – Development in Minerals Safeguarding Areas

### **Managing Development Policies:**

POLICY MD1 - Location of New Development

POLICY MD2 - Design of New Development

POLICY MD7 - Environmental Protection

POLICY MD9 - Promoting Biodiversity

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

### **Future Wales: The National Plan 2040:**

Future Wales – the National Plan 2040 is the national development plan and is of relevance to the determination of this planning application. Future Wales provides a strategic direction for all scales of planning and sets out policies and key issues to be considered in the planning decision making process. The following chapters and policies are of relevance in the assessment of this planning application:

#### Chapter 3: Setting and achieving our ambitions

- 11 Future Wales' outcomes are overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales.

#### Chapter 5 – The Regions

- The Vale of Glamorgan falls within the South East region.
- Regional policies provide a framework for national growth, for regional growth, for managing growth and supporting growth.
- In the absence of SDPs, development management process needs to demonstrate how Future Wales' regional policies have been taken into account.

### **Planning Policy Wales:**

National planning policy in the form of Planning Policy Wales (Edition 11, 2021) (PPW) is of relevance to the determination of this application.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales.

The following chapters and sections are of particular relevance in the assessment of this planning application:

Chapter 2 - People and Places: Achieving Well-being Through Placemaking

- Maximising well-being and sustainable places through placemaking (key Planning Principles, national sustainable placemaking outcomes, Planning Policy Wales and placemaking)

### Chapter 3 - Strategic and Spatial Choices

- Good Design Making Better Places
- Placemaking in Rural Areas
- Development in the Countryside (including new housing)

### Chapter 6 - Distinctive and Natural Places

- Recognising the Special Characteristics of Places (The Historic Environment, Green Infrastructure, Landscape, Biodiversity and Ecological Networks, Coastal Areas)
- Recognising the Environmental Qualities of Places (water and flood risk, air quality and soundscape, lighting, unlocking potential by taking a de-risking approach)

### **Technical Advice Notes:**

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 6 – Planning for Sustainable Rural Communities (2010)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 15 – Development and Flood Risk (2004)

### **Welsh National Marine Plan:**

National marine planning policy is in the form of the Welsh National Marine Plan (2019) (WNMP). The primary objective of WNMP is to ensure that the planning system contributes towards the delivery of sustainable development and contributes to the Wales well-being goals within the Marine Plan Area for Wales. WNMP is of limited relevance in the assessment of this planning application.

### **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:

- Biodiversity and Development (2018)
- Design in the Landscape (2006)

- Minerals Safeguarding (2018)
- Sustainable Development - A Developer's Guide (2006)
- Trees, Woodlands, Hedgerows and Development (2018)

#### **Other relevant evidence or policy guidance:**

- Welsh Government Circular 016/2014: The Use of Planning Conditions for Development Management

#### **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

The key issues for this application are considered to be the impact of the fence on the countryside, including its visual impact and impact on the special landscape area.

Policy MD1 (Location of New Development) of the Local Development Plan requires that development on unallocated sites should have no unacceptable impact on the countryside. Policy MD2 (Design of New Development) requires that development proposals should be of a high standard of design that positively contributes to the context and character of the surrounding natural and built environment and protects existing features of townscape or landscape interest, and respond appropriately to the local context and character of neighbouring buildings and uses in terms of use, type, form, scale, mix, and density. Policy MG17 (Special Landscape Areas) requires development within special landscape areas to demonstrate they would cause no unacceptable harm to the important landscape character of the area.

The boundary of what is considered to be the garden associated with the dwelling (Newton Bungalow) is further to the south and defined by replanted hedging as approved under application reference 2018/00637/1/CD. The fencing subject to this application therefore defines the edge of the farmyard, rather than garden land.

Close boarded fencing, such as the fence that has been erected, would not normally be expected to form the boundaries of a farmyard in a countryside setting, and is more typical of urban and suburban gardens. The fence erected has been sited on a bank and due to its length of some 44 metres along the road frontage, whilst set back with some intervening planting, is still widely visible along this rural lane, where such a form of enclosure is considered to be wholly out of character with its rural setting. Its presence gives the farmyard an overly domesticated appearance, which is considered inappropriate in this rural location.

This impact on the character and appearance of the countryside and landscape is exacerbated by the fence being at the front of the premises alongside the public highway,

in a prominent location and easily visible from public viewpoints. It is acknowledged that hedgerow and trees in front of the fence do provide some screening of the fence. However, the fence is still visible behind these, to the extent that it is considered to have adverse visual impacts.

The applicant's agent has suggested that the hedgerow has been trimmed before the erection of the fence, and once the hedgerow grows back, the fence will not be visible from the public domain. He has indicated that the applicant would accept a condition that the hedgerow must be kept to a height of at least two metres once it has re-established at this height.

It is accepted that the hedgerow may grow to provide further screening than at present. However, there is no guarantee that this will occur to the extent that the fence will be sufficiently screened to avoid adverse visual impacts. This is particularly as the fence is constructed very close to the hedge line and could itself impact on the future growth of the hedgerow.

In addition, it is not considered that a condition to keep the hedgerow at a height of at least two metres would be enforceable as if the hedgerow is cut for any reason, there is little that could be done to remedy the situation.

Given the above, it is considered that the proposed fence has an unacceptable impact on the visual amenity of the countryside and special landscape area and is therefore contrary to Policies MD1, MD2 and MG17 of the Local Development Plan. It is therefore recommended that planning permission is refused.

### Other Issues

In respect of the location of the fence in an area at risk of flooding, this is a minor development that does not involve the creation of floor space. Therefore flood risk is not considered to be a significant issue for this application.

No comments have been received from the Council's Ecologist at the time of writing this report. However, it is considered unlikely that the fence has a significant impact on any wildlife living in the adjacent watercourse.

It is not considered the fence has an impact on limestone resources.

### Service of Enforcement Notice

In view of the issues identified in the paragraphs above, it is considered expedient to pursue action in the form of a Section 172 Enforcement Notice, relating to operational development.

It is acknowledged that the fencing on the east elevation adjoining Tynywaun Farmhouse is likely to be considered permitted development under the Town and Country Planning (General Permitted Development) Order 1995 (as amended), as would fencing of up to 1 metre in height along the north elevation adjacent to the highway. Therefore, the service of an enforcement notice is recommended to either remove the northern section of fence or to reduce it to the height permitted by the above Order, which would be 1m above ground level.



*Resource Implications (Financial and Employment):*

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):*

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). 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):*

None

**RECOMMENDATION**

**REFUSE AND AUTHORISE ENFORCEMENT ACTION**

1. That planning permission for the retention of the fence be refused.
2. That the Head of Legal Services be authorised to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) to require the removal of the northern section of fence, or its reduction to a height such that it can benefit from permitted development rights
3. In the event of non-compliance with the Notice, authorisation is also sought to take such legal proceedings as may be required.

**REFUSE**

1. The close boarded fence, by virtue of its length and its elevated position along the road frontage is considered out of character in this rural location and has an unacceptable visual impact on the countryside and character of the Upper and Lower Thaw Valley Special Landscape Area. The proposal is therefore considered contrary to Policies MD1 (Location of New Development), MD2 (Design of New Development) and MG17 (Special Landscape Areas) of the Vale of Glamorgan adopted Local Development Plan 2011-2026 and National planning policy in the form of Planning Policy Wales (Edition 11, 2021) and Technical Advice Note 12 – Design (2016).

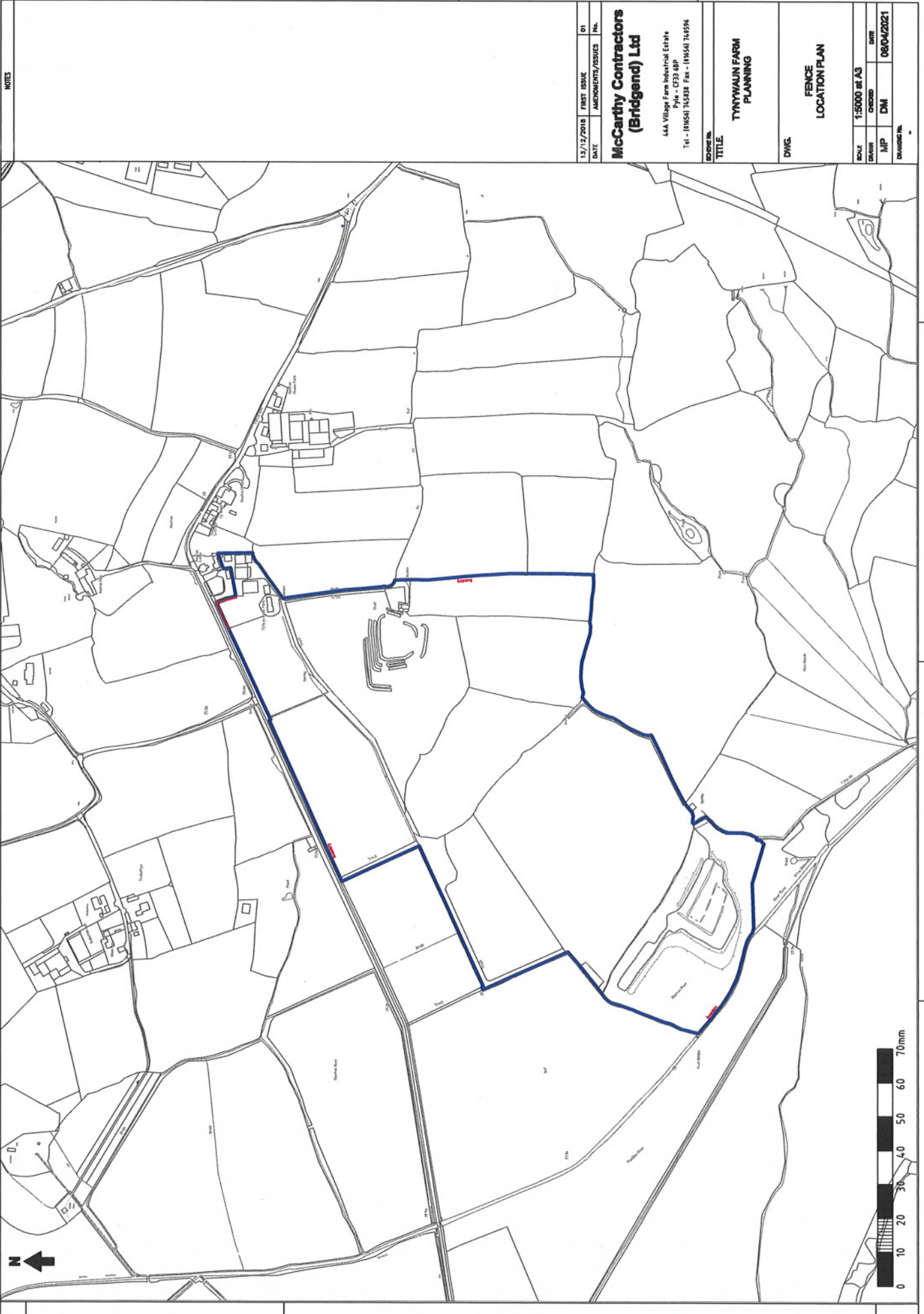
**REASON FOR RECOMMENDATION**

The decision to refuse 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 and Future Wales – the National Plan 2040.

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.

The appropriate marine policy documents have been considered in the determination of this application in accordance with Section 59 of the Marine and Coastal Access Act 2009.



NOTES

12/12/2018	FIRST ISSUE	D1
DATE	AMENDMENTS/ISSUES	No.
<b>McCarthy Contractors (Bridgend) Ltd</b>		
44A Village Farm Industrial Estate Pyle - CF33 6BP Tel - (01850) 745331 Fax - (01850) 744594		
<b>TYNYWAIN FARM PLANNING</b>		
<b>FENCE LOCATION PLAN</b>		
SCALE	1:50000 at A3	DATE
DRAWN	DM	08/04/2021
CHKD	DM	
M/P		
REVISED No.		